Questions
1. Deleted.
2. Deleted.
3. Deleted.
4. What is the “traditional” view of a Seventh Day Adventist in Ghana?
5. Deleted.
6. What information is available regarding the appointment of the Asante Chieftaincy?
7. Is it likely that an individual would be forced into the chieftaincy?
8. Are there disputes and rivalries regarding chieftaincy? If so, why?
9. What reliance/importance would Otumfo Osei Tutu II place on chieftaincy and next in line disputes? Is it likely that he could be displeased if an individual refused to join?
10. Is there information that can inform me how likely it is that people would be upset by an individual’s stand in not joining the rituals of traditional religion?
11. What role do the elders play in this type of dispute?
12. Deleted.
13. It is likely that the police would not wish to be involved/protect an individual who refused the chieftaincy or refused to perform rituals of traditional religion?
14. What is position of religious freedom generally in Ghana?

RESPONSE

1. Deleted.
2. Deleted.

Sources consulted for this research response indicate that Asante can also be spelt Asanti and Ashanti. The spelling Asante has been used in the writing of this response but all three spelling variations were used in conducting searches for available information.
3. Deleted.

4. What is the “traditional” view of a Seventh Day Adventist in Ghana?


For a more detailed analysis of the above information please see the following reports.

On February 2000 Adventist News Network reported that the Asantehene, Otomfuo Osei Tutu II met with Dr Paulsen the President of the Seventh-day Adventist Church and “spoke warmly of the Asante people’s involvement with the Adventist Church”. The report states that the Asantehene thanked the Seventh-day Adventist Church leader for schools and health facilities built in Asante territory. The report also cites the Asantehene as saying that “we want you to do more evangelism here”. The report provides the following relevant information:
Both the civil and traditional leaders of the Ashanti region of Ghana told the visiting president of the Seventh-day Adventist Church, “We want you to do more evangelism here.”

Paulsen, world leader of the Adventist Church, was paying courtesy visits to the Ashanti leaders on January 24 as part of an itinerary associated with the establishment of a new Church organization in Ghana.

…The Adventist president and the Church delegation then visited the Asantehene or traditional King of the Ashantis, Otomfo Osei Tutu II. Paulsen spoke of his happiness to return to the Ashanti Region where he had been ordained as a gospel minister in 1963.

“It is an enriching moment to meet with you and this body at such an important occasion concerning the maturity of the Adventist Church in Ghana,” he said. “We want to work together to continue to improve the quality of life, not just in the spiritual area, but in all matters that improve the lives of all people. You are not only the servant of the people but also the servant of God. I am confident that God will give you wisdom and that you will be a tool in the hand of God for the Ashanti people.”

Paulsen also explained that he was visiting the country to coincide with the establishment of the Adventist Church’s Ghana Union Conference. This, he continued, meant that Ghanaian Adventists have achieved a high level of maturity and selfhood in the areas of personnel, administration, and finance so that the Church can operate its own affairs.

In his reply, the Asantehene spoke warmly of the Ashanti people’s involvement with the Adventist Church.

“We remember that the foundation of the Sabbath people (Adventist Church) in Ghana was in our area. We know Adventists to be a disciplined people with good doctrines and good programs. We thank you for the schools you have established here and ask for more. In the most recent example, after we provided the land, you built a school with six classrooms in two months. We also recognize the work of the Adventist Development and Relief Agency, and of 80 schools built by ADRA, 37 have been built in the Ashanti region. We are also glad for the health programs and the clinics that have been provided. Adventists have brought progress to the Ashanti nation. We have attended Adventist services, and we know that you work very hard. We are happy that Pastor Paulsen can visit us today.”

The Asantehene also acknowledged the presence of Pastor Matthew Bediako from the Ashanti Region, and now a general vice-president at the Church’s world headquarters in Silver Spring, Maryland, USA, as well as the Church’s leader in Ghana, Pastor P.O. Mensah.

“To Pastor Bediako, we say remember you are your mother’s son. We are pleased that with the formation of the Ghana Union Conference the Adventist Church in Ghana can stand on its own, and we recognize that its leader, Pastor Mensah, is an Ashanti. We will pray for him and the Church for stability and continued growth. We want you to do more evangelism here. As we put our hands together there will be a good harvest and we can improve the lot of people. Youth must be involved. We must take things seriously. Adventists can help us with your experience. We look forward to a better hospital and to a university. We pray your Church will continue to grow in our nation, so there will be peace and progress. Be transparent. Continue to remember us in your prayers and share with us” (Hagan, J. & Gallagher, J. 2000, ‘Ghana: Ashanti Regional Minister and King of Ashanti Nation Tell Adventist World President: “Do More Evangelism Here”, Adventist News Network, 1 February. http://news.adventist.org/2000/02/ghaa-ashati-regioal-miister-a-kig-of-ashati-atio-tell-avetist-worf-presiet-o-more-evagelism-here.html – Accessed 24 July 2009 – Attachment 13).


A summary of the publication *Ghana Seven–Day Adventism: A History* by the author Dr. Kofi Owusu-Mensa, indicates that Seventh-day Adventism was first introduced in Ghana in the late 19th century. The summary states that since its inception the facilities of the Seventh-day Adventist Church has grown to include “churches, schools, health institutions, a press, a university, a women’s center, and other facilities” (Mensa, K.O. 2008, ‘Ghana Seventh-Day Adventism: A History [Summary by Professor Kofi Owusu Mensa]’, South Ghana Conference of Seventh-Day Adventists website [http://www.sgcsda.org/aig.htm](http://www.sgcsda.org/aig.htm) – Accessed 28 July 2009 – Attachment 16).


Information from the website of the South Ghana Conference of Seventh-day Adventists states that “over the years indigenous believers and foreign workers have worked together to build the church in all the ten regions of Ghana, recording a total membership of some 300,000 at its 100th anniversary in 1988” (‘Books By Prof. Kofi Owusu Mensa on Adventism in Ghana’ 2008, South Ghana Conference of Seventh-day Adventist website [http://www.sgcsda.org/prof.htm#2](http://www.sgcsda.org/prof.htm#2)- Accessed 28 July 2009 – Attachment 20).

On 2 February 2009, *The Adventist News Network* reported that Ghana’s president John Evan Mills had “praised the Seventh-day Adventist Church for contributions to education and development and relief efforts”. The report states that the President also said that he would “work with institutions such as the Adventist Church to accomplish the church’s goals”. The report provides the following information:

Ghana’s President John Evans Atta Mills praised the Seventh-day Adventist Church for contributions to education and development and relief efforts in a statement read at a prayer service held January 31. The prayer service, called “Uniting Ghana through Christ”, followed the country’s national election last December.
Recently elected President Mills said the government-organized day of prayer was held to thank God for blessing the country with a peaceful election.

The prayer and thanksgiving day held Saturday at the Garrison Seventh-day Adventist Church in Accra corresponded with similar services held by Muslim worshipers on Friday and other Christian denominations on Sunday.

In his statement, Mills applauded the Adventist Church for its contributions to society, including the various levels of education offered through church schools and the Adventist Development and Relief Agency (ADRA) for working alongside the government to improve the lives of rural Ghanaians.

Mills also said in the statement that he would work with institutions such as the Adventist Church to accomplish the church’s goals.


On 15 July 2008, The Adventist News Network reported that Seth Abang Laryea, President of Valley View University established by the Seventh-day Adventist church was awarded “one of Ghana’s highest national awards given to private citizens, the Order of Volta.” The award was presented by the President of Ghana. The report states that “Laryea is the second Seventh-day Adventist to receive the Order of the Volta Award from Ghana. Matthew Bediako, executive secretary of the Seventh-day Adventist world church, was awarded the Order for religious contributions in 2006” (Asafo, S. 2008, ‘Ghana: Adventist university president receives nation’s highest civilian honor’, Adventist News Network, 15 July http://news.adventist.org/2008/07/ghaa-avetist-university-presiet-receives-atihos-highest-civilian-hoor.html – Accessed 3 August 2009 – Attachment 19).

5. Deleted.

6. What information is available regarding the appointment of the Asante Chieftaincy?

Information for the question has been provided under the following subheadings:

- General Information on the structure of Asante Chieftaincy, and
- Succession principles for the Asante Chieftaincy.

**General Information on the structure of Asante Chieftaincy**

Available information indicates that within the Asante Chieftaincy system there are many hierarchical levels. Reports indicate that the top of the Asante Chieftaincy is the King or Asantehene who presides over a group of paramount Chiefs. A paramount chief is in turn responsible for presiding over a group of district or divisional Chiefs. A District Chief is in turn responsible for presiding over village Chiefs also referred to in some reports as sub-Chiefs. A 1997 journal article titled Asante Queen Mothers reports that a female structure of leadership operates parallel to the male chieftaincy and that these female leaders are known as “Queen Mothers” (‘African People & Culture: Tribes & People Groups: Ashanti’ (undated), Africa Guide website http://www.africaguide.com/culture/tribes/ashanti.htm – Accessed 10 July 2009 – Attachment 23; Ubink, J.M. 2008, In the Land of the Chiefs:...
Customary Law, Land Conflicts, and the Role of the State in Peri-Urban Ghana, Leiden University website, 26 February, p.141

For a more detailed examination of the above reports and sources please see the following information.

The website, AfricanGuide.com, a global network of guides, outfitters, photography, safaris, hunting, real estate and services involved with travel in Africa, provides the following brief description of the structure of the Asante traditional government and levels of chieftaincy:

The government of Ashanti is shaped like a pyramid. There is one king and he heads the Ashanti Confederacy Council, a group made of paramount chiefs. A paramount chief presides over district chiefs. A district chief presides over a District Council of Elders, which is made up of subchiefs. Villages are brought together by a subchief. Within every village there is a village head council made up of all the heads of households (‘African People & Culture: Tribes & People Groups: Ashanti’ (undated), Africa Guide website http://www.africaguide.com/culture/tribes/ashanti.htm – Accessed 10 July 2009 – Attachment 23).

A 2008 report on the Chieftaincy in Ghana by Dr Janine Ubink provides the following description of the hierarchy of chiefs within the Asante Region:

Kumasi is the second largest town in Ghana and the capital of the Ashanti Region. Chiefs are a prominent feature of Ghanaian society.

…According to Toulmin and Longbottom (Toulmin and Longbottom 2001: 11-18) chiefs have remained of much greater importance in Ghana than elsewhere in West Africa.

…In the Ashanti Region chiefs are highly visible and organized strongly hierarchically, from the Asantehene, king of Asante, at the top through the paramount chief (omanhene), divisional chief (ohene) and local village chief (odikro) to the clan or family head (abusua panin) (Ubink, J.M. 2008, In the Land of the Chiefs: Customary Law, Land Conflicts, and the Role of the State in Peri-Urban Ghana, Leiden University website, 26 February, p.141

A 1997 journal article titled Asante Queen Mothers by Professor Beverly Stoeltje, from Indiana University, provides an overview of the traditional Asante Chieftaincy structure. The article reports that the Asante community is based on a system of matrilineal lineage in which people belong to their mother’s clan. The report states that each line of lineage “is a political unit, represented by a head who acts as a representative on larger councils.” The report also states that “this form of representation and hierarchy is expanded into larger political units through the village leader; the division chief; the paramount chief and finally to the Asantehene, the chief of all Asante”. According to the article “parallel to each chief is a female leader known as the Queen Mother”. The following are extracts from the journal article regarding the structure of the Asante chieftaincy:

Although British colonialism and late national independence, superseded the confederacy, Asante social and political organization remains a vital and active force in everyday life at
Succession principles for the Asante Chieftaincy

Available information indicates that Asante and Akan Chieftaincy is based on matrilineal succession. An individual’s right to assume the Chieftaincy is thus based on their mother’s royal lineage. Reports indicate that under this system there can be many possible candidates for succession to the Chieftaincy. Sources consulted report that the Asante and Akan people undertake a formal process to select a new Chief. Reports state that the Queen Mother is responsible for selecting a candidate for the Chieftaincy. The Queen Mother does this through a process of consultation with members of the royal family and elders. In choosing a candidate for the Chieftaincy the Queen Mother must consider royal lineage as well as the personal characteristics of potential candidates. The Queen Mother is allowed to choose three candidates for the consideration of the traditional council before the council itself can choose an individual for the Chieftaincy. Some reports state that candidates for the Chieftaincy are then presented at a public gathering so citizens can express their approval or disapproval. It should be noted that according to a 1976 journal article on the Asante Chieftaincy formal matrilineal lines of succession are not always rigorously observed and that “rules of succession differ from stool to stool throughout Ashanti” (Stoeltje, B.J. 1997, ‘Asante Queen Mothers’, Annals of the New York Academy of Sciences, vol. 810, June, pp. 41-42 & 52-53 – Attachment 25).


For a more detailed examination of the above reports and sources please see the following information.

The 1997 journal article, Asante Queen Mothers reports that the Asante society is based on a system of matrilineal succession. Therefore an individual’s right to chieftaincy is based upon their mother’s lineage. The report states that:

Matrilineal descent remains the basis for Asante social organization. Every individual belongs to the mother’s clan, one of seven or eight clans, and marriage is exogamous. All successions are matrilineal, including those who are qualified to occupy the stool of the Queen Mother or chief in every town and division. Those individuals, who are the members of the royal family in every town and division, are descended through the lineage of their mother like all other Asante (and Akan), and trace their identity to an early ancestress.

…The Asante, like other Akan groups, practice matrilineal systems of succession and inheritance, tracing descent from a common ancestress through lineages (based on a known ancestress in historical time) and clans (based on an unknown or nameless ancestress in earlier time). The connection between one generation and the next is established through blood (rnogya or bogya) as it is passed through the female, from mother to child. Thus, one’s family (clan or abusua) is determined by the mother. Whether one is a royal and therefore qualified to be a Queen Mother or chief depends on one’s lineage. The royal lineage of a clan was determined long ago on the basis of the first families to settle in an area (Stoeltje, B.J. 1997, ‘Asante Queen Mothers’, Annals of the New York Academy of Sciences, vol. 810, June, pp. 41 & 53 – Attachment 25).

The article, Asante Queen Mothers also outlines the role of the Queen Mother in appointing chiefs. The article states that the Queen Mother nominates a candidate for the chieftaincy which she presents to the traditional council for approval. If the council does not accept this candidate the Queen Mother has two more opportunities to put forward candidates. The Queen Mother is expected to choose someone with the correct royal lineage and of appropriate character. If the council does not accept the three recommendations by the Queen Mother they can chose their own candidate as Chief. The report states that there are numerous points in the appointment process where it is possible for people to express dissatisfaction with the candidate for chieftaincy:

The Queen Mother exercises authority in many domains, but none is more powerful than her responsibilities in regard to the chief. Her most visible authority concerns the selection of a chief. When the chief’s stool becomes vacant, she nominates a candidate for chief which she then presents to the traditional council for their approval. (Most sources agree that she consults with the elders of the royal family before making a decision.) If the candidate is not acceptable to the traditional council, she then has two more opportunities to produce an acceptable candidate. Her choice is based upon her knowledge of the family history. Genealogy is the responsibility of Queen Mothers so she is the person who can identify those individuals who are qualified. In particular her knowledge should insure that the chief is descended from the royal ancestress and not someone who has been incorporated into the family whose ancestors might have been slaves or strangers. However, she is also expected to be familiar with the character of the individuals who qualify and to nominate the person whose character is best suited for the stool. If the Queen Mother and the council cannot agree
on a candidate after she provides three nominations, then the council can choose a candidate. Some sources believe that the Queen Mother must still approve the candidate as qualified for the stool while others do not mention this. (Rattray states that “no one can be put upon the stool against whom the Queen Mother gives her veto . . .” 1923: 82). There are numerous points in this procedure where ambiguity makes it possible for individuals to disagree, and indeed this does happen at times, particularly when someone wants to put a man on the stool who does not meet the qualifications. Then the Queen Mother must veto the choice, and a dispute can arise (Stoeltje, B.J. 1997, ‘Asante Queen Mothers’, Annals of the New York Academy of Sciences, June, vol. 810, pp. 54 – 55 – Attachment 25).

A November 2005 in the independent weekly online opinion magazine by the Inter Region Economic Network, The African Executive, provides information on succession within the Akan chieftaincy. The report indicates that there can be many candidates for the Chieftaincy which can be chosen from several kinship groups descending from the same matrilineal line. The report states that the Queen Mother nominates candidates for the Chieftaincy in consultation with the members of the royal family based on lineage and personal characteristics. Once a candidate has been chosen they are publicly presented to the elders and “commoners” of the village who indicate their support for the candidate. The report states that “if there is widespread dissatisfaction with the new candidate, the response from the crowd would indicate and the whole process would have to be started all over again”. The report provides the following information:

The Queen Mother selects or nominates the candidate to fill a vacant stool. As the mother of the members of the royal lineage, she is regarded as the authority on the kinship relations of the lineage. She questions as to whether or not any candidate possesses a legitimate kin-right to the stool.

…When a Chief dies or is destooled a new Chief is generally chosen from a particular kingship branch of the clan to which the stool belongs. There may be many separate kingship groups tracing their descent from a common mother (matrilineal). The chieftain may also pass alternatively from one group to another or even in rotation amongst the heads of three or four different kingship groups holding the office in turn. The eldest son of the senior woman of the royal family may or may not succeed. A brother may succeed a brother, an uncle, nephew, grandfather, grandson, can be chosen and the younger of any of these candidates may be chosen over the elder. With these different possible aspirants, much room is left for a democratic process to choose the best suitable candidate. A formal process of selecting a chief is initiated with an official delegation from the kin-makers to the Queen Mother asking her to nominate a Chief. The Queen Mother then holds a meeting with all the adult men and senior women of the branches of the royal lineage. The eligible candidates are considered in turn and the most suitable one is chosen. The necessary qualities apart from the lineage rights include intelligence, humility, generosity, manliness, and physical fitness. When a candidate is selected the Queen Mother sends to inform the Kurontihene. The “Kurontihene” then sends a message to all the elders of the village or town asking them to be present for the election of the new chief. This is an important occasion in which everybody takes interest; all the headmen, elders, and commoners come to the meeting. The spokesman for the commoners, the “Nkwankwaahene”, would indicate to the kin-makers, from the response of the crowd after introducing the new candidate. If there is widespread dissatisfaction with the new candidate, the response from the crowd would indicate and the whole process would have to be started all over again. If the candidate is applauded and cheered from the crowd he is carried on shoulders with white clay powder poured on him through the streets of the village or town for the preparation of swearing in ceremony (Amankona, F.D. 2005, ‘The Chieftaincy Institution-Lessons from Our Ancestors and Traditions’, The African Executive, 16 November http://www.africanexecutive.com/modules/magazine/articles.php?article=356# – Accessed 10 July 2009 – Attachment 22).
A 2006 conference paper by Professor Nabila-Wulugunaba, a Member of the Ghanaian National House of Chiefs, includes a section on the succession of Chiefs. The paper states that in the Akan system the Queen Mother is allowed three attempts to nominate a suitable new Chief to the ‘king makers’. If these three candidates are rejected then the “king makers” must select a person. The paper provides the following information:

The 1969, 1979, 1992 Constitutions as well as the Chieftaincy Act, 1971 (Act 370) define a chief as “a person hailing from the appropriate family who has been validly nominated, elected, enstooled or enskined as a chief or Queen Mother in accordance with the prevalent customary law and usage” (Article 277 of 1992 Constitution). It stands to reason that membership of the royal family lineage system is sine qua non for being made a chief. In many traditional areas in Ghana, the power to nominate, elect and enstool or enskin is not vested in one authority. In many Akan speaking areas the Queen Mother has the singular function of being responsible for the nomination but is however limited only to three attempts of nomination whereas the king makers have the responsibility of selecting the one who has to be enstooled. The king makers only nominate a candidate when the Queen Mother’s choices have been rejected three times. If in the long run a person is accepted to be made chief in the Akan system, the enstoolment and outdooring ceremonies are performed by other cells of authority in the chief’s court or Palace (Nabila-Wulugunaba. J 2006, ‘Decentralisation within the traditional system of authority in Ghana’, Konrad-Adenauer-Stiftung website, 18 August http://www.kas-benin.de/ghana/Prof_Nabila-Decentralisation_and_Trad_System.pdf – Accessed 21 July 2009 – Attachment 26).

A 1999 journal article titled Culture and Economic Development in Ghana provides brief information on the election of chiefs in the Akan Chieftaincy. The article states that in the Akan Chieftaincy all the families involved are consulted and that “everyone has the right to express his views”. A few representatives then consult the Queen Mother to reach an agreement. The chief then pronounces the decision. The report states that:

The chiefs are elected in most cases — with some minor exceptions — to their positions. Decisions are made e.g. in the Akan chieftaincy through consulting all the families involved in the issue. Everyone has the right to express his views. A few representatives are then selected to consult the Queen Mother—who is a very important old lady in the community but not the chief’s wife — to reach a consensus. The chief must also heed the queen-mother’s views, and he, finally, pronounces their joint solution. Despite the power, the chiefs are also removable from their positions) (Vehhamaki, M. 1999, ‘Culture and Economic Development in Ghana, The Conventional Wisdom Revisited’, Nordic Journal of African Studies, vol.8, no.1, p.63 http://www.njas.helsinki.fi/pdf-files/vol8num1/vehnamaki.pdf – Accessed 21 July 2009 – Attachment 27).

External advice gained from Dr Kofi Ellison, on 13 April 2007 states that within the Asante chieftaincy “there is hardly ever a single individual candidate”. Dr Ellison states that:

Since chieftaincy succession in Asante is not by the primogeniture rule, succession is really never clearly defined. There is hardly ever a single individual candidate.

In our Asante case, because inheritance is matrilineal, matters can be even more ill-defined. There could be so many nephews trying to succeed one uncle (Ellison, K. 2007, Email ‘Re: Request for assistance from Refugee Review Tribunal, Sydney Australia (RRT ref: GHA31635)’, 13 April – Attachment 1; for further information regarding this external advice see: RRT Research & Information 2007, RRT Research Response GHA31635, 9 May – Attachment 2).
A 1976 journal article titled *Ousting the Chief: Deposition Charges in Ashanti* states that the formal matrilineal lines of succession in the Asante Chieftaincy are not always observed and that “rules of accession differ from stool to stool throughout Asante; in some cases even the basic matrilineal principle gives way to patrilineal succession”. The article states that the process of accession to the Chieftaincy however, is generally the same. The Queen Mother nominates a candidate for the approval of the council of stool elders. Once a candidate has been selected a public ceremony is organised in which citizens can express their approval or disapproval. The journal article provides the following relevant information:

In all political systems there are discontinuities between formal political rules and the strategic use made of them. The commonly asserted rule that only maternal grandsons of a chief may accede to a stool proves in very few cases to have been observed rigorously. Rivalries within families, lineages or political communities can make it difficult for one group to retain control of an office indefinitely. Moreover, rules of accession differ from stool to stool throughout Ashanti; in some cases even the basic matrilineal principle gives way to patrilineal succession. Generally, however the process of accession begins with the ‘royal family’ of the chief, and commonly it is the stool Queen Mother who takes the initiative by proposing a candidate. The council of stool elders considers this, asking for further proposals if they disapprove. When they are satisfied they put their choice to an assembly of the citizens of the stool, who have the right to acclaim or reject him. The accession is then endorsed by the superior authority of the State. The new chief must swear allegiance to his paramount and, if his office, entitles him, take up his seat in the State Council. Today, final authorisation is by government gazette, the Minister of Local Government having the final authority to accept or reject the candidate (Robertson, A.F. 1976, ‘Ousting the Chief: Deposition Charges in Ashanti’, *Man*, vol.11, no.3, September, pp.417-418 – Attachment 28).

7. Is it likely that an individual would be forced into the chieftaincy?

Please note that some reports refer to forcing an individual into the chieftaincy as ‘forced enstoolment’. This is a reference to the royal stool, a sacred chair held by Ghanaian chiefs.

One article was found in the sources consulted which reports on the practice of forced enstoolment in Ghana. On 27 January 2006, *The Ghanaian Chronicle* reported that Nii Armah Ashitey, a former mayor and parliamentary candidate was abducted in order to force him to occupy the Chieftaincy of the Teshie Traditional Area. Ashitey had reportedly expressed disinterest in occupying the Chieftaincy. The report states that the Teshie area had not had an official Chief for 15 years and that the acting Chief had justified the abduction by stating that “it is our tradition to use force if a person shows no interest”. According to the article at the time of reporting Ashitey was in hiding in Ghana. The report also states that a few months earlier a famous broadcaster had “died under mysterious circumstances, after he had been captured and taken through some rituals, in a bid to installing him on a tradition stool, he had declined, raising human concerns”. The following are the relevant extracts from the report:

After several weeks of hiding, the former mayor of the Tema Municipal Assembly, and National Democratic Congress (NDC) parliamentary candidate for Korle Klottey in the last elections, Nii Armah Ashitey, was, yesterday abducted by traditionalists of Teshie, in very bizarre circumstances, leaving bloodstains all over his office vicinity.

…Later in an interview with his wife, Mima, she stressed that Nii Armah was still telling his abductors over an hour after his capture that he was not interested in the revered title, and expressed the hope that he would come out of it.
It would be recalled that a few months ago, a famous broadcaster, Dusty Wayne, died under mysterious circumstances, after he had been captured and taken through some rituals, in a bid to installing him on a traditional stool, he had declined, raising human rights concerns.

…The acting Chief of Teshie, Nii Akpor Adjei II, had disclosed to The Chronicle that whoever emerged from the selection process by the Kingmakers of Teshie from the six nominations from the Ashitey We (clan) where Nii Armah Ashitey hailed from, would be forced to become chief, even against his will.

In an interview with Nii Akpor Adjei II in Accra three weeks ago, he said that force would be used to pick Nii Armah Ashitey if he was selected and that there would be nothing like human rights abuse associated with him being installed as chief against his will, as “It is our tradition to use force if a person shows no interest,” adding, “Human rights does not count in our custom.”

He cited an example of an occasion where one of the heirs to the throne was forcibly brought from Kumasi to assume occupancy of the stool (Coomson, J. 2006 ‘Ghana: Parliamentary Aspirant’s Flight from Traditionalists End in Violence’, Ghanaian Chronicle, 27 January, allAfrica.com website [http://allAfrica.com/]- Accessed 23 July 2009 – Attachment 29).

No other reports were found in the sources consulted regarding incidences in which individuals have been physically forced into the Chieftaincy in Ghana against their will. Available information suggests that forced enstoolment is not a common occurrence in Ghana. Sources consulted suggest that a person who refuses the Chieftaincy in Ghana may suffer family and social pressure and may be socially isolated and forced to leave their village. However, available information suggests that there no further serious punishments for refusing the Chieftaincy in Ghana including being physically forced to assume the Chieftaincy. The following reports provide information on the issue of forced enstoolment and the consequences for refusing the Chieftaincy:

- A UK Home Office’s *Operational Guidance Note – Ghana* dated 28 January 2009, reports that “there is no specific evidence that individuals who claim they are pursued by family, community or tribal leaders to become the next chieftain or high priest in fact encounter mistreatment”. The report does not state that individuals may be forced into the Chieftaincy. The report states that:

  Certain communities, tribes and ethnic groups maintain a hierarchical culture in which the leading roles, such as the chieftain and/or high priest, are subject to a successionist process. There is, however, no reported evidence to the effect that mistreatment occurs. Moreover the availability of adequate state protection and a viable internal relocation alternative means that those within a particular community who are unwilling to succeed to one of these roles are unlikely to encounter mistreatment in breach of the 1951 Convention or the ECHR [European Court of Human Rights] (UK Home Office 2009, Operational Guidance Note – Ghana, 28 January, p.4 [http://www.ind.homeoffice.gov.uk/sitecontent/documents/policyandlaw/countryspecificasylumpolicyogns/ghana.pdf?view=Binary] – Accessed 16 July 2009 – Attachment 30).

- A report dated 11 October 2006 by the Immigration and Refugee Board of Canada (IRBC) includes academic advice on the consequences in Ghana for refusing to assume an inherited position such as clan Chief. One of the academics cited in the report, a sociology instructor in Camosun College, British Columbia and former senior lecturer at the University of Ghana, states that if a person refused the position of Chief or elder “the
usual practice is for him or her to offer a sheep to sacrifice to pacify the annoyed ancestors, and that is the end of it”. The academic is cited as saying there is no punishment for refusing a position as Chief. The other academic cited in the report, an associate professor of Anthropology at York University in Toronto, stated that a person who refuses a position as priest or Chief without good reason may be socially ostracised, potentially driven away and may fear spiritual punishment from the clan’s ancestors. The report does not state that a person would be forced into the Chieftaincy upon refusal of the role. The IRBC report contains the following relevant information

An instructor of sociology at Camosun College in Victoria, British Columbia and former senior lecturer at the University of Cape Coast in Ghana who obtained his PhD in sociology and anthropology at the University of Ghana provided the following information to the Research Directorate in correspondence dated 27 July 2006:

…The usual method for a person who does not want to accept an offered office is to travel so as to avoid the possibility of being offered the position. The elders are quite aware of this method, and incorporate it into their deliberations. [In] their minds, it is preferable that not many contenders, who will have different groups of supporters within the clan, are around to mess up the replacement process (e.g., enstoolment). To maintain their pride and face, the persons running away will exaggerate the danger to themselves of refusing a proffered office. ...

There is no practice of punishing persons for running away before being offered a position as chief or elder, including female positions such as Queen Mother. If the chosen person is not bright enough to run away, and wants to refuse office, the usual practice is for him or her to offer a sheep to sacrifice to pacify the annoyed ancestors, and that is the end of it. There is no need for state protection because there is no punishment. The disappointed elders may express their irritation, but it happens so often, they usually sigh and are resigned to the fact.

…In correspondence dated 1 August 2006, an associate professor of Anthropology at York University in Toronto who has conducted field research in Ghana including observing various rituals performed in Ghana, provided the following information to the Research Directorate:

…On the personal level, a person refusing/turning-down such a position (without “good,” i.e., community-acceptable reason: e.g., I knew a man who stepped down from a major chieftship and the community, with regret nevertheless accepted the decision, because they saw the merit of his “reason,” which was that he did not have much formal education, was illiterate and felt that put h[imself] and his people at a disadvantage vis-à-vis other chiefs, people and Government) may be socially ostracised (they are putting their kin group and community at disadvantage and risk, and may also be costing them economic benefits, so life thereafter for that person may be quite unpleasant), perhaps driven away. [F]urther[more], even if they themself[ves] are ... Christian or ... Muslim, from cultural belief, they can reasonably expect to be subject to spiritual/health “punishment” for not doing their duty. [For example], they can be “worried”/anxious/stressed-out in the likely fact that their clan’s ancestors will seek to punish them, and/or that certain shamans/gods may seek their downfall, and/or that “witchcraft” may be worked against them ... and preying on their mind, even should they travel far away, to “get away from” their group and duty. [T]heir action may also cause family splits, [that are] not easily repaired. Any such individual “decision” has serious community effects and implications, in this world and in the realm of spiritual powers. Such a person may in fact be “scared to

- On 4 August 2006, BBC News reported that a Methodist in Ghana felt that he had no choice but to assume a Chieftaincy position as if he refused the role he would not be able to visit his village again. The report states that:

He was a Methodist when he was called to be chief of his village.

“At first I thought of running away because I knew this role would compromise my Christian faith, but in the end I had no choice. If I didn’t accept the role I would never visit my village and people again,” he said (Wellings, N. 2006, GHANA: Between custom and Christianity, BBC News, 4 August – Attachment 32).

- A Department of Foreign Affairs and Trade (DFAT) report dated 6 January 2006 provides advice on the repercussion for an individual who refuses the role of Queen Mother, the female equivalent of a Chief. The report states that while a person may experience family disappointment there are no punishments for refusing to become a Queen Mother. The report states that:

If a woman refuses to become a Queen Mother, nothing happens to her. Her family may be disappointed with her refusal but there is no legal or customary sanctions against her. When she returns to her home town several years later nothing or no sanctions await her. Indeed she will be as free as anybody else and she would not be forced to become a Queen Mother. Please note that even Queen Mothers have the right to abdicate without punishment (Department of Foreign Affairs and Trade 2006, Country Information Report No.06/01, 6 January – Attachment 33).

- A report by the IRBC, dated 1 November 2002 includes academic advice on forced enstoolment in Ghana. The report states that a Professor of Anthropology at the University of Indiana “had not heard of forced enstoolment”. A Professor of Linguistics, also from the University of Indiana, is reported to have advised that “forced enstoolment was more common in the past but that more recently it ‘rarely happens’”. The report contains the following advice on forced enstoolment:

Regarding the consequences for refusing the position of Krondihene, although the professor of anthropology at the University of Indiana had not heard of forced enstoolment (24 Oct. 2002), the professor of linguistics from the same university stated that forced enstoolment was more common in the past but that more recently it “rarely happens” (25 Oct. 2002). The linguistics professor noted, however, that if “one’s refusal to be a chief will result in the chieftaincy going to another sub-lineage, then one may be banished ... [although] it is rare for one to suffer any significant consequence” (ibid.). In addition, he noted that “[o]n rare occasions if a substitute has not been found one will still be made a chief but one can always either unseat oneself or continue to turn down the offer” (Immigration and Refugee Board of Canada 2002, GHA39781.E – Ghana: Succession traditions for the position of Krondihene in Abetifi Kwahu, Eastern Region, and consequences for refusing the position; names of current and past holders of the position -Attachment 34).
A 1999 report by the United States Bureau of Citizenship and Immigration Services includes advice from four academics on the potential repercussions for refusing the position of Queen Mother or Chief in Ghana. An associate professor at Indiana University is quoted as stating that “there are several people wanting to be chiefs and Queen Mothers so refusing to be a chief or Queen Mother is a welcome news [sic] to [those who make the chief/Queen Mother selection]. This helps to reduce the often crowded contestants”. The report does not contain advice that an individual may be forced to become a Chief or Queen Mother against their will. The report contains the following academic advice:

According to the associate professor at the Folklore Institute:

For a wide number of reasons, some individuals may be reluctant to accept the position of Queen Mother (or chief). Therefore, sometimes negotiations can become protracted over time. Reasons for this reluctance may include the exercise of personal choice in matters of career or marriage, and/or personal feelings about religion as well. Many Ghanaians practice Christianity and Custom simultaneously, but others choose one or the other, so feelings about religion could be among the reasons an individual chooses not to accept the position of Queen Mother. It is important to note that religion, the kinship system, the political system (known as chieftaincy), gender roles, the legal system, the ritual system, are all integrated; the term “custom” refers to the entire socio/political/cultural indigenous system which functioned prior to colonization and continues today though it has been much affected by modernization (10 Oct. 1999).

An associate professor at Indiana University stated that “there are several people wanting to be chiefs and Queen Mothers so refusing to be a chief or Queen Mother is a welcome news [sic] to [those who make the Chief/Queen Mother selection]. This helps to reduce the often crowded contestants” (Associate Professor of Linguistics 13 Sept. 1999).

According to the professor at the Folklore Institute:

A particular family may try to persuade a woman to sit on the stool, and they may be disappointed if she doesn’t. However, it is very unlikely that such an individual would be ostracized to the point of complete isolation from the community or destitution for refusing to become Queen Mother. In most instances in which a person is reluctant to serve, it is because she has developed another career and family life that would be disrupted by assuming the role of Queen Mother. They almost always have removed themselves...from the town or village already and have become part of another community though most Ghanaians maintain strong links to their hometown (6, 10 Oct. 1999).

In the known rare cases where violence has flared up in Queen Mother and chieftaincy issues it has been when someone wants to be enstooled as chief and someone else thinks that person should not be chief (Associate Professor of Folklore 5 Sept. 1999). The associate professor at the Folklore Institute said that “feelings can run high when it comes to questions of succession to the position of chief, in particular, and occasionally violence erupts in the midst of a chieftaincy dispute, but it is very rare” (5 Sept. 1999, 6, 10 Oct. 1999). “Even when hostilities develop, they do so around factions because these issues usually involve lineages, or families, and though one individual may be the focus of the dispute, people do not isolate the individual. The rare instances in which a person can be isolated do not occur in conjunction with disputes over chieftaincy” (Associate Professor of Folklore 10 Oct. 1999) (United States Bureau of Citizenship and Immigration Services 1999, Ghana: Information on the Queen Mother? Tradition among the Kwahu People of Ghana, United Nations High Commission for Refugees website, 18 October http://www.unhcr.org/refworld/country,,USCIS,,GHA,456d621e2,3ae6a6b418,0.html – Accessed 24 July 2009 – Attachment 35).
In November 1997 Mr Joe Ghartey, former Attorney General and Chief Justice of Ghana provided advice on forced enstoolment. Mr Ghartey stated that a traditional leader can not physically force an individual to assume the Chieftaincy. However, social and psychological pressure may be applied. Ghartey also advised that traditional and modern courts also do not have the power to force an individual to become a Chief. Mr Ghartey states that:

Traditional leaders still exert social pressure on people of royal descent to take up chieftaincy, but they cannot compel them by physical means. Psychological pressure is also applied since believers in traditional religion believe that to refuse to be a chief is against the will of God. They therefore believe that such a refusal can lead to insanity. This belief is very strong. Neither traditional nor modern courts have the power to compel a person to take on a chieftaincy against his will.

Neither traditional nor modern courts have the power to compel a person to take on a chieftaincy against his will. Ghana’s court structure is made up of the Superior Courts comprising the Supreme Court, The Court of Appeal, the High Courts and the Regional Tribunals. The Inferior courts comprise the Circuit Courts, Circuit Tribunals, and the Community Tribunals. The jurisdiction of both the Superior and Inferior courts is in civil and criminal matters. Chieftaincy matters are in a separate class and these are dealt with by the National and Regional House of Chiefs, as well as the Traditional Councils in every region of the country. The jurisdiction of these ‘bodies includes hearing and determining such cases concerning nomination, election, selection, installation or deposition of chiefs as are brought before them. None of these bodies has the power to compel any person to take on a chieftaincy against his will. They only have the power to, as it were, decide between two contestants which, has a better claim to a chieftaincy, or whether a person claiming to be, a chief has been properly elected according to the custom of the area (Ghartey, J. 1997. Facsimile to RRT Country Research: ‘Re: Chieftaincies and traditional practices’, 12 November – Attachment 36).

In October 1995 Dr McCaskie, an expert on Asante history and culture, provided advice to the Tribunals on Ghanaian Chieftaincy. Dr McCaskie stated that “there is no problem if an individual refuses to assume a chiefship (any pressure would be familial and/or extra-constitutional)” (McCaskie, T.C. 1995, Facsimile to RRT Country Research, 14 October – Attachment 37).

In 1995 Professor Ivor Wilks, an expert on Asante culture provided advice on forced enstoolment in Ghana. Professor Wilks stated that “a person is very unlikely to be made a chief against his will, as the “kingmakers” always search for someone who is willing and able to serve. It is against their interests to choose a reluctant chief (Wilks, I. 1995, Facsimile to RRT Country Research – Attachment 38).

8. Are there disputes and rivalries regarding chieftaincy? If so, why?

Available information indicates that disputes and rivalries regarding the Chieftaincy are common in Ghana. Reports indicate that disputes regarding the Chieftaincy are generally based on disagreements regarding succession. Sources consulted report that these disputes are the result of a lack of clearly identified and codified lines of succession for the various Chieftaincies in Ghana. A 2005 journal article titled Democracy and Peace-building in Ghana states that Chieftaincy disputes can also be based on the infiltration of partisan politics and the lack of transparent distribution of mining and logging royalties by Chiefs. A 1976 article on the Asante Chieftaincy also indicates that Chiefs have been frequently deposed or

For a more detailed examination of the above reports and sources please see the following information.

A 2006 conference paper by Professor Nabila-Wulugunaba, a member of the Ghanaian National House of Chiefs, states that “the lack of clearly defined records of lines of succession for paramountcies, divisional chiefs and other chiefs in Ghana has often resulted in chieftaincy disputes when a new chief is to be enstooled”. The paper also provides information on the role of “the three tiers of chieftaincy authority as established by the constitution” in dealing with Chieftaincy disputes. The report states that these three tiers are the Traditional Councils, the Regional House of Chiefs and the National House of Chiefs. The report indicates that Chieftaincy disputes are adjudicated by all three organisations depending upon the level of the dispute. The paper states that following the National House of Chiefs a person can also refer Chieftaincy disputes to the courts. The report contains the following information:

The Traditional Council is a statutory body and has the Paramount Chief as the Head. It is the lowest level of authority and sees to the welfare and progress of the whole traditional area. Divisional chiefs and some Sub chiefs under the paramountcies are members of the Traditional Council, which serves as a link between the people and the District Assembly. All developmental matters affecting the traditional area are discussed by the traditional council such as education, health, transportation, farming etc. Where necessary it can pass by-laws to promote good governance and the welfare of the people in the locality. Judicial committees of the Traditional council handle all cases pertaining to chieftaincy except when it involves the paramount chief.

The Regional House of Chiefs is made up of mostly paramount chiefs from the various Traditional Councils in the region. Where the number is not adequate, some Divisional chiefs may be added to constitute the Regional House of Chiefs. Issues, which cannot be handled at the level of Traditional Councils, are referred to the Regional House of Chiefs. The Regional Houses hear and determine appeals from the Traditional Councils within the region in respect of the nomination, election, selection, installation or disposition of a person as a chief. It also has original jurisdiction in all matters relating to a paramount stool or skin or the occupant of a paramount stool or skin including Queen Mothers where applicable. It can also undertake research affecting chieftaincy in the region.
The third tier is the National House of Chiefs, which is made up of five elected paramount chiefs from each region. Where in the region there are fewer than five, the House of Chiefs of the region can elect a number of Divisional chiefs to make up for the required number of five members from that region. The National House of Chiefs has the following functions:

a. Advise any person or authority charged with any responsibility under the constitution or any other law for any matter relating to or affecting chieftaincy;

...c. Regulation about succession and removal of chiefs;


A 2005 journal article titled *Democracy and Peace-building in Ghana: Paradoxes and Challenges* states that “not a single week passes without the media reporting at least 10 related chieftaincy conflicts and its consequences”. The report provides detailed information on the causes of these Chieftaincy disputes in Ghana. Some of the major causes of Chieftaincy disputes outlined in the paper are the manipulation of the Chieftaincy by politicians for partisan purposes, the lack of accountability by Chiefs over mining and logging royalties and the lack of codification of traditional laws. The article states that there are informal and formal mechanisms to address Chieftaincy disputes. The informal mechanisms include alternative dispute resolution by the courts of the chiefs and discussions held by community elders. The formal mechanisms for resolving Chieftaincy disputes include the three tiered Chieftaincy institution comprising of the Traditional Council, Regional House of Chiefs and the National House of Chiefs. The article provides information on the problems with these formal organisations including lack of funding, delays in dealing with matters, the lack of full time researchers and resources for the Research Committees of the Regional and National House of Chiefs, a “lack of a certain amount of respect for pronouncements emanating from the judiciary and research committees of the various House of Chiefs” and lastly, factions within the Regional Houses of Chiefs which affect its objectivity in resolving disputes (Sowatey, E. 2005, ‘Democracy and Peace-building in Ghana: Paradoxes and Challenges’, *African and Asian Studies*, vol .4, no. 1-2, pp. 109-110, 114, 117-118, 120-121, 123-125, 131-132 – Attachment 39).

A 2003 journal article titled *Chieftaincy in Ghana: Challenges and Prospects in the 21st Century* reports that disputes over succession “have been the bane of chieftaincy, especially in the late 20th and the onset of the 21st centuries”. The report states that “indeterminate lines of succession have led to several avoidable disputes” and that a current project by the National House of Chiefs to codify lines of Chiefly succession will be important in assisting with this problem. The report also states that in 1999 the Asantehene, Otumfuo Osei Tutu II, required that all Asante chieftaincy disputes before the law courts be submitted to the Traditional Council. The report states that this “has led to the amicable resolution of many of the cases by the Traditional Council”. The report states that:

Soon after ascending the Oyoko Stool, the Asantehene at his inaugural meeting with the Kumasi Traditional Council in 1999, issued a two-week ultimatum to chiefs in Asanteman to withdraw all chieftaincy disputes pending before the law courts and submit them to the
Traditional Council for redress. Chiefs in Asanteman respected this order and it has led to the amicable resolution of many of the cases by the Traditional Council. The ultimatum was issued because of the time and money involved in such litigations, the societal conflicts they engender, and the undermining of development efforts. The conciliatory resolutions of some of the disputes demonstrate that the institution has the capability to supplement the work of the judiciary. More significantly, the action taken by the Asantehene should boost the search for an efficient and cost-effective mechanism in the resolution of disputes (Boafo-Arthur, K. 2003, ‘Chieftaincy in Ghana: Challenges and Prospects in the 21st Century’, African and Asian Studies, vol. 2, no. 2, p.147 – Attachment 40).

The US Department of State’s 2008 Country Report on Human Rights Practices for Ghana, released on 25 February 2009, states that “as in previous years, chieftaincy disputes resulted in deaths, injuries, and destruction of property”. The report describes some major Chieftaincy disputes which occurred in Ghana during the late 2007 and 2008 period. The report states that:

As in previous years, chieftaincy disputes resulted in deaths, injuries, and destruction of property.

In Bawku, in the Upper East Region, an ongoing chieftaincy dispute led to violent outbreaks in January, May, and July. The violence caused an estimated 18 deaths and the destruction of property. The military and police were deployed to the region and the municipality was placed under curfew following the outbreaks. The curfew, which runs daily from 10:00 pm to 4:00 a.m., was extended at the end of the year. In May communal violence led to eight deaths and the burning of a village in Burkprugu-Yunyoo District, Northern Region. The violence followed a dispute over land. Police investigated the incident and a case is pending. Those arrested were out on bail at year’s end.

In November 2007 a chieftaincy conflict erupted in Anloga in the Volta Region, resulting in at least five deaths, including one police officer and two persons who died in police custody. Rooted in a decade-long chieftaincy dispute, the disturbances arose from opposition to the installation of a new chief in the Anlo traditional area. Media and nongovernmental organization (NGO) sources reported that police used excessive force, intimidation, and beatings in order to control the violence and to extract information. Police reportedly arrested more than 75 suspects, including children and at least one elderly woman, immediately after the conflict erupted. There have been no further developments since the court adjourned the case in May.

In November 2007 at least three persons were reportedly killed, and over 20 houses set ablaze, as a result of a chieftaincy dispute in Princes Town in the Western Region. A number of individuals were arrested and charged with rioting, fighting with offensive weapons, and causing damage. There was no change in the status of the case at year’s end. Numerous deaths resulted during the year from vigilante-style violence against suspected criminals by angry citizens. Security forces sometimes intervened to save the lives of the intended victims (US Department of State 2009, Country Reports on Human Rights Practices 2008 – Ghana, 25 February, Section 1.a – Attachment 41).

A 1976 journal article titled Ousting the Chief: Deposition Charges in Ashanti reports on frequent deposition or destoolment of Chiefs within the Asante ethnic group. The report states that a Chief can be destooled on a number of grounds including failure to perform traditional rituals, failure to control dissension from his subjects and failure to provide material or political prosperity to his subjects. The report states that “although precise figures are almost impossible to collect, the number of deposition cases each year in Ghana in undoubtedly large”. The following are some relevant extracts from the article:
From the perspective of the chief and his subjects, the parties who have acquired some ‘say’ in matters of deposition have become more numerous and more diverse, making the process increasingly subtle and strategically demanding.

…A chief may be charged with dereliction of traditional religious duties in one charge, and the neglect of modern educational development in the next.

..The Ashanti distinguish very readily between the office of Chief, an established and morally sanctioned part of the political structure, and the mortal and fallible individual who occupies the stool. The individual elevated to chiefship is given, and is expected to maintain, a segregated social status.

…The Chief remains enmeshed in local networks of kinship and affinity, and other economic, religious and recreational relationship, all of which may be used for or against him in political manoeuvres. He is fully sanctioned only after he has died in office, in itself a good indication of his political staying-power, given the frequency of deposition.

…Destoolment charges commonly accuse a chief of causing or failing to moderate dissension among his subjects, or failing in ritual, material or political terms to assure their prosperity.

…Although precise figures are almost impossible to collect, the number of deposition cases each year in Ghana is undoubtedly large.

…Busia has listed the main causes of the insecurity of the chiefly office and the frequency of destoolment in Ashanti during the colonial era: ‘the rivalry among royals: the confused state of custom in a society in transition from a subsistence to an exchange economy; lack of definiteness about the chief’s function; his loss of economic resources; the emergence of the educated commoner or the successful cocoa farmer; the presence of a superior authority’ (Robertson, A.F. 1976, ‘Ousting the Chief: Deposition Charges in Ashanti’, *Man*, vol. 11, no. 3, pp.413-419 – Attachment 28).

9. **What reliance/importance would Otumfo Osei Tutu II place on chieftaincy and next in line disputes? Is it likely that he could be displeased if an individual refused to join?**

A 2008 report on the Chieftaincy in Ghana by Dr Janine Ubink reports that in 1999 the Asantehene, Otumfuo Osei Tutu II, requested that Chiefs withdraw disputes before the courts and House of Chiefs and instead submit their disputes to his court for resolution. The report states that as a result of this request over 500 land, chieftaincy, criminal and civil disputes have been settled in the Asantehene’s traditional court. The report states that:

The position of Ashanti chiefs in dispute settlement has even been somewhat enhanced by – and the role of state courts has equally suffered from – an appeal by the Asantehene at his inaugural meeting with the Kumasi Traditional Council in 1999 to the chiefs to withdraw cases pending in the state courts and in the Houses of Chiefs and bring them to his court for settlement. Since this appeal – which was followed by quite a number of people, although numerous cases were also not withdrawn from state courts – over 500 land, chieftaincy, criminal and civil cases have been settled in the Asantehene’s traditional court (Ubink, J.M. 2008, In the Land of the Chiefs: Customary Law, Land Conflicts, and the Role of the State in Peri-Urban Ghana, Leiden University website, 26 February, pp.153-154 https://openaccess.leidenuniv.nl/bitstream/1887/12630/1/Thesis.pdf – Accessed 21 July 2009 – Attachment 24).

A 2003 journal article titled Chieftaincy in Ghana: Challenges and Prospects in the 21st Century also reports that in 1999 Otumfuo Osei Tutu II required that all Asante chieftaincy disputes before the law courts be submitted instead to the Traditional Council. The report states that this “has led to the amicable resolution of many of the cases by the Traditional Council”. The report states that:

Soon after ascending the Oyoko Stool, the Asantehene at his inaugural meeting with the Kumasi Traditional Council in 1999, issued a two-week ultimatum to chiefs in Asanteman to withdraw all chieftaincy disputes pending before the law courts and submit them to the Traditional Council for redress. Chiefs in Asanteman respected this order and it has led to the amicable resolution of many of the cases by the Traditional Council. The ultimatum was issued because of the time and money involved in such litigations, the societal conflicts they engender, and the undermining of development efforts. The conciliatory resolutions of some of the disputes demonstrate that the institution has the capability to supplement the work of the judiciary. More significantly, the action taken by the Asantehene should boost the search for an efficient and cost-effective mechanism in the resolution of disputes (Boafo-Arthur, K. 2003, ‘Chieftaincy in Ghana: Challenges and Prospects in the 21st Century’, African and Asian Studies, vol. 2, no. 2, p.147 – Attachment 40).

A November 2005 report by the Ghana News Agency describes a “Harvard Distinguished African Address” delivered by the Asantehene, Otumfuo Osei Tutu II. The Asantehene stated in his speech that he had encouraged Chiefs to bring succession and land disputes to the “Asantehene’s court where traditional techniques of resolution are used”. According to the report the Asantehene described the traditional court as emphasising “arbitration and not punitive sanctions”. The report provides the following information:

The Asantehene was delivering the “Harvard Distinguished African Address” on the theme: “Chieftaincy and Development in Contemporary Africa: The Case of Asante”. He said chieftaincy should be moved from an institution that functioned at the default of State effectiveness to one that was explicating incorporated into State structures at the central and local levels.

…On chieftaincy disputes and land litigation, the Asantehene noted that disenchanted with the dilatory procedures of formal courts, “I encouraged all my chiefs with succession and land
disputes to withdraw their cases from the courts and bring them to the Asantehene’s court where traditional techniques of resolution are used.”

Otumfuo said since his accession, he had caused all cases that came before the traditional court to be recorded on video, adding the ability for my counsellors to review video evidence, and for vacillating witnesses to be confronted with their own video testimony, had aided the resolution of cases enormously.

He stressed that as the traditional court emphasises arbitration and not punitive sanctions, contesting parties in chieftaincy disputes have been able to return to their communities as partners in development, saying equally important was the preservation of the institutional memory of the court (Osei-Antwi, G.B. 2005, ‘Asantehene on chieftaincy development in Africa’, Ghana News Agency, 8 November, Ghana web website http://www.ghanaweb.com/ghanahomepage/economy/artikel.php?id=93845 – Accessed 28 July 2009 – Attachment 42).

A report dated 28 May 2009 from the official website of the Manhiya Palace (the Asantehene’s Palace) states that Otumfuo Osei Tutu II had criticised delays by numerous committees, set up the Asanteman Council and Kumasi Traditional Council, in dealing with Chieftaincy and land disputes. The report states that Otumfuo Osei Tutu II declared that the committees had until the end of July to bring the cases before the Asanteman Council or the Kumasi Traditional Council to enable judgement and that committee’s which fail to meet this directive will be ‘sanctioned’. The report provides the following information:

A report dated 28 May 2009 from the official website of the Manhiya Palace (the Asantehene’s Palace) states that Otumfuo Osei Tutu II had criticised delays by the numerous committees, set up the Asanteman Council and Kumasi Traditional Council, in dealing with Chieftaincy and land disputes. The report states that Otumfuo Osei Tutu II gave all the committees to the end of July to bring their cases before the Asanteman Council to enable judgement to be passed. The report provides the following information:

Otumfuo Osei Tutu II, Asantehene opened Asanteman Council today and expressed his tones of gratitude to members of the council for their hard work and sacrifices that led to the success of the 10th anniversary celebration of his ascension to the golden stool.

…He expressed his displeasure about the numerous committees which have been mandated by Asanteman to deal with chieftaincy disputes and land cases and referred to Kumawu and Essumeja which Asanteman could deal with in a matter of a day or two.

“Initially, I was dealing with some of these cases with dispatch, and you pleaded with me to allow you to fully take part, that led to referring some cases to committees and the results are leading to further delays which worries me”

Otumfuo Osei Tutu, therefore, gave all committees set up by Asanteman Council/Kumasi Traditional Council to July ending to bring their cases they had dealt with before members of Asanteman council to enable judgment to be passed, warning that any committee which fails will be sanctioned. He referred to Juaso and Konongo chieftaincy cases and told Nana Otuo Sereboe, Juabenghene that he should bring those cases for settlement by Asanteman (‘Asantehene opens Asanteman Council’ 2009, The Manhyia Palace website, 28 May http://www.manhyiaonline.org/pages/news.php?id=59 – Accessed 28 July 2009 – Attachment 43).

Information contained on the official website of the Manhyia Palace states that the Asantehene is the President of the Kumasi Traditional Council. The website states that the
Kumasi Traditional Council “has executive jurisdiction to hear and determine any cause or matter affecting chieftaincy”. The website also states that “the Kumasi Traditional Council [KTC] is the largest traditional council in the country”. The following are the relevant extracts from the report:

**The Asantehene is the President of the Kumasi Traditional Council**

…The day to day administration of the Kumasi Traditional Council is headed by a Traditional Council Registrar. The Registrar is supported by some core officers.

**KTC has executive jurisdiction to hear and determine any cause or matter affecting chieftaincy which arises within its area not being one to which the Asantehene is party.**

In other words, KTC has jurisdiction to hear and determine all chieftaincy disputes except that which involves the Asantehene.

The KTC is responsible for the registration of new chiefs and the removal of chief’s name from the Chiefs Register when the chief ceases to perform his function as a chief through death, abdication or destoolment. It is the duty of the Council to notify the public in the gazette about installation of a chief.


A March 2008 report on a blog website describes the resolving of two long standing Chieftaincy disputes by the Asantehene and the Asanteman Council. The report provides the following information:

THE Asanteman Council has taken a major step to resolve two protracted chieftaincy disputes at Goaso and Mim, two traditional areas in the Brong Ahafo Region.

The Goaso chieftaincy dispute started after the abdication of the former Omanhene, Krotwiamansa Adjei Ampofo, in 2000, while that of Mim reared its head after the death of the Omanhene, Nana Kwaku Appiah, some 20 years ago.

At a meeting of the council at the Manhyia Palace in Kumasi, attended by paramount chiefs from the Ashanti and Brong Ahafo Regions, the Asantehene, Otumfuo Osei Tutu II, emphasised that it was only the Abusuapanin of the Goaso Royal Family, Opanin Yaw Barima, who had the authority to nominate a candidate to occupy the vacant stool.

Consequently, he asked Opanin Barima to “immediately” select one qualified person from the family and, together with the Queen, Nana Yaa Akyaa, present the nominee to him on April 10, 2008 to enable the nominee to swear the oath of allegiance to him.

With regard to the Mim dispute, where two chiefs are claiming the stool, Otumfuo Osei Tutu asked the two claimants to reappear before the council on April 10, 2008 to justify their rights to the stool.

…The Asantehene said Goaso and Mim were under his authority and that he would make sure that peace was restored to the two areas to ensure accelerated development.

He asked the various factions in the disputes to remain calm and wait for the Asanteman Council to take the final decision, which would restore peace to their communities (Boadu,
A 2008 report in The Daily Graphic located on the Ghana National Commission on Culture website also reports on the role of the Asantehene in resolving a long standing Chieftaincy dispute. The report provides the following information:

Nana Adu Gyamfi Amoapong II (top picture) takes the oath of allegiance before the Jamasimian as the new Jamashihene in Ashanti.

Known in private life as Barima Kwadwo Anokye, an engineer by profession, he succeeded Nana Adu Gyamfi Brobbey II, who died on April 16, 1996.

He also swore the oath of allegiance to the chiefs and elders (above picture). They include the Gyasehene, Nana Brefo Gyedu Kotowko, the Benkumhene, Nana Asare Yeboah Kordie II, who was also the acting President of the Jamasihemaa, Nana Taberehemaa. Nana Amoampong was grateful to the Asantehene, Otumfuo Osei Tutu II for intervening to resolve the long standing chieftaincy dispute in Jamasi.

He said his enstoolment confirmed the order by the Otumfuo Osei Tutu the Jamasi must enstool a chief and bring him to Manhyia to swear the oath of allegiance to him through the Mamponghene, Nana Osei Bonsu II.

Nana Amoampong indicated that the process to comply with Otumfuo’s order was underway and asked Jamasiman to forget the past and forge ahead for progress (‘New Jamasihene swears oath’ 2008, Daily Graphic, 6 October , Ghana National Commission on Culture website http://ghanaculture.gov.gh/index1.php?linkid=65&adate=06/10/2008&archiveid=1226&page=1 – Accessed 28 July 2009 – Attachment 46).

10. Is there information that can inform me how likely it is that people would be upset by an individual’s stand in not joining in the rituals of traditional religion?


A 2008 report by Dr Janine Ubink provides information on the impact of Christianity on the practice of traditional religion. The report includes findings from field research and surveys conducted from 2002 to 2005 in nine communities near the city of Kumasi. The report states that only 0.8% of the surveyed population stated that their faith was based on traditional religion whereas 45.6% reported to be orthodox Christians and 37.8% claimed to be charismatic Christians. Information contained in the report suggests that it is not uncommon for some Christians in Ghana to choose not to participate in traditional rituals on religious grounds. The report states that Christianity has “led certain people to decline an offer to become chief, because of the inherent necessity to pour libation and “feed stools”.”

According to the report the former Asantehene, Opoku Ware II destooled a Chief who had stated on radio that he refused to undertake some traditional rituals which he considered to be demonic. No other negative consequences are contained in the report regarding Chiefs or people more generally who refuse to perform traditional rituals on religious grounds. The report also states that “many Christians and Muslims still condone or adhere to facets of traditional religion and ancestor worship” and that a majority of the surveyed population still attach importance to the continued celebration of traditional festivals. The following are some relevant extracts from the report:

In the literature, the person and function of the chief are very much connected to traditional religion (Busia 1951; Hagan 2003; Rattray 1969, first published 1929; Ray 2003b). Busia wrote in 1951 that ancestor-worship was the basis of the chief’s authority as well as the sanction for morality in the community.

…According to Ray,

“When the basis of the respect accorded to the chief is not only that the chief derives his power from the people, but also that the stools, skins and other symbols of office have a spiritual significance – the chief deriving his power from the ancestors and mediating between the people and the ancestors” (Ray 2003b: 7)

In Daneel’s analysis it is due to the religious base of chiefly authority that chiefs are able to mobilize people to protect the environment (Daneel 1996: 348).

Of the people surveyed only 0.8% claimed traditional religion as their faith, with 45.6% orthodox Christians, 37.8% charismatic Christians, and 6.6% Muslims. Despite the variety of ‘new’ religions, some researchers claim that the chief’s role is “well-defined and is embedded in local cosmological views, norms and values which are respected by everyone in the particular society” (emphasis added, Ray and Van Rouveroy van Nieuwaal 1996: 25). Others assume that in a society in which political and religious office are combined in the chief, new religions are regarded as a challenge to traditional leadership. These researchers look more critically at the effects of changing religions and worldviews on chiefly rule. Asiama for instance thinks that:

“The effect of education and European acculturation, coupled with the departure of a majority of the people from the traditional African religion built on ancestral worship, have made people believe less in the divinity of the chiefs and the strength of their connections with the departed ancestors.” (Asiama 2003: 13)
According to Hagan divergent faiths and world views not consonant with traditional beliefs will lead either to the secularization of the institution or to the narrowing of faith allegiance to the stool (Hagan 2003: 7). Historical evidence shows that in many places and for many years people have been using conversion to free themselves of service to their chiefs, justifying their behaviour by claiming that they do not want to take part in “fetish observances” (Brempong 2001: 58; Busia 1951: 134; Hagan 2003: 7).

Only 8.3% of the people surveyed mentioned the celebration of traditional festivals such as Akwasidae as a main task of the chief (Table 1). Some Christian charismatic churches agitate against such traditional religious practices. The pastor of the ‘Assemblies of God’ in Besease explains his church’s stance towards chieftaincy and traditional religion thus:

We teach that pouring libation and praying to dead people is against the law of God. We preach against it in church. Chiefs and heads of families (abusua panin) who are born again refuse to pour libation. They let one of their elders do it for them. That is accepted by the church.

…but we teach our members not to get involved. But some of the members are not properly committed, these might still pour libation.

…The orthodox churches, on the other hand, see no harm in traditional practices such as pouring libation and celebrating Akwasidae. Many Christians condone or partake in them. According to one elder, “Almost anybody will pour libation, to remember the ancestors. To know they are remembered, you mention their names” (Interview elder of the Konthene of Ejisumanhene, Besease, 7 May 2003). Some people, however, refuse to actively partake in traditional religious practices. A chief recollects: “when my father and mother opted to be catholics, they cherished the church so much that anything relating to custom was taboo for them” (Interview Konthene of Ejisumanhene, Besease, 27 May 2003) This has also led certain people to decline an offer to become chief, because of the inherent necessity to pour libation and ‘feed the stools’ (Personal communication, researcher Institute for Land Management and Development, Kumasi, 15 April 2003). Some years back, a chief declared in a radio interview that he no longer believed in the sacred rituals of the stool room. He refused to pour libation to the ancestors, which he considered to be demonic. Because of these statements, the chief was destooled before the Asantehene, the late Opoku Ware II (Hagan 2003: 7).

…when asked whether they would mind if the celebration of the traditional festival of Akwasidae were to be cancelled 54.5 percent of the people – and 60.6% of the people that originated from the survey villages – said yes.

…A woman from a different charismatic church in Besease says: “Everyone goes to church, so only the chief and the houses who have stools pour libation. I go to the Baptist church, my mother to the Bethany church. These churches preach against such practices. But Akwasidae should not be taken out. It is custom (amanne). It should be there for the ones who want it.” (Interview villager Besease, 26 August 2003)

…Many Christians and Muslims still condone or adhere to facets of traditional religion and ancestor worship. And while only a small minority (8.3%) of the people mention the celebration of traditional festivals as a main task of the chief, a majority attaches importance to their continuation (Ubink, J.M. 2008, In the Land of the Chiefs: Customary Law, Land Conflicts, and the Role of the State in Peri-Urban Ghana, Leiden University website, 26 February, pp.154-157 https://openaccess.leidenuniv.nl/bitstream/1887/12630/1/Thesis.pdf – Accessed 21 July 2009 – Attachment 24).
A 2006 report by the IRBC, provides advice from an associate professor regarding the consequences for not undertaking traditional religion practices. The report states that there would be “very strong” social pressure for a person to undertake traditional practices if they are in the position of holding an “important Chiefship”. The report indicates that for ordinary members of the public the social pressure for not conforming to traditional religious practices should not “be so overwhelming”. The report states that Charismatic/Pentecostal churches have “actively preach against “fetishes”; but mainstream churches, such as Anglican, Catholic, Presbyterian, etc. do often have accommodations to traditional practices”. The report contains the following advice from the Associate Professor:

As I indicated, if it were a matter of an important Chiefship, or a significant Priestship, then social pressures would be very strong on that person to take on and perform their duty in that position. However, if it’s a matter of one’s being just an “ordinary” member, the social pressure cannot, in my opinion, be so overwhelming. It is true that if one is living in a small village, then everyday social pressures by one’s fellow villagers on you to “conform” to their expectations (and not just regarding a particular religious belief) may well be strong and censorious.

…Most Ghanaians in my experience, even among Christians and Muslims, do privately recognize/accept some merit and reality/truth/efficacy in traditional religion (the clear exception are most ... members of the recent upsurge of Charismatic/Pentecostal churches which actively preach against “fetishes”; but mainstream churches, such as Anglican, Catholic, Presbyterian, etc. do often have accommodations to traditional practices, even some brought into their own services).

For most, “faith” is not “exclusive”; it is acceptable and common for someone to believe in/follow several or a host of traditional powers/fetishes/gods (plus the same person may also practice some Christian beliefs/rituals). [F]or most “traditionalists”, they are not “locked-into” following/believing in only one god, though they may have a preference or their adherence may shift depending on the nature of the ... problem they may be facing at the time (as some fetishes have their own special[ties] and reputations for being effective for x, y or z, but less so for issue a or b); nor are people physically “forced” into adherence (Immigration and Refugee Board of Canada 2006, GHA101612.E: Ghana: Presence of cults or sects and consequences for refusing to join a cult; government attitude or response towards cults and/or any abuses committed by sect members (2004 – 2006), 11 October http://www2.irb-cisr.gc.ca/en/research/rir/?action=record.viewrec&gotorec=450517 – Accessed 1 August 2009 – Attachment 48).

The US Department of State’s International Religious Freedom Report for 2008 – Ghana reports on the intolerance of traditional religion by evangelical groups in Ghana. The report does not state that there are any repercussion for Christians who do not practise traditional religion. The report states that:

Public discussion continued over religious worship versus traditional indigenous practices and respect for the rights and customs of others in a diverse society. Some religious leaders actively advocated tolerance towards other religious groups and discouraged religiously motivated violence, discrimination, and harassment; others, particularly lay persons associated with evangelical groups, continued to preach intolerance for other groups such as Muslims and traditional indigenous religious groups (US Department of State 2008, International Religious Freedom Report for 2008 – Ghana, 19 September, Section. 3 – Attachment 49).
An August 2006 report by BBC News reports on the merging of Christian and traditional practices throughout Ghana and states that “a growing number of chiefs and Queen Mothers are Christians”. However, the report indicates that for some Christians the performing of traditional rituals is problematic and incites criticism from other Christians (Wellings, N. 2006, ‘Between custom and Christianity’, BBC News, 4 August – Attachment 32).

On 24 October 2005 The Ghanaian Chronicle reported that an Asante Chief had been destooled due to the “continual refusal of the chief to observe basic traditional and customary functions and practices”. No other repercussions are mentioned in the report for the Chiefs refusal to perform traditional rituals. The report provides the following information:

The reign of Nana (Dr.) S.K.B. Asante, who answers to the stool name of Nana Susubiribi Kroba Asante, as the Omanhene of Asokore traditional area in the Ashanti Region, has come to an end.

He was destooled last Thursday, after years of agitation and pressure brought to bear on him to abdicate.

Customary rites to that effect had been preformed and the Manhyia Palace, which approved of his installation 14 years ago, has accordingly been informed about the purported destoolment.

...The Kyidomhene and Akyeamehene explained the purported destoolment in the continual refusal of the chief to observe basic traditional and customary functions and practices. His disregard for tradition had resulted in his failure to pour libation, as well as not attending to the demands of the stool, as required by tradition (Freiku, S.R. 2005, ‘Ghana: Dr. Nana S. K. B. Asante Destooled’, Ghanaian Chronicle, 24 October, allAfrica.com website http://allafrica.com/ – Accessed 24 July 2009 – Attachment 47).

11. What role do the elders play in this type of dispute?

Only one report was found in the sources consulted regarding the role that elders play in instances in which an individual refuses a role in the Chieftaincy. The report, dated 11 October 2006, by the IRB includes academic advice from a sociology instructor in Camosun College, British Columbia and former senior lecturer at the University of Ghana, on the consequences in Ghana for refusing to assume an inherited position such as clan Chief. The academic provides information on the role of “elders” in choosing a candidate for the Chieftaincy. The academic states that if a person refuses the Chieftaincy “the disappointed elders may express their irritation, but it happens so often, they usually sigh and are resigned to the fact”. The report contains the following relevant information:

An instructor of sociology at Camosun College in Victoria, British Columbia and former senior lecturer at the University of Cape Coast in Ghana who obtained his PhD in sociology and anthropology at the University of Ghana provided the following information to the Research Directorate in correspondence dated 27 July 2006.

...Succession for [the] head of clan is by election by the elders of that clan who choose among several candidates on the basis [of] which one can bring the most resources to the stool (symbol of office).

...The usual method for a person who does not want to accept an offered office is to travel so as to avoid the possibility of being offered the position. The elders are quite aware of this method, and incorporate it into their deliberations. [In] their minds, it is preferable that not many contenders, who
will have different groups of supporters within the clan, are around to mess up the replacement process (e.g., enstoolment). To maintain their pride and face, the persons running away will exaggerate the danger to themselves of refusing a proffered office. ...

There is no practice of punishing persons for running away before being offered a position as chief or elder, including female positions such as Queen Mother. If the chosen person is not bright enough to run away, and wants to refuse office, the usual practice is for him or her to offer a sheep to sacrifice to pacify the annoyed ancestors, and that is the end of it. There is no need for state protection because there is no punishment. The disappointed elders may express their irritation, but it happens so often, they usually sigh and are resigned to the fact (Immigration and Refugee Board of Canada 2006, GHA101613.E – Ghana: Consequences of refusing to assume an inherited position of tribal or clan chief; state protection available to the individual (2004 – 2006), 11 October http://www2.irb-cisr.gc.ca/en/research/rir/index_e.htm?action=record.viewrec&gotorec=450515 – Accessed 23 July 2009 – Attachment 31).

12. Deleted.

13. It is likely that the police would not wish to be involved/protect an individual who refused the chieftaincy or refused to perform rituals of traditional religion?

Expert advice contained in a 2002 IRBC report states that “it is unlikely that state protection would extend to matters pertaining to traditional religious issues in families, communities and/or villages”. A 2006 report which describes an attempt to violently force a person into the Chieftaincy does not report that police assistance was provided to the individual concerned. However, a 2009 Operational Guidance Note by the UK Home Office states that there is “adequate state protection” for individuals who refuse a position in the Chieftaincy and fear harm as a consequence of their refusal. 2001 DFAT advice also states that “Ghana is a democratic country and offers state protection if there is a need” (Immigration and Refugee Board of Canada 2002, GHA33802.E: Ghana: Possible reprisals against a Christian member of the Brong tribe, who refuses to accept the matrilineal inheritance of the position of the high priest of the Firi Shrine in the Brong Ahafo region of Kumasi in the Ashanti region, 22 January – Attachment 50; Coomson, J. 2006, ‘Ghana: Parliamentary Aspirant’s Flight from Traditionalists End in Violence’, Ghanaian Chronicle, 27 January, allAfrica.com website http://allafrica.com/- Accessed 23 July 2009 – Attachment 29; UK Home Office 2009, Operational Guidance Note – Ghana, 28 January, p.7)


A 2002 IRBC report provides information on the possible repercussions for a Christian Ghanaian who refuses a hereditary role as a high priest in the Asante region. The report includes advice from a professor of Political Science in Ottawa who is described as “well versed in Ghanaian political and cultural issues”. In regards to the professor the report states that:
He explained that the majority of Ghanaians today practise either the Christian or Muslim faith. Very few Ghanaians, except those in villages or other communities practise traditional religion today. It is unlikely that state protection would extend to matters pertaining to traditional religious issues in families, communities and/or villages (Immigration and Refugee Board of Canada 2002, GHA38302.E: Ghana: Possible reprisals against a Christian member of the Brong tribe, who refuses to accept the matrilineal inheritance of the position of the high priest of the Firi Shrine in the Brong Ahafo region of Kumasi in the Ashanti region, 22 January – Attachment 50).

On 27 January 2006, The Ghanaian Chronicle reported that Nii Armah Ashitey, a former mayor and parliamentary candidate was abducted in order to force him to occupy the Chieftaincy of the Teshie Traditional Area. According to the article at the time of reporting Ashitey was in hiding in Ghana. The report also states that a few months earlier a famous broadcaster had “died under mysterious circumstances, after he had been captured and taken through some rituals, in a bid to installing him on a tradition stool, he had declined, raising human concerns”. The report does not state that any police protection or assistance was provided to the individuals targeted in these incidents (Coomson, J. 2006 ‘Ghana: Parliamentary Aspirant’s Flight from Traditionalists End in Violence’, Ghanaian Chronicle, 27 January, allAfrica.com website http://allfrica.com/ – Accessed 23 July 2009 – Attachment 29).

An Operation Guidance Note for Ghana by the UK Home Office, dated 28 January 2009, expresses the view that there is “adequate state protection” available to individuals who fears reprisals for refusing a Chieftaincy position. The guidance note states that:

Though the police service came under criticism following incidents of brutality, corruption, and negligence in 2007, complaints of police abuse and misconduct lodged by the public are investigated through the PIPS. Individuals with allegations of human rights violations, or grievances against government agencies or public officials can also seek redress through the CHRAJ. There is therefore no evidence that those in fear of being targeted as their community’s next chieftain or high priest are not able to seek and receive adequate protection from the state authorities.

3.10.6 Conclusion. Certain communities, tribes and ethnic groups maintain a hierarchical culture in which the leading roles, such as the chieftain and/or high priest, are subject to a successionist process. There is, however, no reported evidence to the effect that mistreatment occurs. Moreover the availability of adequate state protection and a viable internal relocation alternative means that those within a particular community who are unwilling to succeed to one of these roles are unlikely to encounter mistreatment in breach of the 1951 Convention or the ECHR [European Court of Human Rights] (UK Home Office 2009, Operational Guidance Note – Ghana, 28 January, p.7 http://www.ind.homeoffice.gov.uk/sitecontent/documents/policyandlaw/countryspecificasylumpolicyogns/ghana.pdf?view=Binary – Accessed 16 July 2009 – Attachment 30).

In 2001, The Department of Foreign Affairs and Trade (DFAT) provided advice on the availability of state protection for an individual fearing reprisals from his village in Ghana. DFAT stated that “Ghana is a democratic country and offers state protection if there is a need. There has been no serious unrest for 20 years” (DIMA Country Information Service 2001, Country Information Report No.261/01 – Availability of State Protection in Ghana, (sourced from DFAT advice of 23 October 2001), 26 October – Attachment 51).

The US Department of State’s 2008 Country Report on Human Rights Practices for Ghana, provides information on the police force in Ghana. The report states that “the
police service received repeated criticism due to incidents of police brutality, corruption, and negligence. The report states that an Intelligence and Professional Standards Unit (PIPS) is responsible for investigating human rights and police misconduct complaints. The report provides the following information:

The police, under the jurisdiction of a 10-member Police Council, are responsible for maintaining law and order.

…The police maintained specialized units in Accra for homicide, forensics, domestic violence, visa fraud, narcotics, and cyber-crimes. However, there were significant barriers to extending such services nationwide, including a lack of office accommodation, police vehicles, and equipment outside of Accra.

The police service received repeated criticism due to incidents of police brutality, corruption, and negligence. Impunity remained a problem. Delays in prosecuting suspects, rumours of police collaboration with criminals, and the widespread perception of police ineptitude contributed to an increase in vigilante violence during the year. There were also credible reports that police extorted money by acting as private debt collectors, by setting up illegal checkpoints, and by arresting citizens in exchange for bribes from detainees’ disgruntled business associates.

…Government officials stated that the policy of zero tolerance for corruption applied to police and other security officials; however, low salaries, which were sometimes not paid on time, contributed to the tendency of individual law enforcement officials to demand bribes.

The 33-person Police Intelligence and Professional Standards Unit (PIPS) investigated human rights abuses and police misconduct. During the year PIPS received 491 complaints and petitions, compared with a total of 693 in 2007. There were 134 complaints in the period related to harassment, unlawful arrest, and detention with human rights violations, compared with 149 in 2007 and 70 in 2006. There were 62 complaints of misconduct, compared with 225 in 2007. Investigation of 397 cases was completed, of which reports for 305 had been forwarded to the inspector-general of police. A total of 94 cases remained under investigation. Some cases forwarded to the IGP resulted in dismissals, reduction of rank, and transfers (US Department of State 2009, Country Reports on Human Rights Practices 2008 – Ghana, 25 February, Section 1.d – Attachment 41).

The USDOS report also contains information indicating that police and security have intervened in some large scale violent disputes over Chieftaincy matters:

In Bawku, in the Upper East Region, an ongoing chieftaincy dispute led to violent outbreaks in January, May, and July. The violence caused an estimated 18 deaths and the destruction of property. The military and police were deployed to the region and the municipality was placed under curfew following the outbreaks. The curfew, which runs daily from 10:00 pm to 4:00 a.m., was extended at the end of the year. In May communal violence led to eight deaths and the burning of a village in Burkprugu-Yunyoo District, Northern Region. The violence followed a dispute over land. Police investigated the incident and a case is pending. Those arrested were out on bail at year’s end.

In November 2007 a chieftaincy conflict erupted in Anloga in the Volta Region, resulting in at least five deaths, including one police officer and two persons who died in police custody. Rooted in a decade-long chieftaincy dispute, the disturbances arose from opposition to the installation of a new chief in the Anlo traditional area. Media and nongovernmental organisation (NGO) sources reported that police used excessive force, intimidation, and
beatings in order to control the violence and to extract information. Police reportedly arrested more than 75 suspects, including children and at least one elderly woman, immediately after the conflict erupted. There have been no further developments since the court adjourned the case in May.

In November 2007 at least three persons were reportedly killed, and over 20 houses set ablaze, as a result of a chieftaincy dispute in Princes Town in the Western Region. A number of individuals were arrested and charged with rioting, fighting with offensive weapons, and causing damage. There was no change in the status of the case at year’s end. Numerous deaths resulted during the year from vigilante-style violence against suspected criminals by angry citizens. Security forces sometimes intervened to save the lives of the intended victims (US Department of State 2009, Country Reports on Human Rights Practices 2008 – Ghana, 25 February, Section 1.a – Attachment 41).

14. What is position of religious freedom generally in Ghana?

The US Department of State’s International Religious Freedom Report for 2008 – Ghana reports on the “generally free practise of religion” in Ghana. The report provides the following information on religious freedom and religious demography in Ghana:

The Constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

The Government generally respected religious freedom in practice.

There were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

…The country has an area of 238,538 square miles and a population of 22 million. According to the 2000 government census, approximately 69 percent of the population is Christian, 16 percent is Muslim, and 15 percent adheres to traditional indigenous religious beliefs or other religious groups. The Muslim community has disputed these figures, asserting that the Muslim population is closer to 30 percent. Pentecostal and charismatic churches are reported to be the fastest growing Christian denominations. Approximately 6 percent of the population does not affiliate itself with a particular religion. A significant number of Christians and Muslims also hold traditional indigenous religious beliefs.

Christian groups include Roman Catholic, Methodist, Anglican, Mennonite, Evangelical Presbyterian, Presbyterian, African Methodist Episcopal Zionist, Christian Methodist, Evangelical Lutheran, F’eden, The Church of Jesus Christ of Latter-day Saints (Mormons), Seventh-day Adventist, Pentecostals, Baptist, African independent churches, the Society of Friends (Quakers), and numerous charismatic religious groups.

There is not a significant link between ethnicity and religion; however, geography is often associated with religious identity. The majority of the Muslim population resides in northern areas as well as in the urban centers of Accra, Kumasi, Sekondi-Takoradi, Tamale, and Wa, while the majority of the followers of traditional indigenous religious beliefs reside in rural areas. Christians live throughout the country.

…The Constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion. The law at all levels protects this right in full against abuse, either by governmental or private actors (US Department of State 2008, International Religious Freedom Report for 2008 – Ghana, 19 September – Attachment 49).

List of Sources Consulted

**Internet Sources:**

**Government Information & Reports**
- UK Home Office [http://www.homeoffice.gov.uk](http://www.homeoffice.gov.uk)
- US Department of State [http://www.state.gov](http://www.state.gov)
- United Nations (UN)
  - UNHCR [http://www.unhchr.ch/](http://www.unhchr.ch/)

**Non-Government Organisations**
- Human Rights Internet (HRI) website [http://www.hri.ca](http://www.hri.ca)

**International News & Politics**
- Konrad-Adenauer-Stiftung website [http://www.kas.de/proj/home/home/20/1/index.html](http://www.kas.de/proj/home/home/20/1/index.html)

**Region Specific Links**
- South Ghana Conference of Seventh-Day Adventists website [http://www.sgcsda.org/index.htm](http://www.sgcsda.org/index.htm)
Search Engines

Online Subscription Services
allAfrica.com website http://allAfrica.com/

University Sites
Leiden University website https://openaccess.leidenuniv.nl/

Seventh-day Adventist website
Adventist News Network http://news.adventist.org/
The Association of Seventh-day Adventist Librarians website http://www.asdal.org/

Databases:
FACTIVA (news database)
BACIS (DIMA Country Information database)
REFINFO (IRBDC (Canada) Country Information database)
ISYS (RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State Reports)
RRT Library Catalogue

List of Attachments

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2. Deleted.
3. Deleted.
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12. Deleted.


34. Immigration and Refugee Board of Canada 2002, GHA39781.E – Ghana: Succession traditions for the position of Krontihene in Abetifi Kwahu, Eastern Region, and consequences for refusing the position; names of current and past holders of the positionREFINFO).


50. Immigration and Refugee Board of Canada 2002, GHA38302.E: Ghana: Possible reprisals against a Christian member of the Brong tribe, who refuses to accept the matrilineal inheritance of the position of the high priest of the Firi Shrine in the Brong Ahafo region of Kumasi in the Ashanti region, 22 January. (REFINFO)
