

## Regency in Dagbon: An albatross of a traditional transitional institutional arrangement in Ghana

Isaac Owusu-Mensah<sup>1</sup> 

### Abstract

Regency has become an important feature of Africa's chieftaincy institution. Regents provide transitional leadership between the demise and installation of a chief in accordance with the custom and tradition of the people. The Regent has the capacity and authority to contribute towards peace during chieftaincy conflict to ensure perpetuity in leadership. This paper interrogates the effectiveness of the Dagbon Regency system by adopting a qualitative methodology and methods of data collection. The paper concludes with a proposition for re-examination of the current regency system in Dagbon to ensure expedited means of enskinment of a substantive chief.

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<sup>1</sup> University of Ghana, Legon, Ghana

**\*Corresponding author:** Department of Political Science, University of Ghana  
Email: iomensah@ug.edu.gh

## Introduction

Chieftaincy in Africa has been the bedrock of traditional political institutions which often drive political systems. In Ghana, the institution is traced to the pre-colonial periods. The life of a community was ordered by and revolved around the Chief as a leader of the community (Brobbey, 2008). These leaders led their people to fight wars; rescued them as prisoners of wars; liberated them from domination or slavery; united them against divisive occurrences and tendencies; and saved them from calamities and catastrophes that befell the community (Brobbey, 2008). The chieftaincy institution became an agent of colonisation by cultural entrepreneurs through the impositions and legitimisations of imposed powers and authorities. The same institution became the linchpin for the activities and programmes of the nationalists movement against colonial imperialists' interest. In contemporary Ghana, the chieftaincy institution is constitutionally mandated to play crucial roles, by collaborating with the state in governance, social, cultural, political, developmental and economic affairs. Chiefs are recognised as custodians of the land and its accompanying natural resources. Chiefs also lead the advocacy for social-economic development of their people on the basis of communal consensus. Within their jurisdictions, chiefs provide the first point of dispute resolution for communities in civil cases.

Chiefs are revered by their subjects as the guardians of traditional heritage such as norms, history, culture, values and principles. These accomplishments have developed into the creation of constitutionally recognised dual political system of traditional institutions and modern state hierarchy. The various distinctive characteristics of the institution amongst respective ethnic groups in the country continue to evolve with the development of Ghanaian political institutions. The institution continues to show prominence in the national discourse in spite of the numerous conflicts that have beseeched the institution.

The chieftaincy institution in Ghana is clustered into centralised and decentralised political systems or administrations contingent on the nature of the society. The Akan, Ga-Adangme, Ewe, Gonja and the Dagombas have a centralised chieftaincy institution with centralised administrative machinery and judicial systems. Conversely, the Konkomba, the Bimoba, the Chamba and the Baasari make up the acephalous societies with decentralised chieftaincy institutions. Fortes and Evans-Pritchard (1950) emphasised the role of government in a centralised traditional political system to be the nexus of cleavages of wealth, status and privileges and distribution of power and authority where divisions of privileges of rank, status and differences in wealth are sharply recognised. The same authors highlight the lack of spatially-defined political units in the acephalous societies with decentralised chieftaincy institutions (Fortes & Evans-Pritchard, 1950). I maintain that the families in these societies lack allegiance to any centrally controlled authority for the exercise of any legitimate legislative, administrative, judicial or military function.

Ghana has made significant progress towards democratic consolidation with alternation of political power from incumbent government to opposition political parties on three occasions. Unfortunately, the country's helplessness to translate the same zeal and vigour with respect to transitional arrangements in the chieftaincy institution in some parts of the country is somewhat disquieting. Ghana's inability to mirror the same principle of peaceful national transition to sub-national levels at the various traditional councils requires more ethnographic analysis on the modes of successions.

## **Understanding succession and caretaker administration**

Political succession could be construed simply as the transfer of political power from one group to another (Ojo, 2007). In regular succession, a leader's entry or exit occurs through explicit rules or established conventions, such as direct election in democracies and hereditary succession in monarchies. Inman (2014) however notes that not all leaders come to power on the back of regular succession arrangements. Some leaders entry or exit do not occur through explicit rules or established conventions. This often occurs in the cases of military coups, rebellions and assassinations. Caretaker administrations mark the transitional periods between the conclusion of one government and the initiation of another (Schleiter & Belu, 2015). The principal motive for caretaker administration is to provide a pseudo administration that will ensure the continuous thriving of a society while avoiding a vacuum (Schleiter & Belu, 2015). Bhuiyan (2003) highlights the importance of a caretaker administration especially in societies that have experienced violence. In post-violence societies, a care-taker administration is established to smoothly govern the society and conduct founding elections during an interim period. This invariably helps in contributing to sustainable peace.

In traditional political systems where rules are structurally defined to promote smooth successions, the management of transitions requires caretaker administration entrusted with transient powers and responsibilities for continuous customary administration of the traditional area. The transitory power is invested in the office of the regent to manage vacancy of leadership as well as prepare for the installation of the ensuing leadership in accordance with the customs and traditions of the people. Ambiguity of boundaries in the context of time and discretionary exercise of responsibility become key problems with transitory political power. Regents of traditional councils may deliberately prolong the transitional period to enjoy benefits associated with the throne in the context of undefined lines.

The central question of the paper is to establish the role of regency as an institution in the Dagbon traditional structure. Specifically, the anathema of regency-abuse and misuse of transient authority during transitional days between the demise and enskinment of new chiefs. The extent of the contribution of regency, its history as well as the extent of analogous skins' management of the regency during transitional periods are also examined.

In the quest for durable peace in the Dagbon traditional area, the institution of regency, its implications and contributions to the peace process have been discounted. The objective of this paper is to redefine and analyse regency as a key process and mechanism of traditional political transitions as well as a contribution to the establishment of durable peace in various communities with chieftaincy problems. This is also especially important in light of paucity of work on the subject.

## Methods

This study deployed a qualitative research methodology. Specifically, it utilised realist ethnography which is a traditional approach used by cultural ethnographers. The suitability of realist ethnography for the study was found in its objective account of events where it reports objectively from participants in the field and renders account typically from the third point of view.

Participants were selected using two non-probability sampling methods: purposive sampling and snowballing. Seventy respondents were interviewed from Dagbon, Mamprugu, Naanum, Gonja and Mampong traditional areas. Several key towns and building blocks of Dagbon, including Yendi, Kuga, Gushegu, Zabzugu, Savelugu, Diare, Tolon, Gukpegu, Kpatia and Tamale had five respondents each. Five respondents each from Nelerigu and Gambaga represented the Mamprugu traditional area. Wulensi and Bimbila equally had five respondents per town. Nanumbas and Maprusis who genealogically originate from one ethnic lineage also had five respondents each. In the absence of documented charters or historical written documents, public recitations and appropriate ethnographic methods of data collection were deployed. Damango and Mampong had five respondents each to present the perspectives of Gonjas and Ashantis.

Data for the study was collected over a six-month period. The principal respondents were oral historians in traditional areas who had in-depth knowledge of the political systems and structures in their respective cultures. They had not only learned about their political successions, but also, had lived experiences. Standard structured questions that captured the statement of the research problem were provided to interviewers. Interviewers also asked other relevant follow-up questions in the course of their interviews with participants. Underlying themes included but were not limited to the Dagbon governance and regency systems as well as the emergence and history of regency in other traditional areas. Regency was extant at various levels of the political structure including village, divisions and paramountcy. The primary data collected were subjected to series of verification through secondary and tertiary respondents.

All interview recordings were transcribed verbatim. In analysing the data, the study sought to achieve a robust analysis that produced refined complete synthesis and interpretation of the data collected. The data were categorised into thematic headings and patterns. Associations were established between the emergent phenomena. Adopting a grounded theory approach, recurrent themes were traced to establish the meanings of

the data collected. These processes were repeated to ensure that the established meanings reflected the perspectives of respondents.

### **The political system of Dagbon: A brief overview**

Dagbon Kingdom is one of the extensions of the Mossi-Dagomba State established in the 14th or 15th century in the Volta Basin of Northern Ghana. The majority areas of the Kingdom are classified as rural but with a few urban locations such as Tamale, Yendi, Gushiegu, Savelugu and Karaga. The Dagbon State hosts the regional capital of the Northern Region as well as other key towns. Therefore, the Dagbon overlord, traditionally referred to as the Ya-Na, wields enormous political, social and economic power. The people of Dagbon ascribe to the patrilineal family inheritance system where first-born sons traditionally known as 'Zuu' are very critical in the future successes of the family as well as in the determination of opportunities or privileges accruable to the family, either to the immediate nuclear family or to the entire community.

The political system of the Dagbon State is much similar to other traditional states in Ghana. Authority within the Dagbon State is centralised with its leadership based on a hierarchical system where the Ya-Na is the overall overlord or king. The hierarchy of authority features several levels of authority beginning with settlements at the lowest, followed by divisional headships, paramountcies and the kingship at the top of the power chain. Leaders at every level are chosen from the royal families at that level. The Ya-Na also has the authority to appoint a royal member to administer settlements under his direct control. The chiefs at one level of the political hierarchy pledge their fealty to the chief above who appoints them. In spite of strict adherence to the political hierarchy, chiefs in the Dagbon State enjoy a measured form of autonomy in the administration of their jurisdictions. Brukum (2006) sums up the political system of the Dagomba when describing the system as a 'rotating chieftaincy', where royal members appointed as chiefs at the lowest levels of power aspire to rise up through the chain and ambitiously, one day to the position of the Ya-Na.

The Dagbon State practices a centralised administrative governing system with a customary defined hierarchical system from top-to-down. In a more elaborate overview of the political system, the Dagbon traditional governance system practices a form of decentralisation where different chiefs are assigned specific responsibilities which converge to promote development and growth of the traditional area. For instance, the Ya-Na is at the echelon of the traditional area with Yendi as the capital of the Dagbon Kingdom. According to an oral historian engaged in the study as well as the Dagbon Constitution of 1930, a Ya-Na must emanate from one of the gate-skins: the Karaga, the Mion or the Savelugu skins. Underneath the Ya-Na are a number of paramount chiefs: the Karaga-Naa, the Savelugu (Yoo-) Naa, the Mion Lana, the Nantong-Naa, the Gushe-Naa, the Tolon-Naa, the Kumbung-Naa, the Kuga-Naa, the Yelizoli-Lana, the Gulkpe-Naa, and the Sunsong-Na. The Gundo-Naa is the female chief of Gundogu. Other

paramount chiefs who are chiefs of minority ethnic groups but under the jurisdiction of the Ya Na include The Chereponi Fame (Anufors or Chekosis), the Nambili-Lana, the Sabob-Naa and the Sanguli-Naa (for the Konkomba) and the Nakpali-Bor (for the Basari). Below the paramount chiefs are divisional, sub-divisional and village chiefs. Each of these chiefs have a unique customary role to perform during festivals and funerals in Dagbon. Oral Historians asserts that the political practices at the village level are a reflection of political customs practised at the paramountcy and in the kingdom. For example, a first born's assumption of regency status, performance of the funeral of the former chief before the enskinment of the next chief as well as the use of the family-gate succession system. Tonah (2012) indicated that chiefs at any level owe an allegiance to the appointing chief at a higher level of the political hierarchy, although a considerable level of autonomy is by custom guaranteed to each chief.

### **Regency governance framework**

Regency arrangements are identical to a transitional government arrangement where leadership is provided with temporary responsibility of managing the affairs of a group of people, a community or a country in anticipation of a substantive leadership arrangement agreed by key stakeholders within a given context of the legal framework or a phase of history. The cardinal objective is to avoid a lacuna that may ensue as a result of demise or collapse of the substantive leadership.

Transitional governments operate within the context of volatility and political vulnerability shaped by uncertainty and anxiety with high expectations in the distribution of powers and loyalties as well as privileges associated with the power structure. Shain and Linz (1992) further note that most non-democratic transitional regimes administer their authority in accordance with some legal and customary procedures such as a strict line of succession. Similarly, in the local context of the chieftaincy institution, the regency during the interregnum must govern the kingdom in the context of the existing traditional customs and practices until a new sovereign is installed and can decide whether to change the status quo or divorce from it. Shain and Linz (1992) in their accounts on transitional systems contend that the actions and character of interim administrations can either have propitious or cataclysmic consequences on the process of transition and its outcome, and more critically the future stability of the state.

Studies on transitional governance by Shain and Linz (1995) have examined several models adopted to suit the peculiarities and exigencies of the time. For the purposes of analysis, regency caretaker governments model is herein examined. The caretaker model of transitional government provides a very useful framework to analyse the regency of the Dagbon traditional authority and its subsequent crises. The caretaker government model is where the outgoing regime initiates a transition by forming a new government to be responsible for the management of the state to avoid total collapse of the political system. The core features are the temporality of this government with a defined end in sight and a limitation of political powers to undertake policy decisions which are cardinal

to the transitional process as well as to the survival of the political system. For example, in 1993, a caretaker transitional government was formed in South Africa. This Transitional Executive Council included F.W. de Klerk's government and Nelson Mandela's African National Congress (ANC) to supervise the founding elections after the Apartheid regime. Palmer and Palmer (1997) explain how caretaker governments have operated in New Zealand over the years. Accordingly, these governments have worked closely in accordance with the caretaker conventions. The incumbent government continues to exercise legal authority and remain in executive position. The operations of the government are controlled and retrained to avoid any form of discomfiture to the incoming administration. Consequently, unwarranted contracts and negotiations are avoided.

Conversely, Strom's (1994) analysis of Norway's caretaker government arrangements emphasises that the constitution does not restrict the caretaker government to any conventions. The caretaker government undertakes all government businesses to the extent of preparing a budget for the incoming government. Bouckaert and Brans (2012) also examined caretaker governments in Belgium under the theme 'Governing without Government'. Their account analyses the case study of two transitional governments working together to manage the country at the multi-international level of the European Union through the national government to local government level. Their study reveals a caretaker government that is gradually fading and a constituent government which is emerging to replace it. Their work includes the passing and approval of legislations by the caretaker government on behalf of the incoming administration.

In the context of traditional political systems, Goody (1966) expresses the caretaker government model as a stand-in and a stakeholder. According to Goody (1966), the transitional period is a risky phase in any political enterprise. Consequently, arrangements are made for special persons or interest groups to govern as stand-ins or stakeholders while a transfer of power is delayed to the selected successor. Shain and Linz (1992) reiterate this concern in postulating that in the case of a perfidious caretaker, s/he can perversely engineer laws, decrees and customs in order to still control some measure of power even after handing over to the substantive administration. Prodip and Rabbani (2014) assert that a caretaker administration often lacks the authority and legitimacy to make major policies or programs since they principally are tasked with daily management of the state or a community. Laver and Schepsle (1994) identified caretaker administrations cannot resign from a constitutional and legal perspective, and are restricted to maintaining the status quo of policies. Moreover, authors such as Boston et al. (1998) observe that there is an atmosphere of ambiguity associated with caretaker governments. They contend that the constitutions of most democratic states and communities do not detail or discuss the 'nature' of caretaker administration and their specified functions and limitations. However, the limitation of time associated with caretaker administrations mean that most countries do not have a substantive legislative mandate which determines what their actual roles are expected to be.

## Regency practices in other jurisdictions

According to Hughes and Angus (2004), the term 'regency' in the monarchical sense is a 'period during which a king or any other leader is unable to rule due to being minor, or due to a prolonged absence or due to a disability such as mental incompetence'. They expatiate further in describing a regent as a person who holds or possesses powers, albeit temporarily, in trust of and for the benefit of the heir apparent. Throughout history, the most notable examples of regency have been experienced in Western Europe. The British Monarchy experienced a regency in 1811 when the then, King George William, in October 1810 slipped into incapacitation resulting in his intellectual malfunction to undertake the affairs of the British Kingdom. Consequently, a regent heir to the throne, Prince George Augustus Frederick was appointed to manage the affairs until the death of the King in 1820, at which time the Prince Regent became King George IV, the substantive monarch of the Empire.

Hitherto, the Empire had experienced regencies due to the short absence of the King. White (1963), reports that the Prime Minister, Robert Jenkinson of Liverpool, was a stop-gap who ascended to the premiership following the assassination of Spencer Perceval on 11th May 1812. The King and his Prime Minister were thus both in temporal capacities. Jenkinson lacked the rudiments of administrative capacities required, but he survived because of the absence of any viable alternative to manage the affairs. Social cleavages, which were concealed because of the war, became dangerously apparent. White (1963) concludes that 'his policy seems to have been no policy as a Frenchman observes that if Jenkinson was present at creation, his advice would have been 'Conservons-nous le chaos?' translated as 'do we keep chaos?'. On legislation, of the six hundred MPs elected on varieties of franchises, half of them represented themselves, politics was not heroic or inspiring'. Also, another classic instance of a regency within the British monarchy was the English King John during early part of the 13th century. His regency emanated because of the imprisonment of Richard the Lion-Hearted. The British political system has formalised regency through the Regency Acts of 1937-1953. The Acts stipulate that a regent shall be the next person in line of succession under the following conditions: 1) Over 21 years of age; 2) a British citizen domiciled in the United Kingdom and 3) capable of succeeding to the Crown under the terms of the Act of Settlement of 1701.

In France, the regency system practiced in the sixteen century provides different dynamics. Crawford (2004) states that regency emerges when a minor prospective king requires guidance until he matures and is empowered to undertake administrative responsibilities of the kingdom. For instance, owing to the fact that Louis XV was a minor, his uncle Phillippe duc d'Orleans became regent until the prospective king was old enough to assume the duties of a king. Furthermore, although, the Salic law prevents women from ascension to the throne, Lightman (1986) contends that 'many of our Kings often named their Queens to have guardianship and tutorship of their child Kings, and with this, governance of the realm. Besides their positions as among the King's most



trusted allies and confidants, the appointments of Queens as regents were founded on the principal premise that as mothers, they will pre-empt any agenda against their own children and consolidate the authority of the heir apparent. Furthermore, due to the natural affection of mothers towards their children, they cannot fall under presumption or suspicion of presenting any danger to Princes who are committed to their care. Contributing to the French regency, Campbell (1996) asserts that the control and management of royal government was in the hands of the regent and trusted adviser(s). Crawford (2004) maintains further that although this political arrangement was in place in the Middle Ages, it became legal in 1610. There were seven regency governments between 1483 and 1652. The queen mothers were entrusted with the responsibility to nurture the prospective Kings to be mature to take over the reins of government. In each of these cases, the rightful or legitimate kings were unable to rule. Hence, close relatives were appointed to temporarily execute the responsibilities of the office of the king until the prospective king could competently carry out his duties.

In Africa and amongst the Mossi of Yentaga in Burkina Faso, Tauxier (1917) reports on the two-stage process of a regency system. In the first instance, the eldest daughter of the deceased chief, customarily referred to as the Napoko performs the function of an interim monarch. The Mossi patrilineal system disqualifies Napoko and her descendants from accession to the throne but provides opportunity for her contribution to the sustenance of the dynasty. The second stage is the selection of the Kourita. The Kourita is the prospective chief's son or his brother's son. When the prospective chief is selected, the Napoko hands over the dynasty to the Kourita to become the regent and exhibit power at will. He takes over the regalia as well as marries two young wives of the deceased chief. The objective is 'to perpetuate for some time the memory of the dead chief'. After consecration of the monarch, the Kourita becomes a village chief and the senior of the king's sons.

## **Regency practices in some ethnic groups in Ghana**

Regency within Ghana's political and chieftaincy institutions vary amongst traditional areas and political systems. Within the Ashanti political system, the Mamponghe and the Wiremphefo (a team of councillors) take control of the Golden Stool in the event of a vacancy, resulting from the demise or destoolment of the Asantehene. Customarily, the Mamponghe as the vice or second in command to the Asantehene within the Asanteman hierarchy occupies the de facto position in the absence of an Asantehene to undertake the appropriate cultural practices leading to the installation of the next Asantehene to ensure that the Asante kingdom has the appropriate complement of leadership.

Oral historian revealed "in Nanumba tradition, a Zuu (the chief's first biological son) becomes a regent and eventually becomes the Bimbilla Naa". A chief's nephew is eligible to become a regent and may subsequently be enskinned as a chief as was in the

case of Sulugume. The regent in Nanum performs all the functions of a paramount chief, including the installations and removal of sub-chiefs and the celebration of traditional festivals. Amongst the Manprugu who are also from the same Mole-Dagbani group such as the Nanumbas and Dagombas, a two-stage regency system is practised. Upon the demise of the paramount chief, known traditionally as the Nayire, a council of four chiefs comprising of the Tara-Naa, the Sakpare Naa, Akara Naa and the Kpatia Naa administer the kingdom for six months until the determination of the date of the funeral of the late chief. Upon the determination of the date of the final funeral rite of the deceased chief, the first male son, who is qualified based on the customs and traditions, is installed as regent for the maximum period of regency which is two weeks.

Among the Gonjas, the Yagbonwura is the overlord of the Gonja traditional area. He is deputised by the Buipewura of the Buipe traditional area. The Senyowura becomes the regent of the Gonja Traditional Council following the demise of the Yagbonwura. The Senyowura becomes regent for less than fourteen days. He does not possess executive power that allows him to undertake administrative responsibilities including enskinment and deskinment of chiefs and sub-chiefs as well as the celebration of customary festivals. The Gonja traditions is similar to the Ashanti tradition where there the Senyowura and the Mamponghene respectively have no direct family lineage with the proposed chief to be installed in the event of the demise of the substantive chief. Also, the Senyowura and the Mamponghene do not contribute to the process of the selection of the next chief because the lines of succession are clearly defined, laid out and religiously followed by the respective kingmakers in accordance with the customs and traditions of the people.

## **The Dagbon chieftaincy crisis in perspective**

The Dagbon chieftaincy crisis has inundated successive colonial and post-independent administrations to present. The major actors of the crisis are the Abudu and Andani gates, heirs to the Ya-Na skin. The entitlement to the 'skin' by these two families and the process of selection leading to the 'enskinment' of a Ya-Na are the major underlying causes of the crisis (Tonah, 2012). The inability of the two families to settle on 'who becomes the Ya Na' compelled the British colonial administration to introduce a rotational system between the two families in 1948. This has subsequently become a central question triggering ensuing conflicts tenure after tenure.

In 1954, the Abudus installed Ya-Na after the death of former King (who was an Abudu). This occasioned a gruesome conflict between the two families until 1960 when the First Republican Ghanaian Government (Nkrumah government) attempted to design an agreeable succession procedure. In the agreement, it was negotiated that an Andani Ya-Na should succeed the reigning Abudu Ya-Na. The National Liberation Council (NLC) Government through the Mate Kole Committee annulled the selection procedure of the reigning Andani Ya-Na, declaring him as illegitimate and forcibly removed him from the Gbewaa palace and installed a new Abudu Ya-Na. This resulted in violent conflict between the two families.

The Acheampong regime in 1972 established the Ollenu Commission to identify the right custom and customary practices of nomination, selection and enskinment of the Ya-Na. In its report, the Ollenu Commission, *inter alia* requested for the removal of the Abudu Ya-Na and the installation of an Andani Ya-Na through the appropriate methods of selecting the king. An Andani Na-Ya was consequently enskinned as the Ya-Na amidst disapproval of Abudus. The Andani King ruled until his death in 2002 along 30 Elders after three days of fierce fighting by the two families in the palace (Tonah, 2012; MacGaffey, 2006). As a response, the Kufuor Administration constituted the Wuaku Commission to investigate the murder of the king and events leading to his murder. The conclusions of the Commission identified gaps in the management of past events of the disputes including the selection and succession procedure to the skin of the Dagbon state. A regent was appointed to oversee the affairs of the kingdom until the enskinment of a substantive Ya-Na, Abubakar Mahama Andani, from the Andani clan on 25th January 2019.

### **The history of regency in Dagbon**

In the custom and tradition of the Dagbon, as disclosed to the study by an oral historian, “the Gbong-lana is the customary name of a regent”. The custom defines a Gbong-lana as an interim chief or king who has undergone the appropriate customarily practices and is assigned temporarily the executive responsibility to manage a community or a clan during the interregnum transition from the demise of a chief to the enskinment of a substantive chief. According to Dagbon oral historians:

Originally, the duration of regency for the Ya-Na was three months maximum whilst that of paramount chiefs and divisional chiefs lasted for only two months. Once this is put in place and enforced, regency will be restored to its original status (Personal communication, April 1-30, 2018).

It was again revealed to the study by the oral historian that the conditions that qualify or permit one to be a Gbong-lala include first and most importantly that the person must be a Zuu, that is: the first biological son of the deceased chief or king. Secondly, he must be sane and free from obvious physical disabilities. Finally, he must be initiated in accordance with the custom and tradition of Dagbon.

Oral historians identified two stages towards the recognition of a regent (Gbong-lala). The first stage emerges immediately following the demise of the chief. When this happens, “the Kuga-Naa immediately sends emissaries to announce the death of the chief and takes over the responsibility of the kingdom without the performance of any customary rites” (personal communication, April 1-30, 2018). The second stage involves the installation of a regent who takes over from the Kuga-Naa “through the Gbong zilibu rites performed on the Gbong zibilidali” (personal communication, April 1-30, 2018). As custom demands, the regent must be the first son of the deceased chief. However, in the event of lack of a biological son, “the chief in his life time ought to have nominated

the one who becomes the regent after him” (personal communication, April 1-30, 2018). A case in point was when the Ya-Na, Mahama Abdulai Bawa (Chief of Savelugu), in 1994 nominated his nephew Mahama Abdulai Bawa II as the prospective Gbong-lala for Savelugu who later became the Vog-Naa.

Oral history traces the system of the Dagbon regency to Na-Zolegu Zuu Zong, the Zuu of Na- Zolegu. At the commencement of the regency system in Dagbon, the regent had no executive authority during the transition period. Oral historians stated that:

The regent had no authority over his own father’s funeral celebrations. The next chief in line to be king is responsible for determination of dates for the funeral ceremony of the late king. For example, Na Abdulai II (1920-1938) from the Abudu Royal family ceded his funeral to Naa Mahama II, who hailed from the Andani family and was then made Mion-lana before his death; and after his death all the Abudu family complied with late king’s directive (Personal communication, April 1-30, 2018).

Bearing in mind the pivotal role of a regent as the first son of the late king, the office of a regent could easily be at the centre of this conflict. Tonah (2012) traces the origins of the conflict to 1948 where the son of the late Ya-Na, who per the Dagbon constitution is the regent, failed in his bid to succeed his father as king due to the opposition of the Abudus. This event consequently laid the foundations of rivalry between the two gates which were to have adverse effects on generations yet to come. Furthermore, the Wuaku Commission in 2002, in its findings, attributed the root causes of the conflict to the regency crisis. The Commission report noted that the denial of Mahamudu Abdulai who was recognised by the Abudus as their regent to succeed his late father Abdulai IV in 1974 contributed to the conflict.

Furthermore, Abdul-Hamid (2011, p. 9) subscribe to the idea that regency crisis is the root cause of the Dagbon chieftaincy conflict. Abdul-Hamid notes the crisis developed when the transition system failed to adhere to the rotational system between Abudus and Andanis. Rather, through its history the Dagbon state has experienced the immediate capture of the Dagbon skin by regents such as Abdulai III. After the death of his father and also the expedient installation of Mahamudu Abdulai as regent after his father Abdulai III passed on. In both instances, the Abudus and the Andanis quickly and perversely installed their respective regents from their own families after the death of the king from the same family, which is contrary to the agreed rotational system.

## **The changing dynamics of the regency institution in Dagbon**

The institution of regency, its key characteristics and privileges have changed from the colonial period to the post-colonial period. Naa Abdulai II was installed as a regent in 1921, two weeks after the death of his father Naa Alhassan on 16th January 1921. He lasted as regent for a period of two years until he became Ya-Na in 1923. The Kampakuya Naa; Abdulai Yakubu Andani (2006-2018), was another long serving regent. On the

basis of oral history as of 2017, the following were considered as long serving regents within the Dagbon Kingdom: (1) Gukpegu Gban- Lana, now Lamashe-Naa, chief of Lamashegu, a suburb of Tamale, was regent for 20 years (2) Korili Gbang-Lana-Mahama Mahama has been regent for 25 years, (3) Col. Abdulai Abrahamani, has been regent of Nyong for 14 years (4) Alhaji Lagfu –Yelizoli Gbang-Lana has been regent of Yelizoli for 14 years (5) Major Sulemana Abubakari, Tolo Gbang-Lana has been the regent of Tolon for 25 years (6) Salankpang Gbang-Lana has been regent for 24 years.

The longevity of sub-divisional regents must be analysed in the context of the raging disputes between the Andani and the Abudu's families for the occupation of the Ya-Na skin. The Ya-Na as the Paramount Chief enskins all sub-chief within the traditional area. The sub-divisional chiefs by custom ought to be as rotational as the Ya-Na's skin. However, with the passage of time, Ya-Nas have enskinned chiefs from their respective families. Consequently, Abudu Ya Nas enskin Abudus as chiefs in the same manner as the Andani Ya Na enskins Andanis as chiefs in other jurisdictions within the traditional area. In accordance with Dagbon custom, celebration of the funeral of the late chief initiates the process of installation of a new chief. Several of these Gbong-lala have refused to perform the funeral rites. Hence, they continue to enjoy the institution of regency in their respective traditional areas.

A number of Abudu Gbang-lala (regents), for example, Naa Sulemana Alhassan, Tolon Gbang-lala, Alhaji Lagfu, the Yelizoli Gbong-lala, Mahama Mahama, Korili Gbang-lala have all refused to perform the funerals of their late fathers which is a prerequisite for the installation of the next chief. This is a mechanism to retain or consolidate the Abudus family's hold on power because it is feared that the Ya-Na Regent will enskin an Andani's who may then take over Dagbon. Consequently, the celebration of funeral of Ya-Na Mahamadu is a major catalyst to get other funerals performed leading to the culmination of the scattered regency rule in Dagbon. Regents have also been known to exploit the powers of a decree in carrying out their agendas. For instance, the late Diare Naa, Mahama, decreed that his funeral should not be performed until Na Mahamadu's funeral has been celebrated. So when he passed on his regent cannot perform his funeral, Diare Gbong Lana Abdulai refused to perform his father's funeral for a long time for further customary rites including the enskinment of next chief (Regent of Diare, personal communication, March, 2018)

## **Functions of Regents**

A properly installed regent is customarily in charge of the kingdom, a division or sub-division or community depending on the position of the late father. The core roles include the day-to-day administration of the jurisdiction. The regent also sits in state to receive homage from his subjects every Monday and Friday. For the Dagomba, these are the days that they set aside to pay homage to their chiefs and make sacrifices to the ancestors and their gods. On these days, all the elders, drummers, fiddlers 'tumpani',

(talking drummers), Imams and land priests go to the palace to pay homage. Any title holder of the communities who fails to pay homage on these days is either sick or has travelled out of the community. In such situation, they delegate substitutes to play that role at the palace.

The Ya-Na's regent represents the face of Dagbon. He receives government functionaries, members of the Diplomatic Corps and leads Dagbon Traditional Council in the Northern Regional House of Chiefs as well attend invited programmes on behalf of Dagbon. He lobbies for political space translated as positions and opportunities in governments. In Dagbon customary rule, any regent who assumes the position in accordance to the traditions of Dagbon has the right to perform all the activities and duties that his late father used to perform.

The regents settle disputes such as land boundary disputes, building land litigations, elopement and marriage disputes and so on. He also has the mandate to enskin some categories of chiefs. The regent of Yendi cannot, however, enskin the chiefs of Tolon, Gushegu and Yelizoli. Only a substantive Ya-Na can enskin these chiefs. A regent may also impose sanctions and punish culprits.

### **Perception about regents in various traditional areas**

Respondents highlighted issues that contribute to the perfidious perception about regency. Firstly, respondents noted that regents refuse to perform their fathers' funerals and resist attempt to coerce them to do so. Customarily, because they fail to perform their fathers' funerals, new chiefs cannot be installed to rule the communities as substantive chiefs. The regents further abuse their authority by expropriating the resources of the traditional area for their personal interests. They embark on sale of land, receive financial compensation for the extraction of gravel, river sand, the falling of trees for timber without proper accountability. They fail to recognise the right of their subjects to acquire land for economic activities such as agriculture and for settlements. There have been several instances in Dagbon, where regents have evicted local people in favour of foreign enterprises because of the profitable financial rewards.

Enskinning or installation of unqualified persons as chiefs in return for monetary gains or military alliances was also cited by some respondents. For instance, an oral historian argued that:

... the current Gukpe-Na, who is also the paramount chief of Tamale, Alhassan Machele has no attachment to the Gukpegu skin at all. To be enskinned as a chief of Gukpegu a candidate should have served at the Ya-Na's palace and rise to the position of Dugu or higher and be acquainted with the rules and regulation governing the Yendi chieftaincy. With such qualification he can play the role and function of the Gukpegu skin. However, contrary to this tradition, the current Gukpe-Na has no such experience at all (personal communication, April 1-30, 2018).

Some regents enskin stooges as chiefs in order for them to establish chiefdoms with the ultimate agenda of defending their position at all cost when the need arrives. The current Kuga-Na is mentioned as a person who should not have been enskinned as Nyolgu-lana and later as Kuga-Na because he is a junior in the line of succession.

Lastly, some regents are not properly and customarily installed and yet they set up parallel traditional power structures and enskin chiefs, thereby creating security challenges to Dagbon. Respondents accused regents such as the Boling -Lana, the Gushegu Gbong-Lana and the Nantong Gbon-lana as perversely engineering parallel traditional institutions to control power. Therefore, these 'robot' institutions promote the interest of these usurping chiefs rather than the interest of the Dagbon state, contributing to the rudimentary state of development in that area. Data gathered and as highlighted above contradict the position of some scholars (Laver & Schepsle, 1994; Prodip & Rabbani, 2014) who argue that caretaker administrations perform restricted activities in maintenance of status quo as well as the argument that caretaker government are unable to make major policy decisions.

### **The challenges of regency**

First of all, there is an exorbitant amount of influence from key personalities at different levels of government to deviate from the interest of the traditional state and pursue their selfish agenda. Here it is explained that there are pressures from immediate and extended family members as well. These pressures could be detected when there is a vacant chieftaincy title to be filled and a consensus on the legitimate candidate has been established. Pressures from outsiders or insiders has the propensity to manipulate the consensus candidate to give the chieftaincy title to a different person even when he is not qualified.

Secondly, the regent also faces the challenge of revolt by one section of the town or population. In Dagbon, as a result of the protracted chieftaincy conflicts, many people notably from the Abudu house did not recognise the legitimacy of the immediately past regent of Dagbon. Therefore, they defied all his orders and powers. Sometimes when he installed chiefs in settlements, there was rebellion against such chiefs from the people. Communities that have rebelled against the Dagbon regent include Gbambaya, Gbetobu, Gundowagri, the Ngani Kpamjamba, the Demong. Sometimes, apart from people putting up resistance, some regents also openly defy the orders of the Dagbon Regent; examples are Tolon, Nantong, Gusheigu, Yelizoli, Kwarili, and many more sub regents.

Recently, because of protracted chieftaincy disputes which revolve around the family gate systems, regents suffer from lack of political legitimacy to rule the entire traditional area. Members of the community cannot appreciate the ability of a regent to be unifier who can organize the people for development and project the developmental interest of the people. For example, any attempt to implement customary laws or traditional orders in the performance of his duties is easily construed as him being an agent of his

gate perpetuating his gate's interest. Members of the other gate may decide to support or disobey the orders, and this hinders the development of the community. The regency has survived in spite of the associated challenges because it is the only viable option in the transitional period of demise and installation of a substantive chief.

## Conclusion

Regency has become an integral part of the chieftaincy institution in Ghana although the powers and functions of a regent is dependent on the ethnic group. Regency has developed into the traditional system like any of the institutions such as finance and administration or communication bureau in the entire chieftaincy system in Ghana. The regency has been a linchpin in the management of transitional processes in some ethnic groups while it has become albatrosses on some ethnic groups. The clarity in the processes of selection as well as functions of the regent is uniquely appropriate and ought to be enhanced. This besmirches Boston et al. (1998, p. 236) arguments against caretaker governments during an atmosphere of ambiguity clouding functions, powers, authority and responsibilities of caretaker governments.

The regency in Dagbon continue to emerge as a very important political institution attracting huge attention as result of longevity of conflicts in various towns and subdivisions. The appropriation of various roles with audacious customary prowess demonstrated by regents continue to shore up the relevance of the regency institution. The shackle of regency in Dagbon is akin to aspects of Reno's (2002) description of partial state collapse or recession in formal bureaucratic institutions. This is seen in the replacement of state institutions with economic networks that operate in defiance of historically established and cherished rules and regulations though a framework of the political structure continues to operate.

This process ought to be curtailed through adoption of customary practice which should restrict the relevance and roles of regents in usurping the functions of substantive chiefs. This affirms Abdul-Hamid (2011) recommendation of a new Dagbon constitution which must prevent regents from immediately inheriting the skins and adopt a system akin to the custom of the Gonja and the Asante, where the regent is customary prohibited from the processes of selection of a new king.

The traditional powers and responsibility entrusted on regents as the sole authority to determine the period to perform funerals of late chiefs before substantive chiefs are enskinned ought to be reviewed. The determination should customarily and gradually be transferred to the traditional council of the locality through broad consultations to build the required consensus to mitigate any form of dissenting opposition likely to ensue from the new arrangements. This will halt the perpetuation of regency as has occurred in Diare village and Salakpang village where new regents were installed following the demise of original regents because these regents had declined to perform the funerals of their fathers consequently obstructing the enskinment of a substantive chief. Although, a



Ya Na has been enskinned, the volatility of the institution of regency continues to persist. Consequently, it is critical for the traditional godfathers to reconsider the position, the type as well as the space granted to regents as a critical ingredient to ensuring durable peace in the Dagbon traditional area.

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No potential conflict of interest was reported by the author(s).

### ORCID

Isaac Owusu-Mensah  <https://orcid.org/0000-0002-7893-4474>

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