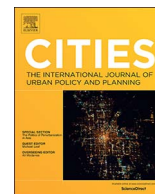




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Chieftaincy and sustainable urban land use planning in Yendi, Ghana: Towards congruence

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ABSTRACT

In Ghana, chieftaincy institutions act as custodians for about 80% of the total land area, and are responsible for leasing or allocating land while official planning institutions determine and manage its use. Yet, the extent to which chieftaincy institutions impede or contribute to sustainable urban land use planning in Ghana has received limited research attention. The scholarship on urban land use planning in Ghana has instead focused largely on rapid urbanisation, limited personnel and logistical capacity of planning institutions, and mainstream political interference. This paper addresses this gap by examining the chieftaincy-land use planning nexus in the Yendi municipality, Ghana. It explores the extent to which chieftaincy institutions limit or support sustainable urban land use planning in the municipality. Household and physical surveys, expert interviews, telephone conversations, and document reviews were used. Findings indicate that while chieftaincy's role as custodian of land is central to land development, it has assumed the role of planning institutions in terms of land use determination and management. Negative perception of planning officials among residents has also overshadowed the visibility of professional planning practice in the municipality, contributing to poor land use planning. Residents continue to use chieftaincy institutions and other traditional approaches rather than formal planning agencies because the former is convenient, more effective, and yields rapid decisions. Further research is needed to explore whether land use planning under chieftaincy institutions leads to positive social and environmental outcomes.

1. Introduction

Chieftaincy – i.e. a traditional governance system headed by a chief (a person who, hailing from the appropriate family and lineage, has been validly nominated, elected or selected and enstooled or enskinned in accordance with relevant customary laws and usage) – in Ghana remains the single most important institution that has survived pre-colonial, colonial and post-colonial periods, and embodies indigenous traditions, cultures and beliefs (Centre for Indigenous Knowledge & Organisational Development [CIKOD], 2009; Donkoh, 2005). The chieftaincy institution, according to Owusu-Mensah (2014), continues to define the identity of many communities and people in Ghana despite the emergence of the formal political system (democratic governance), and are highly revered. Chieftaincy institutions in Ghana act as custodians of more than two-thirds of the total land area (CIKOD, 2009). Yet activities of chieftaincy institutions are reported as impeding, degrading and limiting sustainable land use planning – i.e.

planning that guarantees environmental benefits, lowers resource use, reduces pollution, minimises the conversion of, and encroachment on natural areas and ecosystems, and promotes a sound environment for urban residents (Cobbinah & Korah, 2015, p. 5) – in Ghana (e.g., Amoateng, Cobbinah, & Owusu-Adade, 2013; Cobbinah & Amoako, 2012; Fuseini & Kemp, 2015). Chieftaincy institutions in Ghana oversee land leasing and allocation within their jurisdictions. The effectiveness of this traditional approach to land allocation, however, is increasingly being critiqued as a long-term distortion to sustainable land use planning (Fuseini & Kemp, 2015; Yeboah & Obeng-Odoom, 2010).

Recent trends in rapid urbanisation across Ghana make consideration for sustainable land use and development critical (Cobbinah & Erdiaw-Kwasie, 2016; Cobbinah & Korah, 2015; Cobbinah & Nimminga-Beka, 2017). Unregulated land allocation by chieftaincy institutions cannot be overlooked by government, policy makers, and planning institutions in light of current urbanisation trends. Unregulated urban land development in Ghana reflects the

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dominance of chieftaincy institutions in relation to power, reverence, control, and wealth generation (Owusu-Mensah, 2014). These chieftaincy institutions are forced to make land use decisions through their contracted surveyors with little to no knowledge on urban planning (Cobbinah & Aboagye, 2017; Cobbinah & Darkwah, 2016a; Fuseini & Kemp, 2015; Yeboah & Obeng-Odoom, 2010). Expectedly, the activities of chieftaincy institutions in relation to land use planning are locally and culturally embraced by many Ghanaians who express dissatisfaction with the bureaucracies and corruption often associated with the formal planning institutions (Boamah, 2014; Boamah, Gyimah, & Nelson, 2012). This challenge is a wake-up call to urban planning stakeholders particularly policy makers, urban planning institutions and the government (see Yeboah & Obeng-Odoom, 2010).

An emerging view from urban planning research in Ghana (e.g., Amoateng et al., 2013; Cobbinah & Amoako, 2012; Cobbinah & Darkwah, 2016b; Fuseini & Kemp, 2015; Yeboah & Obeng-Odoom, 2010) is that the inclusion and cooperation of key stakeholders is critical for sustainable land use planning. In response, there are mushrooming of proposals from scholars that focus on establishing a link, collaboration and coordination between urban planning and chieftaincy institutions in Ghana (e.g., Amoateng et al., 2013; Fuseini & Kemp, 2015). Previous research on Ghana (e.g., Ahmed & Dinye, 2012; Amoateng et al., 2013; Boamah et al., 2012; Grant & Yankson, 2003) presents a dual position on chieftaincy. On the one hand, the research acknowledges the important role of chieftaincy institutions in urban land development while on the other hand criticises such institutions as managing land without due consultation with the official planning institutions. This current research does not attempt to suggest that the role of chieftaincy institutions in land use planning is unimportant. However, it argues that the roles of both the chieftaincy and official planning institutions in relation to land use planning in Ghana need to be complementary, marrying tradition with professionalism to support sustainable urban land use planning. An understanding of the process of land development and the extent to which chieftaincy contributes to or impedes urban planning would provide a framework for proffering solutions towards sustainable urban land use planning. Given the foregoing background, this paper uses the Yendi Municipality in northern Ghana to:

- (i) Explore the relationship between chieftaincy and urban land use planning through the process of land development; and
- (ii) Examine the contributions made, or limitations imposed by chieftaincy on sustainable urban land use planning.

The study assumes that land use planning practice based on strong collaboration between the formal planning institutions and the chieftaincy institutions can deliver more sustainable outcomes compared to only one institution-led planning effort in Ghana. Adherence to formal planning process, coordination between chieftaincy and planning institutions, and improvement in the capacity of formal planning institutions to engage more with residents will in turn engender local communities support for sustainable land use planning. This assessment consists of five sections. Section 2 provides theoretical basis for chieftaincy, land tenure arrangements, and urban planning focusing on Ghana. Section 3 describes the case study setting and examines the research methods used. Section 4 presents and discusses the research findings. Section 5 presents the concluding remarks.

2. Chieftaincy, land tenure arrangements and urban planning: finding a convergence

To understand and explain how and why the activities of chieftaincy institutions have largely been inconsistent with sustainable urban planning in Ghana, it is necessary to examine chieftaincy, land tenure systems and urban planning, and their interactions thereof. Article 227 of the 1992 Constitution of Ghana explains chieftaincy as a traditional

governance system headed by a chief – i.e. a person who, hailing from the appropriate family and lineage, has been validly nominated, elected or selected and enstooled or enskinned in accordance with relevant customary laws and usage – and recognised by mainstream political system as a body of authority (Arhin, 1985; CIKOD, 2009). Owusu-Mensah (2014) describes chieftaincy during the pre-colonial era as local context governance system where leadership was organised along ethnic and tribal ranks. With time, the chieftaincy structure developed with the creation of stools (i.e. symbol of authority of chiefs in southern Ghana) and skins (i.e. symbol of authority of chiefs in northern Ghana) as symbols of authority, including lower level portfolios: elders; clan heads; and traditional land owners (Kleist, 2011). Chieftaincy institutions in Ghana were highly revered and performed traditional functions including upholding the welfare of people, exercising authority over stool and skin lands and other natural resources, settling disputes between individuals, families and clans, using customary laws and rules (Blom, 2002; Dokurugu, 2011; Owusu-Mensah, 2014).

The emergence of colonial rule in Ghana around the 15th century led to the introduction of the mainstream political system as an attempt to regulate the hitherto informal chieftaincy institutions. In order not to invoke the wrath of the chieftaincy institutions and local people, the colonialists, according to Morhe (2010), passed, among others, the 1878 Native Jurisdiction Ordinance to formally recognise chieftaincy institutions as authorities of Native Councils with the responsibility of enacting bylaws for implementation in both criminal and civil courts. Subsequent to the formal recognition was the modification of chieftaincy institutions' role to include the collection of local revenues, through the passage of the Native Administration Ordinance in 1927, which granted the institutions financial, judicial and administrative authority. This new system of governance was referred to as the 'indirect rule' where the colonialists (British) governed through the chieftaincy institutions. Indirect rule intensified when the chieftaincy institutions were recognised by the colonialists as a channel for cost-efficient governance and an opportunity to exploit economic resources from Ghana (Dokurugu, 2011). In this context, chieftaincy institutions essentially served as colonial agents under the colonial masters to explore and exploit local resources including the mineral wealth of the communities (Dokurugu, 2011). As a consequence, chieftaincy institutions, once rooted in moral authority, were considerably undermined as they became adulterated, losing their long-held community reverence (Kilson, 1996; Zack-Williams, 2002).

Upon Ghana's independence in 1957, chieftaincy institutions witnessed considerable transformation (Boafo-Arthur, 2001), progressing from political intermediaries during the colonial era to a formidable establishment with multiple interests (Knierzinger, 2011). The adoption of the 1969 Constitution, the passage of the Chieftaincy Act of 1971 (Act 370), and the establishment of the Traditional Councils and the Regional and National Houses of Chiefs did not only reinstate but also 're-recognised' the powers and importance of chieftaincy institutions in Ghana (Owusu-Mensah, 2014). Hence, efforts to integrate chieftaincy institutions into national development were pursued by passing the Chieftaincy Act of 2008 (Act 759), and the creation of the Ministry of Chieftaincy and Traditional Affairs in Ghana. That notwithstanding, chiefs are barred from 'active' engagement in partisan politics (Government of Ghana, Article 276 of the 1992 Constitution).

Presently, chieftaincy institutions have become channels for economic development and agents for poverty alleviation often by initiating and implementing development projects across education, health, environment and land administration (Ayee, 2007). For example, there are well-documented development initiatives by chieftaincy institutions, in some cases with the installation of 'development chiefs' (see Bob-Milliar, 2009; Dokurugu, 2011; Kleist, 2011). On the other hand, others (e.g., Knierzinger, 2011; Mamdani, 1996) consider chieftaincy institutions as an impediment to democratic governance and sustainable development. Knierzinger (2011), for instance, perceives the developmental activities of chieftaincy institutions as not

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