

Chapter 1

Akan Deities as Agents of Conflict Resolution Mechanism in Ghana: Promises and Pitfalls

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ABSTRACT

The chapter takes an integrative look at a largely neglected field of conflict resolution mechanism in Ghana: the extent to which belief in traditional deities both enhance and undercut justice delivery systems in society. It contends that through duabɔ (imprecation) there is an enduring influence of traditional deities as part of legal regulatory frameworks in society. The chapter, thus, uncovers the hidden resources of traditional deities as useful channels of conflict resolution. The chapter draws on proceedings from the Akan customary conflict resolution mechanism to demonstrate both the usefulness and challenges of traditional justice delivery method in contemporary Ghana and encourages the need for its modification to suit the needs of legal modernity. The chapter is the product of a qualitative analysis of empirical ethnographic material gathered from the everyday facts of Ghanaian religious communities and public domain.

INTRODUCTION

The topic of duabɔ (imprecation) is an underexplored field and remains at the margin of the justice delivery system. Evolving from various “sacred traditional states” (Meyerowitz, 1951, pp. 27—29), the post-independence Ghanaian state exhibits both continuity and disjuncture when it comes to matters of religion, law and politics (Tweneboah, 2020). In its public sphere, there is an increasing demand for the application of secular tenets in ways that conform to legal universalism. At the same time, there is an overwhelming influence of religion and customary resources on the daily activities of the people (Crook et al., 2011a, 2011b; Yin 2018). Accordingly, the question of the best mode of providing effec-

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tive, trusted and accessible justice to the citizenry in ways that consider the people's understanding of justice — underpinned by their religious and customary worldviews — begs for answers. As a secular state whose populations are attached to religiosity, questions bothering on how the spiritual forces promote or undercut, and how people tap into the religious realm to correct political and legal wrongs continue to demand further enquiry. In particular, the transition from the previous sacred traditional states to the modern nation-state has led to a significant legal and justice delivery disjuncture. This is particularly true when it comes to the decisive role of the spiritual forces in matters of conflict resolution mechanism.

Throughout its long history, particularly in post-encounter periods with Western religious and legal norms, traditional African deities have demonstrated their capacity to adapt to the changing realities of society. Crucially, European colonialists and missionaries' attempts to supplant traditional modes of justice delivery and norm conformity made very little effort in the day-to-day activities of the people (Gray, 2000, 2001; Tweneboah, 2020). Precisely because traditional deities have demonstrated their vitality in diverse areas of conflict resolution and peace building in society, in recent times, there have been appreciable tendencies for high-profile political actors resorting to *duabɔ* (imprecation) instead of appealing to civil court trials to seek redress (Tweneboah 2014; 2021). Intriguingly, while the society undergoes secularisation and democratisation, access to political office almost invariably continues to appeal to the spiritual forces. Political actors and other wilders of power continue to tap into the spiritual realm which they believe would help them not only galvanise votes and support but also to correct any wrongs wrought by their opponents (Dovlo, 2004, p. 213; Max-Wirth, 2016).

In Ghana and elsewhere, traditional deities, thus, have proven themselves to be an immensely useful mode of justice delivery (Agyekum, 1999; Oba, 2008; Tweneboah, 2014, 2021). The supposed power of the deities makes a binding commitment on its adherents. Yet, there have also been reported cases of concern especially when it comes to fairness, enforcement and human rights (Crook et al., 2011a; Tweneboah, 2014). To be sure, such concerns challenge theories and praxes of legal modernity. A vital relevance of the public manifestation of the influence of traditional African deities is that it suggests the contemporary significance and the resiliency of the traditional spiritual mode of justice delivery.

Consequently, this chapter will contend that in spite of the attempts to privilege state-sponsored approaches to justice delivery, through *duabɔ*, we see the enduring influence of traditional deities as part of legal regulatory frameworks in society. The resilience of *duabɔ* in the Ghanaian public domain, the chapter demonstrates, reflects the religious and legal plurality of the Ghanaian society. This chapter, thus, uncovers the hidden resources of traditional deities as useful means of conflict resolution. It does not seek to serve as an apologetic defence of *duabɔ*. Rather, it considers *duabɔ*'s valence to imprecators. Consistent with the famous Thomas theorem, the chapter notes that the ways in which situations are framed define the "true" definition of the situation. Drawing on the Akan customary arbitration mechanism as a reference point, the chapter demonstrates both the promises and pitfalls of the Akan traditional conflict resolution method in contemporary Ghana and encourages the need for its modification to suit the needs of legal modernity.

Methodologically, this chapter is the product of a qualitative analysis of empirical ethnographic material gathered from the everyday facts of Ghanaian religious communities and the public domain. The crux of the chapter is to provide a detailed understanding of the links between religion, law and justice delivery. The chapter employs an interdisciplinary approach rooted in sociological, anthropological, political, economic and cultural perspectives. The method used in compiling the material for this chapter includes participant observation and open-ended interviews which took place in some selected shrines and villages in the Techiman and Nkoranza Traditional Areas of the Bono East region of Ghana.

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