



evidence-based policy in development network



Research-based evidence in African policy debates

Case study 4
Chieftaincy reform in Sierra Leone

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Abbreviations

APC	All People's Congress
CGG	Campaign for Good Governance
CGRP	Chiefdom Governance Reform Programme
CSO	Civil Society Organisation
DFID	UK Department for International Development
EBPDN	Evidence-based Policy in Development Network
EU	European Union
GDP	Gross Domestic Product
GoSL	Government of Sierra Leone
GTF	Governance Transparency Fund
HDI	Human Development Index
IRCBP	Institutional Reform and Capacity Building Project
MCSL	Methodist Church Sierra Leone
MIALGRD	Ministry of Internal Affairs, Local Government and Rural Development
MP	Member of Parliament
NGO	Non-governmental Organisation
NMJD	Network Movement for Justice and Democracy
ODI	Overseas Development Institute
PCRP	Paramount Chief Restoration Programme
PICOT	Partners in Conflict Transformation
RAPID	Research and Policy in Development
SFCG	Search for Common Ground

About this study

The link between research and policy, which is increasingly occupying the interest of researchers, policymakers and practitioners alike, is a complex one. Policy is framed by the discursive context in which it is made: the wider debate in which a policy is positioned effectively determines it. In order to probe this discursive context and the role of research-based evidence in informing it, the Politics of Research-based Uptake in African Policy Debates research project, jointly funded by the Mwananchi programme and the Evidence-based Policy in Development Network (EBPDN) at the Overseas Development Institute (ODI), investigates the role of research-based evidence in four policy debates in Africa. The exploratory research is based on information gathered on four policy debates in four case study countries – Ghana, Sierra Leone, Uganda and Zambia – during the period October 2010–November 2011.

Policy debates offer an entry point into the wider discursive practices at play within policymaking, and therefore a wider analytical snapshot than is made possible by focusing on the impact of a particular piece of research or tracing the formation of a particular policy, as other studies have done. Each case study aims to probe the ‘politics’ behind the role of research-based evidence in policy debates in Africa by posing the question: What factors affect the use of research-based evidence in African policy debates? It is not, however, the aim of this research to arrive at an explanatory model of research uptake in Africa; rather, the study is explorative and aims to provide an initial attempt to conceptualise 1) the role of research-based evidence in African policy debates; and 2) factors that account for or help to explain this role. Any answers will need to integrate initial reflections on how policy debates in Africa can themselves be characterised.

This study is informed by the Research and Policy in Development (RAPID) programme’s work over the past 10 years. RAPID has systematically tried to identify how best to support and promote research-based evidence approaches for civil society actors to influence the policy process, guided by the belief that a policy informed by research-based evidence is better – and more effective – than one which is not. One of the central tenets of RAPID’s approach to policy influence is the recognition that political context matters when it comes to policymaking and, subsequently, so does whether, which ('whose?') and how research-based evidence is used. The RAPID approach holds that attempts to influence policy using research-based evidence must incorporate this insight in order to be able to best tailor their strategies to political realities.

This study is conceived of as a way of formulating action in Africa based on the realities of how policy debates are conducted and the role of research-based evidence in these, by potentially ‘going with the grain’ to support policy influence for pro-poor outcomes in the African contexts described. An understanding of the current state of policy debates in Africa is important, as it reflects national capacity to engage in deliberative dialogue, to construct logical arguments and to gather and use relevant and credible information to employ in critical analysis. In Africa, where political institutions do not enjoy the precedent they do in many western countries, and where educational levels are low, the notion and practice of policy ‘debate’ is likely to face challenges. Policy debates do not occur in isolation from the policy process: they provide a window into the ‘politics’ of policymaking.

Introduction

This paper presents the findings of the fourth EBDPN case study investigating the role of research-based evidence in policy debates in Africa. Overall, the research project is designed to inform subsequent thinking on how best to support evidence-based approaches in developing countries by 'going with the grain' with the reality of policymaking in Africa, rather than seeking to change the existing system from the outset.¹ The first task in this, however, is to establish what the 'grain' is in the context of evidence use and presentation in a policy debate.

This case study considers contemporary discussions on the role and reform of Sierra Leone's chieftaincy system. This is a complex debate which encompasses wider considerations about the causes of civil war, the national system of taxation, the delivery of public services and the legacy of colonialism and the role of the international community in the post-war context. The Sierra Leonean case is important, as it considers a policy area where there is a lack of clarity on what would constitute 'evidence' in the discussion, and the scope for the debate to encompass a number of differing policy objectives is vast. It is also a prime example of an issue which engages with notions of tradition and Africa's colonial history, framed by the country's status as highly donor reliant. By exemplifying different notions of evidence, this case study shows the instrumentality of not appealing only to research-based evidence in effectively stalling momentum towards policy change.

What follows is an attempt to reconstruct the current state of the debate by first placing the issue of chieftaincy and local governance in their critical historical context and subsequently considering the factors that have influenced the role research-based evidence has played in this thus far. Importantly, when the paper talks about 'the debate', the reference is to one with numerous layers. It does not take place in one central space or as part of a single discussion, but operates at a number of levels: from localised (and polarised) perspectives on the chieftaincy to a national-level advocacy campaign which attempts to use some of these perspectives to influence the policy agenda; and further still in wider considerations among international donors about how to support the post-war Sierra Leonean state in a number of policy areas.

The case study is organised as follows. Section 1 presents the chieftaincy reform debate's context by considering the issue as it stood in the immediate post-war period (when the focus was on the role of chiefs in creating the conditions for war), during the re-establishment of local councils to decentralise political power in Sierra Leone and finally in the past few years, when the merits of concrete proposals to reform the chieftaincy have been debated as part of wider policy processes. Section 2 considers the current state of the debate by presenting the arguments of various actors who have a stake in the contemporary role of the chieftaincy. Section 3 considers what role research-based evidence has had in these arguments, and subsequently attempts to account for the use of different types of evidence overall.

Key findings

The chieftaincy reform debate is extremely politicised and subject to an entrenched silence. It relates to the nature of the Sierra Leonean state, the locus and direction of its development and the legitimacy of local and national leadership. It is by no means a singular, linear debate with clear-cut sides, and is at base one with a significant international influence: the issue has a long history and relates strongly to British colonial rule. Perspectives are further coloured by the country's recent civil war, which ended in 2002, and subsequent attempts to address perceived problems associated with local governance and the marginalisation of the rural population. In Sierra Leone's donor-saturated context, this has meant that the international

¹ See Kelsall (2008) for a detailed discussion of 'going with the grain' in African development.

community must, and has had to, engage directly with the issue of the chieftaincy in the country's post-war context.

The contemporary debate is driven by a donor-funded Chieftaincy Reform Campaign, largely informed by the work of a British expert on local governance in Sierra Leone. While numerous issues surround the nature of the evidence collected and the political incentives for how it is used, the formally established movement for reform has engaged with and possesses a significant amount of research-based evidence. This contrast with the 'defenders' of the chieftaincy – whose arguments actually converge with the Campaign Team on a number of issues – who have been characterised by a serious lack of engagement with research-based evidence.

The role of research-based evidence in the debate can be explained by the following factors:

- *Difficulties in obtaining evidence* on account of the subject of the policy discussion – it is hard to undertake 'objective' research given the inherently politicised nature of questions regarding governance reform – and a forced reliance on 'soft' rather than 'hard' data;
- The existence of *power-related incentives* on the part of the chieftaincy's defenders, and quite possibly among the supporters of reform who have not utilised the available evidence base to the extent they could have;
- The critical role of *tradition as legitimate evidence* in dominating the debate, employed both as a means of defending chiefly power and as a genuine reflection of the value invested in tradition in Sierra Leone;
- The *role of the international community*, consisting of a high level of direct involvement in governance reform and a more tacit influence over discourse through the imparting of the language of 'development'; and finally, and most controversially
- The *serious lack of capacity to undertake, understand and use research-based evidence* in Sierra Leone, largely explained by a low level of education, which leads to 'sticky' and readily deployable concepts often used in place of evidence which, on account of their imprecise nature, are used in ways that often obscure meaning and fail to aid understanding. In some cases, this lack of capacity is instrumentalised, working to the advantage of those who are defending tradition and who are able to effectively stifle the debate by avoiding engaging with the debate through the use of research-based evidence. Lack of capacity also explains the need for a reliance on international researchers and consultants, and thus intersects with the influential role of the international community in driving this debate.

Methodology

The purpose of this case study is to generate evidence on the role of research-based evidence by pursuing an innovative line of enquiry which considers a polarised policy debate and asks the following questions:

- 1 What arguments are being made and by whom, and how they are communicated?
- 2 How can the role of research-based evidence – or other forms of evidence – be accounted for in these arguments?

The research undertaken for this case study occurred during the period April–November 2011 in Sierra Leone, during which time the researcher was hosted by the Campaign for Good Governance (CGG), a grantee of the Overseas Development Institute (ODI) Governance Transparency Fund (GTF). The researcher was subsequently employed by Christian Aid as Governance Officer. The case study was undertaken over a longer period of time than the previous three case studies, and was selected on the basis of CGG's engagement in the

Christian Aid-funded advocacy project, Sustaining a Civil Society Campaign around the Chieftaincy Reform Process, which is jointly implemented by a number of other Sierra Leone-based organisations which work under the umbrella of Partners in Conflict Transformation (PICOT).

The Campaign was a relevant entry point for research because of its direct engagement with an ongoing policy debate – the role of the chieftaincy – and concurrent work by the government of Sierra Leone to review a number of its local governance policies. Further, the subject was selected because it generates considerable interest among Sierra Leone's major donors, is thought to be highly politicised at national and local levels, has a long and complex history and relates to a policy area in which different types of evidence find a welcome entry point in a discussion which is arguably dominated by concepts associated with international development, such as 'empowerment', 'human rights' and 'good governance'. It should be noted that, in this case study, unlike the other three, the host organisation was directly involved in engaging in the policy debate.

The manner in which the case study was undertaken is explorative: there is no existing theory this research is attempting to prove or disprove (see Thomas and James, 2006). The findings are therefore presented tentatively, based on the recognition that there is much in this paper that may require revision, further reflection and greater input from the parties concerned. Every effort was made to contact relevant parties, but inevitably the research process contained gaps.

The research methodology consisted of the following:

Review of media items

Relevant media articles appearing online during 2006 up to November 2011 were collected from a number of newspapers and their online editions, the main ones being The Standard Times, Awareness Times, Cocorioko and Awoko. Recordings of the Nyu Baray radio programme produced by Search for Common Ground (SFCG) and aired on Talking Drums Studio radio as part of PICOT's ongoing Chieftaincy Reform Campaign were also reviewed.

Review of literature

A number of relevant research papers in the following areas were collected, on,

- Local grievances against chiefs as a cause of civil war;
- The history of local governance in Sierra Leone;
- Colonial rule and the chieftaincy;
- Post-war decentralisation;
- The political economy of Sierra Leone;
- The case for reforming the chieftaincy;
- The role of the international community in post-war Sierra Leone.

This was supplemented by a gathering of relevant conference and meeting reports (where available), policy documents and legislation. All literature and documentation is cited throughout this case study.

Interviews and discussions

The research was directly informed by 31 individuals in total: by 28 semi-structured interviews and 3 detailed email correspondences in a structured interview format.² Significantly, a high

² With Paul Jackson, Paul Richards and Simon Akam.

number (18) of those consulted wished to remain anonymous, reflecting the level of reluctance to talk openly and frankly about the chieftaincy and its role in contemporary Sierra Leone.

The institutional affiliation of the interviewees fell into the following categories: media (4); academic/research (6); government (4); traditional authority (6); donor organisation (7); local non-governmental organisation (NGO) (3); and other (1). The research was also informed by a number of other individuals and organisations who are listed in the Annex and referenced throughout the case study.

A number of community-based discussions took place in the following places, although participants' names are not listed in the Annex: Kamabai and Karina sections of Biriwa chiefdom, Bombali district; Pendembu, Bambara chiefdom, Kailahun district; and Koidu town, Gbense chiefdom, Kono district. A number of other relevant perspectives are also referenced, although these were not collected with the explicit objective of informing this research. Sources are referenced in the text but do not appear in the Annex.

1 Debate context

Sierra Leone is a low-income and aid-dependent state emerging from an 11-year civil war which saw a death toll of approximately 50,000 people. For a number of years in the aftermath of the conflict (which ended in 2002), the country languished at the very bottom of the UN Human Development Index (HDI). In the post-war period, Sierra Leone's development trajectory has been shaped by over-centralisation of political power in Freetown and ineffective governance structures at national and local levels which fermented the conditions for war in the years prior to the beginning of the violence in 1991 (Hanlon, 2005; Peters, 2006; TRC, 2004). These considerations exist alongside ongoing attempts by the government and donor partners to reverse the devastating impact the conflict had on already-weak institutions, infrastructure and human development.

The situation does appear to be on the ascent, with 2011 UN data showing an improvement in the country's HDI score (0.036, an increase of nearly 6% on the previous year) and rank (180 out of 187 countries). Further, Sierra Leone has been heralded as a model for the abolition of health user fees in Africa: the introduction of the Free Health Care Policy specifically targets the country's low level of maternal and child health. In economic terms, the country is set to be transformed by a predicted doubling of gross domestic product (GDP) in 2012 following the discovery of large iron ore deposits in the north of the country as well as, more recently, oil. These developments have not occurred without the expression of wider concerns regarding the government's management of growing foreign investments, however.

Sierra Leone is considered aid dependent because of its reliance on international donor funds to finance and manage these initiatives, with aid widely thought to constitute at least 50% of the national budget (Nadol, 2009).³ As a 'donor darling' with a rapidly growing economy, major donors – principally the UK Department for International Development (DFID), the European Union (EU) and the World Bank – are reluctant to see Sierra Leone fail, leading to suggestions of moral hazard, according to one donor representative. The influence the government's donor partners wield is both tangible and unavoidable, from the donor-sponsored workshop reports which saturate the media to the high density of 4x4 vehicles with international logos in Freetown.

³ World Bank data used by the government also indicate that official development assistance represented over 19% of the country's gross national income (GoSL, 2010).

1.1 ‘Good governance’, decentralisation and the chieftaincy

An ongoing development constraint and donor priority relates to governance, on which Sierra Leone has not excelled. Both the origins of the civil war and low human development levels over the 10 years since the war ended can be explained by Sierra Leone’s historically weak governance structures, lack of transparency and accountability and institutionalised culture of corruption. These problems intersect directly with management issues regarding revenues from the country’s vast natural resources, on which it is increasingly dependent. While the country’s performance in this regard is no doubt improving (in 2011 Sierra Leone was ranked 30th out of 53 African countries on the Mo Ibrahim Governance Index 2011), weak governance and corruption remain pervasive and permeate all societal levels (e.g. Reno, 2010).

The democratically elected government of Ernest Bai Koroma of the All People’s Congress (APC) is widely thought to have been successful in supporting and implementing widespread governance initiatives since its election in 2007, most notably reform of the Anti-Corruption Commission, reform of the tax system, ongoing commitment to the decentralisation of key public services and justice sector strengthening. These focus areas intersect with a broader attempt to reform and strengthen local governance in Sierra Leone’s 13 districts, of which the chieftaincy remains an integral part in all but the Western Area Rural district, which covers the country’s western peninsula around the capital, Freetown.

Providing an objective account of local governance in Sierra Leone is challenging: historical accounts tend to be written from a particular post-war perspective which attempts to explain the civil war. To a large extent, these perspectives come from foreign sources – although notable Sierra Leonean commentators such as Joe Alie and Lansana Gberie have played a critical role in generating an intellectual voice on local governance and the civil war. This led one former economist in the Ministry of Finance to comment on the uncomfortable fact that the debate on the history of the chieftaincy in Sierra Leone is *‘fought out entirely by British white, male, academics’*. The contemporary debate reflects this, as will become evident in the course of this paper.

Good governance and the development trajectory

Following the civil war and the massive influx of aid to consolidate peace and rebuild the country, the language and objectives of good governance have penetrated the government and civil society in Sierra Leone, serving as a further testament to the influence of donors and their accompanying development discourse. Good governance is variously understood and employed, but as an overall approach it represents a move away from narrow technical understandings of ‘getting the policies right’ and instead builds on the insights of new institutionalist approaches (see March and Olsen, 1984) which emphasise the broader institutional environment and influence on behaviour.

Good governance approaches proceed on the basis that getting policies ‘right’ requires a conducive institutional environment. Definitions differ with regard to how much emphasis is placed on particular policy outcomes such as macroeconomic policy and poverty reduction (Grindle, 2007), but generally speaking the promotion of good governance implies a commitment to improving government administration, increasing accountability and transparency and reducing corruption. The results of good governance have been linked to peace and security, participatory policymaking and the provision of public services (see DFID, 2001).

Needless to say, in a context where a major focus for donors and the government in the post-war period has been the reform of the way people in rural areas engage with and obtain goods from the state, good governance is something of a mantra, invoked as if the very concept possessed magical powers (Akam, 2011). Addressing issues surrounding chiefdom governance forms an integral part of the good governance agenda in Sierra Leone, even if this is often not made explicit. Local governance in Sierra Leone is pivotal in a context where service delivery is

poor, trust in the institution of government low and the promotion of social cohesion a primary concern.

Since local councils were abolished by President Siaka Stevens of the APC in the early 1970s, people in rural areas – constituting just over 60% of the population according to 2001 data,⁴ have relied on paramount chiefs as their principal providers of law and order in the country's 11 rural districts.⁵ Experts on Sierra Leonean politics have tended to agree on the centrality of chieftaincy governance in the country's problems, with British anthropologist Richard Fanthorpe, who figures heavily in this debate because of his particular interest in and knowledge of the chieftaincy, arguing that attempts to reform local government are likely to run into problems if the chieftaincy is not tackled as a part of wider governance (Fanthorpe, 2005). This is echoed by analyses by both the World Bank (Richards et al., 2004) and Chatham House (Thompson, 2007), which argue that the locus of Sierra Leone's governance issues lie in the unaccountable chieftaincy system in rural areas.

The chieftaincy system in Sierra Leone

Sierra Leone gained independence from the British colonial administration in 1961, 10 years after the unification of the country, which had previously been run on binary terms: the Freetown colony on the coast, established in 1787 with the arrival of the first ship of freed slaves from Britain, later followed by settlers from Nova Scotia and Jamaica, which was formally established as a colony in 1808; and the Sierra Leone protectorate, in which the majority of the indigenous population lived and which prior to 1951 was run as a separate 'native administration'. The provinces nowadays (also referred to as 'upcountry' by Freetowners) consists of the Northern, Eastern and Southern provinces, covering 12 of the country's 13 districts. The Krios of Freetown, as the settlers came to be known, were favoured by the British and were often on equal footing with British administrators. Following independence, the 'native' peoples' revolt against the dominant Krios resulted in significant changes to the makeup of the ruling class, but the fundamental demarcation between urban Freetown and the rural provinces persists.

Governance of rural areas was administered through local chiefs whom the British administration subsumed under their authority. The system remained unchanged until their formal constitution through the Tribal Authorities Act 1937, the Chiefdom, Chiefdom Treasuries Act 1938 and the Tribal Authorities (Amendment) Act 1964, in which the roles of village, section and paramount chiefs were stated. Essentially, this legislation enshrined the chieftaincy as part of the Constitution, guaranteeing each paramount chief a council consisting of the paramount chief, sub-chiefs and 'men of note elected by the people'. Jackson (2006) explains that each paramount chief is elected for life from hereditary families known as 'ruling houses' by an electoral college of councillors, and each councillor is elected by 20 taxpayers; each chief has a speaker, who is effectively the chief's deputy and main enforcer; and each council has a chiefdom committee that acts as its executive arm.

The chieftaincy system, consisting of 149 paramount chiefs nationally, still dominates the lives of rural people, although it is subject to wide variation.

The chieftaincy is thought to have suffered greatly during the war. In the drawn-out period of stabilisation beginning in 1998 DFID, the UN Development Programme (UNDP) and the UN Integrated Programme in Sierra Leone (UNIPSIL) initially provided explicit support to the restoration of the chieftaincy through the Paramount Chiefs Restoration Programme (PCRP), later renamed the Chiefdom Governance Reform Programme (CGRP). These programmes were designed to address what was thought to be a broken 'governance pact' prior to and during the war. This was supported by the 2004 Truth and Reconciliation Commission (TRC) report which emphasised how relations between chiefs and citizens (specifically relating to abuses by chiefs)

⁴ This is based on the Population Reference Bureau's widely cited 2001 estimate that 38% of Sierra Leoneans live in urban areas.

⁵ Western Area Rural district is not included here, as it relies on headmen rather than chiefs.

had contributed to local grievances which fermented the conditions for a violent rebellion originating in the rural east of the country, as well as detailed evidence from the anthropologist Paul Richards (1996; 2004). This issue will be discussed further in Section 2.

Initial support to reforming (and ultimately supporting) chieftaincy governance – the first step in what was to be a longer-term donor engagement with decentralising governance in Sierra Leone –helped to institute new mechanisms of public consultation in order to increase local participation; written guidelines for chieftaincy elections and tax administration; and the rebuilding of houses for paramount chiefs destroyed during the war. The result of this initiative was to restore nearly 100 paramount chiefs in the south and east of the country (Thompson, 2007). These chiefs had been forced to leave their chieftaincies during the war, and their return was thought to herald a new dawn in terms of the end of the conflict.

International support to restore paramount chiefs in the latter stages of the war and the early post-war years was arguably ambiguous: in one sense, it implies a belief that the chieftaincy is legitimate, effective and 'should' be restored; yet it is also argued that the donor approach to the chieftaincy has been somewhat limited by a concurrent perception that the paramount chiefs have been responsible for widespread abuses of power and corruption in their respective chiefdoms (e.g. Fanthorpe, 2004b). This seemed to be the case following the CGRP's completion in 2002, when public consultations (in which Fanthorpe was the lead consultant) 'yielded a plethora of complaints against chiefs of all ranks' (*ibid.*).

On the whole, however, the international community has largely been supportive of the chieftaincy, with commentators suggesting international donors have gone out of their way to empower chiefs to ensure the government in power retains control in the provinces (Thompson, 2007).⁶ However, in more recent years, donors, namely DFID, have retreated from engaging with the issue, following the initial reform programmes, which Emmanuel Gaima felt had met limited success. However, Fanthorpe (n.d.) holds that support for the chieftaincy among donors has always been limited.

While work to support the reform of the chieftaincy was ongoing, the government and donor partners considered how to implement decentralisation as a way of improving service delivery, resource allocation and expenditure, and of strengthening citizen engagement with *formal* state structures. In 2004, the government – with major support from DFID, the World Bank and UNDP – launched a large-scale decentralisation programme, officially constituted by the Local Government Act 2004. This consisted of restoring the local councils abolished under Stevens' APC government to act as the highest political authority in their jurisdiction. A total of 12 district councils were introduced, with city councils established in Freetown, Bo and Makeni.

The Local Government Act 2004 makes provisions for political, fiscal and administrative decentralisation. The local council is designated the highest political authority in the jurisdiction, and elections to these were held in both 2004 and 2008. Chiefdoms are recognised as the lowest political unit, and paramount chiefs are provided representation in councils and memberships of ward committees. In terms of revenue generation, local councils can generate their own funds through loans and grants, as well as from taxes, mining revenues, royalties and licenses, but typically at least 70% of revenue is obtained from central government transfers (Srivastava and Larizza, 2010). These funds are tied to specific sector-based activities and programmes, and Parliament reserves the right to add conditions to how local council transfers are spent. In conjunction with sector-based spending, the Act has seen the administrative functions of 17 ministries, departments and agencies devolved to local level. Central institutions are still responsible for strategy, monitoring and evaluation, procurement and recruitment.

The rationale behind the re-establishment of local councils remained: addressing the widespread exclusion and marginalisation of the rural populace through greater participation

⁶ This view was also held by Paul Richards.

and improving their standard of living through service delivery and the management of development initiatives. The major programmatic interventions are the Justice Sector Development Programme and the Decentralised Service Delivery Programme, the latter having just received \$32 million from the World Bank for its second phase (Israel, 2011). The process is thought to have been fast-tracked as a means of rapidly redressing the urban bias that has characterised Sierra Leone's political context since independence, as well as of replacing the 'archaic' institution of chieftaincy which was thought to be going through a 'crisis of legitimacy' in the post-war years (Fanthorpe et al., 2011).

This sentiment is echoed by a recent World Bank review of decentralisation, in which the authors argue that the formation of local councils was a way of mitigating widespread discontent against chiefs (Srivastava and Larizza, 2010). The same authors further argue that factors concerning efficiency were of 'secondary importance' in the government's decision to forge ahead with the decentralisation programme, suggesting that a more influential factor was the 'political and economic interests of national politicians in the SLPP [Sierra Leone People's Party] government',⁷ who were keen to redress the centralising tendencies of Stevens' APC government and prevent a return to the 'prewar political economy'. Interestingly, however, relations between paramount chiefs and both major political parties continue to be strong, leading to the suggestion that the government only ever pays lip service to addressing the centralisation of political life in Freetown, in which loyal paramount chiefs play a key role. In short, decentralisation in Sierra Leone is extremely politicised, and the chieftaincy is a major pawn in the unfolding process.

Decentralisation in reality: limitations to the model in Sierra Leone

While the adoption of the spirit of decentralisation and good governance is thought to have had a huge discursive impact on Sierra Leone, the long-term impact of the re-establishment of local councils is still to be determined. Decentralisation has had a number of successes, such as providing the opportunity for citizens to participate and stand in local elections, access information on government activities and hold the government accountable. In terms of concrete service delivery, despite a number of challenges, local councils are thought to have had a significant impact on service delivery (Fanthorpe et al., 2011; Srivastava and Larizza, 2010).

However, the human and financial resource challenges local councils face are tangible and sharply felt by Sierra Leoneans, particularly with regard to the slow decentralisation of authority over education and feeder roads compared with, for instance, health. In this respect, questions remain over the commitment of the current and previous governments to decentralisation and – ultimately – potential reform of a status quo which is dominated by patronage politics and the distribution of public goods based on informal relationships which are often also constituted formally, making patronage networks extremely hard to map and penetrate.

The chieftaincy lies at the nexus of any assessment of decentralisation and the performance of local councils thus far. The Local Government Act's lack of a thorough treatment of the chieftaincy was identified early on as a major oversight, attributed to a concurrent reluctance among donors to involve themselves in the politically explosive issue of the chiefs and reticence among both the SLPP and the APC governments to really alter pre-war structures inherited from the colonial regime. Despite providing rudimentary guidelines on the role of paramount chiefs, the Act is unclear on the relationship between chiefs and local councils in a number of critical areas, such as funds for development projects, the role and remit of ward and chiefdom committees, local taxes collected by chiefs and land management (e.g. Fanthorpe and Sesay, 2009; Jackson, 2006).

⁷ The first post-war democratic government led by President Kabbah until 2007.

The central issues of contention concerning decentralisation and the chieftaincy are 1) whether decentralisation is eroding the power of the chiefs; and 2) whether it should. Fanthorpe et al. (2011) argue that decentralisation is designed to curb the power of chiefs and was fast-tracked by international donors to ensure that service delivery responsibilities were 'ring-fenced' away from paramount chiefs, ultimately supplying a new system of governance for a population which is 'straining' against the 'leash of custom' (Fanthorpe, 2005). This argument suggests that donors were not willing to fund a programme that was open to political capture by chiefs, given existing evidence indicating that grievances against chiefs were widespread – particularly among youths – and perspectives which emerged from consultations undertaken by Fanthorpe to advise DFID in 2003–4 (see Fanthorpe, 2004a–d). Put simply, 'chiefdoms had no place in donors' vision of a modern, efficient and democratically accountable system of local government' (Fanthorpe, 2004b).

Amid this apparent attempt to challenge the role of chiefs – who still retained judicial responsibilities in the new post-Local Government Act era – paramount chiefs allegedly saw decentralisation as a threat to their powers over fine levies, 'voluntary' labour and the control of land use and sales. They have acted accordingly and are widely reported to have thus influenced the choice of candidates in local council elections. This was particularly apparent in the first 2004 elections, a traditional SLPP stronghold (Jackson, 2005), and government interference in chieftaincy elections – a long-held criticism of both the SLPP and the APC – was reportedly a critical factor in the Biriwa chieftaincy by-election. The implication of this is that relationships between chiefs and the central government persist, and achieving a decentralised space which is independent of both the ruling party in Freetown and the chiefs is a long way off.

The politicisation of the chieftaincy has been seen as a critical factor in a reported lack of operational buy-in from the pivotal figure in decentralisation – the Ministry of Internal Affairs, Local Government and Rural Development (MIALGRD) – which Paul Jackson claimed supports the chiefs rather than the local councils. As a case in point, contrary to the Local Government Act, in 2009 the Minister for Local Government advised the chiefs not to share local tax revenues with local councils, and subsequently played a significant role in determining what was paid to councils. Prior to 2008, this was 60% of tax revenue, but collected rates now fall between 0% and 20%, meaning councils are failing to receive a significant portion (Fanthorpe and Sesay, 2009).

Unclear guidelines and conflicts of interest concerning how local councils report to the MIALGRD have also caused confusion and weakened the system (Jackson, 2006), with political rivalries developing between the new local councillors, paramount chiefs and officials in charge of the local administration (who are often former district officers with influential connections and ties in the provinces). Thus, according to the recent World Bank review, councils could easily become the tools of central government or the chiefdoms rather than an independent developmental force, with, 'the center dominating and manipulating the subnational governments by playing off the traditional authorities (chieftaincies) against the local authorities through a divide and rule strategy and minimizing the autonomy of the local councils over the control of financial and human resources' (Srivastava and Larizza, 2010).

This situation, in which the new stratum of local government becomes a tool of the central government rather than an institution accountable and responsive to the local populace, has been seen as evidence that the international community and the government have pursued a 'neotraditional policy' towards chiefs since the cessation of conflict. This is described as the 'reinstatement of the pre-war system of rural governance based on paramount chieftaincy and local courts' as devised under the British colonial system (Mokuwa et al., 2011).

Richards – who has historically emphasised the role of grievances against chiefs' abuse of power among youths in rural areas, particularly with regard to forced ('voluntary') labour – argues that government and donor commitment to decentralisation is firmly based on the re-establishment of pre-war structures and the historic division of functions between local councils

and elected chiefdoms. On the part of the UK government, this is attributed to an expedient move – still at play – on the part of Ron Fennell and Rupert Bowen in 1996 to craft a plan which effectively reinstalled British colonial rule by using chiefs as ‘brokers’ to deliver effective governance in the countryside, according to Paul Jackson. On the part of the government of Sierra Leone, the objective is thought to be more about the maintenance of power at the centre (e.g. Jackson, 2005), with Carol Lancaster (2007) suggesting that the SLPP prior to the APC’s resumption of power in 2007 had been firmly committed to ‘bolstering the position of chiefs’. These issues will be dealt with further in Section 3.

It is not difficult to see, therefore, that the debate over the role and reform of the chieftaincy is embedded in questions regarding decentralisation and the reasons why the ‘Freetown bias’ needs to be redressed. Perspectives on the role of the chiefs in this process vary, particularly in terms of how international donors are thought to treat the chieftaincy. Indeed, it is likely that the search for a unified donor approach to the chieftaincy question since 1998 would oversimplify the issue.

For DFID at least, engagement with the chieftaincy issue appears to be through its support of justice sector reform, most recently the Improved Access to Security and Justice Programme designed in 2010, in which chiefs are thought to be treated by donors as part of the problem rather than as a solution (Albrecht, 2010). According to Paul Jackson, no matter what the current or past attitude of both the government of Sierra Leone and its donor partners, the question of the chieftaincy’s *abolition* is entirely absent from the debate, with the most important question being what *role* for the paramount chiefs and how to arrive at this in a context where service delivery is under the remit of local councils.

1.2 Policy developments

A number of policy developments relating directly to the chieftaincy have taken place since 2009. Based on Fanthorpe et al.’s (2011) conceptualisation of the current policy context, these developments – which encompass the chieftaincy debate – include the following.

The Chieftaincy Act 2009

Drafted by the MIALGRD, the Act codifies and adds to existing customary law on the election and removal of chiefs, allowing the central executive significant influence and leverage in chieftaincy elections and the removal of paramount chiefs. In effect, the Act is not thought to have moved beyond the current problems associated with the chieftaincy in order to facilitate reform, but merely restates the historical status quo which has seen the MIALGRD share a far more ‘cosy’ relationship with paramount chiefs than with the local councils under its remit. This is evidenced, for instance, by the ministry’s aforementioned freezing of the council precept on chiefdom revenues in 2009.

Reinstatement of district officers

Following the Chieftaincy Act’s ratification, the government declared it would be reinstating the position of district officers, a role officially constituted by the Provinces Act drafted in 1933 and not repealed by the Local Governance Act. The district officer is a political appointment designed to ensure local councils are governing in the public interest rather than that of their supporters through the presence of central government at local level. The potential for conflict between local councils and district officers regarding roles, responsibilities and remit is thought to be high.

Decentralization Policy 2010

The formal articulation of the government’s Decentralization Policy, published in September 2010 and launched in February 2011, states that local councils are the ‘highest development and service delivery authorities’ in their localities rather than the highest political authority, as

articulated in the Local Government Act. Chiefdom administrations are described as constituting 'the traditional component of local government administration in Sierra Leone': 'traditional authorities',

'[...] shall continue to play important development and governance roles in the local areas. There shall be extensive interaction between the traditional authorities and the local councils for the benefit of the socio-economic development of their localities, where each entity shall play its important role. Traditional authorities shall continue to perform functions stipulated in the Local Government Act 2004 and other related legislation' (Section 3.2.2.2).

Local Courts Bill 2008

The proposed Bill would bring local courts under the jurisdiction of the chief justice and the Ministry of Justice, rather than under the MIALGRD as they are now. This would mean court chairs, vice chairs and members of a chiefdom committee (rather than Council) would now be appointed by the Ministry of Justice, after criticisms that currently these appointments are not based on merit but subject to interference by paramount chiefs and the MIALGRD. The Bill was tabled and debated in Parliament in April 2011 and has now gone to the Legal Services Commission for scrutiny.

Draft Chiefdom and Tribal Administration Policy

The draft policy, published in June 2011 and again in September 2011, is the result of collaboration between the Decentralisation Secretariat and the MIALGRD following a long consultation process with various stakeholders (including PICOT). It represents an attempt to articulate how the chieftaincy can be more accountable, transparent and responsive, including enhanced capacity to collect, analyse and apply the various statutory frameworks on chiefdom and tribal administration. Importantly, the latest version of the policy calls for moves towards universal adult suffrage (UAS) (GoSL, 2011b). However, the policy is clear that the chieftaincy is 'deeply rooted in the culture of the people' and that the chiefdom 'shall continue to serve as the basic unit of administration and an integral part of the governance to the state of Sierra Leone' (in Fanthorpe et al., 2011). Key proposals contained in the policy include granting paramount chiefs immunity in the performance of their official duties; paramount chiefs chairing ward development committees (WDCs); enhancing the responsibilities of chiefdom administrations in local tax revenue and collection; and paramount chiefs continuing to arbitrate on family and secret society matters.

The following section builds on this context-setting discussion by considering the dynamics of the debate, already touched on in this section, and the arguments made by actors engaging in it.

2 An overview of the contemporary debate and actors

It is clear from the preceding discussion that the chieftaincy debate is located in the wider context of post-war governance reforms and concerns with redressing the perceived failures of pre-war governance structures, particularly with regard to paramount chiefs. This section looks more specifically at the contemporary debate surrounding the role and reform of the chieftaincy, taking the emergence of the Chieftaincy Reform Campaign Team and its subsequent publications as a major turning point in creating a conscious, public debate which attempts to weave together the numerous issues associated with the chieftaincy in Sierra Leone.

Although the Chieftaincy Reform Campaign signifies an effort to create a public (and publicised) debate with an educative (or awareness-raising) function, the wider debate – and decisions made on the basis of deliberation on the chieftaincy issue – remains relatively disparate, constituting a number of sub-debates (e.g. on land reform, justice, taxation, corruption, service delivery) to which the role and reform of the chieftaincy are integral. Ring-fencing the debate is, therefore, difficult. However, the Chieftaincy Reform Campaign affords an opportunity to consider a concerted attempt to mainstream, and indeed streamline, the debate.

The debate has not changed significantly over the last decade, according to Paul Jackson, and still proceeds on the basis that chiefs are popular and should remain – but that the institution requires reform. Indeed, the abolition of the chieftaincy is not a proposal that has made much (if any) headway in the debate: even the most vociferous of critics, such as Paul Richards, hold that the question is one of reform rather than eradication. Thus, there is agreement on the need for some degree of reform on all sides of the debate; the difference relates to what kind of reform and the reasons behind it. It is hard to find diametrically opposed positions entirely for the chieftaincy and wholly against it, therefore.

Arguments tend to proceed on the basis of both intrinsic values (e.g. of tradition, human rights, democracy and good governance) and instrumental logic (e.g. the need to reform the chieftaincy in order to conserve it, the need for efficient service delivery, the need for local council tax revenue), largely simultaneously. It is also important to note that, while the debate on the role and reform of the chieftaincy is firmly embedded in and framed by the national-level development policy context, at local level it manifests in local grievances against particular chiefs or election processes, or in overt support and defence of the tradition of a particular community among people who very often have little or no understanding of national policy and its processes. Linking these heterogeneous local contexts and making them relevant to a national debate which attempts to generalise experiences from very different local contexts – as the Chieftaincy Reform Campaign does – is not easy, and has led to avowals that the debate is a local rather than national one.

The rest of this section attempts to reconstruct the debate as it stands, first by considering the arguments made by the Chieftaincy Reform Campaign and second by looking at the case in defence of the chiefs. What becomes clear is that, although elements of the Campaign paint the chieftaincy in a less than positive light, it is not possible to draw absolute demarcations between pro-chieftaincy and anti-chieftaincy in this debate, despite a *perception* that such demarcations exist.

2.1 The Chieftaincy Reform Campaign

The Chieftaincy Reform Campaign is a Christian Aid-supported advocacy campaign which brings together four of Sierra Leone's prominent civil society organisations (CSOs) working on governance: the CGG, SFCG and PICOT partners the Network Movement for Justice and Democracy (NMJD) and the Methodist Church Sierra Leone (MCSL), whose work provided the backdrop to the Campaign's formation. PICOT, funded by Christian Aid and forming a major part of its governance, human rights and gender portfolio, was established in 2006 with the aim of working to prevent the re-emergence of conflict by transforming relations at local level, particularly in the southern region, where much of the civil conflict took place and where grievances against chiefs are thought to be particularly manifold.

There are two concurrent – and mutually supporting – arguments in the Campaign's approach: bottom-up expressions of a desire for change; and an (arguably) top-down analysis of how the chieftaincy acts as a barrier to the achievement of Sierra Leone's development goals, to which good governance is central. Both lines of argument offer different ways of presenting evidence.

With regard to bottom-up calls for change, PICOT's decision to make the reform of the chieftaincy the central focus came out of findings emerging from consultations with local communities about potential conflicts and how these might be mitigated. In July 2007, PICOT committed to making chieftaincy reform its major advocacy focus and – after partnering with the CGG and SFCG – has worked to sensitise communities at local level, intervene to prevent conflict within chiefdoms and raise the profile of the chieftaincy issue as a national-level policy debate.

In order to support its national-level advocacy and provide a basis for local-level work, the team, which retains advisory and financial support from Christian Aid, has commissioned a number of supporting documents which arguably represent its 'top-down' expert analysis, including: 'Reform Is Not against Tradition: Making Chieftaincy Relevant in 21st Century Sierra Leone', the principal document articulating the Campaign's proposals and reasons behind its argument (Fanthorpe and Sesay, 2009); an accompanying Facilitator's Guide to 'help field workers in their discussions with community people' on the proposed reforms (Alie, 2011b); and a supplementary report articulating the Campaign's responses to criticisms of its proposals and resistance to reform (Fanthorpe, 2011).

The Campaign's guiding document (Fanthorpe and Sesay, 2009) is intended to be read as its mission statement and blueprint for change, but primarily as its evidential support. Interestingly, the document does not refer to any of the 'evidence' collected by PICOT prior to the commencement of the Campaign, but instead relies heavily on published literature (much of which is by Fanthorpe himself), the authors' own field notes from consultations dating back almost a decade, nearly 50 interviews and findings from consultations organised as part of the research. As the title suggests, the reform campaign is not a case for the abolition of the chieftaincy, or an attack on tradition itself: 'It is rather a case for the continued relevance of chieftaincy in a country that yearns for better governance, fairer justice systems, socio-economic development and greater accountability'.

Bottom-up expressions of grievance and politicisation

Perspectives from the 'grassroots' – a popular term in Sierra Leone, usually used by national and international NGO staff to refer to poor people living in the provinces, and also suggestive of citizens untouched by the trappings of modernity – have routinely been found to indicate that reform of the chieftaincy is desired on the basis of grievances expressed during community dialogue sessions and consultations (e.g. Archibald and Richards, 2002; Fanthorpe, 2004b; Fanthorpe et al., 2002a; Manning, 2008). As discussed in Section 1, there is much debate about the relative role of grievances against chiefs as a principal cause of civil unrest, with anthropologists such as Paul Richards arguing – through detailed ethnographic accounts of time spent with combatants – that the alienation of rural youths was a key mobilising factor inciting young people to violence.

Although this analysis finds agreement in other reports (e.g. Conciliation Resources, 2000; Jackson, 2005; Keen, 2006; TRC, 2004), Fanthorpe (n.d.) is more reticent in laying blame squarely with chiefs, arguing that 'these grievances are not alluded to in the wartime communiqués of rebel groups and are often voiced by older, socially integrated villagers who took no part in conflict'.⁸ While it is not clear whether the Chieftaincy Reform Campaign Team operates on the same analysis,⁹ the 2009 report does recognise this line of argument. However, Fanthorpe sees grievances against chiefs as having a longer history, citing evidence of complaints about chiefs in both 1947 and 1948, after which the colonial administration was

⁸ 'It is tempting to conclude that these rural grievances represent the "real" politics behind the conflict and that they prove once and for all that that there was much more at stake in the violence than a neo-Malthusian cultural collapse accompanied by an unholy scramble for diamonds as Richards (2004) analysis of the civil war as a "class conflict" suggests' (*ibid.*).

⁹ 'Many Sierra Leoneans, chiefs included, now acknowledge that these abuses have been driving able bodied young people out of rural areas, and that during the war some of these exiles joined militia groups and targeted chiefs and their families in order to exact revenge' (*ibid.*).

forced to consider how to make the chieftaincy more democratic and responsive to communities (GoSL, 1956, in Fanthorpe & Sesay, 2009).¹⁰

At base, the Campaign effectively argues that grievances against the abuses of chiefs are both widespread and now new. A running theme in Fanthorpe's treatment of chiefdom governance is the influence of British colonial rule in constructing and shaping structural problems in the relationship between the chieftaincy and central government seen today, which sees paramount chiefs used as an 'instrument of political control'. In support of this, a number of commentators argue that the emergence of a non-Krio 'protectorate elite' led to the interests of chiefs being defended and promoted at central government level by both Milton Margai under the SLPP banner and subsequently Siaka Stevens, where the chieftaincy quickly became an 'instrument of patronage politics' (*ibid.*) (see also Taylor-Brown et al., 2005).

This followed a pattern laid down by the colonial authorities, which had also used chiefs as a way of maintaining power and control. Interference in chieftaincy matters – which meant chiefs were less accountable to their communities than to central government figures – was also nothing new (Minikin, 1973). The Campaign therefore sees its task as advocating for a careful consideration of the notion of what tradition means in Sierra Leone, given its historically inextricable link with central government politics and British colonial rule (Fanthorpe and Sesay, 2009). Its operational understanding of the normative function of chiefs is that they are representatives and servants of the community, not political tools.

Promoting good governance and Sierra Leone's development agenda

The Chieftaincy Reform Campaign is directly concerned with the impact of problems with chiefdom governance on Sierra Leone's development, and in particular how they act as a threat to good governance. This is found not only in Fanthorpe and Sesay (2009) and supporting position papers communicated by the Chieftaincy Reform Campaign Team (e.g. 2010a; 2011a) but also in a wider discourse, forming an impetus for change. While Fanthorpe and Sesay state that people in rural areas (particularly those over the age of 21 who – via the chiefs – must pay tax to the local council) now feel that 'if the principles of good governance can be applied to a decentralised authority they can and should also apply to chiefdom governance', the framing of the analysis of the chieftaincy around good governance originates not from what Sierra Leoneans would call the 'grassroots' but from experts and people in the aid industry, both international and national.

In previous work, Fanthorpe has argued that to address problems associated with the chieftaincy (including politicisation and lack of accountability, corruption, its relations with local councils, its unrepresentative nature and its arbitrary dispensation of justice), chiefdom governance must become professionalised and bureaucratised – in effect, integrated into the state. Paramount chiefs would retain an important cultural and symbolic role, but be 'modernised' in order to both complement existing (and reforming) government structures and ultimately remain 'relevant' enough to survive.¹¹ Thus, reform is thought to be desirable as it would uphold certain principles *in and of themselves* and because of the instrumental benefits to be gained (e.g. increases in local council tax revenue, community cohesion).

This is Fanthorpe and Sesay (2009), who analyse and make recommendations on three areas of reform – accountability and good governance; justice and human rights; and taxation and representation – grouped around expressed grievances and perspectives from 'ordinary people' which constitute a large part of their evidence base.

¹⁰ This was followed by serious riots against chiefs in the Northern province in 1955–6, leading to a Commission of Inquiry which further reiterated widespread dissatisfaction with corruption and 'dishonesty'. Subsequently, conservative reforms to the chieftaincy were constituted by the Tribal Authorities Act in 1956.

¹¹ The Campaign's language here is interesting, and fully reflects Fanthorpe's previous work in which he has been sympathetic to the chieftaincy in general and argued for its continuing relevance. The Burkean notion of changing in order to conserve suggests the Campaign is acting pragmatically either to preserve an institution or to create buy-in from chiefs to their arguments.

Accountability and good governance

The lynchpin of the Campaign, this area of reform appeals to fundamental concepts of good governance: democracy, participation, transparency, representation and responsiveness. The basic problem identified in the report is that paramount chiefs often fail to act in the interests of their communities and instead are subject to political interference from central – and to a lesser extent local – government. This is most notable in the area of elections, where there has been considerable political interference in a number of high-profile cases, such as the Biriwa chieftaincy dispute, which since 2006 has seen an ongoing tussle between Mandingos and Limbas in the chiefdom, supported by the SLPP and the APC, respectively.

The politicisation of the chieftaincy in the years prior to the war has been subject to much criticism and analysis, which the Campaign report cites. In his seminal book *Conflict and Collusion in Sierra Leone*, David Keen (2006) argues that, in abolishing the local councils, Siaka Stevens empowered chiefs and modernised the institution as a means of ensuring popular support in rural areas. He quotes one paramount chief from Moyamba district:

'We took over at Independence and interfered too much with the institution. The chiefs were molested and disgraced and reduced to nothing, and so could not control their people. And many chiefs were created, which did not have popular support. Some of the chiefs who enjoyed the favour of the government ruled very adversely, abused and molested their subjects and connived with the administrators, particularly under the APC, to intimidate and vandalise civilians and villages.'

Loyal paramount chiefs guarantee a national party support come election time and so will be rewarded by central government accordingly. Fanthorpe et al. (2002a) note,

'Once you are assured the loyalty of the chiefs, responsibility towards the rural populace can be abrogated except for carefully targeted patrimonial distribution at election time. It is an equally rational strategy for an unscrupulous individual once assured of central government patronage (or indifference) to exploit legitimately-won chiefdom office for personal gain.'

The Campaign's argument is that this relationship between central government and paramount chiefs persists. This is further highlighted in Fanthorpe et al.'s 2011 review of decentralisation, commissioned by DFID: a lack of capacity at local council level often means chiefs bypass this layer of government and communicate directly with central government, particularly in areas where chiefs are not politically aligned with SLPP-led councils. This issue is reinforced by pressure exerted by central government to curtail the power of local councils and reassert the chiefs, with the re-establishment of district officers thought to be a manifestation of the central government's concern with preserving the chieftaincy. With the installation of district officers, the review states, 'local councils will remain flagships of good governance and service delivery, but they won't be allowed to become too politically powerful' (*ibid.*). In order to professionalise the chieftaincy, the Campaign argues, chiefs need to be remunerated through local council budgets to curb their patron-client relationship with central government and reduce the tendency some chiefs have to take part in corrupt practices as a means of gaining a livelihood.

As well as often failing to act in the best interests of their people, the chieftaincy system is also criticised for entrenching exclusion through the electoral process, which misses out the majority of the population, particularly women and young people. A paramount chief is elected by a council committee (effectively an electoral college), with each member councillor (or tribal authority) representing 20 taxpayers in a village. Often, chiefdom councillor lists are manipulated, councillor positions are readily purchased and many taxpayers go unrepresented. The election process is thought to be open to considerable political interference, with corruption widespread as a result of the involvement of MIALGRD in overseeing elections in which it possesses discretionary powers, and therefore is it proposed that the National Electoral Commission assume responsibility. Further, consultations suggest an auxiliary class

of 'councillor chiefs' has emerged. In agreement with one UNDP consultant's report dating back to the 1970s, the Campaign proposes that the chiefdom committee be incorporated into a local government body and subject to the same formal measures (Viswasam, 1972, in Fanthorpe and Sesay, 2009).

The proposal to institute UAS is the mainstay of the Campaign's advocacy message, with rural people feeling 'it is an injustice that they can't vote for authorities that still represent their first point of contact with government' (Fanthorpe and Sesay, 2009). It is argued that it is nonsensical to suggest that the majority of people in the provinces are unable to make informed, rational decisions about who to vote for in a chieftaincy election when there is UAS in national elections, and that the same principle be applied to chieftaincy elections.¹²

Justice and human rights

The local justice system is complex, with no clear-cut guidance with regard to overlapping spheres of judicial authority. In rural areas, it is cheaper, quicker and easier to consult the paramount chief rather than the local court, thereby ensuring that chiefdom councils continue to uphold their primary responsibility to maintain order, as set out in the Chiefdom Councils Act 1960. In theory, when written law comes into conflict with customary law, the former prevails, although this is often not the case in practice. In many communities, paramount chiefs are the final arbiters of justice, and they play a significant role in the appointment of local court chairs.

In many ways, the community-based system of justice, in which both paramount and section chiefs administer and represent, means people who would otherwise not be able to afford or access the formal courts are able to at least engage with the customary justice system.¹³ However, there are concerns over chiefs compelling subjects to undertake 'voluntary' or 'productive' farm work as payment for having their cases heard. While this practice is made possible by a number of legislative and statutory instruments, such as the Chiefdom Councils Act, it is resented by rural people – particularly youths (Fanthorpe, 2004d; Richards et al., 2004). Further, it is thought that hearings by chiefs are highly susceptible to bribery and do not offer justice to the rural poor.

The campaign calls for a more formalised role for chiefs which recognises their function and establishes a system for recording disputes. This would be in conjunction with restating customary law (which the World Bank and the DFID-supported Justice Sector Support Programme is attempting to do), reform of the chiefdom police and an enactment of the Local Courts Bill 2008 to see chiefdom courts incorporated into the formal justice system overseen by the Ministry of Justice.

Taxation and representation

Improved service delivery at local level is fundamental to Sierra Leone realising its development goals, as well as being a key objective of decentralisation. In the current system, service delivery and 'development' come under the remit of local councils, which are charged with being the highest political authorities in their jurisdiction by the Local Government Act; the administration of customary justice is seen as the realm of the chiefs. This division of responsibility creates competition and rivalry over access to resources, particularly given that chiefs receive no formal salary for their community work, whereas local council officials are seen to be well remunerated.

¹² The other three proposals in this area are as follows: all chiefs to receive salaries in order to reduce corruption and accord respect to their work in communities; rename the National Council of Paramount Chiefs the National Council of Chiefs, which – based on the Ghanaian model – would work with the Law Reform Commission to restate customary law, investigate land tenure reform and advise the MIALGRD and National Electoral Commission; establish a chieftaincy commission responsible for the regulation and oversight of chiefs' salaries, and investigate complaints against chiefs raised by citizens.

¹³ For instance, a recent survey indicates that in one area of the Gola Forest the village chief (rather than the paramount chief) is a key actor in local arbitration, settling 40% of all cases and 45% of all 'woman damage' cases (Mokuwa et al., 2011).

It is the responsibility of local councils to raise their own revenue through the taxation of citizens. This is done through the chiefs, who collect taxes but return a precept of 40% of local taxes and 20% of market revenues under a reformed system of tax payment which has seen a vast increase in the amounts of revenue collected. Paramount chiefs argue that the remaining 60% (of which 40% goes to the running of the chiefdom administration) is not enough: all tax proceeds should go directly to the community they derive from rather than the district as a whole.

However, there is evidence that in some areas paramount chiefs withhold tax monies, meaning that village and section chiefs and other functionaries (chiefdom police, treasury clerks) are not being paid. One MIALGRD official indicated that the 60% precept retained by chiefdom administrations was often used to entertain ministers and other government figures in order to prevent 'development' in their locality from being blocked. The Campaign Team proposes that the responsibility for revenue collection in chiefdoms be passed to local councils in order to ensure that all proceeds go to funding service delivery and development projects in their localities.

The political rivalry between chiefs and local councils – in which chiefs are often in a better position to communicate directly with central government – is thought to have emerged in part because of differing attitudes between international donors, the government of Sierra Leone and chiefdom administrations about what the role of chiefs should be. Fanthorpe and Sesay (2009) argue that decentralisation is based on donors' strong belief that the councils will become major forces for development in their area, with considerable power. This is thought to have encouraged 'political opportunists' who are closely linked to the chieftaincy to stand in elections (*ibid.*). The rivalry is complicated by the creation of WDCs¹⁴ (replacing village development committees), which are reportedly closely integrated with the chieftaincy and have done little to challenge the balance of power in the chiefdoms. The Campaign Team report proposes that WDCs be replaced with reformed chiefdom committees and legally recognised village development committees which operate a district council-approved budget for development projects, funded by local taxes.

Reactions to policy developments

Through the nature of its membership, the Campaign Team is kept well up-to-date on national policy-level developments, and during its advocacy campaign has also developed responses to the Chieftaincy Act, the Local Courts Bill and the Chiefdom Tribal Administration Policy which reflect the main proposals put forward. The primary piece of legislation concerning chiefdom governance, the Chieftaincy Act 2009, is thought to be too conservative in its undertaking, serving only to restate existing law and doing little to redress confusion and conflict regarding the roles and responsibilities of chiefs *vis-à-vis* local councils.

Nevertheless, the Campaign Team has welcomed the Local Courts Bill 2008 as a step towards the clarification of the chief's role in the justice system, as well as transferring responsibility for local justice from MIALGRD to the Ministry of Justice. However, concerns are raised with regard to the proposed separation of local courts from the chiefdom administration, given fears that this might encourage chiefs to create a parallel, informal system much like the one that already exists.

Citing the same rationale presented in the research document, the Campaign released a statement responding to proposals put forward for the Draft Chiefdom and Tribal Administration Policy prior to publication in September 2011. The proposals were thought to be a backward step, particularly with regard to granting paramount chiefs immunity from prosecution in the performance of their duties and making them chairs of the WDCs; allowing paramount chiefs to continue to supervise the local courts and to arbitrate on family and secret

¹⁴ Instituted as part of the government's decentralisation programme, WDCs are elected and charged with managing local services and drawing up local development plans.

society matters;¹⁵ and enhancing the role of paramount chiefs in local tax and revenue collection¹⁶ (Chieftaincy Reform Campaign Team, 2011a). With regard to responsibility for taxes, the Campaign Team is vehement in arguing that 'giving the chiefdoms more power over taxes and revenues will detract from the capacity of the councils to deliver services; especially as financial record keeping in the chiefdoms is of a notoriously poor standard' (*ibid.*).

Concern that local councils could lose control over service delivery is addressed in Fanthorpe et al.'s recent review of decentralisation (2011). This coheres with the Campaign Team's key messages, arguing that chiefs are the most significant barrier to local council service delivery at present and that it is therefore 'not technically feasible' to transfer responsibility for service delivery from local councils to the chiefdom administration or centrally appointed district officers.

Support to the campaign

The Campaign is certainly seen by those involved and by observers to have captured and built on a growing tide of dissatisfaction with the current political situation, reflecting popular and high-level concerns not only with the chieftaincy but also – significantly – with the relationship between central government and the chieftaincy. The Campaign Team sees the advocacy campaign as having changed the discursive parameters that surround the chieftaincy, and was recently buoyed by the final draft of the Chiefdom and Tribal Governance Policy which openly calls for a national debate on the chieftaincy (GoSL, 2011b).

Chieftaincy reform is undoubtedly a political hot potato, however, one which has historically not been a prime area for support among government figures. Although the issue has been pushed recently by Charles Margai, leader of the Movement for Democratic Change and son of independence leader Milton Margai, who campaigned in the 2007 election on the need to reform the chieftaincy (and clean up national politics), proposals for reform largely meet with a muted response, according to Alhaji Warrissi of Democracy Sierra Leone. Some individuals in government have expressed their support for reform. Sometimes this is explicit, such as that from former Decentralisation Secretariat Director Emmanuel Gaima, a central figure in governance debates in Sierra Leone, and Abraham John, of the Political Party Registration Committee (Chieftaincy Reform Campaign Team, 2010a).

Support from other quarters is more tacit, nuanced and reserved – particularly that from the MIALGRD, which is thought to widely agree with the Campaign's messages but lacks political support from the centre to make this manifest, according to Marie-Loise Schueller of Christian Aid, and which unsurprisingly does not support the Local Courts Bill 2008, which threatens to transfer much of its power to the Ministry of Justice.

The spirit of the Campaign could also be said to have a level of support or tacit agreement from paramount chiefs themselves, with the Campaign Team working directly with a group of 'champion chiefs' thought to be sympathetic to reform, communicating their advocacy messages during a dinner held in Bo in April 2011, according to Ibrahim Sesay of the CGG. One area of notable agreement is, rather unsurprisingly, on the need for a formal system to remunerate chiefs.¹⁷ However, it is fair to say the Campaign Team has found open, explicit agreement and engagement with its proposals from either government figures or chiefs hard to broker and sustain.

The Campaign does, however, widely cohere with the perspectives of (largely international) political scientists and anthropologists. Fanthorpe's work with the Campaign Team is an

¹⁵ This is thought to contradict the Local Courts Bill 2008 (Fanthorpe and Sesay, 2009).

¹⁶ It is thought that this would 'concentrate too much power' in the hands of paramount chiefs and do little to solve local anger against corruption and the misuse of funds meant for community development (Chieftaincy Reform Campaign Team, 2011a).

¹⁷ According to meeting notes taken by Ibrahim Sesay of CGG at the Champion Chiefs' Dinner on 22 April 2011, which he communicated to the author in interview.

extension of much of his work in the early post-war years, when he was one of a number of commentators on the chieftaincy and its future (see also Alie, 2011b; Kamara, 2008); Joseph Hanlon, Paul Jackson and Paul Richards have all criticised early decentralisation efforts for reinstating pre-war structures which had given rise to societal tensions which, they argue, ultimately led to war (Hanlon, 2005; Jackson, 2005; 2006; Richards et al., 2004); Jackson and Richards in interviews saw chiefs ideally cast in the role of 'opinion leaders' (as in Ghana) or mayors, respectively.

According to the Team, the campaign actually derives much of its support from the grassroots, providing a large degree of credibility and legitimacy to the proposals set forward. Support to chieftaincy reform at community level largely manifests in grievances against chiefs in a number of areas, whether these relate to the selling of land in the notorious 'land grabs' by international biofuel companies, suspected bribes from mining companies such as Koidu Holdings in Kono or chieftaincy elections. These incidents are widely reported in the media, albeit with little in the way of analysis from journalists themselves, although the media does engage more directly with the chieftaincy reform issue by reporting on workshops and report launches or printing press releases issued by the Campaign Team (e.g. Awareness Times, 2009; Chieftaincy Reform Campaign Team, 2010b; Massaquoi, 2009). The Campaign also funded SFCG's Talking Drum studio to produce the pro-reform radio show *Nyu Baray* as part of its wider advocacy and sensitisation activities, in which issues surrounding chiefdom governance were discussed.

There are some instances where journalists have achieved or adopted a more analytical approach to the issue, and this is largely reflected by them coming out in support of the campaign in the name of the conceptual bastions of governance, human rights and democracy, not to mention notions of progress and the onward march towards development. Mohammed Massaquoi of The Concord Times (incidentally also the son of a paramount chief in Pujehun district) is one such example, decrying the virtues of good governance and the need for the chieftaincy to reform in order to fit into a dynamic, modernising Sierra Leone (e.g. Massaquoi, 2009). Interestingly, Massaquoi was once a supporter of the chieftaincy but, after being, in his own words, 'sensitised' and 'gaining the *right* awareness' (author's emphasis) during a workshop for media actors convened by the CGG in 2009 he has now, for want of a better word, been somewhat converted to the need to communicate principles of good governance which – at this point in time – mean advocating for the reform of the chieftaincy.

The religious fervour with which the local NGO community and the 'sensitised' populace have adopted the good governance agenda, and thereby that of chieftaincy reform, is reflected in meetings convened by the Campaign Team and also in the daily interactions NGO workers have with their various communities. There is little doubt that many of the problems and issues deemed important by local NGOs and community people always appear to involve the chief (usually negatively) in some way, as the CGG's Marcella Macauley noted with regard to the implementation of ODI's DFID-funded GTF programme.¹⁸ The "gender" aspect of the chieftaincy has gained widespread support amongst local NGOs and other commentators, with the nexus of the debate concerning women paramount chiefs.

Campaign members such as 'the NMJD and the CGG have highlighted the issue and recently convened a one-day roundtable of local NGOS in Freetown. Sia Tamba of the NMJD led the way, presenting an eloquent discussion paper on the barriers to women's participation in chieftaincy politics, citing tradition and customs (including secret societies) and women's lack of education in rural areas as principal impediments. This coheres with the views of others appearing in media reports, including Paramount Chief Kasanga II of Sherborah in Bombali district and Jebbeh Forster of UN Women, who have spoken out in support of women paramount chiefs (who are found in parts of the southern and eastern provinces but not in the northern province), arguing that 'there is not a single law in Sierra Leone that debars women

¹⁸ In Sierra Leone, this is a grant-making project entitled *Leh Wi Tok* ('Let's Talk').

from contesting' chieftaincy elections except those deriving from custom and tradition (Mansaray, 2007).

The Campaign therefore does not represent the only attempt to criticise the chieftaincy or draw attention to its pre- or post-war shortcomings and the need for reform in light of Sierra Leone's ascension to a shining example of West African democracy, as is the image preferred by the international media. However, it is the culmination of a growing momentum which favours reform, ongoing decentralisation, the dominance of the good governance discourse and an ever-mobilising civil society now furnished with donor funds. The next section considers the case for, or at least in defence of, the chieftaincy.

2.2 'In defence': responses to reform proposals and resistance to change

Unlike the organised constellation of supporters of chieftaincy reform, no *formal* attempt to defend the chieftaincy exists, and therefore there is no official statement of defence. This is probably for the simple reason that the chieftaincy remains a relatively unquestioned, accepted part of Sierra Leonean life: it has never required an organised defence because it has both tacit and open support from all sides of the political spectrum.

One reason there has never been any conscious attempt to defend the chieftaincy is that it has never been subject to an organised call for its abolition (Fanthorpe, 2004b). As such, the debate remains localised at the grassroots level, as noted; despite individual chiefs coming under attack from aggrieved rural populations, the chieftaincy as an institution has been able to remain intact. This distinction is important and has arguably prevented the formation of a more comprehensive policy-oriented 'attack' on the chieftaincy. The Campaign arguably acts as a bridge between aggrieved communities and national-level policy processes for people unable to make the analytical jump.

The dividing line between supporting the chieftaincy and the Campaign's case for reform is blurred: the Campaign is not against the institution per se and one researcher questioned whether its proposals had really gone far enough. The question of whether the Campaign has done enough to operationalise its messages and challenge the status quo has also been voiced, but this assessment is beyond the remit of this discussion. Further, Fanthorpe – who is not a Campaign member but has learnt to it his academic expertise and field experience and remains closely associated with it – has not traditionally been seen as a critic of the chieftaincy; in interview, he took pains to highlight its popularity and – when it works – efficiency at local level. In 2005, Fanthorpe argued that, far from the chieftaincy being in 'terminal decline' (as he perceived international donors as viewing the institution), it often remains in a better position to protect the poor and vulnerable it represents as it knows a 'person's right'. The Campaign retains this sentiment, and aims to help the chieftaincy realise the expectations community people place on it. It is therefore interesting that the Campaign Team now occupies what is seen to be an attack position in the debate. At base, then, the debate cannot be read as comprising clear-cut for and against positions.

Traditional supporters of the chieftaincy include (unsurprisingly) chiefs, community people, media commentators (e.g. Massaquoi, 2009) and high-level political figures. Their exact positions are nuanced, however, and require an appreciation of the sensitive nature of the issue and the inevitable distinction between public and private attitudes which oscillate depending on the audience. One paramount chief remarked that,

To become a chief is a curse that I have to bear. But I will not give it away [the chieftaincy staff] or say I do not want it because this is a shame to my family and my people. If I say this and carry on, what chief am I? It is best to keep quiet and hope that they [politicians] will stop coming at me. But because [of] the elections they will not. Who do I talk to? There is not one person.

The explicit defence of the chieftaincy at national level is largely made by high-profile chiefs themselves, with community people showing support for a particular chief at chiefdom level and tacit support existing at all levels. The thrust of the argument in support of the chieftaincy constitutes an appeal to tradition and culture, an argument framed by various understandings of the role of 'modernisation' and the role of the chieftaincy within it. The defence also constitutes objections to specific technical proposals, most notably UAS, as well as a questioning of the evidence used by critics of the chieftaincy.

The chieftaincy and its relation to 'modernity'

The defence of the chieftaincy (and the wider debate) employs the language of modernity, tradition and culture – not necessarily juxtaposed. Defenders of the chieftaincy conceptualise the current status of chiefs and their relation to tradition and modernity in three principal interrelating ways:

Reforms are needed in order to embrace modernity

The first argument is in broad agreement with the spirit of the Campaign, with a number of chiefs recognising and openly admitting that the institution has run into disrepute and that reforms are needed. They point to recent reforms which have seen more educated, progressive (some might say 'Westernised') chiefs, often with degrees from Europe or the US, become paramount chiefs (e.g. Cocorioko, 2011). For instance, Charles Caulker, Paramount Chief of Moyamba and Chair of the National Council of Paramount Chiefs and also a Member of Parliament (MP), highlighted at the Champion Chiefs dinner in Bo on 23 April 2011 the educational credentials of chiefs of late, arguing that this serves to enhance the chieftaincy as a whole. Professor Joseph Alie, considered something of an ally by Campaign members, is also regarded by some as a staunch defender of the chieftaincy. During the Annual Paramount Chiefs Conference in April 2011, he argued that,

'As the institution of chieftaincy clearly shows, culture is very dynamic and is not anti-developmental. It is always adapting and reinventing itself in response to new demands and circumstances. This is partly why, in spite of major challenges facing paramount chieftaincy, the institution has survived into the 21st century and is still relevant' (Alie, 2011b).

Here, 'modernity' is embraced to some degree, and the chieftaincy is not seen to be fundamentally at odds with modern political developments.

Modernity as the cause of the chiefdom governance crisis: tradition needs to be restored

However, others have pointed out that the demise of the chieftaincy is rather a *victim* of modernisation: the very political settlement that has enabled the chieftaincy to survive has also meant it has had to acquire a too cosy relationship with politicians in central government, effectively undermining the representative function the figure of the chief is thought to have once had. Here runs the second argument: the transmutation of tradition and culture has been detrimental to the institution of chieftaincy (e.g. Keen, 2006). One teacher in Kenema district commented that,

The problem is not that the chieftaincy is bad. It didn't used to be. It is the politicians who are the [bad] ones, pretending in Freetown we are a democracy now and telling us we are a democracy but we are not. The community has no say anymore and our chiefs play to their [politicians'] tune. This is not how it was intended. Everything has changed. Democracy was a bad thing for the people because it changed the chiefs.

This line of argument is supplemented by wider appeals to an essential 'African-ness' or 'Sierra Leonean-ness' which the chieftaincy is thought to embody. In this understanding, the chieftaincy should not try to accommodate itself with what Massaquoi in one article on the virtues of the chieftaincy called 'modernised democracy' (Massaquoi, 2009). Massaquoi wrote –

presumably before his ‘conversion’ by the CGG-convened workshop which imbued him with a reverence for the principles of good governance – that ‘imported political systems encourage Africans to reject their own traditions and cultural heritages to the advantage of post-colonial fashions’ (*ibid.*).¹⁹

The appeal to tradition is seen by the Campaign Team to be the most enduring argument against any reform, and thus a major barrier. The appeal often manifests as a way of designating what is ‘ours’ (i.e. Sierra Leonean or African) rather than ‘theirs’ (foreign), placing greater value on the former in a context where anything originating from the latter is exalted. One human rights lawyer told Fanthorpe that he resisted reform proposals because those pushing reform tended to be influenced by European values, and that the chieftaincy should be assessed from a Sierra Leonean perspective instead (Fanthorpe, 2011). The Campaign’s response to this has been to strip the chieftaincy of its indigenous label, emphasising the history of chiefdom governance in Sierra Leone as constituted by the British during colonial rule, while also pointing out that there is no blueprint for what traditional chiefdom governance constitutes (*ibid.*).¹⁹

However, this does not help to diffuse the appeal to the chieftaincy’s functionality in rural areas (which the Campaign Team does not deny). Chiefs are popular and are thought to be effective, with a recent survey indicating that section chiefs are the most popular form of authority at chiefdom level (Srivastava and Larizza, 2010). Chiefs know this, and continue to act on the knowledge that they derive their legitimacy from the communities. As Masapaki Kebombor, National Council of Paramount Chiefs District Chair and Paramount Chief for Paki-Masabongo, Bombali district said,

I do not know about others, but I know that I act with the confidence of my people. They trust me, and I have not acted for them not to trust me. So if I am to say I support reform of the chieftaincy because I have problems between me and my community, I cannot.

The support chiefs continue to enjoy makes it difficult for national policy prescriptions which take into account the numerous instances where chiefs are thought not to act in the interest of the community, as is the case in the high-profile investment in Kono district made by Koidu Holdings, in which Paramount Chief Paul Saquee of Tonkoro chiefdom is under attack for seemingly having benefited at the expense of local people (Gbenda, 2011). The view of one community member appears indicative of that of a number of Sierra Leoneans:

I think they [international actors] should help to strengthen chieftaincies in the sense that our people, whether you like it or not, for now seem to respect that traditional setting. No amount of education from, you know, human rights organisations, international organisations, on this sort of thing would work right now. They would listen, yes, but as soon as you leave, they go back to their tradition. They [the general population] simply respect the chief’ (in Albrecht, 2010).

However, the realm of tradition does not act as a shield against the criticisms born out of contemporary political analysis and norms, according to the Campaign Team. The appeal to tradition, say Fanthorpe and Sesay (2009), offers ‘little justification for opposing a present-day reform programme’ and, while culture and custom will continue to play an important role, ‘the notion that chiefs constitute a “separate sphere of regulatory governance” is not sustainable’, particularly when ‘tradition’ is an ambiguous term invoked to cover a disparate number of practices and beliefs across the country. The question of what tradition in Sierra Leone constitutes has indeed sparked intense debate, with Sia Tamba suggesting at a one-day roundtable conference that, on the basis of available evidence, it could easily be taken to equate to exclusion.

¹⁹ The designation of ‘traditional’ authority was also instituted by the British, as Jackson (2005) points out.

Reform is inevitable and needed but cannot be imposed

The argument suggests that, in order for Sierra Leone to become a fully fledged democracy, the role of the chiefs will need to change, but that the 'march of progress' cannot be induced earlier than it is intended: reforms must be incremental rather than radical, and occur alongside concurrent changes in public attitude. Charles Kallon, Chief Administrator of Kenema district council said in interview,

We need reforms which will work; and with a 70% education rate reforming and changing the way people know the chieftaincy will not work. When you go through education you are able to decide whether or not the chieftaincy works; without it you don't know and will not support change.

The notion that reform is inevitable, in line with education and time, is shared by others who believe an overt campaign to reform the chieftaincy is not required: the process of modernisation can be left to take care of current and historical problems associated with the chieftaincy.²⁰ This acknowledges that the chieftaincy presents – and is presented with – problems, but that its functionality in a context characterised by a low level of education provides the institution with legitimacy which will gradually erode with increased education.

These lines of argument intersect with that of the Campaign, and in practice can run with them. The overall picture is of a major tension between traditional defenders of the chieftaincy regarding the desirability of modernisation. From this, we might suggest what is being referred to is the political cocktail of democracy, regulated and scrutinised government administration, increased living standards and a change in attitude and behaviour of those in authority – and its accommodation with the chieftaincy. The nexus here is the value placed on tradition, and the extent to which aspects of a modernising Sierra Leone are thought to threaten, clash with or erode tradition. The key question is the extent to which what is deemed 'the modern' is at odds with tradition, and subsequently what type of engagement with the modern is desirable.

Position of paramount chiefs at national level: National Council of Paramount Chiefs

The National Council of Paramount Chiefs, not all of whose members are aware of the chieftaincy reform campaign, is – at least nominally – keen to reach an accommodation with modernity while continuing to represent tradition. The Council was set up as part of the government's attempts to return the chieftaincy to traditional rules and values, engage in policy debate and '*devise plans for setting its own house in order*', according to Paul Richards. This was recently complemented by President Koroma replacing the traditional chief's staff with a design using the national flag. The Council welcomed the move as an effort on the part of the government to '*uphold and upgrade the institution of Paramount Chieftaincy*' in the Bo Communiqué issued on 22 April 2011.²¹

²⁰ This emerged in a focus group discussion in Kamabai section, Biriwa chiefdom, Bombali district and also in interviews with one anonymous paramount chief and with Masapaki Kebombor, National Council of Paramount Chiefs District Chair and Paramount Chief for Paki-Masabongo, Bombali district.

²¹ The Bo Communiqué states that the Council is committed to the following: 1) enhancing the honour, dignity and prestige of the institution of paramount chieftaincy by refraining from activities or actions that would bring the institution into disrepute, through immunity from arbitrary arrest and detention, according citizens the respect they deserve and condemning sensational journalism that has the potential to undermine the peace and stability in chiefdoms; 2) remuneration and welfare of chiefs through the provision of necessary wherewithal that benefits their status, a uniform salary for paramount chiefs; 3) neutrality and impartiality in political activities; 4) promoting good governance and human rights through the operation of a clean, transparent and accountable administration and improving revenue base; 5) maintenance of law and order with enhanced facilities and a better-resourced chiefdom police; 6) working to stop the cultivation and use of harmful substances; 7) cooperation with other governance structures with a much clearer distinction between the roles and responsibilities of the various local government bodies for a harmonious relationship and better service provision; 8) commitment to the transformation of cultural practices in which those not in consonance with good governance and human rights principles will be discarded; 9) encouraging the increased participation of women and youths in chiefdom governance; 10) working in partnership with development partners; 11) peaceful settlement of land, boundary and other disputes; 12) calling on relevant authorities to resolve pending chieftaincy election petitions; 13) and statutory recognition of paramount chiefs. The Bo Communiqué was read by Paramount Chief Bai Kurr Kanagbaro Sanka III of Kunike chiefdom, Tonkolili district and

The Bo Communiqué is an appeal to tradition, with chiefs describing themselves as ‘guardians of the cultural heritage of our people’ with a need to restore the ‘honour, dignity, and prestige’ of the chieftaincy, combined with more functional concerns about how to fulfil their duties as the ‘primary agent of development’ in their respective chiefdoms. This is reflected in commitment to working with the government and shared concerns on the ‘constraints that seriously affect the full performance of our roles and functions’. Importantly, in defending the chieftaincy, the Bo Communiqué adopts the language of good governance and human rights, while also committing paramount chiefs to increasing the participation of women and youths in chiefdom governance. While the Campaign Team deems the Communiqué limited by its lack of reference to the issue of UAS and the election of chiefs on more democratic principles, one Sierra Leonean NGO worker described it as *‘a clear indication that the chieftaincy feels it is threatened and must adopt good governance to survive’*, while one journalist commented that,

The statement [the Bo Communiqué] was not written by the hand of the Council [of Paramount Chiefs] but an APC member. When chiefs say they need to reform their arms are being twisted by the government in Freetown who want to do away with the media reports saying that chiefs are corrupt and making money from land and mining deals. It reflects badly on them [the APC government] because they are pulling the strings.

Whether or not the sentiment in the Bo Communiqué is the result of governmental arm-twisting and expediency, the Council is aware of the institution’s internal threats (chiefs who do not act in accordance with established and expected traditional norms and values) and external criticisms.

Response to technical proposals

The defence of the chieftaincy so far presented has been reasonably abstract, limited to general conceptualisations in Sierra Leone’s overall modern(ising) political schema. Conversations with chiefs and community people undertaken during the course of this research remained largely at this level, and there are indications that much of the debate has remained conceptual rather than technical, despite the existence of the Campaign Team’s detailed proposals for what a reformed chieftaincy would look like.

However, a number of technical responses have been made. In line with the Campaign’s recommendations, the Bo Communiqué indicates that paramount chiefs are already moving towards a greater level of formal incorporation into government systems and an overall professionalisation of the role.²² Nevertheless, there exists a fear that greater formal incorporation of the chieftaincy into the annals of the government will lead to a loss of autonomy, particularly with regard to the proposed creation of a National Commission on Paramount Chiefs to scrutinise the institution, which is thought to leave the chieftaincy subject to constitutional provision and political appointments according to the Council’s chair. Other responses have been reported by the Campaign itself in Fanthorpe’s follow-up report to the Campaign Team’s original 2009 statement of evidence: Fanthorpe (2011) crafted an undoubtedly sophisticated response to the principal objections to the campaign’s principal ask – the introduction of UAS to chieftaincy elections – by offering counterarguments as a way of anticipating and deflecting further objections to the proposals.

The follow-up paper received a significant degree of media attention and the report’s launch saw senior figures in the MIALGRD seemingly pledging support to the Campaign. Aside from

signed by the following (on behalf of the National Council of Paramount Chiefs): Charles B. Caulker (Bumpe chiefdom, Moyamba district) Chair – National Council of Paramount Chiefs; Alhaji Sahr C.N. Konoh Bundoh II (Gorama Kono, Kono district) Vice Chair; P. C. Almamy B. Y. Koroma III (Kalasongoia chiefdom, Tonkolili district) Secretary General; Bai Bureh Lugbu (Bureh-Kasseh-Maconteh chiefdom, Port Loko district) Financial Secretary.

²² Two signatories of the Bo Communiqué were also present at the Champion Chiefs dinner convened by the Campaign Team following the Council’s Annual Conference.

the seemingly catch-all conceptual argument that UAS would contravene tradition, Fanthorpe summarises the main arguments against its introduction. The first response is that the system for electing paramount chiefs *is* democratic: the chiefdom council is described as akin to the US Electoral College. Given the widespread reliance on and appeal to tradition, a comparative argument which invokes Western political systems is interesting. In contrast, the Campaign views the chiefdom council as elitist and unrepresentative of ordinary people, as Section 2.1 discussed.

Following this argument, other responses operate on the basis of what *might* happen if UAS were instituted (i.e. a pragmatic approach which suggests the chieftaincy is a best case scenario and the alternative could be less desirable than at present). Possible less desirous scenarios include the 'hijacking' of paramount chieftaincy elections by youths, potentially resulting in 'mayhem and disorder' (Fanthorpe, 2011). This argument reflects a fear of the young generation – not helped by recent memories of the civil war in which scores of young people were recruited as soldiers, but also a cultural attitude towards youths which leaves them excluded, frustrated and at the mercy of their (increasingly less educated) elders (see Richards, 1996). Fanthorpe points to a number of 'younger' paramount chiefs who represent something of a vanguard of youths willing and capable to participate in chiefdom politics. Further, with a voting age of 18 for local and national elections, Sierra Leone already assumes that young people at this age are responsible enough to vote; therefore UAS needs to be extended to chieftaincy elections also.

Defenders of the existing electoral system also argue that UAS would undermine the dignity of the chieftaincy by encouraging corruption within elections, with aspirants campaigning for votes in much the same way as politicians. Fanthorpe (2011) cites one paramount chief, who argued in 2008 'Universal suffrage in chieftaincy elections will not improve anything. Money will become the main factor in deciding the winners and they may not be the right people. An aspirant has to please as many people as possible and under universal suffrage only those with money will get elected.'

It is also claimed that UAS would lead to a situation in which 'non-indigenes' are able to vote for a paramount chief in a community they do not originate from. The Campaign response is that chieftaincy elections are already riddled with corruption, with migrant workers bribing chiefs in Kono to appoint them as TAs to avoid government 'stranger drives' and claim access to mining sites on chiefdom land (referring to Reno, 1995). Further, a recent report found a high level of corruption in paramount chieftaincy elections occurring in 2009, particularly with regard to the payment of taxes and subsequent appointment of councillors to positions on the chiefdom council (referring to National Election Watch Sierra Leone, 2010). In this context, the Campaign Team argues, UAS would actually reduce the current level of corruption. This defence of the chiefdom electoral system is also interesting, however, as it implies a criticism of national and local electoral practices – which act as symbols of modernisation. The attempt to conceptually ring-fence the chieftaincy from seemingly corrupt practices concurrently acts to counter claims that the chieftaincy has become corrupted by party politics by reinforcing the distinction (at least discursively) between traditional and mainstream politics.

In the same vein, it has also been argued that UAS would increase conflict and violence in chieftaincy elections by, according to Fanthorpe (2011)'s description of this claim, putting power into the hands of those deemed 'wrong' and unfit to hold down responsibility. Aside from the campaign's counterargument – that violence in chieftaincy elections *already* occurs, largely because of 'local fears that elections are being manipulated in favour of particular candidates and that the will of the majority of the chiefdom people is not being allowed to prevail' (*ibid.*); and thus UAS would reduce these tensions – this argument suggests UAS is not viable in Sierra Leone. The implication of this for national and local elections, on which a democratic system of governance rests, is huge. If the government of Sierra Leone permits this argument to hold for chiefdom governance, questions must be asked about the assumptions the country's democracy rests on.

The final response the 2011 report presents is that there are more effective alternatives to UAS to enhance the accountability of chiefs to their people. Although the argument is not attributed to an individual or particular group, it likely derives from government figures keen to push emerging policy on chiefdom governance by steering the discussion away from UAS, which is clearly unpopular with chiefs, towards closer governmental regulation of chiefs (which the Campaign is not by any means opposed to and which was discussed at the National Council of Paramount Chiefs' Annual Conference in April 2011) and the reintroduction of district officers (which has already occurred). Fanthorpe argues that 'closer bureaucratic supervision' has been tried and there is no evidence to suggest it improves accountability. These previous attempts are not listed, however, aside from an unrealised initiative to develop a code of conduct for chiefs under the Kabbah administration as part of the CGRP, described as having failed to materialise. The report reaffirms the belief that independent regulation rather than more 'supervision from above' is required.

Disputes over the Campaign's evidence base

Fanthorpe and Sesay (2009), alongside countless media reports and a general perception among the population, suggest that 'chieftaincy' is a byword for corruption and political interference. This is overwhelmingly the case in Freetown, where a somewhat dismissive attitude towards chiefs exists among expatriate NGO workers, who regard chiefs as troublesome impediments to the fulfilment of project objectives and activities.²³ However, chiefs have queried both the evidence and the inferences drawn from what is thought to be a select evidence base. One paramount chief remarked,

All the fuss is stirred up by those in the media who fear for their jobs if they were to criticise the government, so they need to attack someone and so create an alliance with pockets of community people who are causing trouble in their community and do not get their way. They go to the media as a way of getting what they want.

When asked if their grievances were legitimate, the chief answered that '*in some cases*' community people have a '*cause that needs addressing*' or are '*victims of certain chiefs who do not have their interests in their [the chief's] own heart*', but on the whole '*some people in this country wish to hate their roots and so target chiefs and grab on to individual incidents in order to make themselves feel like big people*'.

The argument here is that criticisms against individual chiefs should not be used to infer that *all* chiefs are the same, and that the institution of the chieftaincy should be reformed *as a whole*. There is an obvious difficulty here for policy prescriptions, which so often have to cater to what could be described here as the lowest common denominator or worst case scenario – and this is no exception. It is argued, therefore, that the exception does not prove the rule, and in proposing reform of the institution as a whole *all* chiefs are implicated.

Others have questioned specific evidence and how it has been obtained. The 2009 report commissioned by the Campaign Team has been subject to criticism regarding its methodology, which has been seen to rely on selective evidence, according to Marie-Loise Schueller of Christian Aid. During the parliamentary debate on the Local Courts Bill 2008, Paramount Chief Jeremiah Sinnah-Yovonie-Kangova II questioned the premise of the proposed judicial reform – that chiefs interfere in judicial matters and that this would be better regulated by the Ministry of Justice. He argued that, if such instances occurred, these should be made known and the guilty chiefs be taken to court. The fault, he argue ran, lies with the government and instead chiefs are being scapegoated (notes taken by author).

²³ One described the paramount chief in one operational area as 'an utter buffoon', lamenting that the 'talent and genuine willingness to help their communities is being crushed and wasted by a lazy, uneducated man who can barely read'.

This sentiment is also expressed with regard to the TRC report, which is highly critical of chiefs in the years leading up to the civil war. The report, which was referenced liberally during the aforementioned parliamentary debate to justify the Bill, was criticised by a number of paramount chiefs for being biased and failing to allow chiefs to testify in the evidence collection process. This, it is argued, reflects the wider exclusion of chiefs in the country's post-war development. The level to which this perception corresponds with the reality is arguable, but the interesting point here is that the language of 'exclusion' – a preserve and buzzword of Sierra Leone's NGO elite – has been effectively turned on its head by a chief who claims he is excluded. Further, other paramount chiefs have emphasised that, far from having enriched themselves through their position, as is the common charge against chiefs, they live in a 'horrible, terrible and disgusting state'.²⁴

The fault lines between those calling for reform of the chieftaincy and its defenders are, as noted, very blurred. There exists significant support for reform and there is recognition that it is needed among paramount chiefs, but the perception that the Campaign Team (and others) poses a threat to the chieftaincy as a whole persists. The debate is arguably one of perceived allegiance rather than of content. Despite employing their language of good governance and human rights in national-level discourse, there is scope to suggest that NGOs – which are seen as foreign – do not enjoy the trust of chiefs. Reform, it seems, is likely to be heralded by chiefs themselves, and on their own terms.

3 The role of research-based evidence in the debate

This section considers how research-based evidence has been employed in the debate based on the discussion in Section 2, followed by an explanation of the factors that have influenced the role of evidence in the debate, including difficulty in obtaining evidence; the value placed on tradition; the influence of the international community; limited capacity to understand and use evidence in Sierra Leone; and political incentives to defend the chieftaincy.

3.1 Characterising the role of evidence in the chieftaincy reform debate

The role evidence plays in the debate can to a large extent be inferred from Section 2, in which a number of important points are made clear. The first is that the very nature of the debated policy issue sets the boundaries for what kind of evidence can be used: a governance debate will necessarily be concerned with the dual policy objective of satisfying public demands, which are reflected in public opinion, and exogenous standards and measures placed on what can be deemed effective governance. These sometimes competing demands translate into different policy objectives and two areas of policy discussion, as the chieftaincy reform debate demonstrates.

This leads to the second point, which is that the debate does not constitute *one* debate with discrete sides, but a number of interlinking debates in which support for reform oscillates. Generalising the discussion to chieftaincy reform as a whole does offer a much-needed overview and critical analysis of the interests at play, but also runs the risk of overlooking nuances in argument across the varied policy issues the debate encompasses. In turn, evidence presented by participants either tend towards generalisation – largely employing value-based concepts such as 'corruption' – or offer evidence on very specific issues.

Third, the nature of the policy debate means that, by and large, only very location-specific evidence can be offered at local level. While larger surveys exist, the leap from localised

²⁴ This was asserted by Paramount Chief Bai Kurr Kanagbaro III at the Champion Chiefs dinner, Bo, 23 April 2011.

evidence to comparative and nationwide analysis to national policy prescription and discussion is problematic.

Lastly, governance discussions inevitably take place at the normative level, that is, on what *should* be the case and how the current situation measures against this. In the chieftaincy reform debate, both supporters of the reform and those who feel the institution needs defending use evidence to furnish arguments charged with values, beliefs and culture-specific assumptions.

The Campaign's use of research-based evidence

The Campaign was born out of an older critique of the chieftaincy, and thus relies on a large body of evidence collected by anthropologists (including Richard Fanthorpe), historians and political scientists interested in local governance in Sierra Leone. This evidence, alongside additional evidence collected for the principal research report in 2009, constitutes expert opinion on various aspects of chiefdom governance, such as the tricky relationship between the chiefs and local councils and proximate and structural causes of the civil war; perspectives from community people (i.e. evidence of both public opinion and concrete evidence of problems in chiefdom governance); comparative evidence of what has worked in other African countries (Ghana and Uganda); and reference to existing legislation and statutes, which in conjunction with the use of international development 'desirables' (such as human rights, good governance, democracy and participation) also serves as the standard against which the evidence base is measured.

There is little doubt that, in terms of research-based evidence, the case for reform has a myriad of pieces of influential, well-documented and well-regarded evidence on which to draw, encapsulated and epitomised by Fanthorpe and Sesay (2009). Further, a great deal of useful evidence has been amassed over the years, particularly following the civil war, by local NGOs working in rural communities, with the impetus for the Campaign located in the experience of PICOT partners and the CGG, according to the Campaign Team. It is interesting, however, that this evidence did not make its way into the Campaign's research report, reflecting a disconnect between the experiences of local NGOs working on this issue and the research used to justify its work.

This is a significant point: there is little doubt these organisations would have much to contribute to the evidence base, yet much of the Campaign relies on research undertaken by international researchers. Although the report is co-written by a Sierra Leonean, Fanthorpe himself in interview said he was aware of this disconnect and its potential impact on how the evidence base of the campaign is received.

As the bridge between communities and national-level policy processes, evidence of public grievance against chiefs has been translated into evidence of why change needs to occur. Evidence of particular experiences and opinions has therefore been infused with political expertise: in itself, evidence of public opinion possesses no policy prescription; when combined with technical expertise (not only that of Fanthorpe but also that of numerous academics, researchers and consultants who directly influenced the Campaign's research report), this evidence has been used to form a concrete conclusion with policy implications.

The role of 'the expert', and the explicit and tacit demands made on the expert, is in this case extremely significant. It is no secret that Fanthorpe was commissioned to provide assistance to an existing advocacy campaign, well resourced in terms of involving influential national NGOs which have made their respective names in the area of governance and attitudinal change. The extent to which Fanthorpe has been responsible for formulating the Campaign's policy recommendations is open to discussion, but is a question to bear in mind. The question of international influence in the debate issue is pursued further in Section 3.2.

It should be noted that, alongside acknowledged evidence indicating that chiefs do enjoy a great deal of popular support, evidence collected by the Campaign Team during meetings to determine community people's perceptions of the Facilitators' Guide suggest some of the proposals contained in the 2009 report are not popular: participants thought that collection and allocation of local taxes should be done by chiefs as 'the most appropriate authority', and that the administration of local justice should remain with chiefs rather than the government (Chieftaincy Reform Campaign Team, 2011d). The Campaign Team's response to community people who do not 'toe the reform line' is that they have not been 'sensitised' enough: the evidence of their opinion is invalidated by a lack of formal education and exposure to the reformist sentiment.

Evidence and the defence of the chieftaincy

As indicated in Section 2.2, a major source of evidence used by chiefs is the legitimacy the weight of history is thought to bring them. The very *fact* of their existence, constituting Sierra Leonean tradition, is evidence that they should exist. In short, whereas there is a very strong distinction between 'is' and 'ought' – to use David Hume's famous demarcation – in the case of the chieftaincy reform campaign, this distinction is less clear in the case of the chieftaincy defence, where an alternative to the status quo is assumed to be less desirable than the current one, where legitimacy is found in what could be called a functional 'evidence of having survived' argument.²⁵ For instance, when asked about his views on women becoming paramount chiefs, one elderly man in a focus group discussion in Biriwa chiefdom replied that, in his community, '*we have not yet seen this thing, so I cannot say whether it would work. Because we have not seen it, it will not work.*' The meaning here is that, if women were *supposed* to be paramount chiefs, they would be already. Their non-existence is evidence that the idea is not a good – or indeed functional – one.

However, to say the defence relies only on the tradition argument is unfair – chiefs also invoke evidence of their experience within the communities they are responsible for, and use this to question the evidence used by those who support reform. The counterevidence does appear to be limited to personal experience and the assumption of similar experiences of other chiefs, with references to research (e.g. a survey in 2008 which indicated a high level of support for chiefs) not mentioned. Experiential evidence by its very nature limits evidence to an individual basis, and the chieftaincy reform discussion has been infused with personal incentives: evidence is used to discredit or lay credence to reforms that cohere with personal preferences (i.e. what can be gained).

This mirrors the Chieftaincy Reform Campaign to some extent which – despite having less to tangibly 'gain' from reform – has used evidence to provide support to reforms thought to cohere with concepts which are seemingly technical but which are infused with values, beliefs and assumptions. This issue is pursued further in the next section.

3.2 Accounting for the role of research-based evidence in the debate

How might we explain the role of research-based evidence in the chieftaincy reform debate? A number of reasons have already been introduced in the course of this paper. The remainder of this section seeks to list these explicitly, drawing on the material already presented. The analysis suggests five (highly interrelating) factors influence the role of research-based evidence, and evidence more generally, in the debate:

- *Difficulties in obtaining evidence* on account of the subject of the policy discussion – it is hard to undertake 'objective' research given the inherently

²⁵ This argument is also seen in the attitudes of street hawkers in Accra, Ghana, who use evidence of their existence as 'proof' they *should* be there.

politicised nature of questions regarding governance reform – and a forced reliance on ‘soft’ rather than ‘hard’ data;

- The existence of *power-related incentives* on the part of the chieftaincy defence and quite possibly among its supporters who have not utilised the available evidence base to the fullest extent;
- The critical role *the recourse to tradition as legitimate evidence* has in dominating the debate, employed both as a means of defending chiefly power and as a genuine reflection of the value tradition is invested with in Sierra Leone;
- The *role of the international community*, consisting of a high level of direct involvement in governance reform and a more tacit influence over discourse through the imparting of the language of ‘development’; and finally, and most controversially
- A *lack of capacity to undertake, understand and use research-based evidence* in Sierra Leone, largely explained by a low level of education. This has the effect of generating ‘sticky’ and readily deployable evidence, often used in place of evidence, influenced by concepts which, on account of their imprecise nature, are used in ways that often obscure meaning and fail to aid understanding. In some cases, the lack of capacity is somewhat instrumental, ultimately working to the advantage of those defending tradition (i.e. reform), who are able to effectively stifle the debate by avoiding engaging with it through the use of research-based evidence. Lack of capacity also explains the need for a reliance on international researchers and consultants, and thus intersects with the influential role of the international community in driving this debate.

Subject area and difficulties in obtaining evidence

The challenges of obtaining evidence and undertaking research on an arguably value-driven and perception-based issue have been alluded to throughout this discussion. It is generally agreed that comprehensive evidence is lacking, with testimonies painting chiefs in a less than favourable light, making for a popular news headline and subject of everyday conversation. In the opinion of one paramount chief,

They always focus on the bad. It is like they tell me it is in the UK; you can work hard all your life and do good things p...] but still they, the people, will only want to focus on the things people say are bad. Dealing with the big mouths rather than listening to the small mouths is a problem – it means we [chiefs] get a bad name.

Evidence is, however, ‘relatively scarce’ according to Paul Jackson, who argues that the chieftaincy debate currently operates with very limited data. This may make it easier for subjective evidence, based mainly on anecdotal accounts and presented in line with a particular viewpoint on the future of the chieftaincy and its role in modern day Sierra Leone, to be an influential source of information. This situation could be redressed through the collection of systematic and detailed evidence on issues such as traditional court proceedings, as well as comparable and objective evidence to inform the discussion about local-level service provision and interaction between citizens and local authorities (*ibid.*). However, this is harder than it sounds:

- First, the debate involves a number of issues which would each require separate investigation along the lines of not only ‘What is the existing situation?’ but also ‘What works?’ Policy prescriptions which cast aspersions on what might work employ what has been described as ‘at best guesswork’, according to one donor representative.
- Second, data collection on local governance is notoriously difficult and must constantly oscillate between assessments based on objective (often foreign-

derived) standards and public opinion. Where value is placed will depend on the ultimate user of the evidence.

- Third, even when evidence exists, users (such as the Chieftaincy Reform Campaign Team) will not always receive or use it. As articulated, the Campaign Team's public evidence base is that of Richard Fanthorpe rather than that of the organisations involved, despite their collective experience – particularly that of PICOT.

This third point is worth further reflection. The feeding of evidence from relevant projects is a challenge the Campaign Team in interview – and in particular the Christian Aid staff member supporting the work of partners in this area – felt was a gap in both the Campaign's strategy and individual organisations' information sharing. This is compounded by complaints from various parties that they feel effectively excluded from the debate. As Alhaji Warrissi of Democracy Sierra Leone, one of the CGG's local partners, said,

I have not heard of this report [Fanthorpe and Sesay, 2009] and from what I can see the Campaign Team has excluded most of civil society who were not invited to present evidence. For instance, Democracy Sierra Leone [the organisation the interviewee heads] has evidence from eight constituencies in Kono, but no one has asked us for this.

Masapaki Kebombor, National Council of Paramount Chiefs District Chair and Paramount Chief of Paki-Masabongo, Bombali district, bemoaned the lack of participation from chiefs in the report's consultation process. Much like the criticism of the TRC report, it is argued that chiefs were excluded from a debate which concerns them:

I do not know about the report, and I have not heard it mentioned. Surely if they [the Campaign Team] want to launch a report they need to talk with the people it involves. Chiefs are often excluded from this report writing, they think we cannot read or understand all this research. But we can.

Despite the importance of normative standards in governance reforms, some measurement is offered (e.g. 'democratic election'), but the instruments and units of measurement are less straightforward, with considerable room for rendering evidence invalid owing to perceptions of politicisation. The challenges of collecting evidence to use in the debate on the chieftaincy are therefore considerable, encompassing what is thought to be the problem at chiefdom level, how proposed reforms would work and how to monitor whether reforms have been effective. This problem is relevant to each of the factors affecting research-based evidence use that follow.

Incentives for maintaining or gaining power

Policy debates, by their very nature political, go hand-in-hand with politicised evidence. The chieftaincy reform debate involves actors with significant interests to defend and promote, as the preceding discussion intimated. The incentives and interests operating within the national-level chieftaincy reform campaign are dealt with further on in this section when considering the influence of the international community; this subsection concerns the chieftaincy defence.

As argued, there is little in the way of a comprehensive and unified statement of defence of the chieftaincy. Even if there were, barriers to voicing criticism of the chieftaincy within government and among chiefs themselves are so high that dissent remains contained in the silent corridors that maintain the country's status quo. There is little doubt that the government of Sierra Leone is resistant to reforming the chieftaincy unless it benefits the central government's penetration into the provinces: the system is thought to work, at least for the maintenance of power at the centre. As the planned November 2012 elections draw near, it is unlikely that substantial changes in local governance will take place in any form that threatens relations between chiefs and communities: in some areas, particularly in the

Southern province, in which the opposition SLPP is popular and retains control of local councils, the government is unlikely to upset any dynamic which alters its relationship with the chiefs, who often provide a necessary and direct channel of support, according to one paramount chief.

Despite pockets of reformist tendency within the government, the overwhelming picture is of a central government which humours calls for reform in order to avoid criticism, but which is committed to ensuring any changes made to the institution of the chieftaincy are undertaken in order to conserve it. At base, politicians do not want to touch the chieftaincy for fear of losing the significant amount of support they derive from it. Further, according to Richard Fanthorpe in interview, the government of Sierra Leone has its '*fingers in every pie*' and critics of the chieftaincy within and outside government risk their chance of accessing government '*benefits*'.

Thus, evidence presented in support of reform is largely discounted and paid scarce attention, often rejected *ad hominem*. Further, there is a general wall of silence surrounding the government's support to the chieftaincy. At institutional level, it seems that reform is supported indirectly through the government's commitment to decentralisation. However despite obvious signs that the chieftaincy question needs to be addressed for decentralisation to work, the government appears reluctant to grapple with the issue. The Decentralisation Secretariat conducted a series of consultations with a discussion on the chieftaincy, but this was never made public, despite repeated attempts by the Campaign Team to access the report, according to Ibrahim Sesay of the CGG.

Fanthorpe undertook consultations with community members to look at the resistance to reform encountered by the Campaign Team, including that from senior figures in MIALGRD. Reasons for it include a desire to continue benefiting from a number of sources of power, including existing relations with the central government, by embodying popular community support to particular politicians, suppression of the poor and the extraction of heavy fines. Further, reform is thought to be unpopular because of a fear that making the electoral process democratic would create a huge dent in funds (although presumably this refers less to legitimate procedural expenditures than to the creation of support through patronage) (Fanthorpe and Sesay, 2009).

Charles Kallon, the Chief Administrator of Kenema district council, emphasised that the resistance of chiefs to reform was not surprising, and that a greater appreciation of their predicament was needed. He argued that, having had their political authority and standing within Sierra Leone bolstered as a result of the abolition of local councils 30 years ago, to ask the chiefs to '*give something back*' to the same APC party which is – now – pressing ahead with decentralisation is not insignificant. This, combined with a further loss of funds and prestige through the creation of WDCs, has created confusion among chiefs and, rather than being able to articulate their opposition clearly, they are reported to have reverted to '*a refusal to engage in the debate in a way which would lead them to being scrutinised in terms of efficiency and on the basis of reports that they are foot soldiers for corrupt politicians*', according to one NGO worker in Freetown.

Political incentives and the fear of being excluded or falling out of the favour of government figures have also been thought to influence the effectiveness of the Campaign and its associates, with NGO workers thought to be reluctant to push the Campaign for fear of ruining their future career trajectories and causing tensions within the communities from which they hail. The level of caution within the Campaign Team is thought to be high, leading to a need for greater input from the expatriate Christian Aid programme officer and Fanthorpe, which is further thought to have undermined the extent to which the campaign is taken seriously (see below).

Further, at chiefdom level, the use of evidence in arguments used to *support* reform by people who in general have a high regard for the chieftaincy belies a concern for protecting or

advancing the causes of one's own interests. This is not in the least bit surprising, and is by no means specific to this debate. It has been noted that contesting the chieftaincy has led to factional conflict (Abraham, 1978, and Barrows, 1976, in Fanthorpe, n.d.), with particular chiefs discredited on the basis of their character or legitimate claim to the position. The chieftaincy dispute in Biriwa is a contemporary example of this, with Mandingos and Limbas both contesting the legitimacy of each other's claim to the chieftaincy. One youth in Biriwa's Kamabai section was vehemently opposed in a focus group discussion to the chieftaincy being assumed by a Mandingo, and supported UAS to prevent the chiefdom council choosing someone '*bad*' and so youths could '*get something*' rather than being '*deprived of funds*'. The youth also had political ambitions to become a TA and '*gain respect*'.

Staff at Kenema district council are also in support of reforming the chieftaincy in order to make it more effective and populated by more educated chiefs. '*I need people seeking my interests at lower levels*', said Charles Kallon, the Chief Administrator, '*and currently they are not*'. While an absence of reform would seem to reflect a defence of the status quo on the unspoken grounds that it would upset a particular constellation of power relations benefiting the government of Sierra Leone and the chiefs alike, personalised incentives also exist in other quarters.

The importance of tradition

Whether or not the recourse to tradition, alongside culture, reflects a genuine belief in or commitment to defending that which is deemed a traditional way of life, it certainly plays a central role in the debate. While the Campaign Team has structured its reform agenda around the idea that reform is *not against tradition*, it is also the invocation of tradition that presents the largest barrier to its arguments. The principal reason for this is that, as an argument, it attempts to place tradition on a liminal, untouchable plane and, in doing so, creates a quasi-religious aura surrounding the chieftaincy wherein chiefs become something of a sacred cow.

How is the recourse to tradition employed in the chieftaincy reform debate? Aside from the Campaign's palpable concern with communicating its respect for tradition, those who oppose the Campaign Team's reforms, or idea of reform, use tradition to argue the following:

- That the tradition of the chieftaincy needs to be defended against the encroachment of foreign ideas;
- That Africans know best what works in their context and that tradition has shown itself by virtue of its survival to be legitimate and effective;
- That preserving tradition aids in promoting a sense of African-ness or Sierra Leonean-ness.

These ideas are intertwined, and tread the tricky ground between defending the local-level traditions of Sierra Leone's estimated 16 different ethnic groups and using tradition to promote an idea of '*the African*' or '*the Sierra Leonean*'. Issues of whether national or continental identity is a social construction are beyond the scope of this paper, but suffice it to that the recourse to tradition in discussing the chieftaincy often appears as a means of encouraging and affirming a sense of nationalism and African unity. For instance, during a visit to Bombali to witness the crowning of a new chief in Sherbora chiefdom, President Koroma declared that Sierra Leoneans '*should all hold fast to our culture and traditions that make us Sierra Leoneans*' as traditions are the country's '*anchor*' (Kamara, 2008).

The locus of the debate, as articulated in Section 2, lies in the question of the role of the chieftaincy in a modernising Sierra Leone. It is therefore interesting that the tradition argument is used by '*modern politicians*', whether this is an expedient move or a genuine expression of the hybrid nature of the Sierra Leone political system. The past (often spoken about in antithetical terms as against the modernising present) is held in high regard in Sierra Leone and is instrumental in the debate: as discussed in Section 2, chiefs argue the dignity of the chieftaincy must be restored.

As Kaplan (1960) notes, 'all too often tradition is invoked to validate as authentic whatever derives its authoritative character from its connection with the past'; tradition as it appears in this debate is revered because of its synonymy with the past. In talking about the chieftaincy, authority lies with the past: that which is older is considered legitimate; that which is new less so. This is reflected, for instance, in the marginalisation of youths from decision making and the title of 'the elders' to designate legitimate voters in the chiefdom council. There is, however, as Jackson (2005) reasons, a 'danger of excess nostalgia' in the country whereby the legitimacy given what he calls 'feudal elites' – who are thought to embody tradition (a symbol of the past) – leads to an undermining of democracy.

Arguably, what gives the past legitimacy is its connection to spiritual power, particularly revered and feared ancestral spirits. According to an undergraduate interviewee,

The ancestors and spirit world control everything [...] every decision must go through them in the chiefdoms [...] the people are at the mercy of the ancestors, who are like the connection with the people's past times when things were not corrupted.

When asked about the source of a chief's power, one community member explained in a focus group discussion,

The chief is there because the elders put him there, but they are guided by the ancestors, who know who should guide the community better than we. We cannot go against the ancestors.

From this, we gain further insight into what is meant when UAS is rejected on the basis of tradition: not only has it not been proven to work, but also to institute it runs the risk of angering ancestral spirits. While chiefs and government figures at national level have not employed this argument publicly, one interviewee suggested that the entire defence of the chieftaincy is not only an expedient veneer to preserve a beneficial set of power relations, as this paper has already argued, but also a genuine belief in the power of the ancestors:

The big men make like they are modern and can talk with the white people but they are still from their communities, they still fear the same things as the small man. Will they disrupt the chieftaincy? No. It helps them but it is also where they get their spiritual power. You cannot just see this as [about] money; it is about a deep belief that [...] these men have in the power of the ancestors.

The sentiment is not all that different to attitudes displayed when discussing 'secular' political appointments, suggesting that political power in Sierra Leone is understood to have a fundamentally spiritual basis which cannot be argued with, whether or not an element of expediency is involved among those maintaining these beliefs. For instance, a recent contribution to a magazine debate on the capability of National Electoral Commission Chair Christiana Thorpe reads: 'Appointment into leadership positions come from God. What God proposes no man disposes. We need to be patient with God's appointees' (Cox, 2012).

An obvious problem with this understanding of power, discussed in detail by Ellis and Ter Haar (2004), is that it – as mentioned – places political authorities on a sacrosanct platform to which it is very difficult to apply a secular rationale. In this way, the sacrosanct political authority – and here this refers to chiefs – is part of what postmodernist philosophers would deem a 'meta-narrative': 'a global or totalizing cultural narrative schema which orders and explains knowledge and experience' (Stephens and McCallum, 1998).

In this regard, the conceptual ring-fencing of the chieftaincy, which Albrecht (2010) shows makes itself manifest in the unresolved ambiguity of whether chiefs are considered state or non-state actors by the international community, not only provides chiefs with a degree of

immunity and ‘untouchability’ in literal terms, but also provides a discursive veil behind which chiefs are protected from reasoned questioning.

Influence of the international community

As well as being structured along modernisation vs. tradition lines, with a considerable grey area in between these, the debate can also be read as predicated on attitudes to the influence of foreign actors and its relationship with what is considered traditional in Sierra Leone. This fundamental element is encapsulated in the responses of two APC MPs during the April debate on the Local Courts Bill 2008. The first declared that the Bill reminded him of the Nigerian author Chinua Achebe’s famous work, *Things Fall Apart*, in which the ‘white man succeeds in eroding the heart of the African’; the second argued that the Bill represented a move away from the spirit of British colonial rule by diminishing the power of chiefs in local justice matters.²⁶

The key question of whether chieftaincy reform means the erosion of traditional culture and a redressal of the oppressive chiefdom-level power structures created by colonial rule fits neatly into the previous discussion on tradition: a consideration of the historical influence of Britain in Sierra Leone leads us to question the validity of an appeal to local, Sierra Leonean or African (fairly ill-defined) tradition. The influence of the international community in shaping Sierra Leone’s local governance landscape is firmly rooted in history and the creation of a cadre of chiefs tasked with administering the provinces (Fanthorpe and Sesay, 2009).²⁷ However, while the historically aware are by no means silent, attitudes towards chieftaincy reform fall very much into the former category, which sees it as both a loss of chiefly power and a victory for foreign powers.

Both approaches to viewing the relationship between the influence of the international community and tradition invest international actors with significant power in terms of attempting to reform the very institutional arrangements the British introduced in the 19th century. There is a near unanimous agreement that this is not a Sierra Leonean debate, as one official said:

You cannot call this a national debate; we would continue how we are but for the foreigners, your people [the British] like to make us into the same as what you have. I support them and good luck to them, but do not tell me that this is a national debate. The ones who support reform are with the white man, they are like coconuts [brown on the outside but white on the inside].

International influence over the evidence in the chieftaincy reform debate, and implicitly over the debate itself, operates in three ways, addressed in the following subsections:

- First, a direct, tangible and proximate influence over Sierra Leone’s development trajectory, through support to post-war local governance reform since 1998 and the public and private decisions relating to this;
- Second, a more tacit influence over how Sierra Leone’s development is understood and discussed through the creation and shaping of a discourse in which the concepts of good governance, human rights and participation take centre stage, among others. Importantly, the structure/agency question which inevitably emerges in a discussion involving discursive influence or power is not entirely resolved here, although it is a highly relevant one;
- Third, dual (and inextricably linked) channels of influence over the chieftaincy reform debate said to be led largely by ‘foreigners’, resulting in considerable issues surrounding whose evidence is legitimate.

²⁶ Author’s notes on the Local Courts Bill 2008 parliamentary debate in Freetown, 10 April 2011.

²⁷ This was reiterated by an anonymous representative of one of the major donor organisations in Sierra Leone.

Direct influence over local governance reform

This paper has traced the international community's involvement in local governance reform in the years following the war, and argued that the use of evidence in the defence of the chieftaincy can be interpreted largely in terms of maintaining and gaining power. It is clear that the international community has had an influence over calls for reform, and that support to reform has a historical basis in the shift towards a commitment to state building as a means of securing peace and stability in post-war Sierra Leone. While chiefs have been treated as part of the state at points in time, for example as part of early efforts to restore chiefdom governance, international donors have shifted their support away from them to supporting formal state structures (e.g. Albrecht, 2010), culminating in significant resources being invested in the creation of local councils in 2004 and their subsequent strengthening.

Why would the international community do this? The first answer is that post-war attitudes to chiefs revealed widespread dissatisfaction with them (e.g. Fanthorpe 2004a-d) and that, in order to restore (or create) a social contract between citizens and authorities, donors supported the formalising of local governance through an elected tier of local government officials. This perspective encompasses the argument that the international community, and here this can be taken to mean the UK, feels a degree of 'colonial guilt' when confronted with reports that grievances against chiefs contributed to community tensions and a subsequent 'youth revolt' (see Richards, 1996) and wanted, in the words of one Sierra Leonean journalist, 'to clean its hands'.

The second answer is that, despite recognising the need for formal decentralisation, support to the chieftaincy has never faltered and the current arrangements continue to play into the hands of chiefs. In short, donors have failed to make serious commitments to addressing the problems of the chieftaincy, according to Paul Richards. It could therefore be argued that the creation of local councils was intended to divert attention away from the chieftaincy, which the international community still respects and holds in high regard.²⁸ One of the reasons put forward to explain this is that, despite the belief in formal state building as a means of restoring stability to the country during the war, the UK recognised the value of chiefs in promoting cohesion and support to the elected SLPP government which 'needed chiefs badly' in order to gain control of rural governance, which in the latter stages of the war was divided, according to Paul Richards. This is supported by David Keen (2006), who argues with reference to the PCRP that, 'Securing a degree of stability through the system of local chiefs is an attractive proposition for a financially-constrained government and its foreign backers (notably Britain), just as it was for British colonialists in the past'.

Importantly, it has been suggested (by Paul Richards) that the UK's treatment of the chieftaincy in the past 14 years has been an exercise in damage limitation rather than a comprehensive attempt to address social issues in rural areas. The implication here is that a UK-led international community has knowingly attempted not to penetrate too deep into chieftaincy affairs and complex relationships which govern relations between chiefs and the central government. Certainly, it is widely argued that the international community's engagement with the chieftaincy has been superficial at best, demonstrating a reluctance to 'grasp that particular nettle' (according to Paul Jackson). Said one Sierra Leonean residing in London,

The UK government's treatment of chiefs, which blows hot and cold, is best described as fence sitting. They have the evidence and the experts telling them why the war occurred [...] but they are attached to this culture thing, they don't want to be accused of interfering in African culture, even though they created it. It confuses me. They are guilty for colonising us, taking our resources, instituting chiefs [...] and the way this is expressed is not wanting to 'touch' the very thing they created, they say out of respect.

²⁸ For instance, former British High Commissioner Peter Penfold recently commented that, 'I feel that the Paramount Chieftaincy system in Sierra Leone is a very important part not only of the culture and tradition of the country but also [...] of its modern democracy' (Ogundeji, 2011).

Decentralisation was intended to recreate the popular local political landscape disbanded by Siaka Stevens, but the installation of the donor-supported SLPP government which was reluctant to support decentralisation led to a tricky 'liberal peace' in which chiefs continued to play a significant, albeit tacit, role in the government's affairs (see Hanlon, 2006; Keen, 2006). In this way, donors arguably gained a degree of security in the knowledge that the new government had a level of support and that stability was a realistic prospect.

Donors, and this is principally the UK government, needed a way of justifying the continued role of the chiefs in local governance in the face of evidence that they were at the source of many community grievances and that their continued role in local government affairs might not be a good idea (e.g. Hanlon, 2006; Thompson, 2007). So, argues Paul Richards, 'consultants were hired', as donors needed someone 'who would talk about the cohesive values of culture and custom'. There is little doubt that this refers to the DFID consultations commissioned on the basis of internal project review findings indicating that chiefs were receiving an alarmingly low level of support (Trafford- Roberts, 2001 in Fanthorpe & Sesay, 2009). This coheres with Richards' overall view of modern bureaucracies which, he says, hire consultants not because of a lack of internal expertise but in order to provide 'external confirmation' which is 'useful in keeping policies on track'.

Thus, the evidence that emerged from the consultations has been criticised for being a product of DFID 'knowing the answers' before research was complete, according to Paul Richards. The resultant evidence – which subsequently acted as the principal compass point for donors in the area of governance reform – continued to underline popular grievances against chiefs, but also emphasised the widespread support chiefs received. The donor-funded research which followed, such as the World Bank Institutional Reform and Capacity Building Project (IRCBP) surveys and Fanthorpe's review of decentralisation, coheres with this evidence, affirming the value of decentralising power to local councils while simultaneously affirming the chieftaincy. The implicit charge here is that donors have commissioned the provision of evidence, or selective presentation of evidence, to support their – admittedly debatable – preference for chiefdom governance rather than genuinely finding an answer to a question.

Implications for the Chieftaincy Reform Campaign Team

In terms of how this has affected the evidence presented by the Campaign Team, a number of observations can be made. The first point to make is that the provider of evidence, Richard Fanthorpe, has a longstanding relationship with DFID and has concurrently been commissioned by both Christian and DFID to undertake research on the chieftaincy. There is scope to suggest that the Campaign's argument has been structured along that of DFID's (unspoken) line on the chieftaincy, that is, support for reforming the chieftaincy in order to support local councils, guided by a belief in the popularity and indispensability of chiefs. This cannot be verified, however, although differences in attitude among Campaign Team members regarding this issue do exist.

The second point is that, while the Campaign's evidence base, researched and presented by Fanthorpe, is furnished with perspectives from the grassroots, it is structured around research reports which are largely international in origin: it is hard to escape the seeming fact that most academic research on this subject does not come from Sierra Leoneans, although the reports do claim to represent the voice of community people. Although research plays a very important part in the Campaign's advocacy work, quite in contrast with the evidence base underlining the principal lines of defence for the chieftaincy, one NGO worker argued the Campaign Team's evidence was:

[...] organised in a way that helps them avoid criticism and may actually encourage chiefs to join them by all the lip service to tradition; but really the evidence is a snapshot of what is going on. Why is there nothing on corruption in district councils? Because the research question being asked is about chiefs, because that is what they [Christian Aid] want to fund.

This point touches on an important element of donor-funded projects: the Campaign was funded by Christian Aid because Christian Aid staff *wanted* to fund it. The Campaign Team's likely answer to the above would be that the chieftaincy was targeted because of a perceived gap in terms of speaking out on this issue, its relative influence over the discussion and the existence of an enabling environment for change given the numerous policy developments taking place (see Section 1). A selective focus on researching the chieftaincy was therefore based on a strategic decision to tackle this issue at policy level amid policy discussions which were perceived not to have taken on board the much-revered voice of civil society, according to Ibrahim Sesay at the CGG.

Third, and related to the first two points, others suggest that NGO evidence is not neutral and needs to be read as an expression of dominant donor discourse rather than findings emerging from primary evidence (for example Philip Neville at the Standard Times). This relates directly to the tradition vs. modernisation discussion, whereby there is a perceived disjuncture between evidence of perspectives collected at the grassroots and abstract concepts of good governance and democracy, concepts which are seen as 'alien to the African', according to one paramount chief speaker. This point is probed further in the following subsection, which considers the international community's influence through development discourse.

Discursive influence

The notion of discursive influence is associated with the philosopher Michel Foucault (1926–84) and is generally understood as influence over systems of thought, ideas and symbolic forms which structure the way language is expressed. In the policy arena, the concept is employed to describe influences on policy formation and the impact of research on the policy environment (see Young and Mendizabal, 2009).

The discourse that surrounds the trajectory of international development arguably both influences the parameters of research and the way it is expressed; and is subsequently reinforced by research findings which employ key concepts fundamental to the trajectory, which is currently dominated by good governance, human rights, democracy and civil society, among others.²⁹ These ideas have been subject to widespread critical analysis in the past 10 years (see Abrahamsen, 2000; Doonbos, 2001), with the human rights discourse described as a 'new secular religion' (Julius, 2010) and a misleadingly partisan political tool applied to developing countries (Heinze, 2006).

The case for chieftaincy reform exemplifies the 'development discourse', with the Campaign Team, associated NGO and international NGO supporters and grassroots people employing the above concepts to articulate the necessity of governance reform for Sierra Leone's development, with varying levels of understanding of these. The basic thrust of the argument, as Section 2 described, is that the local governance landscape should cohere with the normative standards implied within these concepts. However, as one paramount chief argues, these are seen to constitute,

[...] nothing more than values and beliefs [...] they mean as little as 'tradition', but because they come from the experts our people swallow them.

On this subject, one public sector reform consultant noted,

It is interesting that amid our scientific pretensions, which are actually noble and are based on fundamentally sound intentions, 'good' governance had to become the dominant development idea in the past 20 years. Why 'good'? Because we believe in it. We believe it is 'better', pure, desirable. Anything less is 'bad'. Effective in getting people, especially Africans, to come around to our way of thinking? Yes.

²⁹ Within these, the concepts of accountability, transparency, voice and participation are fundamental to development discourse.

Development concepts are popular in Sierra Leone, creating a new tier of NGO professionals fluent in its language, which is then fed and readily consumed by those at the grassroots. The widespread employment of development concepts in the country is the subject of a 2011 article by British journalist Simon Akam, in which it is argued that, when applied to the Sierra Leonean context of low literacy, aid dependence and post-war poverty, NGO jargon (such as 'sensitisation' and, Akam's particular bugbear, 'capacitated') has found fertile ground, but in practice rings hollow. This is despite such language being thought – or perhaps because it is thought – to possess near-mystical powers among some Sierra Leoneans (*ibid.*). In the same vein, in a country where Christian ideas (such as those of sacrifice, redemption and promise) are paid regular lip service among the educated, the emergence of a type of governance branded 'good' by – in the eyes of the Sierra Leonean – the same people who brought the redeeming Church is undoubtedly attractive.

The development discourse at play here has been deemed a populist 'liberal project', wherein civil society and its participation are key to maintaining support for liberal-democratic ideas (Williams and Young, 2010). A key part of maintaining the discourse lies in negotiating the challenge of building on existing elements 'that are compatible with modernisation and development [and rejecting] those that are not' (Landell Mills, 2002, in *ibid.*). It is quite possible to see how this scenario fits squarely into the case for chieftaincy reform and more generally the international community's treatment of the chieftaincy: as one European commentator describes,

Including this caveat about the importance of tradition is [...] purely a way of not angering anyone too much rather than a reflection of the overall picture. It's good governance [...] but not too much good governance. It's part of this whole thing about going with the existing way in order to achieve your ultimate objective. These traditional things will be tolerated, humoured, but the ultimate destination probably doesn't include them if we're honest.

The new unifying language, which promises everything but in practice says very little, has become part of the lexicon in the provinces as well as among the Freetown elite. A discussion with people from the grassroots will likely entail a liberal peppering of references to human rights and good governance, with a local NGO representative guiding the discussion often through the delivery of motivational one-liners calling on the people to mobilise and advocate. For what exactly is largely open to interpretation and often remains slightly unclear.³⁰ One visiting researcher remarked that,

Here I see that the 'stickiness' of certain concepts, which we as donors are constantly trying to sell to the developing world [...] here they are swallowed, transmuted; they are status symbols with a high level of social and economic capital. Do they know what they mean?

Certainly with regard to a discussion on the chieftaincy, it has been observed that the NGO facilitator, armed with the conceptual tools the development discourse provides, has the tendency to fulfil a rather didactic role, often effectively 'speaking for' the people whose perspectives are being solicited. This can have quite a significant impact on the evidence gathered at chiefdom level.

Interestingly, the limitations of the community consultation were recognised by Richard Fanthorpe during his earlier work for DFID, in which he warned that, in their engagement with beneficiaries, the aid community had created its own discourse, manifesting in an emergent 'grievance discourse' among rural people (2003; 2005). He proposes that participants in this discourse are part of a 'moral economy of needs assessment' and 'benefit prioritisation' which

³⁰ This is an entirely personal reflection of the author's own experience in community discussions in Sierra Leone since 2009.

is and can be used to their own advantage in order to obtain the 'goods' the presence of a massive aid influx offers. Grievance, Fanthorpe argues, is often used as a rhetorical device for calling attention to basic needs and claiming 'just desserts', a particularly effective tool when combined with NGOs and consultants who are keen to use these grievances as a justification for interventions.

However, arguably, the Campaign Team does not reverse this trend: concrete proposals for reforming the chieftaincy do not reside with the grassroots but could be seen as driven by local NGOs and Christian Aid. The Facilitators Guide – an ingenious and sophisticated bit of advocacy on the part of the Campaign designed to aid facilitators in community discussion (sensitisation) sessions – is an interesting example, articulating the message that the chieftaincy does little to promote downward accountability to citizens ('subjects') or community interests (Alie, 2011a). The 'sticky' messages contained in the guide are readily agreed on by community members who are all too keen to share stories which cohere with the Campaign's sentiment. Grievances, in short, are instrumental for all parties in post-war Sierra Leone.

This insight was largely employed to support the argument that the chieftaincy remained popular: an argument which, as we have seen, is also subject to considerable debate. Paul Richards, whose evidence comes largely from ex-combatants, rejects this argument and takes a more agency-oriented view, arguing that the rights discourse has genuinely been adopted by community people and should not be seen as a cynical tool but as an expression of local agency (Archibald and Richards, 2002).

It is quite clear that the language of development has permeated the chieftaincy debate, framing and guiding it to a considerable extent. The direct relevance of this issue to the use of evidence is also clear: is evidence being collected and presented in a way that is structured by and effectively propagates a particular discourse? It is hard to argue that this is not the case in the chieftaincy reform debate, particularly with reference to the case for reform, which has to a large extent been generated by good governance concerns. Whether or not the employment of the discourse by Sierra Leoneans is a cynical ploy, little understood application or a reflection of genuine understanding and commitment to development goods is another question which currently remains unresolved.

Perceptions of the reform agenda as 'foreign'

As intimated throughout this paper, the case for chieftaincy reform as a national-level policy issue has historically been associated with people deemed to be 'foreign' by those who defend the chieftaincy and view calls for reform as an all-out attack on the institution. In direct connection with the preceding questions, relating to the legitimacy of the evidence collected and the overall motivations for reforming the chieftaincy on the part of the international community, it is unsurprising that the Campaign Team's attempt to form an organised movement around the issue has faced criticism for failing to be a legitimate or representative voice.

There has been much discussion concerning the perceived 'illegitimacy' of the Campaign among the Campaign Team itself. Having faced criticism that the reform agenda is being somewhat imposed and driven by Europeans, the Team has had to limit the public involvement of Christian Aid staff and Fanthorpe, according to Ibrahim Sesay of the CGG. This is because perceptions of calls for reform as 'foreign' are largely used to discredit the Campaign's proposals and evidence base. For instance, Masapaki Kebombor, National Council of Paramount Chiefs District Chair and Paramount Chief of Paki-Masabongo, Bombali district, asserted that resolving the chieftaincy question needed to '*come from within, not outside*'. This is an *ad hominem* argument which the Team rejects but is forced to acknowledge in its advocacy strategy.

The reference to foreign actors does not mean only Europeans but also Krios.³¹ Marcella Macauley of the CGG explained that she had had to withdraw from the Campaign's public front because of the perception that she was not a legitimate participant in the debate.³² Similarly, one Krio MP representing a ward in the Western Rural Area district was told to sit down by fellow MPs during the Local Courts Bill 2008 parliamentary debate.³³ Further, Masapaki Kebombor, National Council of Paramount Chiefs District Chair and Paramount Chief of Paki-Masabongo, Bombali district, said that calls for reform were not considered legitimate because they '*come from a few of the "enlightened" in Freetown*'. This perception sits uncomfortably with the more historically informed view that chiefs are actually 'the white man's agenda', as noted by Charles Kallon, Chief Administrator, Kenema district council, but is still a widespread belief which intersects with arguments that emphasise the need to defend tradition and culture against foreign encroachment.

The Campaign Team faces something of a lose-lose situation. On the one hand, the Campaign has been criticised for a lack of grassroots engagement, with calls for reform emerging from outside but failing to reflect the reality at chiefdom level. Reform proposals are seen to have been formulated by experts who are thought to be operating within a particular development trajectory which uses evidence selectively. Fanthorpe in interview conceded that the campaign did lack effective 'linking-up' with the grassroots, but this refers more to the systematic participation of and 'feeding-up' of information than to a fundamental disjunction between the Campaign's advocacy messages and the rural populace. The campaign also faces concurrent criticism, in line with Fanthorpe's identification of a 'moral economy of needs' (Fanthorpe, 2003), that Sierra Leoneans who support reform are '*denying their roots*' (according to Masapaki Kebombor), with local NGOs being co-opted by international actors into 'mobilising with the issue in order to gain funding' and 'trying to be white' (according to one official). Meanwhile, one paramount chief described people at chiefdom level being '*used as tools*' and bribed by NGOs into participating in an imported discourse.

While there is certainly a sense that local-level consultations constitute what Cornwall (2004) has called an 'invited' participatory space in which the agenda is clearly set by an institution, or in this case institutionalised discourse, it is not clear how the Campaign can avoid these catch-all criticisms. This is not to say that criticisms of this nature have no value – Fanthorpe himself firmly empathises with a country which is desperately trying to assert its independence despite virtually being administered by international institutions for 50 years since independence – but it does mean the debate is often stilted by a focus on discrediting the person presenting the evidence rather than the evidence itself.

Capacity to use and understand research-based evidence

There are considerable grounds to argue that the role of research-based evidence in the debate is affected by the low level of capacity of those involved, reflecting a nationwide problem which shows the severe disruptions the country's education system has faced owing to both the historical mismanagement of the country's funds and the destructive effects of the civil war.

Weakness in the Campaign Team's use of evidence

The observation that the debate is being led by foreign actors is a valid one, but it would seem there is very little choice. Although the Campaign Team considered the commissioning of a British researcher 'very carefully', its research report is a huge achievement, and effectively laid down an evidence gauntlet. It is felt, however, that it is not well understood or articulated by the entire Campaign Team, and that those who have represented the Campaign at national policy level are not always taken seriously; nor have they succeeded in pushing defenders of the chieftaincy to refine their arguments.

³² Chieftaincy Reform Campaign Review meeting, 16 June 2011.

³³ Author's notes, Local Courts Bill 2008 parliamentary debate, Freetown, 10 April 2011.

It is also felt that the Campaign reports – which Fanthorpe has left entirely to the Campaign Team rather than politicising them and risking sharper criticism of the Campaign for having commissioned a British researcher – have not been disseminated as well as they should have been. As Marie-Loise Schueller, who is the Christian Aid member of staff supporting the campaign, noted to the Team in an email: '*advocacy is only as good and successful as the arguments people put across*'. In this case, despite the availability of evidence commissioned by the Campaign itself, the use of this evidence is lacking. This is partly explained by the Campaign Team not being involved in the collection of data during the research: they did not go to the field. However, this does invest the resultant research with a greater level of independence from the arguably politicised and advocacy-led proposals first formulated by the Campaign Team: according to Fanthorpe, some of the initial recommendations laid out by Team members were rejected on the basis of the evidence.

In terms of the public face of the Campaign, members of the Team have employed development concepts – often rhetorically, liberally and imprecisely – as a substitute for the evidence base. This is an easy thing to do on account of the proliferation of readily available and malleable development concepts among local NGOs and their donor partners, but does not always aid the use of research-based evidence to provide more concrete details on the arguments being made.

Wider capacity problems

It should come as no surprise that Sierra Leonean NGOs have problems in using, understanding and gathering evidence that is based on some form of research. This has an impact on the level and quality of national policy debates which inform and reflect the country's overall policy environment. This is thought to be extremely weak, but understandably so: the country's education system was effectively halted for 10 years during the civil war, and tertiary education had been on a severe decline prior to this, according to Fanthorpe. Sierra Leone, which once boasted the first and most prestigious university in West Africa, now has a literacy rate of 40% (see UNESCO, 2009).

Overall, research capacity in the country can be said to be extremely weak, although this area has been subject to very little study. There is evidence of international organisations having identified research capacity gaps which are subsequently being addressed, in areas such as agriculture, medicine and conservation, as well as initiatives to improve secondary- and tertiary-level education. Arguably, 'soft' areas of research, such as the humanities and social sciences, have been left out, with Sierra Leone possessing no think-tanks or policy research centres engaged in policy research, and capable academics being enticed to more rewarding careers abroad. This gap effectively means that policy debates are driven by local NGOs which, this paper argues, lack the human resources to furnish policy debates with research-based evidence. While local NGOs do produce research, the standard is generally very low, with Philip Neville of Standard Times suggesting that NGO research '*is just what the donors tell them to say: they know what to do to survive*'.

Aside from financial carrots which influence what research is produced and how it is presented, the very basic problem Sierra Leoneans face is attempting to articulate ideas both orally and on paper, as well as the even more fundamental act of recording information. Said one teacher in Kenema,

Sierra Leoneans, we hate writing too much. The white man was born with a pen in his hand to write and conquer the world; we were born with spoons to eat and grow fat.

The main point to take from this comment is that the spoken rather than the written word carries greater weight in the context we are analysing. There is little precedent of writing things down, of meticulously recording information in a way characteristic of the British administration which left the country over 50 years ago. Fanthorpe in interview agreed that

Sierra Leone's limited research capacity could be explained, to a degree, by the institutionalisation of simply not writing things down. Noted one US volunteer at a local NGO,

I was told a database of information was being kept after it was set up by the previous volunteer, a great big Excel spreadsheet which would capture the progress of the project [...] I arrived and was told that writing things down on paper was 'not how it worked' and the project officer told me he had it there in his head. He left three weeks later and we don't know where he is. All the information has gone with him.

Paul Richards contrasts the European-style bureaucracy, epitomised by the British, which reflects an entire way of thinking, learning and doing, with Sierra Leonean culture, where patrimonial hierarchies have '*grown up without documents*'. The local courts, for instance, are viewed as a place to '*speak one's word*' and so '*to hell with the written record*'. This analysis suggests that legitimate evidence lies in oral testimony and not a written document: the word cannot be divorced from its speaker, and therefore differentiations in the value of different testimonies will inevitably reflect the patrimonial hierarchy it sprung from.

However, this explanation fails to account for the perceived lack of capacity of Sierra Leoneans to articulate arguments, and use evidence, orally. One researcher described the way in which both policymakers and those making up civil society interact to discuss policy issues as '*hyperbolic oratory structured around mutual flattery or flagrant allegations*' rather than any serious discussion on the subject at hand. Some offer undoubtedly controversial reasons for this: President Koroma's biographer (journalist Oswald Hanciles, who doubles up as an official at the National Revenue Authority) spoke of the 'backwardness' of Sierra Leoneans owing to '*the primacy of emotion over reason*'. As a result, quite simply, '*West Africans do not have a sophisticated mind*'.³⁴

While this line of argument should not be taken without a great deal of critical analysis, the important point to make here is that there is a *perceived lack of capacity for reasoned argument*. A Freetown businessman's reflections on the way political issues are discussed at national level were,

You know, we people [...] we cannot debate, because debate is supposed to move to truth. And we don't move to truth, we move to money and cars and all these things. You cannot take what people say at face value, they maybe don't know what they are talking about and are just using words to eat time and avoid implicating themselves.

Quite apart from demonstrating a standard reverence for the 'white' way of doing things in contrast with that of *wi yone* ('our own people'), this perspective further affirms that there is a perception (often a self-perception) that oral debate does not reflect reasoned engagement and understanding of evidence and critical analysis of respective arguments, but rather a hollow application of words and concept often seen as foreign, as already discussed. The shallow character of public discourse is implied in Akam's (2011) description of the permeation of NGO jargon into everyday discussion, in which it serves to conceal more than it enlightens owing to the imprecision and ambiguity of concepts such as participation and human rights.

However, the problem cannot be attributed entirely to the influence of development discourse; to do so overlooks what one former expatriate teacher described as '*deep-seated barriers to and absence of critical thinking and comprehensive cognition*'. In this vein, Keen's (2006) analysis of the country's political context emphasises the inadequacy of the education system in preparing qualified students, given its weighting towards an ultimately unsuccessful mimesis of the West's. He quotes Wright (1997), who argued that education in Sierra Leone 'had more

³⁴ In Akam (2011). It should be noted that Hanciles' quote was in reference to what he sees as President Koroma's apparent abundance of emotional discipline, in contrast with the majority of politicians and policymakers in the country.

to do with aping western culture and values than promoting knowledge, skills, and attitudes for a modern and independent African state'.

The irony, following this line of argument, is that the rush to adopt Western discourse has compounded the challenge of raising the standard of learning and critical thought rather than remedying the problem.

Instrumentalised lack of capacity?

This lack of capacity is not limited to NGO workers, as a consideration of the types of arguments and accompanying evidence in Section 2 demonstrated. Evidence collection, understanding and use are also a problem among defenders of the chieftaincy, reflecting some of the overall problems afforded by the country's context. A tendency towards lengthy and hyperbolic oratory arguably constitutes the bulk of the defence, where enthusiastic appeals to tradition and culture – not to mention attacks on the perceived encroachment of foreign ideas – serve to deflect attention from their lack of evidence of '*intellectual*' arguments, according to Fanthorpe. Here, it is suggested that a lack of capacity to use research-based evidence is somewhat instrumentalised, particularly on the part of those who resist reform, effectively enabling the stalling of the debate and ultimately creating a barrier to change.

An institutionalised acceptance of the status quo and a lack of precedent in scrutinising the political settlements which make up Sierra Leone's policy environment make for an easy ride on the part of the chiefs and politicians who resist reform. Even as part of ongoing dialogues with Campaign Team members, the issue of evidence plays a very limited role: proponents of the reform are arguably not fluent enough in the Campaign's stated evidence and this has an impact on the use of evidence by others in the debate – evidence needs to be demanded of those who do not support reform. The recourse to *ad hominem* arguments is, again, made easy, and the debate remains at the level of tradition vs. modernisation.

The limited use of evidence on the part of the chieftaincy's defenders is combined with a number of other factors, including a lack of organised opposition to commission or undertake research. This is thought to reflect the complex incentives and interests at play in the debate: to agree, parties to the defence would need to formulate and subscribe to a logical and consistent argument. However, according to one journalist,

These men would never do this. They agree on a general principle but differ on the details: they support different models and different levels of change according to what benefits them. And this changes. They will say one thing one day and then something else the next. Putting evidence to all this is not only impossible; it does not work in their favour.

The wider implication of this argument is that that the lack of research-based evidence in the arguments articulated by the chieftaincy defence works to the advantage of those trying to defend the chieftaincy from calls to reform: they effectively stall the debate, and therefore succeed in thwarting attempts to engage them in a discursive momentum pertaining towards change. There exist perverse incentives *not* to use research-based evidence therefore, and to instead rely on personal experience and *ad hominem* arguments. One Lebanese trader explained what he saw as '*useful irrationality*' on the part of the Sierra Leonean population at large:

We think they [Sierra Leoneans] are not rational. But they are, they have ways [...] They don't like something, so they talk in rhymes and riddles, and so this stops any sensible talk. All you can think is that they do not make sense; you will take your eye off the game and they will have you. They will cause an argument, make a speech that goes on for an hour, praise God, pray to Allah [...] ANYTHING to avoid confronting the truth, say you have evidence of theft or lies. It's smart, it's useful irrationality.

Gross generalisation aside, this idea is akin to that of Chabal and Daloz's (1999) analysis of African political systems as predicated on 'instrumentalised disorder', where seeming chaos works to the advantage of people who possess power and want to maintain it. A demonstrable example of this is the finance officer of an NGO who consistently fails to provide a readable and accurate financial report to funders, despite repeated attempts to 'build capacity'. The NGO is widely reported to be diverting considerable funds, but the dire lack of financial reporting makes it nigh impossible to investigate this matter. In the meantime, the appeal to 'lack of capacity' in financial management/information technology/donor reporting is made, and the next round of workshops and training begins.³⁵ This is not to say the finance officer does not *not* lack capacity, but that perverse incentives exist to remain at a low level of understanding.

This perspective is useful in understanding how research-based evidence is seemingly (not) used in the debate: in short, if one's objective is to resist change in a context characterised by an institutionalised acceptance of the status quo, there are significant advantages in *not* engaging with the debate by addressing issues raised by research, and avoiding feeding it more evidence. This dynamic may change in line with the realisation that, unless like-for-like engagement in a particular debate is employed, the advantages and benefits enjoyed by defenders of a status quo are at risk. But this threat cannot be created artificially, and by implication, until there is a considerably more serious threat to the existence of the chieftaincy, the defence against reforming the institution will continue to benefit from a lack of direct demands for its evidence base.

In summary, the previous two subsections suggested there is a basic lack of research and cognitive capacity in Sierra Leone, and that this manifests itself among the Campaign Team, which can be seen as employing general development concepts more readily than relying on its commissioned evidence; meanwhile, a consideration of the defenders of the chieftaincy indicates there is an incentive for not engaging with research-based evidence and instead instrumentalising a lack of capacity to participate 'intellectually' in the debate.

The situation is best explained as a vicious circle: there exists a fundamental lack of capacity in Sierra Leone, and this sits very comfortably with local NGOs, which are fed with impressive yet ill-defined concepts that can be deployed readily in a way which deflects attention from a lack of capacity to use and understand research-based evidence; and with those who resist reform because of incentives to maintain and gain power, who, by failing to engage with research-based evidence, effectively remove themselves from the possibility of being 'disproved' and argued against and thus benefit from stalled debates and circular argument. This ultimately leads to a situation whereby there is little incentive to improve the research and cognitive capacity of those operating in these quarters. Overall, the lack of in-country capacity renders the involvement of foreign actors necessary, although this potentially further compounds the lack of capacity in Sierra Leone.

4 Conclusion

It is not the purpose of this case study to preside over the debate and offer a conclusion on the role of the chieftaincy in contemporary Sierra Leone, but instead to identify the dynamics of the debate and account for the role of research-based evidence within it. In a debate which occurs at multiple levels and can be seen as constituting a number of sub-debates subject to *potentially* conflicting different policy objectives (e.g. on effective service delivery vs. respecting the expressed wishes of locals), the arguments are informed by historical perspectives on the role of the chieftaincy under British colonial rule and in many ways restate existing debates concerning the foreign basis of perceivably 'African' or 'Sierra Leonean' culture, which chiefs are widely regarded as epitomising.

³⁵ Author's own experience of an NGO in Sierra Leone.

The findings presented in Section 3 have a number of implications for how we view the use of research-based evidence in Africa. There are a number of critical perspectives and issues to consider, therefore, as a result of this case study on the chieftaincy reform debate in Sierra Leone:

The first is that *the perception of who provides evidence* has a large bearing on how that evidence is viewed. For instance, despite vehemently defending the ongoing relevance of the chieftaincy, Richard Fanthorpe's position is to some extent viewed as quite the contrary to this, on account of his association with the Campaign Team and his status as a white British expert. General, and often unexamined, perceptions are extremely influential in this debate, leading to the rejection of arguments in support of reform *ad hominem*. This is largely framed and shaped by the penetration of the international community's influence in almost all aspects of Sierra Leonean life: tradition and culture are considered to be firmly the remit of nationals, not foreigners.

On this note, the defence of the chieftaincy from perceived attacks on the institution shows the *importance of different types of evidence* in this debate. The Campaign Team's evidence is subject to criticism on two accounts, constituting something of a lose-lose situation for it: grassroots evidence is thought to have been a result of manipulation by international actors and their NGO partners; and a lack of grassroots engagement is considered to render the Campaign's evidence unrepresentative and non-participatory. Both of these criticisms pertain to the legitimacy of the evidence presented, something which defenders of the chieftaincy think they possess because of the authority that tradition, or the weight that history, confers on the chieftaincy. 'We have been and therefore should' is the apparent logic here, combined with uncertainty over how an alternative to the status quo would operate. In short, 'it hasn't happened yet; so it probably shouldn't'.

However, this goes against Sierra Leone's dominant, and arguably *donor-driven, development trajectory*, which promised to propel the country into modernity. The accommodation of tradition with modernisation and development is a theme running through the debate, and ultimately framing the Campaign, which expresses itself – quite unsurprisingly – in the language of development and its associated notion of good governance, which has acquired the status of a mark of modernity. In many ways, this obscures the existence of the Campaign's evidence base, and offers a simple and 'sticky' rhetoric more easily appealed to than the Campaign's research.

This, in turn, leads to the Campaign being seen as driven by international influence, and a subsequent lack of legitimacy – at least nominally. There is little doubt that, in terms of technical expertise, this is the case, arguably plugging what is a palpable in-country capacity to undertake, understand and use research among those involved in the debate. However, an analysis of the debate leads to the suggestion that *limitations in capacity can also be instrumental* in a debate, providing a useful tool through which the debate – and thus policy developments – can effectively be stalled. Consideration of the *incentives towards a lack of capacity*, it is argued, provides a pertinent perspective on which to consider policy debates in Africa.

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Annexe: List of interviewees

Media

Journalist (Anonymous), Freetown
Journalist (Anonymous), Freetown
Simon Akam, Reuters
Mohamed Massaquoi, Concord Times, Kenema

Academic

Paul Richards, Univer
Paul Jackson, International Development Department, University of Birmingham
Richard Fanthorpe, Independent Consultant/Associate Fellow, Institute of Development Studies, University of Sussex
Undergraduate student (Anonymous), Fourah Bay College
College teacher (Anonymous), Kenema, Kenema district
British researcher (Anonymous)

Government

Emmanuel Gaima, independent consultant/former Decentralisation Secretariat Director
Oswald Hanciles, National Revenue Authority/journalist
Ministry official (Anonymous)
Ministry official (Anonymous)

Traditional authorities

Regina Posseh Kalawa, Mamy Queen, Kamaba section, Biriwa chiefdom, Bombali district
Masapaki Kebombor, Paramount Chief of Paki-Masabongo/Bombali District Chair, Committee of
Siku Sheriff, former Paramount Chief of Karina section, Biriwa chiefdom, Bombali district
Paramount chief, Kailahun district
Paramount chief, Kenema district
Paramount chief, Kambia district

International donor community

Marie-Loise Schueler, Senior Programme Officer, Conflict Transformation, Justice and Human Rights, Christian Aid
In-country donor representative (Anonymous)
In-country donor representative (Anonymous)
Public sector reform consultant (Anonymous)
Consultant (Anonymous)
Former in-country aid worker (Anonymous)
NGO worker (Anonymous)

Local NGOs

Ibrahim Sesay, Project Officer, Campaign for Good Governance
Alhaji Warrissi, Director, Democracy Sierra Leone
Project officer (Anonymous), Freetown

Other

Solicitor (Anonymous), Sierra Leonean national, London