

OFFICE OF THE KONTIHENE

NEW JUABEN TRADITIONAL AREA (ASAFO BOATENG STOOL)

Our Ref: BNTB.12.20.001

Your Ref:

Tel: 0505660417



c/o P. O. Box KF 2621
Koforidua - Ghana

Date: 23/12/2020

The Registrar
New Juaben Traditional Council
Koforidua

RE: PROTESTATION OVER THE NEW JUABEN TRADITIONAL COUNCIL VIRTUAL MEETING

1. I have read copious social media publications, by Citinewsroom dated 18/12/2020 (Source: Mr. Delali Adoglo-Bessa), Ghanaweb dated 18/12/2020 (source: Class FM) and Modernghana dated 20/12/2020 (source: Mr. Jerry Akornor), at the under listed respective Uniform Resource Locators (URLs), concerning the above mentioned virtual meeting.

<https://citinewsroom.com/2020/12/new-juaben-traditional-council-holds-virtual-meeting-on-development-agenda/>

<https://www.ghanaweb.com/GhanaHomePage/NewsArchive/New-Juaben-Traditional-Council-holds-first-virtual-meeting-1136897>

<https://www.modernghana.com/news/1050932/new-juaben-traditional-council-holds-first-virtua.html>

2. At these URLs, a meeting of the New Juaben Traditional Council, held on 18th December 2020, has been touted as its first virtual meeting, presided over by Daasebre Prof. (Emeritus) Oti Boateng, "in line with World Health Organization's protocols to minimize large gatherings and spread of the infectious disease", referring to the Covid-19 pandemic.
3. After pondering extensively on the rationality behind this virtual meeting, there are compelling reasons to interrogate the convening of such a meeting, especially as to whether or not it is a mere semblance of innovation to mask the real intention of its institution.
4. If the aim was to minimize large gatherings and the spread of the Covid-19 pandemic, then it would be imperative that henceforth, there should be no gathering of Nananom at the Palace for any meeting whatsoever. Nananom should then participate in virtual meetings from the comfort of their homes, just as Nkabomhene and Apagyahene, from reliable information, participated in the virtual meeting of 18th December 2020, from the comfort of their respective offices/homes.

5. If truly, the aim was to minimize the spread of the Covid-19 pandemic, then why did Nananom with others observers, all numbering about 22, gather at the Juaben Serwaa Conference Room at the Palace, where it was almost impossible to observe the social distancing protocol, to participate in the virtual meeting? Were they immune to Covid-19?
6. The cardinal contention here is that the potential subsequent and continual use of any form of synchronous/asynchronous video conferencing, surreptitiously in the name of Covid-19 protocols, **to conduct meetings of the Traditional Council presided over by a President, who is noticeably absent from the jurisdiction and in effect unable to attend the meeting**, will flout section 15 (3) of the Chieftaincy Act 2008, Act 759, which stipulates as follows:

“The President of a Traditional Council shall preside at meetings of the Council and where the President is unable to attend a meeting, the chief next to the President in seniority on the Council shall preside at the meeting”.

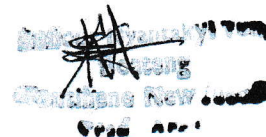
From a careful reading of Section 15 (3), it is instructive to note that, the law does not give room for a President who is unable to attend a meeting, to preside over the same Traditional Council meeting in which he is absent, through technologically based means, such as telephone, Short Message Service (SMS), Multimedia Messaging Service (MMS), Over The Top Applications (for example iMessage, Whatsapp, WeChat, Facebook Messenger), virtual meetings (for example Skype, Moodle, Microsoft Teams, Zoom, Hangouts, and other synchronous/asynchronous video conferencing tools).

7. It is important for the Traditional Council, being a statutory Chieftaincy body, to take a cue from provisions in Act 759, regarding meetings of the higher statutory Chieftaincy bodies namely the National House of Chiefs and the Regional Houses of Chiefs as stipulated in section 5 (4) and section 11 (4), respectively quoted as follows:

Section 5 (4): “The President of the National House shall preside at meetings of the House and in the absence of the President, the Vice-President, shall preside and in the absence of both the President and the Vice-President, a member of the National House elected by the members from among their number shall preside”.

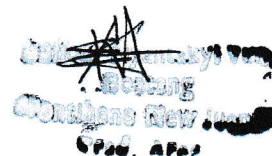
Section 11 (4): “The President of a Regional House shall, preside at meetings of the Regional House and in the absence of the President, the Vice-President shall preside and in the absence of both the President and the Vice-President, a member of the Regional House elected by the members from among their number shall preside”.

8. An inherent danger is the likelihood of the extension of these virtual meetings to cover other customary laws and usage of the New Juaben Traditional Area, such as Akwasidae celebration and the swearing of oath of allegiance, when the Omanhene/President is absent from the jurisdiction, all in the name of the feeble excuse of observance of Covid-19 protocols and “the dawn of this new era of real-time interactions over the internet...”. This same technology, if not checked, could be used diabolically to swear in rival Chiefs at the blind side of legitimate existing Chiefs or legitimate



candidates competing for a vacant stool and thus creating unnecessary Chieftaincy disputes and associated havoc.


9. The virtual meetings, presided over by the Omanhene/President who is absent from the jurisdiction of New Juaben, could be employed for other activities such as the Akwantukese Festival, festive season greetings/felicitations etc., but definitely not for meetings where major decisions are taken such as Traditional Council meetings, and by potential extension, Akwasidae celebration and swearing of oath of allegiance.
10. It is apparent that the Covid-19 pandemic and real-time technology are being used to camouflage the real issues at hand.
11. The best interactions that the New Juaben Traditional Council deserves is face-to-face interactions with the strict observance of the appropriate social distancing and other Covid-19 protocols, no matter the circumstances, so as to preserve in perpetuity our time tested immutable customs and traditions.
12. Clearly, there is the treacherous potentiality of the institution of the virtual meeting being coercively made to become the neo-norm, corrupted and abused, to the detriment of the Chiefs and people of New Juaben. The point must be emphasized that the Traditional Council has never historically taken a decision to make virtual meeting part of its norms. Even if, in future, the decision should be taken to employ virtual meetings, section 15 (3) of Act 759, as quoted above, must be adhered to, in the sense that the President who is unable to attend a meeting, cannot preside over the meeting remotely, using the Covid-19 pandemic and the real-time technology as excuses.
13. Per your letter dated 11th December 2020, copy attached, in summoning Members for a Traditional Council meeting, no mention was made of the conduct of a virtual meeting to be presided over by the President, who is absent from the jurisdiction of New Juaben, as part of the agenda; only for a few of the Members who were invited to attend, to be taken aback by and bombarded with the virtual meeting, much to the grouchiness of Nananom. This, to say the least, is the highest form of deception and abuse of the intelligence of Nananom. The worse of it all, Members who attended the meeting were allegedly coerced to sit in turns on a "sanhedrin" chair facing the virtual meeting TV to give their comments, as if they were undergoing a period of penance. Nananom must be treated with decorum and respect to elicit the appropriate reciprocity and even higher decorum and respect from them.
14. I am very much surprised that since November 2019, I have never been invited to any Traditional Council meeting, including the recent one held on 18th December 2020. I have verbally complained to you on many occasions, via telephone, on this issue and demanded for an explanation, but on all these occasions, you only chuckled off my complaints with the excuse that I should put my request into writing. I am, therefore by this letter, requesting you to furnish me with any tangible reasons.
15. From reliable source, you always invite almost the same few member Chiefs to Traditional Council meetings. I do hope that the Traditional Council meeting, which is a statutory function, is not being turned into an occult meeting, since, for some time now, invitations are allegedly done in secrecy.



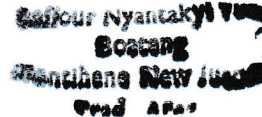
16. As an experienced Registrar and a Civil Servant for that matter, the expectation is that you will continue to perform your duties conscientiously and judiciously and guide the Traditional Council, so that its actions do not fall foul of the Law.

17. Let us remind ourselves that, anyone in charge of affairs, who closes his eyes to these legitimate facts and concerns being raised, will learn bitter lessons through legal accidents and casualties.

Yours faithfully,



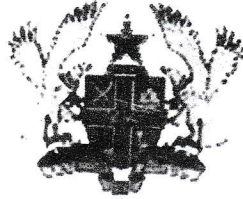
BAFFOUR NYANTAKYI TUTU BOATENG
(KONTIHENE, NEW JUABEN TRADITIONAL AREA)



Cc: The Minister of Chieftaincy and Religious Affairs, Accra.
The Registrar, Eastern Regional House of Chiefs, Koforidua.
All Divisional Chiefs, New Juaben Traditional Area.

NEW JUABEN TRADITIONAL COUNCIL

MINISTRY OF CHIEFTAINCY & RELIGIOUS AFFAIRS



In case of reply the Number
and date of this Letter should
be quoted

Tel. No. 0249680684

My Ref. No...NJTC /

REPUBLIC OF GHANA

Date: 11th December 2020

Your Ref. No.....

SUMMON TO TRADITIONAL COUNCIL MEETING

I am directed by Omanhene and President of the New Juaben Traditional Council, Daasebre Prof. (Emeritus) Oti Boateng, to summon you to Traditional Council Meeting scheduled for Friday, 18th December, 2020 at 2.30pm at the Omanhene's Palace, Koforidua.

Agenda

1. Opening Prayer
2. Address by the Omanhene
3. Appointment of Judicial Committee
4. Any other Matters
5. Closing prayer

Thank you.

A handwritten signature in black ink, appearing to read 'Asante Maxwell'.

REGISTRAR

ASANTE MAXWELL

DISTRIBUTION

ALL MEMBERS