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The Political Economy of Peasant Farming in Ghana

Emile Vercruijsse

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Emile Vercruijsse

September 1988
Institute of Social Studies

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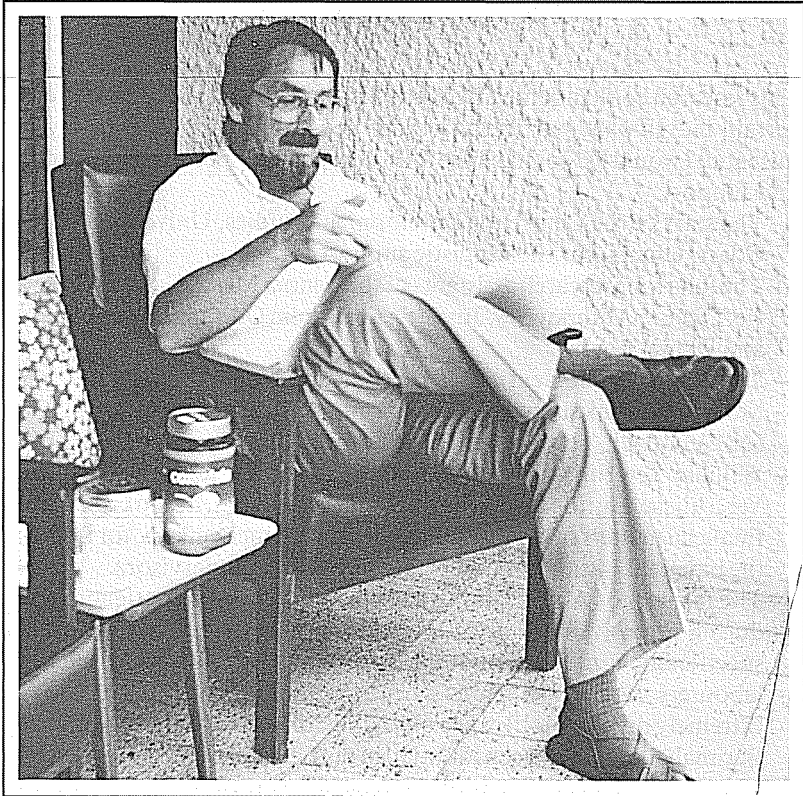
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Reinke Vercrujisse-Zwanenburg
January 1988



Emile Vercuijsse

INTRODUCTORY NOTE

When Emile Vercruyjsse died at a lamentably early age in July 1982 he left behind two manuscripts. One was complete and being edited and eventually appeared as *The Penetration of Capitalism: A West African Case Study* (London, Zed Books on behalf of the Institute of Social Studies, 1984). This was a study of canoe-fishing in Southern Ghana. The second manuscript, the basis of what is now being published, was a study of peasant farmers in the same region. Both were the products of the author's very extensive fieldwork and subsequent theoretical reflection.

As will readily be apparent to the reader, what follows is far from complete in coverage (as can be seen from the list of questions raised on the third page of Ch. III) and very much a first draft. Inevitably, then, one may ask why it should be judged worthy of publication? In taking its decision, the Publications Committee of the Institute of Social Studies was swayed by two main arguments. Firstly, we sought to draw attention to the contribution which Emile would have made to our knowledge of Africa had he lived. Committed as he was to the true development of people in that continent, he had already — some years before the massive world attention began in late-1984 — perceived the growing food crisis there and set out to explain it, the necessary preliminary to finding a real solution. In setting himself this task, he also intended to develop further his contribution to theory, already begun in the above mentioned book. We feel that this discussion should be more generally available. Secondly, what we have here is, in our judgement, an important contribution to the history and contemporary analysis of land tenure in Southern Ghana, and this material should be made available to interested persons.

A further explanation and a more personal note are also necessary. As Emile acknowledged in a generous comment in the Preface to his book on canoe-fishing, I had played some part in bringing it into final form. In his last days he sent me a message asking if I would undertake to finish the present work for him. After long reflection I decided I could not, above all because I do not have the necessary empirical knowledge of Southern Ghanaian agriculture which would be required. What I have done is some minimal work on the continuity between chapters and also a certain degree of re-ordering of material in Chapter III. Any additions by me have been placed in square brackets to make them readily distinguishable.

On behalf of the Publications Committee, I would like to thank certain individuals who contributed to making this publication possible: Ben White who took initial responsibility for handling the manuscript; Tom Boyd, who gave expert opinion on its content; Reinke Vercrijsse-Zwanenburg, who worked over it in detail; Paul Haanen, who helped to correct the text; and Jean Sanders, who edited it.

Ken Post
Chairman,
ISS Publications Committee
December 1987

I

A BRIEF INTRODUCTION TO THE PROBLEMATIC: GHANAIAN PEASANTS AND THE STAGNATION OF AGRICULTURE

On the very day of writing these words, the FAO has given the alarm on the food situation in Africa: in East and South as well as in West Africa serious food shortages threaten or already prevail. In Somalia, Ethiopia, Uganda and Mozambique people are dying from starvation; only immediate steps can prevent famine from breaking out in another 24 countries (*De Waarheid*, 10.3.1981). It is not merely that all these countries are faced with a deficit of almost one million tons of grain — for the current year their needs are estimated at 2.7 million tons of which so far 1.8 million tons have been promised — but also that they are unable to pay for any more imports.

The rising food imports — in 1981 as much as 43 percent higher than in 1980 — leave no doubt about the bitter truth: that Africa is now unable to feed itself and that, accordingly, all the declarations and exhortations of governments as well as the endless conferring of bureaucrats and the voluminous writings of experts on the consequence and urgency of agricultural development, have come to nothing. We must conclude to outright failure in the light of the set objectives for agricultural policy, objectives which, with minor variations from one country to another, state that

agriculture should produce enough food to feed the people at reasonable prices as well as progressively meet their basic nutritional requirements,

while at the same time

agricultural productivity should be raised sharply both to release and generate resources for industrial development. (*Five-Year Development Plan 1975-1980 Ghana, Part II, 1977: 2*)

This failure to develop agriculture is a global one: none of the major underdeveloped regions of the world have reported an acceleration of growth in agricultural output or, in particular, of food production.¹ During the past decades, however, a clear acceleration in wheat production

has occurred in the Near East while in the Far East the breakthrough has even been dramatic (Griffin 1979: 8). Unhappily, there is no evidence that anything of the kind has happened in Africa (Ibidem: 7).

The past record of African agriculture has been far from brilliant. In the period 1934-1972, i.e. from before World War II until just before the oil crisis, per capita growth of agricultural production was as low as 0.1 percent which means that production just kept pace with population growth.² Since then food production in most of sub-Saharan Africa has declined! The FAO has estimated that for the continent as a whole the food self-sufficiency index dropped from 100 in 1970 to not more than 88 in 1979.³ It is in the light of this that the US Department of Agriculture expects the import-gap for sub-Saharan Africa to be as large as 11.5 million metric tons (cereal equivalents) by the year 1999, i.e. a deficit 10 times larger than that for 1981.

Peasant Farming in Africa: The Decline of Production and Productivity

The thrust of agricultural development policies is towards a drastic increase of labour productivity. It is well known that yields per unit of land are generally higher on small than on large farms while, conversely, small farmers tend to have much lower labour productivity. In view of the dominant role of small agricultural producers in Third World countries - e.g. two-thirds of all who till the land in India (the rural landless are excluded from the calculation) hold less than five acres (Griffin 1979: Table 2.1) and 55 percent of all farm holdings in Ghana are smaller than four acres (Report on Census of Agriculture 1972: 43, Table VII.10) - the productivity of agricultural labour is quite low on average. In terms of index numbers which express net production by male labour employed in agriculture in 'direct' calories,⁴ agricultural productivity for France stood at 100 compared to as much as 330 for the United States and as little as 5.5 for the entire underdeveloped world, excluding China (1968/72) (Bairoch 1975: Table 13).

Startling as these figures may be, the picture they present is still too flattering in two ways. In the first place, the global averages hide the fact that in most of Latin America - even excluding Argentina - the level of agricultural productivity is much higher (9.8) than in Asia (4.3) and in Africa (4.5).⁵ Thanks to the refined statistical work of Bairoch we are able to assess the situation in terms of 'thresholds', one of which indicates that

agricultural productivity has reached the level where it can ensure the physiological reproduction of the population (at 2100 calories per head per day). Bairoch estimates this 'physiological' threshold to be at 3.8. Another 'threshold' indicates that productivity guarantees a population freedom from the risk of famine. This 'freedom from famine risk' threshold is estimated at 4.9 (Ibidem: 26-29). In the light of this we can only conclude that both Asia and Africa, while able to offer sufficient life chances in physiological terms, cannot in any definite way safeguard their populations from the risk of famine. This differs, of course, from one country to another: Kenya, at 5.3, is well beyond the famine risk while Ghana, at 3.9, is only just above the physiological threshold (Ibidem: Table 8).

In the second place, the secular trend of agricultural productivity is unfavourable. Although the underdeveloped world (excluding China) experienced an increase over the period 1946/50-1953/57, it has since suffered a slight decline.⁶ For Africa, however, the picture is far more unfavourable: since the years 1946/50 agricultural productivity — which was not high at the outset (7.3) — declined by 37 percent, or more than one-third (4.7) (Ibidem: Table 10).

While, therefore, agricultural productivity in many African countries is so low that it does not offer any safeguard against famine, the continent's agriculture is experiencing a decline which no-one so far has been able to stop.

This leads us to an initial phrasing of the problem to whose solution we hope to contribute, i.e. what is there in peasant farming as a form of production, in its inner workings or 'logic' as well as in its national and international relations to other branches of economic activity, which can help us to explain its long-term stagnation and, as regards Africa, its more recent decline as well as its apparent capacity to resist persistent efforts towards its development?

It is very likely that some readers will frown at our use of the term 'peasant' in referring to the small-scale farmer of the Third World.⁷ Although we might argue that the word 'peasant' is not infrequently used as a simple synonym for 'small-scale farmer' and that both terms equally group those primary producers together who, mainly by means of family labour, cultivate a limited land area at a relatively low level of technology,⁸ others will counter this argument with the theoretical overtones that 'peasant' as a concept carries with it. We contend — and we shall take that up in more detail in Chapter III — that the problem of agricultural stagnation in the underdeveloped world can only be solved in practice if

it is analysed from an adequate theoretical viewpoint and that in this respect we might well be on the right track by conceiving it as a 'peasant(ization)' -problematic. Before entering further into this discussion, however, we shall first take a closer look at how peasants in Southern Ghana till the land and grow their crops, so as to acquire a better understanding of the realities of peasant farming.

[The object of this study, then, is to examine, in the context of Southern Ghana, how the social relations in which peasants have become enmeshed since the advent of colonial rule have contributed to the failures of agriculture at the present time.]

Notes

1. Keith Griffin (1979) has calculated rates of growth for the two decades 1955-65 and 1965-75. These are presented in Tables 1.1 and 1.2.
2. See the statistical series reconstructed by Paul Bairoch (1975) on pp. 16-19 and in Tables 4 and 5.
3. See 'Special Feature; FAO Indices of Food and Agricultural Production', in: *Monthly Bulletin of Statistics*, Vol. 2 (November 1979), No. 11, Table 1, pp. 12/13. From the yearly indices of agricultural production per head published by FAO we quote the following overview:

| | 1970 | 1971 | 1972 | 1973 | 1974 |
|---------------|------|------|------|------|------|
| World | 100 | 101 | 99 | 102 | 102 |
| Africa | 100 | 100 | 99 | 93 | 97 |
| Latin America | 100 | 99 | 98 | 97 | 103 |
| Asia | 101 | 100 | 98 | 101 | 101 |

| | 1975 | 1976 | 1977 | 1978 | 1979 |
|---------------|------|------|------|------|------|
| World | 103 | 103 | 104 | 106 | 105 |
| Africa | 94 | 93 | 90 | 90 | 88 |
| Latin America | 103 | 104 | 106 | 106 | 107 |
| Asia | 104 | 104 | 104 | 106 | 105 |

4. These index numbers, which were ingeniously reconstructed by Bairoch (1975), express agricultural production per capita in 'direct' calories, i.e. in those 'calories which have not undergone a transformation in the course of livestock rearing' (see note 15, p. 214). The exclusion of women from the population employed in agriculture is justified by the fact that the criteria used in different countries to determine their employment vary too widely (p. 22).
5. Ibidem: Table 8. All indexes are based on five-year averages. The figures quoted here refer to the period 1960/64-1968/72.
6. See Ibidem: Table 10. The weighted average rose from 5.0 in 1964/50 to 5.7 in 1953/57 and declined next to 5.5 in 1968/72.
7. See Polly Hill (1970:21): 'In some districts "native farmers" (i.e. farmers who were born in the district in question) predominate and some of these farmers may, if one wishes, be referred to as "peasants" - though for myself, I prefer not to use that word with all its emotional overtones, and to refer to "sedentary" or "non-migrant" farmers.'
8. It is in this sense that Griffin uses the word 'peasant'; see 'peasant-biased' technical change (1979: 49ff.).

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II

THE LABOUR PROCESS IN SOUTH-GHANAIAN PEASANT FARMING

Human production, whether of a primary kind like agriculture or of secondary nature such as handicrafts or industry, occurs under different social conditions at different stages of historical development. When we direct our attention to the labour process as purposeful activity, however, and thus view production as 'the metabolic interaction between man and nature', we do not at the same time bring to light the social relations under which the process of production is taking place. To put it more concretely: a study of the ways in which the Mfantse farmer grows his crops 'does not [also] reveal the [social] conditions under which it takes place'.¹

Postponing discussion of the social relations under which peasant crops are produced until later in this chapter, we shall focus here on the labour process in peasant farming as a way of producing use-values and on its principal elements. For the time being, therefore, issues of distribution and exchange are ignored. In the first part of this chapter we shall consider the men and women who actually cultivate the land as direct producers, as well as at the instruments of labour that they apply to what object(s) and in what particular ways.

For the Mfantse peasant farmer cultivation is a cyclical activity which carries him from January at the end of *Obese*, the dry season, through *Esusow*, the main rainy season in May/June and *Eburobuekyir*,² the small rainy season in September/October into November and December of the next *Obese*. Starting in January or February the first task in the farming cycle is the clearing of the bush. The burning in about March of cut-down shrubs and plants which have been left to dry for some weeks, makes the fact of new plots being cleared both more visible and odorous.

In this area, to clear a piece of land for cultivation only occasionally means clearing virgin forest; outside the official reserves (and, of course, wherever a farmer has preserved the forest tree as protection for a cocoa farm), only a few patches of such forest remain in this part of Southern Ghana. Clearing operations may nevertheless involve the felling of trees, depending on the length of the fallow period. Farmers therefore distinguish between *kwaa*³ or virgin forest and *odoto* or thicket. The latter term applies to a more or less heavily wooded area which has been under fallow for more than five years and possibly for as many as twenty.

Most fallow land around Abura-Dunkwa has rested for less than five years, a short fallow of 2-3 years being most common. Any piece of land which a farmer allows to revert to bush is within a few months abundantly covered by a yellow flowering plant known as the *fofo* plant, and the designation for land under short fallow is *mfofo*.

The area which a farmer may put up for the season's clearing averages between one and two acres. Limited as such an area may be, the farmer has difficulty in facing up to the task on his own. Even the clearing of one acre of *mfofo* land requires 12 man-days of work on average, and he is thus likely to look for the assistance of three or four colleagues. Labour requirements for clearing *odoto* are about 50 percent higher as it also involves the cutting down of trees; this is not only heavier work but also requires special skills.⁴

Although a Mfantse farmer does not consider a cut-down tree as timber, it is firewood, while the bigger branches are frequently used in charcoal-burning.⁵ Occasionally the trunk of a big tree may be used for making a dug-out canoe and the smaller ones for making paddles. But with the distance to a passable road often exceeding a few miles, the farmer may well have to leave the trunks to rot in his field.

Contrary to what Polly Hill has reported to be common practice in a neighbouring rural area, namely, that trees were felled before the clearing of the undergrowth,⁶ Abura-Dunkwa farmers invariably clear and turn the underbrush before they get down to felling the trees. They give as a special reason for this sequence of operations that the burning dehydrates the living wood of the trees to some extent so that it is more brittle under the axe. The ashes resulting from the burning of the bush are used to fertilize the soil. To this end, the hoe is applied for mixing the ashes with the top-layer. In case of 'odoto' land this cannot be done straightaway, because the burning is incomplete and leaves a debris of branches and twigs. The reaping of this debris — known as *apam*⁷ — and its stacking into heaps at the side of the plot to enable it to be burned properly, adds to the labour requirements of clearing *odoto*. These tasks differ from the other work, however, because they can be performed by women.

Bush clearing is considered men's work and is mainly carried out with the cutlass, the male implement. Planting and especially weeding are done with the hoe and are seen as women's work, the hoe being the female implement. All the same, some women participate in clearing, especially of *mfofo*, the lighter bush, which is anyhow the type of land on which by preference women farmers make their own farm plots. In one instance,

for the clearing of a one-acre plot of mfofo land, a woman farmer solicited the assistance of women only, and they took considerably more time than men would have done. The reason for this was not, as some might think, that they lacked strength or dexterity with the cutlass, but rather that they spent fewer hours per day on farming work. They could not always make an early start and had to finish earlier as household, children and petty trading could not be neglected.

Apart from the land which, in agriculture, is itself an instrument of labour and not as in hunting and gathering only an object,⁸ the labour process in Mfantse peasant farming does not involve many other instruments than cutlass and hoe, or any more complicated implements for that matter.

Although a local type of cutlass known as *pomadadze*⁹ is forged by the village blacksmith from scrap iron and fastened onto a rough wooden handle, as is invariably the case with the hoe (Mfantse = *asowo*), farmers prefer the *sekan*, the imported type. Unhappily for the Ghanaian farmer, he is not free to follow his preference as the imported cutlass has become a scarce article as a result of the economic crisis. In view of the fact that the average male farmer may use up about three cutlasses and one hoe every year and a female farmer one cutlass and about three hoe blades,¹⁰ the demand for this product should not be underrated.

Apart from hoe and cutlass the (male) farmer will occasionally have use for a heavier type of locally-made cutlass, the so-called *dapi* as well as for an axe (Mfantse = *sosow*). And none of these implements are of much use without a *seriboe*, a stone-sharpener which is part of the average farmer's outfit. In addition, for transporting and for storing their crops, farmers need containers of various types and sizes: baskets, bags and trays.

The aim of the farmer is to time the clearing of his new plot in such a way that it is fully prepared for planting and sowing at the coming of the first rains. Where the cultivation of food crops is concerned — and for the moment we shall leave cash crops out of consideration — it is most likely that maize will be the first crop sown on the new land. This is done by dropping the maize seeds into shallow holes which are made randomly with a stick; sowing in rows is not practised. It is quite customary that, about a month later with the young maize plants clearly showing, the farmer will intercrop with cassava, while he may well plant some plantain seedlings along the sides of the plot. The cassava is planted by sticking long pieces of stalk into the ground at an oblique angle while heaping extra soil on the buried end. More often than not, cassava sticks are cut from an abandoned

field which has been reaped; in the same way the maize seed for a year's (season's) planting will have been kept from the previous year's (season's) harvest.

This very common planting pattern, made up of maize intercropped with cassava and a sprinkling of plantain trees, defines the period during which the land will be under cultivation. The maize sown in April — to be weeded in about June — will be ready for reaping in August. From then until about June/July of the next cropping year, the land will be a cassava farm. The tubers of the cassava planted in about May will be ready for harvesting in about January of the following year (after ca. 8 months). Unless the entire output is sold to a dealer, however, and accordingly dug-up as a whole, it will be kept on the farm as long as it is not spoilt by the rains, because that is the best way to preserve it from rotting. At the same time it allows the farmer, or rather his wife, to dig up such portions as are needed at a time either for feeding the household or for earning a small amount of cash money. For those farmers who have both land and labour power available, the small rains in September/October (Eburobuekyir) may well mean the beginning of a second agricultural season. Given a cycle of a one-and-a-half year cropping period and a minimal fallow of two years, a farmer who aims at cultivating about $1\frac{1}{2}$ - 2 acres at a time must have access to four of such plots. In other words, he must be able to claim the right to an area of 6-8 acres if the land he has cleared in January of Year One is not to be up for another clearing until January of Year Five. Consequently, any farmer who wants to avail himself of the second growing season should either have more land at his disposal or must resign himself to planting smaller areas each season.

The second clearing then takes place in August, just before the beginnings of the small rains; the planting of maize then follows in September, the weeding in November and the reaping in December. Any farmer who intercroops the second season's maize with cassava must make sure that the lie of his land is sufficiently high, or he will run the risk that his crop will rot away under the Esusow rains in May/June, just at the time of maturing. August/September is also the suitable time for planting vegetables: tomatoes, onions, garden egg, okra, pepper. These, however, are invariably women's crops.

The food-farming cycle is both complicated and hindered by the necessity to grow cash crops, especially of such perennials as lime or oilpalm which at present are the most common tree crops planted in the area. It is complicated in the sense that, on a new plot which has been cleared, burned

and planted first with maize and then intercropped with cassava, the cassava is intercropped with tree seedlings immediately after the maize harvest has ended. As it will take about four to five years before the trees will bear, the cassava might after about a year be replaced with another food crop, provided the farmer can keep the plot well-weeded. Once lime trees start to bear fruit, extra labour-input for reaping is required, for a kind of in-between harvest in about September and for the main harvest in December.¹¹ As reaping may only be possible after subjecting the farm to a thorough weeding, these labour requirements can be considerable. And they will hinder the growing of food crops because they arise at the time when, during the second season, the maize has to be planted (in September) and harvested (in December).

The growing of food crops, of course, is not restricted to maize, cassava, plantain and the women's vegetables, but also includes smaller acreages of sweet potato, yam, cow peas, sugarcane and cocoyam. The latter, especially grown in newly-planted cocoa farms, is popular for its leaves with which *nkontombire*, a type of spinach dish, is cooked. The common variety of sugar cane, a crop which is frequently found in low-lying water-logged areas especially on river banks, cannot be used for sugar extraction; it is a cash crop which enters the market as 'chewing cane'.

All other food crops are grown both as subsistence and as cash crops. In some cases a new plot is cleared and planted with the express purpose of selling the entire crop. Occasionally, farmers contract to sell all that a farm will yield to visiting dealers while nothing is showing but the young plants. Quite frequently also, small amounts (one tray, one basket) of food crops that are grown for household consumption are sold with a view to meet an immediate need for cash.

It may well be, however, that a larger proportion of such food crops as cassava and maize is eventually sold in processed form. As cassava will not usually keep more than a few days after uprooting, it is either finely grated and dried over a fire to become *gari* — a favourite ingredient for making instant porridge — or cut into larger pieces and dried in the sun as *kokonte*. Many more women — for foodstuffs are invariably processed by women — are engaged in the preparing of *kenkey*,¹² a fermented maize dough. Rolled into balls and wrapped in maize leaves, this has long been bought for the same purpose for which we would buy bread; nowadays, especially in the urban areas, it is slowly replaced in the Ghanaian diet by wheat bread.¹³

Maize grown for household consumption is stored on the cob and

shelled pail by pail whenever it is time to send another quantity to the corn miller.¹⁴ The fine flour into which it is ground is never used for the purpose of baking; it is either made into kenkey (which to my knowledge no woman would ever take the trouble to prepare only for her household) or into a porridge by mixing it with water and, if possible, with tinned milk. Sweetened with sugar this is known as *kóokó*, a favourite breakfast dish for many.

In the household cassava is commonly consumed as a boiled food, the pieces being used to scoop up the vegetable stew with which it is eaten.¹⁵ Many, however, will prefer to eat their stew with another type of *ampesi* (any starchy food that is boiled in pieces), such as yam, coco-yam or plantain (boiled in its green, unripe state). If the master of the household is sufficiently assertive he may well order that the boiled cassava be mixed with boiled plantain and pounded into *fufuw*. The pounding, heavy work which some women have to perform twice a day, is done in a large wooden mortar (*wodur*) with a large wooden pestle (*wombá*) until the substance becomes quite tough and doughy. It is then shaped into round lumps, the size of which relates to the age and status of the eater, and consumed with a soup.

Most farm households keep some chickens, sheep or goats and occasionally pigs. On the whole these animals are rather skinny as they are never really 'reared' in the sense of being purposefully fed. Neither penned nor herded, they are left to their own devices, feeding on left-overs and waste, on corpses of dead animals and even on excrement. It is because these animals run freely that one comes across fenced-in garden plots in the immediate vicinity of settlements.

The slaughtering of an animal mostly has to await some special occasion, and as catching an antelope which may get caught in the traps with which farmers surround their maize fields, does not occur every day, meat is not a regular part of meals. The supply of protein is ensured in the form of smoked, dried or 'stinking' fish,¹⁶ but this is not a subsistence food and has to be bought in the market. The same holds almost invariably for palm oil which is the indispensable basic component of every cooked dish. But household consumption now contains many items which can only be acquired through the market.

[In these pages we have examined the labour process in which peasants in Southern Ghana are involved, including work done in the preparation of food, something which is often ignored by outside observers. We must now move to a wider sphere, that of the basic social relations within which the

labour process itself is encapsulated. As suggested in Chapter I, the first consideration here must be to establish an adequate theoretical base for our subsequent analysis of such matters as land tenure.]

Notes

1. Quotations in this paragraph are from Chapter 7 of *Capital I*, section 1, entitled: 'The Labour Process', p. 290. Our argument is that a study of the labour process - i.e. of the process of *material* appropriation in peasant farming ('the appropriation by man of nature') - keeps the *social* appropriation of the product, and therefore the social relations of production, uncovered. In his aim to show that the labour process in its *elementary aspect* 'is independent of every form of that (human) existence, or rather is common to all forms of society in which human beings live' (p. 290), Marx moves on a higher level of abstraction. He puts it that 'The taste of porridge does not tell us who grew the oats, and the process (i.e. the labour process in its elementary aspects) we have presented does not reveal the conditions under which it takes place, whether it is happening under the slaveowner's brutal lash or the anxious eye of the capitalist, etc.'
2. With *Eburobuekyir* the farmers refer to the period just after (*ekyir* = the time after) the harvesting (*bu* = to cut) of the first maize (= *eburow*) in August/September. As we shall see, energetic farmers who have enough land at their disposal will then start a new cycle of clearing, burning and sowing, ending with the harvest of a *second* maize crop in December.
3. In the Mfantse language there is another word to designate the remaining patches of forest, i.e. *epow*, but this is not a synonym for *k waa*. On the contrary, *epow* refers exclusively to the area on family land where the ancestors are buried and where their spirits dwell. It is for this reason that the felling of the forest in such areas is forbidden. Non-Christian family members may still be buried there.
4. On this see Polly Hill (1978: 223): 'Trees were felled by a special category of expensive labourer.' We did not find these labourers to be so expensive. While a day of casual labour was remunerated at C5.00 (plus food), these specialists were paid C6.00 per day (plus food). Nowadays many engage the help of the owner of a chain-saw for the purpose.
5. In the Survey of Occupational Differentiation in Rural Areas (SODRA) conducted under the auspices of the Social Studies Project (UCC) in 15 villages of the Central Region in 1968/69, some farmers were found to engage in charcoal-burning for about 2-3 weeks every year.
6. The detailed research work which Polly Hill undertook for her study of Fante (Mfantse) food-farming was done in the villages of Taido and Kwaman located respectively 5.5 and 6.5 miles from Abura-Dunkwa (1978: 223).
7. The expression 'they are making apam' is from *pam efuw*, i.e. to clear the place (lit. the weeds = *efuw*) destined for a plantation by gathering the remnants of the burned trees and brushwood in order to complete their burning. See Christaller (1933: 372).
8. The distinction between land as an 'object' and as an 'instrument' of labour is made by Marx in the earlier quoted section of Ch.7, *Capital I*, pp. 284-85. When taking it up in order to distinguish two primary types of economy in *Maidens, Meal and Money*;

- Capitalism and the Domestic Community* (1981), Claude Meillassoux mistakenly refers to land in a hunting-and-gathering economy as the 'subject of labour'. This translation error goes back to the translation of the 3rd German edition of *Capital I* by Samuel Moore and Edward Aveling (edited by Frederick Engels) as published by Lawrence and Wishart (London 1974). In this version the term *Gegenstand* (as in *Arbeitsgegenstand*) has erroneously been translated as 'subject'.
9. From *poma* = stick and *dadze* = iron
 10. This goes to show that the cutlass is not *exclusively* the male implement, nor the hoe the female one.
 11. The main harvest season for lime (just as for cocoa) is known as *Ebibra* (meaning: 'The yield is plentiful') and the small September-season as *Akofintam* (Kofi = in the middle). As occasionally some small amount of lime fruit or of cocoa pods can be reaped in July and August, this is considered as a third season which farmers call the *Adom* season (Adom = by the grace of God).
Oranges are harvested twice: those on the higher branches ripen in September and are known as *Anoma ekutu* = the birds' oranges. At the main harvest in December they are called *Boronya Ekutu* = Christmas oranges.
 12. Strangely enough the word *kenkey* came into usage through the British colonisers; it is the word they introduced for what the Mfantse invariably call *dokon*. As far as I know, the word *kenkey* has come from *dokon-kankyee*, bread of ripe plantains. See Christaller (1933: 88).
 13. The preparation and consumption of *kenkey* is not restricted to the Mfantse. In the forest zone most people will prefer Fante-*kenkey*, a yellow type with a sour taste, over the whitish, sweeter type known as Ga-*kenkey*. Occasionally *banku*, a fluffier and tastier maize dough is referred to as Ewe-*kenkey*.
 14. Formerly it was common for maize seed to be turned into flour within the household. To this end it was pulverized by rubbing a round stone over a flat slab. Nowadays a child is sent to the cornmill, a privileged person who owns some aged type of mechanical mill operated by a petrol engine. Its typical noise enables it to be located from far away.
 15. People eat with their right hand. To eat with the left hand, which is the 'toilet' hand, is an indecency.
 16. 'Stinking' is another way of preserving fish, next to smoking and drying. It is applied to larger types of fish which are dressed (with the bones removed) and soaked, or at least cleaned, in fresh water. They are then stacked into drums with a great amount of salt and, days later, are put to dry in the sun. The Mfantse word *momai* (spelt: momoe) does not distinguish between dried and stinking fish. The latter, for many a delicacy in soups and broths, is the more expensive.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that proper record-keeping is essential for transparency and accountability, particularly in the context of public administration and financial management.

2. The second part of the document outlines the various methods and tools used to collect, store, and analyze data. It highlights the need for robust systems that can handle large volumes of information while ensuring data integrity and security. The text also mentions the importance of regular audits and reviews to verify the accuracy of the records.

3. The third part of the document focuses on the role of technology in modern record-keeping. It discusses how digital solutions, such as cloud storage and data management software, have revolutionized the way information is handled. The text notes that while technology offers significant advantages, it also introduces new challenges, such as data privacy and cybersecurity, which must be carefully managed.

4. The fourth part of the document addresses the human element of record-keeping. It stresses that even the most advanced systems require skilled personnel to operate effectively. Training and ongoing education are crucial to ensure that staff are up-to-date with the latest practices and technologies. The text also mentions the importance of clear policies and procedures to guide staff in their daily work.

5. The fifth part of the document discusses the legal and regulatory requirements that govern record-keeping. It notes that different jurisdictions have varying rules regarding the retention and disposal of records. Compliance with these regulations is not only a legal obligation but also a key factor in maintaining the credibility and trustworthiness of the organization.

6. The sixth part of the document provides a summary of the key points discussed and offers some final thoughts on the future of record-keeping. It suggests that as technology continues to advance, the focus should be on integrating human expertise with digital tools to create more efficient and secure record-keeping systems. The text concludes by emphasizing the ongoing nature of this field and the need for continuous improvement.

III

ON THE SOCIAL RELATIONS OF PEASANT PRODUCTION

1. Productive Forces and Relations of Production to be Established Independently

As long as we direct our attention to people who actually work, and therefore to those who fulfil the productive tasks, i.e. to the direct producers, we cannot at the same time get a clear picture of the social relations within which they work. In Chapter II we studied the production process in which Ghanaian peasants are engaged, noting the means of production, apart from land, that they apply in growing specific crops and, accordingly, the schedule of operations that they follow. We did this, however, without becoming any the wiser regarding the social relations of production.

It is true that we have examined the ways in which the peasant and his wife and others divide the work among themselves, and that this is a *social* and not a *technical* aspect of labour. But it should be realized that concern for the labour process — or for what is sometimes referred to as the process of *material* (as contrasted with *social*) appropriation — leads to analysis of the level of productive forces. And as we have asserted elsewhere, 'the level of productive forces should not be equated with the level of technology...because both the relations of production and the productive forces are *socially* constituted' (Vercuijsse 1984: 16-17), more in particular because the division of labour enters into its definition. For that reason, any definite statement on the level to which the productive forces have developed in a particular branch of production, such as peasant farming, has to take the existing division of labour into account. This is generally understood in the sense that the division of labour is seen to have a definite bearing on the productivity of labour.

From the above considerations it can be concluded that to accord primacy in historical development to the level of the productive forces, as Marx has done in his brief 1859 account of historical materialism (Marx 1975: 424-428) and as has eloquently been defined by G.A. Cohen (1978), in no way amounts to 'technologism'. For this would mean that the level of the productive forces is identified as the level of technology, which is precisely the view that we have refuted.

More important, we feel, is the doubt that is thrown on this Primacy Thesis by a conclusion that seems to invalidate one of the arguments

on which it is based, i.e. the Compatibility argument. In the criticism which Arthur Levine and Erik Wright have levelled at Cohen's defence of the Primacy Thesis, the Compatibility Argument or Thesis is stated as: 'A given level of development of productive forces is compatible with only a limited range of relations of production' (Levine & Wright 1980: 52-53).¹

If we are correct in asserting that the study of the labour process and, therefore, of the level of the productive forces does not with any specificity reveal anything about the social relations of production, a more fundamental criticism of their so-called 'compatibility' should be undertaken. If a precise account of the level of the productive forces does not necessarily bring to light in what way the social relations of production are constituted, we can only conclude that the effect that they may have, the one upon the other, cannot be profitably analysed at this level of specificity, i.e. of concreteness. If there is any kind of mutual determinacy, its operation will have to be analysed at a (much) higher level of abstraction. The dynamics of historical development cannot fruitfully be theorized by viewing the productive forces and the relations of production as separate entities that interact functionally. Rather, the dynamic should be conceived at the level of a social formation and of the modes of production by which it is constituted. In this context, the productive forces and the production relations are to be seen as components that have to be established independently, after which they can be understood as defining a mode of production in their specific interconnectedness.

2. A Definition of 'Peasants' and what this has to say about the Social Relations of Peasant Production

To what extent do these theoretical considerations arise from, and in what way are they supported by, an analysis of the production relations in peasant farming? As a first step towards answering these questions we shall specify the issues that have to be considered if the analysis we are going to make is to result in a correct account of the social relations of production. To this end, we shall cover three main aspects, i.e.

- whether or not the direct producers are the owners of, or have (some) control over, the means of production;

- whether or not they have control over the production process; and more in particular, whether they, as direct producers, or others set to work the means (instruments) of labour;
- whether the direct producers have the unencumbered disposal over the product of their labour or whether part of it - a surplus - is appropriated by a group of non-producers. If so, by whom and in what form?²

Consequently, the analysis of the social relations of production will help us to discover whether or not the direct producers are disappropriated of a part of their product. Whenever this is found to be the case, relations of production are revealed as being *relations of exploitation* and, therefore, as giving rise to the existence of classes and class antagonism.

At this point we shall once more take up the question of what type of cultivators 'peasant farmers' really are, a question of delineation which, in an early stage of the argument at the close of Chapter I, we had decided to leave aside. If now, in following Ken Post, we define 'peasants' as 'cultivators...who in some way control the use of land...and who are incorporated into a larger society through exploitative relationships' (Post 1978: 33), we find that they are in fact designated as cultivators who are engaged in production relations of a particular kind. This concerns the ownership, or in this case, the possession, in one way or another, of the principle means of production, i.e. land; it also concerns the fact that, in the case of peasantry, a surplus is indeed appropriated by a group of non-producers. Not covered is the second aspect, that regarding control over the production process. But given Post's explicit statement that 'Crucially, their [i.e. the peasants'] exploitation is not through the wage/surplus labour mechanism, but by...direct expropriation' (Ibidem: 33) — a statement upon which we also agree — it necessarily follows that in their productive pursuits peasants are not controlled by others, but are left to their own devices.

In characterizing the social relations of peasant production, however, these conceptual delineations can only help us to reach a first approximation. As can be seen from the more detailed commentary that accompanies Post's definition of 'peasants', their production relations allow for a considerable amount of variation. In stating that they have (some) control over the use of land, we may well have described a distinctive feature of 'peasants', but we have left undecided whether their control over land is through:

- private ownership;
- communal ownership;
- renting;
- share-cropping; or
- squatting (without legal sanction).

In the same way, we indeed delimit 'peasants' from other cultivators by indicating that their production relationships are exploitative relationships, but by doing so we say nothing about the identity of the exploiters or about the form of exploitation. It is true that we have excluded the wage/surplus labour mechanism from the possible forms which the exploitation might take, but this still leaves open exploitation in the form of:

- unpaid labour to landlords or to chiefs;
- a part of the crop to either group;
- taxes to the state or by other indirect devices;
- unequal exchange with merchants.³

In other words, neither the labour process as analysed in Chapter II nor the elements of the definition which distinguish 'peasants' from cultivators in terms of their relations of production, specify a particular *peasant*⁴ mode of production or designate any particular mode of production as *the* mode of production of peasants. Even so, the explicit reference to peasant relations of production as relations of exploitation establishes beyond doubt that, although with regard to their labour process and as far as pre-capitalist modes of production are concerned, peasants might well belong within the *communal* mode of production, they should quite definitely be seen as the exploited class within the *tributary* mode of production. If anything, the definition purports to distinguish peasants from primitive or communal cultivators by stressing that they are living within the political system of a state, dominated by a non-producing chiefly class which appropriates the surplus for its own consumption as well as for redistribution to its retainers and dependents.⁵

3. Processes of Peasantization: Pre-Colonial and Later

If, in certain parts of Africa, peasantries came into existence well before the beginning of colonial contacts (cf. Saul 1974: 45), this occurred through an internal development process whereby the communal mode of produc-

tion was transformed into the tributary mode within which agricultural producers were placed in the exploited position of 'peasants'. In the colonial period a second and quite different process of peasantization came about which, as characterized by Ken Post (1970: 14) brought both primitive (communal!) cultivators and 'such pre-colonial peasants as there were' alike into a peasant-condition by the extension of the market principle, i.e. by forces working from the outside. In other words, a new type of 'peasant-hood' common to most if not all small-scale agricultural producers came into being (Saul 1974: 47) when the penetration of international capitalism induced them to grow for the export market; as a class, they then came into opposition with the commercial class. At the same time, their incorporation into the colonial (then neo-colonial) state as a class brought them into an antagonistic relationship with the state bureaucrats.

The common view is that, within the colonial and neo-colonial social formations, the small cultivator continued to be incorporated into a larger society. If he no longer had to pay tribute in kind as to the chiefly class in the tributary mode, he was now taxed directly or indirectly by the state or had to exchange his crops with traders on an unequal basis (see Post 1978: 33).⁶ Although this meant a definite change of the form in which surplus was appropriated as well as of the class of appropriators, the incorporation within a larger society continued to be incorporation into social relations of exploitation. Consequently, the conditions persisted for reproduction of the small cultivators as 'peasants' and of the peasants as a 'class'. To continue to regard small cultivators as peasants within a range of social formations, in subsequent historical periods and affected by a succession of transformations, has obvious advantages. Nevertheless, the question of their particular position as a class can only be answered with reference to the particular exploiting class, to the form of exploitation, and to the specifics of the prevalent mode of production and of the social formation of which it forms part.

4. On the Class Character of the Peasantry

All the emphasis that has been put on the position of 'peasants' as being an exploited 'class', does not alter the fact that doubt has repeatedly been cast on the class character of the peasantry. Peasant formations have been labelled as 'class'-less; they have also been put outside the class system, e.g. when Fanon wrote that 'The starving peasant, *outside the class system*, is

the first among the exploited to discover that only violence pays' (Fanon 1967: 47, our emphasis). Again, the peasantry is seen as taking on a class character only at certain times. This view is held by Shanin: 'on the one hand, it is a class; on the other it is not', to which he adds that insofar as it is a class it is one of low 'classness' (Shanin 1971: 254).

This conception of the peasantry as being 'set apart' from the rest of the social framework is common to the substantivist approach according to which the peasant lives in a 'different' world, the world of the small producer, at 'a level of nearly total self-sufficiency' (Ibidem: 244). Consequent upon this view of the peasantry as forming a society-in-itself (in Shanin's poignant words: 'bearing the elements of a separate distinctive and closed pattern of social relations'; Ibidem: 254), substantivist analysis of the peasant economy examines social relations *internal* to the peasant household and peasant farm. It is hardly surprising that this has been severely criticized because it 'cannot formulate the *social relations of production* which provide the most important element in the materialist analysis of a mode of production'.⁷

If, as in the case of a substantivist approach, the analysis is of a special peasant mode of production and restricted to relations *internal* to the peasant household, the demands of a ruling class for tribute or taxes can only be seen as *external* demands which do not necessarily constitute the small cultivator as a 'peasant'. If, on the other hand, as in materialist analysis, cultivators are *explicitly defined* as peasants in terms of their exploitation by a dominant class of non-producers, the wider social relations within which they are incorporated become the crucial constituting element of their peasant-status.

Nevertheless, for us the matter does not rest there, although the logical finality of 'by definition' does not seem to leave room for any afterthought. The fact is that small cultivators are defined as 'peasants' no matter whether they are part of a pre-colonial, colonial or post-colonial social formation. This is suggestive of a greater degree of continuity than is specified by the definition, especially in the position of the exploiting class, whether this is the tribute-levying state class, the colonial administrators, the traders, or the neo-colonial state bureaucrats. The latter classes are seen as replacing the old chiefly class and as continuing to hold the powerless peasants at ransom.⁸

It might be asked whether the continuity in the existence of peasantries does not equally suggest a considerable degree of continuity in the *internal* social relations of production. It might after all mean that chan-

ges in exploitation and exploiters make little difference to the organization of peasant production. If this is indeed the case, the claim that the incorporation of peasant farming into wider social relations should on the whole prevent us from conceiving it as a separate mode of production, would appear less serious.

In the final instance, a decision between these alternative conceptions should be based not on the fact of the peasants' incorporation into a larger society but rather on the nature of those wider relationships. More specifically, it should be considered whether, as genuine relations of production, they are constitutive of the organization of production and thus characterize a mode of production; or whether, as relations of interchange, they articulate between modes of production and, accordingly, characterize a social formation. It is self-evident that the decision taken in this respect will affect our conclusions on the class character of the peasantry.

Be that as it may, to set up a conclusive argument we need to clear away the confusion that results from an unusually complex structure, i.e. unusual from the viewpoint of a materialist analysis and the conceptual means at its disposal. Rather than a need to search for wider social relations within which the Ghanaian and more generally the African peasant is engaged, we are confronted with an accumulation of such relationships. Firstly, the African peasant has to deal with a chiefly class that has not entirely lost its powers and which continues to collect contributions and even to levy labour services. Secondly, in the exchange relationships on national and international markets the peasant is the underdog; and finally, the neo-colonial state also claims its pound of flesh. The only way by which this complex of relationships can be unravelled would seem to be by viewing it from an historical angle, therefore seeing the different sets of relations as partly replacing, partly combining with one another, in a process of transformation and articulation.

5. Persistent Peasant Autonomy and Pre-Colonial Conditions of Surplus Appropriation

The Ghanaian peasant has always enjoyed a relatively large degree of autonomy which even now is determined primarily by his/her control over land, the main instrument of production in peasant agriculture. In the lineage society of the Akan, for example, the land is communally owned

in the sense that the identifiable title is vested in the local (sub-)lineage or 'family'; the 'family land' is then allocated in such a way as to allow each member the usufruct of one portion. In principle this system precludes the alienation of land to foreigners ('non-members') and ensures its members the unhampered, if not unlimited, access to land.⁹ In addition, the Ghanaian peasant is free to decide on what crops he/she will grow, how much of each crop and what part of his/her time will be devoted to farmwork. The peasant is thus clearly in control of the means of production and of the production process.¹⁰

If this peasant autonomy is seen as a structural condition that has continued to exist from pre-colonial times unto the present, it then becomes possible to consider the wider social relationships in which peasants were engaged with the chiefly classes before the advent of colonialism. There was no uniform situation, of course; at the same time, it is impossible to examine how the relationship differed from one political unit to another and changed over time.

In the case of the Asante kingdom in the 19th century, for example — a case which has been well-narrated and superbly documented (Wilks 1975) — the Asante levied tribute in kind from conquered territories such as Denkyira and Wassaw in the South and Gonja and Dagomba in the North: slaves, cattle, sheep, bags of snails, quantities of cloth (Ibidem: 64-71, 431-33). Within the metropolitan area, however, Asante appropriation from the largely rural (farming) population took the form of taxation. And although Asante citizens were directly taxed by means of an annual head-tax, all taxes were payable in specified amounts of gold-dust: the bulk of the revenue derived from tolls on commodities transported by private traders; from fines; and from death duties, which were by far the most important (Ibidem: 433-34; on death duties, Ch. 15). In addition, the state was a major participant in the production of such valuables as gold and ivory (Ibidem: 435-36), while it also earned considerable profits from its public trading organization (Ibidem: 437).¹¹

If we now ask whether the difference between having to pay tribute-in-kind to an occupying power and being taxed by your state government, between being a cultivator in the conquered provinces or in the metropolitan area, is the same as that between 'peasants' and some other type of cultivator, the answer can only be in the negative. While the burden on the conquered peoples was probably both less legitimate and much heavier, the exploitation of small farmers through the naked *military* power of the conqueror as well as through the legitimized *political* power

of a state government, both involve the expropriation of a surplus and thus characterize an exploitative relationship between agricultural producers and state class. In other words, both conditions define farmers as 'peasants' and the exploitative relationship as the social relations of production within a tributary mode of production.

Precise information on the form of state income and on the ways in which it was collected is unfortunately not available for the Mfantse (Fanti) states such Mankesim, Oguaa (Cape Coast) and Abura¹² (the latter being the state within which Abura-Dunkwa is located and hence the area of this study), which had much smaller populations and territories and therefore less political and military consequence than the Asante kingdom. However, apart from an annual head-tax, an important part of the revenue was raised through market and transport-tolls levied on traders in commercial goods and through the public trading operations of the Stool. With regard to the latter, the distinction between the public income of the Stool and the private income of the chief must often have been tenuous. In no respect, however, is there reason to suppose that the appropriation of a surplus by the chiefs and their retinue was less a relation of exploitation than in Asante. Exploitation equally defined these relations as the social relations of production of a tributary mode of production and the small cultivators as 'peasants'.

6. Colonialism and the Transformation of Peasant Expropriation

Against this backdrop of the 'peasant' condition of the Ghanaian farm population in the nineteenth century we now direct our attention towards what happened to the chiefly classes who had disappropriated the peasants and to the form that exploitation took under colonialism. Specifically, we shall examine whether the old state class was brushed aside by the colonial powers and, if so, whether it was replaced by new classes who continued to force the farmers to contribute and to maintain the latter in their condition of 'peasants'.

Firstly, however, it should be pointed out that, in many areas, the chiefly class has not entirely been ousted and that it continues to collect contributions and to claim labour services. In doing so, the focus of the chiefs' power, now only a fraction of what it used to be, is no longer within the mode of production but has shifted to an outside base. Once the tributary mode became superseded, the role of the chiefs was maintained only insofar as it was backed first by the colonial and then by the neo-

colonial administration. In this way the reproduction of their exploitation of the peasants has become a moment in the reproduction of another mode of production, i.e. capitalism.

The colonial administration sometimes intervened directly in peasant production. In the earlier period of colonialism at least, colonial administrations confronted the peasants in much the same way as the chiefs had done (cf. Rodney 1972: 179-89). Other than the tributary state class, however, the exploitive activities of the colonial administrators were not prompted by the immediate consumption interests of themselves and their retainers.¹³ On the contrary, the administrators carried out a number of functions on behalf of the metropolitan capitalist classes, such as:

- the protection of national interests against competition from foreign capitalists;
- the arbitration of conflicts among their own capitalists; and
- the creation of optimum conditions, including infrastructural provisions, under which private companies could exploit Africans (cf. Rodney 1972: 179).

Exploitation of the peasants in the colonial period, therefore, was not so much *by* the metropolitan capitalist class as *on their behalf*: i.e. by private trading companies that provided the link between the capitalist world economy and the pre-(or non-)capitalist mode of production in a colony such as the Gold Coast. This raises the question of which mode of production came to replace the tributary mode which was superseded when colonial power was substituted for chiefly power. In other words: how can we characterize the mode of production within which the peasant now carried on his productive activities?

In view of the fact that agricultural producers continued to have guaranteed access to land, maintained their autonomy in other ways and, at a low level of technology, produced (and still produce!) small quantities for exchange in the market to satisfy their needs and those of their families, it seems justifiable to call this mode of production the 'petty commodity mode of production'.

If this is correct, exploitation no longer operates *within* the mode of production (by definition the petty commodity mode does not and cannot give rise to classes and class antagonism) but *between* the petty commodity 'peasant' mode and the capitalist mode of production. In

other words, exploitation is now inherent in the unequal exchange relations that obtain between peasant producers (who have to accept any terms of trade) and capitalist trading companies (who dictate the terms of trade) and, within the colonial and neo-colonial social formations, articulate the two modes of production. Class antagonism therefore finds its structural base not within a mode of production but in the articulation between two modes. At the same time the conditions for the reproduction of this class relationship are the conditions for the reproduction of capitalism.

7. The Role of Chieftaincy

The first structural complication with which we have to deal is the one arising from the fact that although the incorporation of the African peasantry within the pre-colonial tributary mode of production was replaced by their incorporation as petty commodity producers within capitalist exchange relations, their exploitation by the chiefly class did not come to an end. It is difficult to know what to make of the fact that in many places chieftaincy continues to be maintained as an institution. Some scholars treat it as a cultural survival, as a remnant of the past, i.e. as a feature that is still there although it has lost its (real) function. When asked why chieftaincy still survives they reply that the 'people' do not want to give it up. Apart from the fact that this is really 'having it both ways', a serious social scientist cannot have recourse to a 'genuine will' or 'popular desire' in order to explain the existence or non-existence of a particular institution or structure. Moreover, in many areas the chieftaincy is far from being an element of 'folklore', an ornament. It is true that the basis of chiefly power, i.e. the obligation to perform military service on which the subject's claim to a piece of the chief's land was based, has fallen away and that its locus is now to be found in the power of the national neo-colonial governments, but even on this 'borrowed' power the chiefs continue to claim and to receive contributions from their subjects. They are known to earn considerable incomes by alienating or letting parts of the state/village territory; they also claim yearly payments from lower chiefs and in some places continue to require labour services. Some Dagomba chiefs are successful farmers, cultivating sizable farms with the help of weekly labour services provided by all able men.

But if chieftaincy is not a dead or even dying institution, has the tributary mode of production entirely vanished? Has the exploitation

which continues to reproduce the small farmer as a 'peasant' altogether taken the form of 'non-equivalent' exchange to which, as petty commodity producer, he is now subjected by capitalism? It is difficult to conceive of such an in-between situation because, conceptually and theoretically, the tendency is to see social relationships as falling within either the one or the other mode of production. It is possible, of course, to conceptualize the combination or articulation of two (or more) modes of production within a social formation: one and the same person may be seen as engaged in capitalist relations of production as a wage labourer for part of the day or week and in petty commodity relations of production as a peasant farmer for the rest of the time. However, it is more difficult to cope conceptually with the fact that the same small farmer would at one and the same time have to be considered as a 'peasant', both within tributary relations with his chief and as a petty commodity producer in non-equivalent exchange relations with capitalist traders. This is a tricky problem for which there does not seem to be an immediate solution. In addition, this seems only a small complication in comparison to that which we shall now attempt to analyse.

8. Bureaucracy and Tribute

Now that it is realized that the (neo)-colonial peasant is exploited by the chiefly class as well as by capitalist traders, the present situation might perhaps be considered as one of transition from tributary to capitalist exploitation. In that view 'peasants' will not remain petty commodity producers and exploitation will not continue to occur through non-equivalent exchange; in due course a class division will arise in rural society in that a minority of richer peasants will turn into capitalist farmers while the poorer majority will either become landless farm labourers or migrate to the cities where they will join the urban proletariat. In the process the chiefs who are likely to form a part if not the nucleus of the capitalist farming stratum, will lose the structural basis for tributary exploitation; in other words, they will cease to be chiefs and become capitalists.

The problem with this piecemeal and unhindered penetration of the capitalist forces into pre-capitalist modes of production is that it does not shatter the old bonds of 'peasant' exploitation while, and because of, creating a proletariat.¹⁴ On the contrary, the process is based on the continuation of a subsistence form of primary production onto which an essential part of the proletariat's reproduction can be shifted.

There is now fairly general recognition that the destruction of a 'natural' economy need not necessarily imply its replacement by a fully-fledged capitalist form of production, but that it is more likely to lead to mixed forms in which capitalist reproduction is vitally dependent on pre-(non-)capitalist forms of subsistence production. Nevertheless, the spread of capitalism to all branches of production in all social formations is still seen as the ultimate result of ongoing processes of transformation. So far, this has excluded the possibility that capitalist penetration in peripheral formations might once more take a tributary form, so that history would, as it were, retrace its steps.

There are many reasons, however, why such a possibility should be considered, especially where the incorporation of peasant farmers is concerned. For some decades now there have been clear signs that the chiefs and the capitalist traders are not the only classes to be engaged in exploitative relationships. In fact, considerable surpluses are extracted from peasant cash crop production by the bureaucratic state class through the instrument of marketing boards. Leaving aside for a moment the reasons for the creation of marketing boards in the years immediately after World War II, and the ways in which this was done, it is known that, for certain cash crops, the bureaucratic class pushed the capitalist traders out of the market and in turn started to exploit the peasantry by creating a buying monopoly.

When the peasants became incorporated in the capitalist world economy as petty commodity producers, the main interest of the (international) commercial companies who acted as buyers were first and foremost *low prices* and, consequently, in (super-)profits. In other words, neither these commercial companies nor the industrialists who were in need of cheaper raw materials, had any direct interest in the total volume produced (cf. O'Brien 1979: 110, quoting from Suret-Canale).

In basing the development of infrastructure on *local* resources, however, in the longer run the colonial government (see, e.g. Governor Guggisberg and successors in the Gold Coast) came to develop an interest in the volume of (taxable!) product. It is thus understandable that the colonial administration found itself in opposition to the commercial interests over the cocoa hold-ups of 1936 and 1937. Accordingly, another view arose as to the ways in which a stable and increasing flow of peasant produce should be generated: not through the 'free' market but rather through a government 'monopoly': i.e. the marketing board system which was developed after World War II.

The historical facts connected with the *realization* of this idea were briefly as follows:

- (1) the reserves thus created were never really used for stabilizing purposes but instead were diverted (for the first decade or so) to bolster the exchange rate of sterling, and thus to support what remained of the British Empire — in short the post-war form of British imperialism;
- (2) the neo-colonial governments (at least, from Independence onwards) viewed these monies as state revenue, spending them freely on infrastructural works but even more on expanding the bureaucracy and raising salaries — in short, for consumption purposes of the bureaucratic class.

It was thus inevitable that the peasants again became the subject in a *tributary* mode of production. In other words, appropriation of the surplus by the neo-colonial government does *not* have a purely economic form but, on the contrary, a *political form* which to some extent is based on the continued existence of traditional political structures. A class other than the commercial capitalists, i.e. the bureaucratic class, has thus put itself in opposition by creating an expropriation mechanism with which to guarantee its own share; this class has created a *political* form of expropriation and, more specifically than the merchants, is interested in *increasing* the volume of peasant production.

As we have already pointed out, this is a neo-colonial interest — one that has come clearly to the fore particularly since about 1950. It was present before that time, however, and has also been given forms other than that of the marketing boards. Once the minds of the colonial civil servants were turned towards the question of increasing quality and quantity and, of course, the productivity of peasant production, they hit upon a number of ideas. The marketing board idea was launched quite some time after that of agricultural development schemes was attempted (in Ghana the failed Dagomba groundnut scheme) and realized (in the Sudan the Gezira scheme).

[In this chapter we have tried to show both theoretically and historically how peasants in Southern Ghana have remained subject to various forms of exploitation in pre-colonial, colonial and post-colonial situations. We

must now move to a much more concrete level and begin to lay the basis for a full consideration of the social relations in which peasants today find themselves. We shall begin with the issue of control over the most basic instrument of production, land.]

Notes

1. For their criticism of this particular thesis see Levine & Wright (1980: 60-61).
2. These definitory specifications owe much to Etienne Balibar (1975) as well as to the theoretical opening chapters of Ken Post (1978). The main line of the analysis is the same as that followed in my study of the political economy of Ghanaian canoe fishing; see Vercrujisse (1984: Ch. 2).
3. In the main our discussion follows the variants specified by Ken Post (1978: 33).
4. Although time and again the substantivist viewpoint will raise its head afresh and claim once more the existence of a *peasant* mode of production, as has been done by Goran Hyden (1980: 12).
5. We refer here to the idea of a tributary mode of production as suggested by Samir Amin (1976: 15-16). See also Vercrujisse (1984: Ch. 2). In our reference to the 'communal' mode of production we also follow Amin's use of terms, this time from his *The Arab Nation* (1978: 93ff). An alternative label would be 'lineage mode of production' which has been given preference in Vercrujisse (1984).
6. We shall have occasion to pay more attention to this important issue later.
7. We refer here to the fundamental theoretical argument contained in Henry Bernstein's paper on 'African Peasantries: A Theoretical Framework' (1979). See also Bernstein (1977).
8. This structural continuity is clearly expressed by Walter Rodney when he says that: 'In a way the [trading] companies were simply receiving tribute from a conquered people, without even the necessity to trouble themselves as to how the tributary goods were produced.' See Rodney (1972:172).
9. This very brief account of the Akan land tenure system is necessarily schematic. As the next chapter will be devoted entirely to landholding rules and their operation, we shall then have ample occasion to consider exceptions and deviations, adjustments and outright changes which now characterize Akan land tenure.
10. Autonomy over production is a persistent feature of peasant agriculture. Even under feudalism, the most 'advanced' form of the tributary mode of production, when the peasant was ousted from his rights to the land he would, as an unsupervised producer, remain entrusted with putting the means of production to work.
11. The massive expansion of the Company of State Traders under the Asantehene Kwaku Dua I (1834-1867) is discussed in Wilks (1975: Ch. 15).

12. According to Christensen (1954: 14) the Mfantse states were the following:

- | | | |
|-------------|----------------|-------------------|
| 1. Komenda | 7. Anomabu | 13. Ajumako |
| 2. Eguafo | 8. Ekumfi | 14. Ayan Denkyira |
| 3. Edina | 9. Mankesim | 15. Esiam |
| 4. Oguaa | 10. Kwaman | 16. Asikuma |
| 5. Asebu | 11. Ayanmaim | 17. A beadzi |
| 6. Nkusukum | 12. AyanaAbasa | 18. Abura |

13. There have been important exceptions to this rule, notably that of King Leopold II and his 'cessionnaires' in the Belgian Congo between 1891 and 1908. But these pillagers were not in the least interested in any reproduction of the social formation that they were exploiting. See amongst others Nzula et al. (1979: 59-69).

14. When, in part 8 of this chapter, we referred to the view of many authors that peasant production is ultimately directed towards its fully-fledged assimilation into capitalism, we had not yet come across Jay O'Brien's text in which he deals with much the same questions as those in which we are interested, and also deals with them in much the same vein.

O'Brien does not view the matter from the possible viewpoint of the *articulation** of modes of production and therefore tends towards a simplifying solution. This leads him to identify exchange relations between merchants and peasants *not* as a relationship between modes of production, but as *relations of production*. In brief, his argument is that the ongoing non-equivalent exchange between peasants as petty commodity producers and merchants as representatives of capitalism, results in the peasant having to accept nothing more than a wage for his labour. In other words, O'Brien considers that, in tying the peasant to capitalism, the exchange relationship conceals a (quasi-) wage labour relation. Thus, in the final instance, peasants are wage labourers.

On closer inspection this does not help very much. For the the fact is that O'Brien, while quite aware of the limits of capitalist control over the peasantry (1979: 171), also states quite positively that the capitalist '*controls* the labour process [in peasant cash crop production] without taking direct possession of the means of production' (Ibidem: 171; our emphasis). In our view the form and substance of capitalist control is the crux of the matter. If the correct distinctions are made it becomes possible to see where the differences lie between capitalist wage labour and peasant production for the capitalist market, and we can thus avoid erroneously throwing them on one and the same heap.

Put differently: notwithstanding the fact that the value received by the peasant for his product is *equal to a labour wage* (perhaps not more than the physical subsistence minimum), he does *not* receive it in the *form* of a wage. Consequently, he is *not* engaged in a wage labour relationship. The valid question thus remains: in what type of relationship with capitalism is he really engaged?

* This is the more striking as he repeatedly stresses the specific character of peasant production as having its own logic.

It should be stressed that O'Brien does not completely identify the peasant's position against capitalism with that of the worker. In particular, he points out that the peasant, being *formally* independent, will become a complete wage labourer once this (remnant of) independence ceases to exist. To this he adds that there are many intermediate varieties (Ibidem: 171). And that is exactly the point. One may, as O'Brien does, belittle the peasant's independence as being only 'formal', but this does not do away with the fact that, between the capitalist farmer and the farm labourer, there are many shades of 'independence'. For the present at least, a realization of this situation is important for an understanding of the peasant condition and of what is happening to it in the world of national planning and project development (and, of course, of 'integrated rural development'). We find it more pressing, therefore, to characterize the differences between 'peasant' and 'wage labourer' and to examine what differentiates one variety of peasant from another. In doing so, we shall have to analyse what O'Brien calls the 'formal' independence of the peasant. In other words, we shall need to discover what distinguishes capitalist control over wage-labour from its control over the peasantry.

IV

AKAN LAND TENURE ARRANGEMENTS: AN OUTLINE

1. All Views of Akan Land Tenure are Mediated through the Conditions of Colonialism and the Legal Concepts of English Common Law

When writing about Akan land tenure it is impossible to give a straightforward account of customary rules concerning the control and allocation, usufruct and alienation, custody and administration of land and of the conditions under which these apply. All major accounts of Akan land tenure date from colonial or post-colonial times and, with few exceptions, have been written by legal experts trained in English common law. This holds for some of the early members of the new Ghanaian elite, now revered as heroes of Akan culture and repositories of traditional law, such as John Mensah Sarbah (1897)¹ and J.B. Danquah (1928); it also holds for more recent attempts at scientific reconstruction of customary land law as a coherent pattern, notably those by Ollennu (1962) and Bentsi-Enchill (1964). Apart from a brief but highly effective chapter on Akim Abuakwa land sales by Polly Hill (1963: Ch.V) and a concise but very incisive essay by Gordon Woodman (1976), no other sources attempt an empirical study of the role of customary law as only one, and possibly not a very decisive, component of social and economic practice. Without exception, all other authors have been preoccupied with the need to codify, categorize and systematize the black-letter rules of law.² This also holds for Rattray, one-time government anthropologist, whose first sketch of Ashanti land tenure (1923, Ch.XXI) was an endorsement of the 1912 Belfield Report which, on the whole, he followed in its application of common law terminology and only criticized for 'sins of omission' (Ibidem: 213). To this we hasten to add that Rattray's empirical materials and his presentation thereof remain of great value and that in his second account of customary land law (1929: Ch.XXXIII) he re-examined the issue in the light of new data, thereby, as he himself puts it, 'rolling back some of the fog which seemed persistently to obscure the question' (Ibidem: 340).

But even where the anthropologist Rattray based himself on indisputable facts free of common law interpretations, he could only record practices with regard to ownership and alienation of land as they occurred in a colonially-controlled Ashanti. In other words, to understand how land

tenure arrangements had functioned before the British first curtailed and later destroyed the power of the Asantehene and the Asanteman Council,³ he had to make informed guesses as to the changes that had occurred since the institution of colonial rule. And while the establishment of British control over Asante, beginning with Maclean's treaty with the Asantehene in 1831, through Garnett Wolseley's 1874 campaign which resulted in the destruction of Kumasi and the signing of the Treaty of Fomena, to the deposition of the Asantehene Prempeh I in 1896,⁴ was a long drawn-out process, this was even more the case for the territories of the Gold Coast colony. As Mensah Sarbah correctly asserted: 'British sovereignty over the Gold Coast territories was gradually acquired, and at times by such gradual, slow and imperceptible steps that even now [Sarbah was writing in 1906] many questions of public importance are not free from doubt and difficulty' (Sarbah 1968: 92). Although it is true that the Gold Coast Forts and Settlements (including Lagos!) were separated from Sierra Leone and 'erected into' a Colony by Letters Patent as late as 24 July 1874, it is equally true that when, by the Bond of 1844, the Gold Coast chiefs had acknowledged the power and jurisdiction of the British Crown, whether by usage or usurpation, rights of jurisdiction had been acquired since the 1820s (cf. Kimble 1963: 302 and 194-95 resp.).

We shall argue that the destruction of the sovereignty of the Mfantse states and the Asante kingdom and, with that, the undermining of chiefly power, caused the most radical change in land tenure relations rather than the development of the permanent cultivation of cash crops, specifically of cocoa, as numerous authors have stated. It would therefore be of great interest to have an account of the gradual curtailment of chiefly rule and of the effects of this process on land tenure arrangements. As it is, however, we do not have even the beginnings of such an historical analysis, while the earliest source materials on Gold Coast customary land law (cf. Sarbah 1897) date only from the last decade of the 19th century and do not go back earlier than 1844, i.e. before the official establishment of British jurisdiction and power over the Gold Coast territories. Hence, any attempt to assess the nature and extent of these changes has to be content with some kind of ideal-typical reconstruction of land tenure relations as these might have obtained in pre-colonial times. A comparison with Akan land tenure arrangements as they now apply might help our understanding of why so much of the customary system still seems to function and what interests are thereby served.

As we have pointed out, such a reconstruction is hazardous because

most if not all accounts of customary land law take the form of legal systematization: a lay person therefore enters this area of study at his own peril. It would thus be unwise to proceed on the assumption that we shall somehow be able to strip the existing accounts of their legal interpretations and shall then be able to present land tenure arrangements 'as they are' (or 'were'). The best we can do is to opt for the interpretation that seems the most adequate.

In this respect there is little to be said in favour of the so-called 'realism', launched by Sir William Brandfor Griffith when he served as Chief Justice in the Gold Coast Supreme Court between 1895 and 1911, and which dominated the superior courts in the first quarter of the 20th century (Asante 1975: 41). This school aimed explicitly at recognition of the rights of cultivators as being equal to English freehold (in fee simple)⁵ so that, in view of the permanent occupation and cultivation of land for cash cropping purposes, it would become freely alienable (Asante 1975: 41-45). The subsequent interpretation, which was based on the rediscovery of 'pure native tenure' and was influential from the early 1920s to the late 1950s, is equally inadequate. This school had its beginning in a 1921 decision of the Privy Council in which Lord Haldane delivered the opinion of the Judicial Committee 'that the notion of individual ownership is quite foreign to native ideas'.⁶ According to this view individual ownership of land was a concept alien to West Africa and nothing but an intrusion of English legal ideas. Subsequently, the superior courts of West Africa clung to the concept of communal ownership of land as the first postulate of customary land law. In this way they engaged in a concerted but completely misguided action to ignore and thereby suppress the existence of individual ownership in any form, as well as the related right to alienation of land (Asante 1975: 45- 50).

If, then, we have to accept that our knowledge of Akan land tenure is inextricably bound up with common law interpretations under conditions of colonialism (and later of neo-colonialism), we must not resign ourselves to interpretations that aim either at establishing property relations which conform to English legal conceptions or at emphasizing the 'traditional' with a view to freezing the situation. We prefer an interpretation of native law that is concerned with recognizing social reality and thus has a more open eye for the changing nature of economic and social practices. Such an interpretation was first developed in 1957 by Ollennu when, in *Ohimen vs. Adjei*, he ruled that the usufructuary is regarded as 'owner' of the land in his possession and can alienate it voluntarily to a fellow subject (of the

Stool) or involuntarily to a creditor *without the Stool's consent*; at the same time, the Stool does not have the right to divest him of his interest by alienating the land to another (Ibidem: 50-51). Such a view of the peasant farmer's claim to land as amounting to a kind of possessory title which Bentsi-Enchill (1964: 233) proposed should be called 'proprietary occupancy' and hence to much more than usufruct, will give us a better grasp of what has happened to land tenure since colonial times. It will also provide us with a better understanding of how customary land law functioned in the pre-colonial era. This is the view represented by Bentsi-Enchill (1964) and Aşante (1975) and, in a more outspoken form, by Woodman (1976) and Date-Bah (1976).

2. An Attempt to Reconstruct Pre-Colonial Land Tenure Arrangements

The common view of Akan land tenure is of a communal system in which the individual can never acquire more than a farming right or usufruct. That is to say, he has a right to occupy and cultivate a plot of land and to reap the fruits of it without fear of eviction while at the same time recognizing the ownership of that land by a corporate personality of which he is (likely to be) a member, i.e. the *ebusua*⁷ or so-called 'extended family'.

In the following we shall not use the term 'extended family' (notwithstanding its common application) because the *ebusua* (pl. *mbusua*) is not a family grouping but a matrilineage, i.e. the living descendants of a common ancestress. Accordingly, the *ebusua* continues through its female members, finding a dead end in the males, and children belong to their mother's lineage. Likewise, a man's children do not inherit his property but the matrilineal descendants of his mother. As men usually inherit from men, this means that a man's successor will be (1) his brothers (in order of seniority; (2) his sisters' sons (again in order of seniority) (cf. de Graft Johnson 1974: 258).

Although the Akan identify themselves as members of about ten clans (or lineages) all through Southern Ghana,⁸ what counts is not membership of these 'generalized' clans but of a 'localized' (sub-)lineage, i.e. of the group of all those living in a particular town or village (or traditionally: in a particular ward) who recognize a common ancestry.

The corporate character of such a localized (sub-)lineage is symbolized in a Stool, i.e. a shrine in which the ancestors dwell and which is given in the custody of the lineage head, the *Ebusua Panyin*. It is this

person (usually, but not always, a male) chosen in a meeting of the entire *ebusua* who represents the lineage in the Council of Elders, approves the marriage and/or divorce of lineage members, and administers the lineage property. This usually includes the administration of the *ebusua asase*, the family land, the allocation of which is a vital lineage responsibility. For this purpose some lineages have instituted the special office of *Asasewura* or land custodian.

The *mbusua* into which a community is divided do not hold the *final* or *absolute* (also: allodial = without having to acknowledge any superior) title to the land but are considered to hold it on behalf of the Paramount Chief or *Omanhene*. As head of a state, i.e. of one of the independent territories into which the Gold Coast was formerly divided, the *Omanhene* occupies the Paramount Stool; this is the shrine that contains the spirit of the *oman*, i.e. of the people or nation. And it is in the *Omanhene* that, in the final instance, the people's title to the land is seen to be vested.⁹

For the moment we shall leave out of consideration the fact that, in the present stage of social and economic development, legal conceptions such as the lineage being a 'corporate personality' and of an 'absolute' title to land being vested in the *Omanhene*, have to be treated with suspicion (Woodman 1976: 160). Such issues will be discussed in the following chapter. But it is important to point out here that such a picture of overwhelming communality tends to conceal that, as under pre-colonial conditions, individual cultivators for all practical purposes now hold the land as if they were the owners (legally: as if they were 'free-holders'). Not only do they till the same plots of land throughout their lives, but on their death their farms may be transferred unhindered to their inheritors, be these testamentary or intestate. We might also find them making a gift of land (*inter vivos*) to those who could not benefit under the inheritance, such as a faithful wife or a helping son. And, what may seem to many as in clear contradiction to 'communal' land tenure, they may sell some of their land outright.

This then leads us to the question of the 'communality' of Akan land tenure. In other words, in what respects did the rights of the Akan landholder in the pre-colonial past differ from those of a private property holder? The answer is that the farmer's control over his land was subject to restrictions which arose from his obligations towards the community. It may be that nowadays private property is also seen as restricted, but such restrictions which arise from the common interest are very different to

those on Akan land holding which stemmed from the farmer's obligations towards his ebusua and towards the Paramount Stool within whose jurisdiction the ebusua asase was situated.¹⁰

Without entering into full detail, obligations towards the Stool involved:

1. military service,
2. labour services (also for women),
3. taxes in kind or in money (gold dust).¹¹

Apart from death duties which, especially in Asante, were one of the greater sources of Stool revenue (cf. Wilks 1975), the third category of obligations refers to contributions which had to be made for keeping religious customs, for financing war, for liquidating Stool debts, as well as for purchases and the erection of buildings. Of more immediate significance were the obligations to perform services, not so much labour services — which required every man and woman to work several days each year on the Chief's farm — but rather the obligation to serve in the Chief's army. It was on fulfilment of this obligation, immediately connected first to the conquest and later to the protection of state territory, that the subject's claim to farming land was based. Historically this has to be seen in terms of the part played by a particular ebusua in conquering the territory, for it was in appreciation of its military contribution that an ebusua was allocated an area of land as its ebusua asase or family land which in turn, the ebusua could allocate to its members.

It follows that the relatively unencumbered possession of land by individuals was based on their relatively substantive obligations towards the state or the oman. This also helps to explain why alienation of land through sale required the consent of both the ebusua and the Stool (cf. Asante 1975: 7) and why the purchaser had to be a subject of the same Stool. Given the nature of a subject's obligations there was no scope for or acceptance of a double allegiance.¹² Nobody, therefore, could hold land under two Stools; a man or woman held land as a subject and did not become a subject by holding land.

Although a person's claim to farmland was based on maintaining his allegiance and hence on fulfilling his obligations to the Stool, the issue of what land he could claim and how much were (and still are) mediated by his lineage in view of its control over a section of the territory as family

land. This intervening role of the *ebusua* provides the system with a double safeguard:

- on the one hand it guarantees that an individual's claim to land is not a diffuse but a definite claim to a definite area of land;
- on the other hand, it ensures that the size of an individual's allocation will not conflict with the interests of other members or with the claims of future generations.

This is one of the most notable features of the system by which it is able to resist any alienation of land to strangers and any claims of family members that would endanger the subsistence of both present and future generations. This was saliently expressed by Nana Ofori Atta, the late Akim Abuakwa chief when he said: 'I conceive that land belongs to a vast family of whom many are dead, a few are living and countless hosts are still unborn' (Meek 1946: 178). In simpler language but even more strikingly, the same view was expressed by an Ebubonku peasant when he told the author: 'We are holding the land for all those who come up behind us.'¹³

This factor is closely connected with the belief that family land is really owned by the *asamanfo*, that is, by the spirits of the ancestors, and that the living are merely their trustees, responsible for holding the family land together and for administering it properly. This belief reinforces the reluctance to alienate land to strangers and puts a limit on the claims of individual members.¹⁴

As a result, customary law ensures that 'every member of the community is entitled to cultivate unoccupied land in which the community holds the allodial title and to acquire thereby a usufruct (or customary freehold)' (Woodman 1976: 163). This, of course, assumes that a person fulfills his or her obligations towards the community (or towards the state, the 'oman') as well as towards the *ebusua*. The latter involves active attendance of the lineage council meetings, regular payment of financial contributions towards the costs of funerals and festivals etc; and the sharing in any corporate liabilities such as might arise from litigation over lineage land. In addition, they include giving assistance to needful lineage members commensurate with a member's wealth and influence.

Although the amount a person can successfully claim is dependent on the size of the family land relative to the number of adult family members who claim land, the average acreage of an individual's farmland is first of all determined by his or her subsistence needs; at the same time, it is physically limited by the personal capacity to clear and till it.

The land that is cleared and cultivated in this way will remain his or hers for life after which, in principle, it passes (or returns) to the family. This does not mean that the land then becomes available for re-allocation to other lineage members, but rather that it will pass to the matrilineal descendants of the deceased's mother, i.e. to the issue of all the uterine sisters who together usually decide on one individual successor (de Graft-Johnson 1974; Woodman 1976: 169-70).

Another implication of the rules concerning land allocation is that no lineage member can claim the possession of land that he or she is no longer cultivating. But the question then arises of whether a peasant farmer who cultivates land according to a fallow system can be assumed to have ceased to occupy a plot of land. Rattray points out that if a piece of land under fallow has reverted to *mfofoa* (short-time fallow up to 5 years) it still counts as 'occupied' if there are any fruit-bearing trees standing there, and more especially if the farmer still has a harvestable plantain farm on that piece of land (Rattray 1929: 361). Given the common pattern of planting plantain seedlings alongside maize and cassava on a newly cleared plot, and given the fact that plantain trees are likely to bear for three years while the maize will be harvested within half-a-year and the last cassava will be uprooted after about eighteen months, the farmer would occupy this plot for about another year-and-a-half while on the whole it is already reverting to *mfofoa*.

It would seem, then, that once the plantain stops bearing, about three years after the initial clearing, the farmer could lose his claim and some other lineage member could effectively ask permission to cultivate the land. If this were indeed the case, the fallow (or land rotation) system which the Akan peasant farmers have long applied¹⁵ could never work, and they would be condemned to engage in shifting cultivation. The intention behind leaving a piece of land fallow is to re-cultivate it after a number of years. In other words, a farmer does not abandon any land that is under fallow; on the contrary, the idea is to hold on to it until such time that, needing it for cultivation, the decision is taken to clear it anew. Although in the area of research the average fallow is about 2-3 years, some farmers continue to occupy land after it has lain fallow for 5-10 years without anyone protesting. Moreover, many farmers have divided their land into four or more plots of which two are in different stages of cultivation while the others are under fallow for varying lengths of time. It is much more likely, therefore, that Ollennu is correct in stating as a rule that land is (only!)

deemed abandoned after non-occupation of at least ten years (Ollennu 1962: 31).

We would not assert that Akan land tenure arrangements completely resolve the contradiction between individual proprietary rights and communal interests in land. On the contrary, in the final instance this contradiction is not a matter of the logical consistency or inconsistency of the system of legal rules concerning land, but of an insoluble conflict between the individual's interests in land for cultivation and the political interests of the state in land as a means of control over the individual.

This should not be construed to mean that the Stool, like other state organizations, controls the land and, consequently, can control its subjects. In fact the tributary states suffer from an inherent weakness that has a two-fold origin:

- firstly, the Stool depends for an important part of its revenue on land that is used productively and thus on its subjects to hold it rightfully;
- secondly, any military campaign has to draw on the obligation of the Stool's subjects to perform their military service, which amounts to an interruption of agricultural production and therefore tends to eat into the future revenue of the Stool. In other words, we can not expect a state to gain power from its own weakness any more than we can expect anyone (except Baron von Münchhausen) to pull himself out of a swamp by his own hair.

Many of the Mfantse states to which we have referred earlier were indeed characterized by this constitutive weakness and faced difficulties in raising an army and sustaining it throughout an entire campaign. Their only hope of gaining internal control lay in territorial expansion through conquest; the tribute that could then be levied on the conquered peoples would provide the Stool with an independent source of revenue. War and conquest, moreover, would provide cheap, manageable labour through the enslavement of prisoners. It was in this way that Asante became much more powerful than any of the Mfantse states, to the extent that even the latter's confederated forces could not hold the Asante in check.

On second thought, conquest was not the only way with which to achieve internal control: there was another source of independent Stool revenue which was actively tapped by both the Asante and the Mfantse chiefs. We refer here to the long-distance (export) trade from which chiefs who controlled major commercial interests gained an income both for

themselves and for the Stool treasury (between which there was no real distinction). In the pre-colonial period trade constituted the main and growing connection between the capitalist world economy and the pre-capitalist formations in the periphery; the Mfantse states were thus externally sustained and kept from collapsing.

On the legal level, the individual ownership of land, as of other immovable and movable property, was limited to exceptional cases. This was ensured by the rule, central to the system, 'that upon the death intestate of a person his self-acquired property would become family property. *Thus individual property is, in the absence of testamentary gifts to individuals, for ever becoming family property*' (Bentsi-Enchill 1964: 81). Consequently, although individuals continue to attempt to increase the security with which they hold land while also trying to enlarge the extent of their rights, the ebusua has the capacity to resist such pressures so that it can continue to honour the claim of each of its members to a piece of cultivable land.

3. The Break-Up of Traditional Land Tenure Relations under Colonial Occupation

The above account of pre-colonial land tenure arrangements is necessarily a reconstruction which bears some ideal-typical features. As idealization seems inevitable, we have attempted to 'idealize' with the express purpose of throwing into relief how and why land tenure relations came to be affected by colonial domination.

Although it became visible in a flood of land sales and the growth of individual forms of ownership, the impact of colonization was not first and foremost a matter of transformation of the economic relations between Akan farmers due to commercialization; more than anything else, it was a matter of the political relationship between the Akan commoner and his paramount chief. It might seem that the establishment of colonial domination caused land to become a coveted good and thereby to acquire a value;¹⁶ in essence, however, the transformation consisted in the loss by the Akan states of their sovereignty and thus in the loss by the paramount chiefs of their military lordship as protectors of their lands.

Unfortunately, little is known about these developments in detail and therefore little that we can ascertain with precision. Several historical accounts are available of the growth of British jurisdiction (cf. Sarbah 1968:

Ch.III; Reindorf 1895; Kimble 1963), of which the contemporary one by Kimble does not leave much to be desired. But while giving full scope to their subject matter, i.e. the step-wise colonial occupation of the Gold Coast and the penetration of British jurisdiction and administration, very little attention is given to its negative side, i.e. the curtailment of chiefly power and jurisdiction, let alone to its repercussions for land tenure. Other than might be expected, we do not fare any better with Busia's work on *The Position of the Chief in the Modern Political System of Ashanti* (1951), notwithstanding the fact that he devotes two chapters to 'British Rule and the Chief'. In fact, Busia does not advance our insight much beyond what is so aptly summarized by Manoukian:

The existence of British administration implies the reduced status and prestige of the Chief; the people tend to regard the District Commissioner as the chief guardian of their interests. The Chief has become a subordinate authority; his powers are limited and defined by ordinance; both he and his subjects are under the control of the government which the people associate with limitless power and wealth, in contrast to the limited power and wealth and lowered prestige of the Chief (Manoukian 1964: 37).

Ollennu, in his study of what happened to the legal position of the chiefs under colonial rule and after, gives even less attention than Busia to political and social repercussions (Ollennu 1976). His emphasis is almost entirely on the formal-legal aspects and no serious consideration is given to the substantive changes which might either have been codified in, or introduced by, subsequent legislation.

Nevertheless, we can be certain that the land cultivated by the Mfantse peasant no longer required the protection of the chiefly military organization: the Mfantse states could no longer pose a military threat to one another and the threat of conquest by the Asante was also a thing of the past. Only the vestiges remained of the chiefly military organization: the Asafo companies with their command structure of Asafohene, Supi and Tufuhene. And the commoners were very much aware that real soldiering had come to an end, no matter whether they continued to play and enjoy the Asafo game. If we may believe Rattray: 'respect, discipline and obedience towards the chiefs diminished because those who were cultivating the land were now relieved of the major obligations to their chiefs, apart from an obligation of loyalty' (Rattray 1923: 240), which 'no

longer imposes any burden' (Woodman 1976: 163). Their rights have become wellnigh absolute as they are no longer contingent on the fulfilment of military (and other) services which, insofar as these persist, 'are largely nominal and not often exacted' (Ibidem: 163).

It should not be assumed, however, that the contemporaries, more specifically the British colonial civil servants, who were on the scene, were really aware of what was happening to chiefly rule, the trimmings of which continued to be exhibited so ostentatiously that it was difficult to doubt the institution's vitality. Nevertheless, it is difficult to understand how unaware they were. For example, when in 1930 the then Governor of the Gold Coast, Sir Ransford Slater, undertook to introduce a form of 'indirect rule' along Lugardian lines, he decided that the Native Authorities to be created should enjoy some measure of financial independence which he proposed to achieve by commuting local services and tributes into taxes. According to Robert Stone who has studied this episode closely, 'it was soon discovered that no such services or tributes in fact existed' (1971: 7-8). Stone illustrates how this bitter truth was brought home to the Colonial Administration by quoting the D.C. Cape Coast who reported in June 1931 that 'in their present stage of development the subjects either don't owe or in any case would refuse to give any services to the Head Chief's Stool. So far I have not found any Stool which can definitely point to any recognised service which each subject owes to it and which would be capable of commutation to a money payment however small'; to which the Acting Commissioner of the Central Province added: 'I am informed that this is the case everywhere' (Ibidem: 8).

If the discovery of the penurious state in which native authority had to sustain itself came as a shock to the Colonial Administration, this was not only due to a deliberate lack of understanding or to the very short memory which is manifest in such bureaucracies. In fact, in his remonstrances against the colonial government during 1865-66 John Aggery, the Mfantse King of Cape Coast, specifically complained 'that the Government received customs and other revenues, while none went to him' (Kimble 1963: 214). But then neither the Governor of the Gold Coast forts (at Cape Coast) nor the Governor-in-Chief of the West African Settlements (in Sierra Leone) had taken Aggery seriously on this or any other occasion. Again, it should have registered with the Colonial Government when in 1871, the Fanti Confederation, not able to count on contributions from the chiefs, had to raise its own revenue by levying dues on the trade passing through its territory. This measure had been painful enough to be remem-

bered in that it had nearly brought the Cape Coast interior trade to a standstill at great loss to the merchants, but was interpreted as having been motivated by pecuniary speculation on the part of unscrupulous individuals who were inciting the chiefs (Ibidem: 251-52). But even if any colonial bureaucrat had at the time drawn realistic inferences from these events, they would have long been forgotten by an administration in which the top-brass did not serve long periods and was frequently replaced.

Nevertheless, when we consider the various sources of revenue of which the chiefs could avail themselves in pre-colonial times, it becomes obvious that these either ceased to flow straight away or that they dried up over the years to become a mere trickle.

With regard to taxes in kind or in cash which subjects contributed as a proportion of their produce, these were discontinued as soon as the right to cultivable land was disconnected from the obligation to do military service. In many instances this was also the sign for ceasing to provide labour services to the chiefs. All that remained, at least for those who were granted the right to farm on Stool land, was the payment of *equadoto* (a tax for the one on the Stool), a token fee to be contributed on the occasion of the annual Stool festival.

Putting an end to so-called 'intertribal' wars also meant putting an end to their spoils, as well as to the occasions whereby the taking of prisoners-of-war could help to replenish a chief's stock of slaves. And although the chiefs for some time were still able to benefit from the slave trade, the Ordinance of December 1874 not only abolished slave dealing but also ordered the emancipation of existing slaves. To the extent that chiefs were dependent on slave labour for the production of food for themselves and their courts as well as for other types of productive work and services, this was a heavy blow.

The chiefs' income from trade had no better fate. Until the late 1870s and early 1880s the foreign trading companies had traded on the coast where they built their factories and warehouses, leaving the inland trade entirely to local intermediaries. After experiencing the effects of the 1874 crisis, however, they started to extend their links inland, bypassing the intermediaries in an effort to retain their profit margins on substantively lower prices for colonial export products.

For a while the Paramount Chiefs continued to earn a considerable income from fines and court fees, although after 1830 appeal cases from their courts were increasingly taken to Cape Coast to be heard by the Queen's judicial officers,¹⁷ whose authority was formally accepted by

certain Gold Coast chiefs under the so-called Bond of 1844. The process was completed in 1876 with the institution of District Commissioners' courts as well as of a Supreme Court with appellate jurisdiction, and the creation of the office of Chief Justice to review the sentences passed by District Commissioners (Ibidem: 303-5). The effect of these developments was an inherent weakening of the judicial powers of the Chiefs not only because, according to Mensah Sarbah, 'In the African mind, leadership carries with it the administration of justice', but equally because the increasing tendency to appeal to the British courts significantly reduced the Chiefs' revenue from fines and fees.

Apart from the limited revenue which the hearing of cases continued to bring in, 'the only [other] existing regular source of income was the revenue from Stool lands, but this was usually barely sufficient to maintain the upkeep of the Chiefs and the cost of the constant litigation arising out of these lands' (Stone 1971: 8). Although we are convinced that the general case is thus correctly stated, exceptions to it were of such importance that they deserve special attention. These exceptions, which allowed the custodians of the land — whether Paramount Chiefs, sub-Chiefs or family heads — to earn considerable incomes, presented themselves whenever a Stool or ebusua was in control of sizeable reserves of unoccupied land which, having represented no special value until colonial times, became subject to great demand in the latter part of the nineteenth century. Firstly, there was the demand for mining concessions which arose after foreign capitalists had reorganized the gold-mining industry (cf. Dickson 1971: 182). Secondly, there was a growing demand for timber concessions after British control did away with barriers to the use of rivers as a means of transporting logs to the coast (Ibidem: 176).¹⁸ Thirdly, in some areas such as Akim Abuakwa, extensive tracts of unoccupied land attracted the interest of capitalist cocoa farmers.

It is thus understandable that it was suddenly important to establish who, under Ghanaian land law, held the title to unoccupied lands and therefore could rightfully decide to alienate such lands to concessionaires or farmers. Those chiefs who had lost their revenues from lands which, formally under their custody, were now being occupied and cultivated and who now received little more than 'loyalty' (and at most an annual token-payment), turned their attention immediately to the so-called 'waste lands' which previously had meant little or nothing to them.

The wave of land deals in the 1870s and 1880s by which chiefs alienated unoccupied lands to foreign capital interests for mining or logging

purposes, and to subjects of other Paramount Stools for cocoa production, raised more problems and occasioned more conflicts than could immediately be solved. For one thing, boundaries between tracts of waste land belonging to different Stools were not always clearly determined, and the selling of such lands inevitably caused boundary disputes. As there were no registered titles, neither for the chiefs nor for the concessionaires, the same plot of land was sometimes granted to several buyers. Moreover, the seller was not necessarily a Paramount Chief but, as in the case of the Akim Abuakwa land sales (cf. Hill 1963: 139), might well be some sub-chief.

If anything reflects the loosening of the land tenure system since colonization, it is that the sub-chiefs did not obey the two fundamental rules which formed the backbone of Akan communal land tenure. Firstly, they did not consult the Paramount Chief on the alienation of land to non-Stool subjects; and secondly, they did not hand over the required 'one-third' of the receipts to the Omanhene who, in fact, received nothing at all (cf. *Ibidem*: 138-60). All this, together with the fact that chiefs might well squander the land (which, after all, also belonged to their subjects) or appropriate the entire income from land sales for private purposes, led the Colonial Government in 1894 to propose the Crown Lands Bill. This, it was assumed, would ensure the concessionaire of a firm title while it would also allow the Government to raise so much revenue from concessions and sales of land that it would be able to provide all areas with adequate transportation and communication. In view of the fact that the metropolitan government in London required colonial dependencies to shift for themselves financially, this was a highly important reason for bringing land transactions under government control.

We are not concerned here with the details of the proposed 1894 Crown Lands Bill nor with the subsequent proposed Lands Bill of 1897. While referring the reader to the relevant literature,¹⁹ we want to draw special attention to the opposition that arose against both proposals and which, under the direction of the Aborigines' Rights Protection Society (ARPS) founded at Cape Coast in 1897, swelled to an irresistible flood which ultimately made the Colonial Government desist from any substantive lands legislation.

Although the object of these Bills was commonly interpreted as being 'to take away from the people all their lands' (Kimble 1963: 335), and although Kimble saw no reason to suppose that the opposition movement, so successfully led by the ARPS, was not conducted 'on behalf of the general interest' (*Ibidem*: 343), we do not think this view correct. It was, of course,

the ideological purpose of the protest leaders to suggest that *all the people* of the Gold Coast were opposed to the Lands Bill as *one man* because the Governor, with a stroke of his pen, was depriving them of 'everything of theirs that is worth having and which descended to them from their remote ancestors' (Ibidem: 336). But neither the 1894 nor the 1897 draft Bill ever threatened to take away or even to affect the rights of user which were held by all those who, as peasant farmers, were cultivating communal lands. What was threatened was the right of chiefs to make grants of land to 'strangers' (especially Europeans) since under the proposed law all concessions of waste land, minerals and forests were to be made by, or at least with the necessary permission of, the Government. It is this threat which explains the frequent and emphatic use of the argument that in the Gold Coast, 'long before the advent of the European, every inch of land had been owned', no matter whether or not it was described as 'unoccupied' or 'waste', and also why Brew's assertion that the Gold Coast had 'not been acquired either by conquest, cession, or treaty' was to appear like a refrain in the protests for many years afterwards (Ibidem: 338).

It seems certain that the resistance was led by the urban merchants, brokers and speculators who earned part of their incomes from acting as intermediaries in the granting of concessions to foreign capitalist companies, and were moreover strongly supported by English commercial and mining interests. There is thus nothing strange in finding the chiefs to be the *Dritte im Bunde* and there is every reason to accept that the concerted action of these three interested groups, supported by the verbal power and eloquence of ideologists like Mensah-Sarbah, would be quite invincible. This did not make the resistance *popular* resistance, however, but rather stamped it as a struggle of capitalist interests against undue government interference.

[In this chapter we have tried to show the historical basis of contemporary Akan land tenure, both pre-colonial and colonial. It is now time to turn to modern times and analyse land tenure conditions as they directly affect production. In doing this, we shall narrow the focus to one area, Abura-Dunkwa, and derive judgements from a different methodology, direct fieldwork rather than the use of documentary materials.]

Notes

1. The first edition of Mensah Sarbah's *Fanti Customary Laws* was published in 1897 (second edition 1904), and was followed in 1906 by his *Fanti National Constitution*. Both books saw a photographic re-edition in Frank Cass' Africana Modern Library in 1968 with a new introduction by Hollis R. Lynch. See also Sarbah's *Fanti Law Report* (1904).
2. Making no effort to be complete or systematic we refer the reader to such publications as: Caseley Hayford (1903); The Belfield Report (1912); Meek (1946: 169-194); Allott (1954); Pogucki (1957; this is one out of the many publications on the subject by this author); Asante (1975).
3. In terms of the constitution, the Assembly of the Asante Nation, or *Asantemanhyiamu*, which was made up of the metropolitan and provincial chiefs, is to be seen as the sovereign body in Asante. See Wilks (1975: 76).
4. For an essential but concise overview of how the British gained ascendancy over Ashanti, see Adu Boahen (1975: Ch. 5 and Ch. 9).
5. For an explanation of the 'freehold in fee simple' and its applicability to Akan conditions we refer to Rattray (1929: 362-365).
6. In laying down this general principle of West African native law, the Privy Council endorsed the apodictic statement made by Chief Justice Rayner in a 1898 report on land tenure in South West Nigeria that: 'Land belongs to the community, the village, the family, *never* to the individual' (italics ours). See Asante (1975: 33, 45).
7. The word is spelt as *abusua* in most other texts on the Akan, *ebusua* being the Mfantse spelling (cf. Christensen 1954: Ch.III; Manoukian 1964: 24-25).
8. Ideally the Mfantse recognize seven clans which, according to my Abura-Dunkwa informants, are commonly known by the following names: 1. Atwea; 2. Anona; 3. Adwenadze; 4. Aboradze; 5. Twidan; 6. Kona; 7. Nsona. These are the same as given by Mensah-Sarbah (1897: 5). As we shall see in the next chapter, the town population actually divided into ten and not seven clans, the additional three having come into existence as a branch of one of the major clans. Clans No. 8: Odomna and No. 9: Dehyena are sub-divisions of the Kona-lineage, while No. 10: Amoana, split off from Anona and is also known as 'Anona Kusubentsir'.
9. We find this expressed in the well-known Akan maxim: 'The farm [produce] is mine, but the land is the Chief's.' See Rattray (1929: 342).
10. In view of the existence within the State of political sub-divisions over which so-called wing-chiefs have (delegated) jurisdiction, some of these obligations might well be discharged to a sub-Stool instead of directly to the Paramount Stool.

11. We find a detailed overview in Rattray (1923: 224-27) of the obligations that used to obtain in Asante. We do not have such an overview for any of the Mfantse states.
12. If the buyer of the land had been under a different Stool he would have had to exchange his allegiance to that Stool for a new allegiance to the Stool under which he was going to hold land.
13. In conversation with inhabitants of Ebubonku, a settlement of former slaves of the Komenda Stool, the author learned many of the fundamentals of Mfantse life and language. In 1968 and 1969, when the academic term required continued presence on campus, the relative remoteness of Ebubonku at about 15 kilometres from Cape Coast University allowed regular contact with rural conditions.
14. In this sense, the belief that the Earth (the soil) is embodied in a goddess known to the Mfantse as 'Asase Efua Aberewa', i.e. 'Efua (a female born on Friday), Old Mother Earth', has no effect on land tenure arrangements. The Mfantse farmer is expected not to work the land on Fridays; at the end of the 19th century the breaking of this taboo still carried the death sentence. The Asante, who know the earth goddess as 'Asase Yaa' (i.e. a female born on Thursday) accordingly observe this taboo on Thursdays. Because the taboo requires that the earth not be disturbed on her nameday, the digging of cassava is seen as forbidden but not the reaping of citrus fruit or of cocoa pods.
15. In view of the relative fixity of Akan settlements, land rotation and not shifting cultivation must have been the system in common usage even in pre-colonial days. It made little sense, therefore, when Governor Maxwell at the turn of the century, in seeking to promote individual landownership, exhorted the Ghanaians to abandon shifting cultivation because otherwise they might never acquire any rights to land. See on this Asante (1975: 9) who quite erroneously takes the view that shifting cultivation was the system predominantly employed by the Ghanaian peasants in those days.
16. To what extent this was a matter of appearances only can be seen from the fact that the sale of land, although not exactly a common occurrence, had been accepted practice long before the advent of colonialism. Moreover, it is incorrect to conclude that as long as it is not freely alienable and therefore not a commodity in the capitalist sense, land does not have a value. The old Akan saying: 'All power is in land' is a clear reference to the vital importance of land. See Rattray (1929: 343).
17. Until 1843 these were only some of the British traders on the coast who had been appointed Justices of the Peace. After that year the Governor (Maclean) was given the post of Judicial Assessor 'to sit with the Chiefs in important cases' (Kimble 1963: 194).
18. As Dickson explains, this meant a new start for timber logging which, in the eighteenth century, had thrived around Axim. These early exports of timber had practically ceased since about 1800 as by then the vicinity of Axim had been denuded and timber transport over longer distances proved too formidable a task (Dickson 1971: 135).
19. There is an excellent chapter on: 'The A.R.P.S. and the Lands, 1889- 1900' in Kimble (1963: Ch.IX).

V

THE ABURA-DUNKWA FAMILY LANDS AND THE PROBLEM OF THEIR CONTROL

1. The Family Lands and Their Owners

Within the boundaries of what one might call the Abura-Dunkwa 'territory' we have identified 31 family lands.¹ Their names, the *mbusua* holding them, as well as the areas they occupy are listed in Table 1, while their location and boundaries are shown in Map 1. The situation of the boundaries relative to such features of the physical environment as relief and drainage can be seen by superimposition of this map on Map 2.

As suggested by the term 'family land', each of these lands is owned (held) by a 'family' or *ebusua* which, as we have discussed in Chapter IV, Section 2, is a localized matrilineage (or sub-lineage), i.e. a kin group consisting of the living descendants of a common ancestress. As we have seen in Ch. IV, the clan or lineage organization of the Mfantse, as of the other Akan, is ideally structured by a division into seven main clans.

Although each of these main lineages is represented among the inhabitants of Abura-Dunkwa, the list does not exhaust the clans to which people consider themselves to belong. Three other clans, each of which has come into being as a branch of a major lineage, are also represented, i.e.:

8. Amoano (or: Eguana), also known as Anona Kusubentsir;
9. Dehyena also a branch of Anona;
10. Odomna, a branch of Kona.

The fact should be stressed that access to land (and to my knowledge this holds throughout the entire Akan area and is not only typical for Abura-Dunkwa) is not through membership of these generalized lineages. This assertion is made with some emphasis because all my findings contradict the idea that 'an Nsona from town A has [the] same rights as an Nsona from town B when he chose to live or farm in town B', and that consequently an Nsona from town A starting to farm on (Nsona) land at town B would only seek permission from the (Nsona) chief or elder at B 'as a matter of courtesy'.²

Having hardly any function beyond that of easy and rapid social identification ('He is Aboradze, but I am a Twidan just like you'), the single fact of belonging to a generalized lineage does not and cannot assist

Table 1:
The Abura-Dunkwa Family Lands

| Number | Name(s) | Ebusua | Asasewura and/or Ebusua Panyin* |
|---------------|-------------------------------------|---------------|--|
| 19 | Asukwa | Twidan | Kwesi Kobena Abban |
| 23 | Osopaah | Adwenadze | Efuaba Kofi Kwataah |
| 21 | Mankensu 1 | Nsona | Kweku Appiah |
| 18 | Obapa(ye) | Twidan | Kwame Paintsil |
| 17 | Danyamease | Twidan | Adjoa Fenyiwa Kofi Kwakwa |
| 14 | Otandurase | Nsona | Kwesi Tekyi |
| 13 | Foopa | Dehyena | Papa Jonah |
| 26 | Dawurampon 1 | Kona | Papa Agyekum & Kwesi Tanyi |
| 25 | Dawurampon 2 | Twidan | Kweku Amoah |
| 24 | Dawurampon 3 | Nsona | Kwesi Aidoo |
| 20 | Odompem | Adwenadze | Yaw Donkoh |
| 16 | Amoanda | Nsona | Kodjo Abodom |
| 22 | Mankensu 2 | Kona | Papa Agyekum & Kwesi Tanyi |
| 30 | Hasowodze (or: Brukudo) | Nsona | Yaw Gyan Kyer |
| 15 | Osekyerew | Amoana | Kwesi Afful Kofi Andze |
| 12 | Ampaah 1 | Adwenadze | Nkwa NyeNyame |
| 2 | Kurado 1 (or: Ofu, or: Ahwiawom) | Aboradze | Papa Owiredu Kobena Nyamekye |
| 5 | Ahwiawom 1 | Twidan | Adjoa Fenyiwa Kofi Kwakwa |
| 6 | Ahwiawom 2 | Nsona | Kofi Kumah |
| 7 | Kurado 2 | Kona | Kofi Aidoo Kwesi Aidoo |
| 8 | Kurado 3 | Nsona | Yaw Gyan Kyer |
| 10 | Kurado 5 | Adwenadze | Kweku Nsarkoh |
| 11 | Ayensuem (or: Kurado) | Dehyena | Kwesi Kwakwa |
| 9 | Kurado 4 | Amoana | Kwesi Afful Kofi Andze |
| 31 | Owarakesem | Atwea | Kwame Nyamekye Kobena Kumah |
| 4 | Sampon (or: Krobo) | Aboradze | Esi Prempeh Kobena Attah |
| 3 | Edumenu | Adwenadze | Yaw Tawiah Kwesi Yaah |
| 1 | Amanpado | Nsona | Kwesi Tekyi |
| 27 | Amia | Nsona | Kweku Tawiah Yaw Otu |
| 28 | Tease | Nsona | Yaw Gyan Kyer |
| 29 | Owuratse | Nsona | Kwame Braku |

* In the majority of cases the *Ebusua Panyin* (= the family head or elder) is also the caretaker (custodian) of the land or *Asasewura*. Whenever the ebusua appointed a separate land custodian, his/her name is mentioned first, the EP's name second.

anyone to acquire a right to farmland. Given that land is in great demand and highly valued, such a vague and general principle could never regulate its distribution. As things are, land is invariably held by localized (sub-) lineages; that is to say that it will not be sufficient to belong to *the* Nsona or the Kona ebusua, but that you will only have a substantive claim to (unoccupied) family land if you happen to belong to a landholding Nsona or Kona ebusua. What this really means can be seen from the unmistakable fact that of all localized ebusua resident at Abura-Dunkwa, only a minority hold family land (Table 2).

As can be seen from Table 2 there are only a few clans (generalized lineages), most localized lineages ('families') of which have at least some family land at Abura-Dunkwa, i.e. Twidan (5 out of 6), Adwenadze (6 out of 8) and Nsona (7 out of 14). Within the other clans only one or a few 'families' own land. Of the Anona clan, which is represented with eight separate ebusua totalling as many as 187 adult members (i.e. 23 on average), none owns any family land. On the whole only 28 out of a total of 73 mbusua or 38% hold land at Dunkwa. For those who belong to non-landholding families it is of little avail that there are one or more landholding families within the same clan also resident at Dunkwa. For example, none of the seven landholding Nsona mbusua will grant farming rights on their land to members of the seven non-landholding Nsona mbusua merely because they are also Nsona. On the contrary, if they are not related in some way (through the father, by marriage), they can lay no claim to any of these lands. The question as to how those belonging to non-landholding families acquire access to farming land will be considered in the following chapter.

Table 2:
Localized Lineages per Generalized Lineage (Clan) Holding or Not Holding Family Land at Abura-Dunkwa

| Generalized Clans | Holding Family Land | Localized Lineages Not Holding Family Land | Total Localized Lineages |
|--------------------------|----------------------------|---|---------------------------------|
| 1. Twidan | 5 | 1 | 6 |
| 2. Adwenadze | 6 | 2 | 8 |
| 3. Kona | 3 | 12 | 15 |
| 4. Nsona | 7 | 7 | 14 |
| 5. Aboradze | 2 | 6 | 8 |
| 6. Atwea | 1 | - | 1 |
| 7. Amoana | 1 | 5 | 6 |
| 8. Dehyena | 2 | 1 | 3 |
| 9. Odomna | 1 | 3 | 4 |
| 10. Anona | - | 8 | 8 |
| Total | 28 (38%) | 45 (62%) | 73 (100%) |

[For a complete overview of Abura-Dunkwa lineages, their membership and their lands, and places of origin, see Appendix B.]

2. The Dunkwa Lands as a Unity

As we have seen, the 31 family lands are somehow seen to make up the Abura- Dunkwa 'territory', an expression which should not be taken as meaning that at any time these lands have formed a political unity fitted with some degree of independence or autonomy. If anything it indicates the identification of these lands, but of no others,³ as 'Abura-Dunkwa lands', which entails a historical connection resulting from prolonged residence, between the mbusua who own the lands and the township of Abura-Dunkwa.

This connection is expressed most clearly in the functions of the *Mpayinfo* and/or *Asasewuranom* of the land-owning mbusua as so-called *Mboboanofo* (singular: *Aboboanonyi* = doorkeeper) within the native administration of Abura State. As 'elders of the town' they decide in unison with the *Odikro* (from 'odi' = he governs, and 'kurow' = village, town) or headman what the needs of the town are and how these could be met. They also form a kind of centrifugal structure in that they pass onto their family members the wishes and directives of the *Odikro* which he has communicated to them in council. Those heads of family who, by virtue of some special office which they fulfil, such as that of *Kyeame* (linguist) or *Tufuhene* (the chief over all the Asafo companies), already have a connection with the Paramount Stool of their own, are not among the *Mboboanofo*. This also applies to the heads of those families that do not hold the land which they cultivate as family land, but hold farming rights granted to them directly by the Paramount Stool, which is to say that they are in fact farming on Stool land. Consequently, the Dunkwa council of *Mboboanofo* consists at most of 22 *Mpanyinfo* and/or *Asasewuranom*; of some of these, however, we have not been able to establish with certainty that they are regularly invited to participate.

The 'belonging together' of the township of Dunkwa and its lands does not imply that the inhabitants of Abura-Dunkwa farm on these lands and on no others. With so many of the lineages resident at Dunkwa holding no family land there (62%), many of their members cultivate on such Stool lands as Owarakesem, Sikabiw and Esamang, as well as on the lands of certain sub-chiefs, such as those of Edumfa, Odonase and Obohen.

Equally, the land held (or claimed) by Abura-Dunkwa residents is not limited to its territory. Apart from the members of all non-landholding lineages who, by being immigrants, are likely to have farming rights at their place of origin, at least a few *mbusua* who own land at Abura-Dunkwa and permanently reside there originated from other localities and can still claim rights to their original family lands.⁴

All the same, the idea that Abura-Dunkwa lands make up a separate territory is supported by the undeniable fact that the surrounding lands, if they do not come under the competency of another Stool, either belong (more) directly under the Abakrampa Stool and thus are *ahendaadze* or Stool land, or belong under (other) sub-chiefs of the Abura Stool. Details of these bordering lands are summarized in Table 3.

Table 3:
*The Lands Bordering Abura-Dunkwa Territory and
the Jurisdiction to which they belong*⁵

| Quarter | No. | Name of Land | Asasewura | Jurisdiction |
|---------|-----|--------------|-----------------------------------|---------------------|
| West | 1 | Sikabiw | Kwesi Nsaidoo of Abaka and Yaw | } Stool Land |
| | 2 | Esamang | Siibo of Bando | |
| | 3 | Nsendze | Adontsenhene of Obohen | Sub-Chief |
| North | 4 | Bosomadwe | Kobena Nyamekye | Stool Land |
| | 5 | Tetsi | Asin land | Under another Stool |
| East | 6 | Odonase | Ayeldo land | Under another Stool |
| | | | Tufuhene of Old Odonase | Sub-Chief |
| South | 7 | Edumfa | Mankrado of Edumfa | Sub-Chief |

However, at least one land *within* the territory belongs under a sub-chief of the Abura Stool. We refer here to *Amanpado* (1), situated at the North-West corner of the territory, which belongs to the Nsona family of Nana Kwesi Tekyi who, as Odikro of New-Odonase (1 1/4 km. East of Dunkwa) bears the Stool name of Banafo VII. Although Nana Tekyi also owns land at Gyakai, Odonase, Aboase, Ayeldo and Abakrampa, he is resident at Dunkwa where, as one of the Mbooboanofo, he is a town elder.

In addition, three of the Abura-Dunkwa lands are claimed by the Abakrampa Stool as *ahendaadze* and certainly have more in common with veritable Stool land than any of the others. People farming on these particular lands have an obligation to contribute *equadoto* to the annual Stool festival, amounting to C1-C4 per head. These lands are:

1. *Owarakesem* (31). The right to cultivate the land has been granted to the family of the man who holds the office of Tufuhene. At present this is the Atwea ebusua of Kwame Nyamekye. Why this land is more directly under the Paramount Stool is not difficult to explain: originally it was not an Abura-Dunkwa land but, situated towards Abakrampa, was a Stool land which was then assigned to the Tufuhene of the Dunkwa asafo on account of his office under the Stool. It thus came to be connected to Dunkwa land.
2. *Ampaah* (12) as far as the part cultivated by the Adwenadze family of Kwamena Annan is concerned.
3. *Foopa* (13) is farmed by the Dehyena ebusua of Kodjo Damtse, the right to farm there having been granted to them in support of Ahin Mensah, one of their members, in connection with his function as an Asafo Supi. In this case we can explain how this part of the territory came to be more closely connected to the Stool. Not so very long ago, one Kodjo Enuonu from Egya (near Anomabu) came to claim the land as his inheritance, by way of proof showing a deed dating from 1807 by which Nana Quansah's ancestor had sold this portion of Asukwa land to Kodjo's ancestor. The Omanhene decided that he could not recognize the sale as valid as there was no proof that his predecessor had been asked for his consent and given his approval. Since then the case is under litigation but this has not prevented the Omanhene from claiming it as Stool land and granting it to Ahin Mensah's ebusua, while appointing his nephew Kweku Appiah as caretaker.

It should be noted that we discuss the issue of 'Stool land' only in relative and never in absolute terms. This is to say, we refer to a land as being *more* or *less* of Stool land rather than attributively saying: 'this land is Stool land while the other is definitely not'. The preference for the first form of stating the issue arises from a simple fact, i.e that *all Abura* and therefore also *all Dunkwa* land is Stool land in the sense that the sub-chiefs and family heads who have custody over these lands, owe allegiance to the Abakrampa Stool. This obligation is not merely nominal, as may be seen from the fact that, in 1974, the present Omanhene, Nana Otu X, invited the Abura-Dunkwa asasewuranom to Abakrampa and made them swear that they would never sell any land without the Stool's consent. At the same time he

reiterated that, consequent on their allegiance to his Stool as custodians of the land, they were obliged to contribute to the annual Stool festival.

This, it appears, raises a decisive issue, i.e. to what extent can the Paramount Chief at Abakrampa assert his authority over the lands held by heads of families and by sub-chiefs so that at least some of the income arising from cultivating, renting, leasing or selling those lands will accrue to the Stool. This brings us back to the conclusion of Chapter IV, namely, that the break-up of the native state organizations resulted in a diminution of the authority of the Paramount Chief while strengthening the hands of the sub-chiefs and of the family heads; in land matters, local interests, if not family and private interests, came to prevail over those of central authority. This conflict between central and local authority also flared up between the Abakrampa Stool and the Dunkwa chiefs and elders. Its history is reconstructed below in order to illustrate the general process.

3. The Abura-Dunkwa Stool Conflict and its History

Anyone visiting Abura-Dunkwa will soon discover that the inhabitants and more especially the *ebusua mpanyinfo* (plural of panyin) and *asasewurantom* (plural of asasewura) are divided in their opinions as to who, in 1974, should have been enstooled as the Odikro of Dunkwa: the present incumbent Nana Budukuma III, also known as Nana Mensah; or the Asasewura of the Asukwa Twidan, R.K. Quansah, also known as Nana Osam Kwesi V. Having been acquainted with the present Odikro since 1968 when, as Kofi Mensah (Aidoo), he was the secretary of the Lime Growers Union, we were well aware that he was a nephew of the late Odikro, Nana Budukuma II, and thus undoubtedly eligible to succeed him. Then in August 1974, when for the first time we met Nana Quansah, alias Asam Kwesi V, we found that the Stool of the Gyase Nifahene (see Appendix A on Akan Political Structure), now occupied by Nana Mensah, really belongs to the Asukwa Twidan family. Mr Quansah should thus have been the Odikro, or rather the Ohene of Abura-Dunkwa, and recognized as senior custodian of all Abura-Dunkwa lands.

Given the intensity with which the two men and the parties behind them opposed each other, the outbreak of open strife in 1975, leading to an Oath case before the Judicial Committee of Abura Traditional Council,⁶ did not come as a surprise. The case arose over the performance, on Easter Saturday, of certain rituals required of every newly enstooled

Odikro at the Ntonton well near Dunkwa. Hearing of Nana Mensah's intention, on the instigation of the Omanhene, to perform these rituals, his adversary warned him to stay away from the Ntonton well because he, the rightful Asasewura of the Asukwa land on which the well had been dug in Yamfo Painsir's time, had not been asked for permission. Finding that Nana Mensah was determined to persevere, the Ebusua Panyin of Nana Quansah's Twidan family, Kobena Abban, restrained him by the Great Oath of Aburaman Wukuda. As Nana Mensah nevertheless went to perform the rituals at the prescribed time and place, Kobena Abban reported the breaking of the Oath to the *Omankyeame* (the State linguist) for the necessary procedure, which in fact meant that he summoned Nana Mensah before the Judicial Committee. The verdict went against the defendant, who was ordered to pay four *Mpereguan* (plural of *pereguan* — Asante *peredwan* — an Akan weight of gold dust equal to 4 1/2 ounces or £8.2.4) or £32/8 (£= 64.80) and eight bottles of schnapps as well as the costs incurred by the complainant.

Although the Asukwa Twidan ebusua and its elders could be satisfied with the verdict, the issue at stake had not been settled. The question remained undecided of whether all Abura lands fell under the Omanhene so that he could rightfully direct one of his sub-chiefs to perform rituals at the Ntonton well near Dunkwa, or whether Dunkwa land, by being part of Asukwa, fell under Nana Quansah's stool so that to go to the Ntonton well without his permission was to trespass on his land. It is hardly surprising that in 1976, Kobena Abban, the Ebusua Panyin of the Asukwa Twidan, brought a land suit in the Central Region High Court at Cape Coast against Nana Budukuma, but now also against Nana Otu X, the Omanhene of Abakrampa. The case was occasioned deliberately by Nana Otu's decision to invite Nana Quansah to Abakrampa in order to render accounts to him over the Asukwa land, for which, Nana Otu emphasized, Nana Quansah acted as his caretaker. This was naturally unacceptable to Nana Quansah who stressed that in the more than 500 years during which his lineage had held the land, no Asasewura had ever rendered accounts to the Paramount Stool. In reply Nana Otu suspended him from his caretakership and appointed Nana Budukuma in his place.

The way in which the conflict was brought to a head should be seen in connection with Nana Otu's earlier effort (which he had related to us in September 1974) to assert his authority over the Dunkwa land chiefs. He had then told us that he had recently summoned the custodians of Abura-Dunkwa lands to come and discuss the land problem with him, while also

admitting that Nana Quansah was the only one who had stayed away and had so far refused to pay the yearly equadoto. 'For this', Nana Otu had significantly added, 'he will have to answer'.

What we have here is clearly a conflict between a sub-chief and custodian of a family land on the one hand and the Paramount Chief on the other, about control over the land. More especially, it is about the issue of who has the competence to grant land for lease or for tenancy and, consequently, who will receive the tributes and decide on how they should be utilized and who will be entitled to a part. The fact should not be overlooked that Abura-Dunkwa is about the only 'urban' centre in Abura State, the population of which is continuously and disproportionately growing, and that the agglomerating forces mostly impinge on Nana Quansah's land: only a small extension of the built-up area to the North (comprising the clinic and the Cocoa Marketing Board offices) is situated not on Asukwa land but on Odompem (see Map 1). As a result of the constant demand for building plots, the market value of Asukwa land is higher than that of the outwardly-lying lands, so that whoever disposes of the land is likely to receive considerable rents which are constantly on the increase.

The extent to which the conflict centred around interests in land as well as around the income that accrues from it, can be gauged from the fact that in 1966 the then Mr Kofi Mensah, now Nana Budukuma, had notified Nana Quansah that he could not accept an increase in the annual rent for his farm on Asukwa to be raised from ₦6.00 to ₦12.00. This was followed by a letter stating that the Omanhene had now given him the land and that he, Mr Mensah would therefore never pay rent again.

A conflict whose causes must necessarily have been at work during a much longer time, is likely to have been dormant until the 1960s. Indeed, it had erupted much earlier, namely as early as 1919. Given the fact that the arguments used by plaintiffs and defendants both then and later remained very much the same and that they went back to events that had occurred in the 19th century, the origins, however obscure, must be sought even earlier.⁷

The 1919 case came into the open when, on 17th March of that year, Kobena Asempah, grand-uncle to Nana Quansah, and A.C. Brew, brother to James Hutton Brew, both members of the Asukwa Twidan

family,⁸ published a Public Notice in the *Gold Coast Nation* stating that they were the owners of the Asukwa land at Dunkwa which was not the Nsona Stool property of Abura; as the land in truth belongs to the Asukwa Twidan family, anybody negotiating about it or portions of it, with the Omanhene Otu Ababio II, does so at their own risk. In reply, the Omanhene, on 5th and 26th April 1919 in the *Gold Coast Nation* and on 14th and 26th April in the *Gold Coast Leader*, had a Public Notice printed in which he stated that there is no Asukwa Twidan land at Abura-Dunkwa. That further,

The Asukwa of Abura-Dunkwa is composed of five tribes, namely Twidan, Aboradze, Kona, Adwenadze and Odomna and the land in connection there with is occupied by them as descendants of the domestics of the Stool of Osam Kwesi who was himself a domestic of the house of Abirankur.⁹ The said Kobena Asempah and A.C. Brew are the descendants of the Twidan domestics of the said late Osam Kwesi whose stool and properties including the said Asukwa land belong to and from part of the Abirkankur stool of Abura.

The anxiety thus exhibited by the Omanhene regarding the issue of his control over the Dunkwa land has to be seen against a background of breakaway tendencies then being shown in the Native States. These tendencies arose from the reduction of the power and prestige of the Paramountcies whereby sub-chiefs and influential heads of family asserted their independence against the central authority in the Native Administration. They were reinforced by the interference of the Colonial Government in the selection and enstoolment of Paramount Chiefs, which in due course provoked popular attempts to get rid of them and subsequently led to a wave of destoolments.¹⁰ Nana Otu Ababio II, alias Samuel Gardiner, a palm kernel merchant (from Arkrah), had earlier been enstooled from 1900 to 1904 as Otu V. After suffering destoolment he was re-enstooled in 1909 (but not recognized until 1915), only to find the North-Eastern area of Abura State breaking away from his Stool. In 1917 this led to the official recognition of two new Paramount Stools, i.e. those of Ayeldo and of Abeadzi-Dominase (see File Adm. 23-1-262).

The Omanhene's assertion that the present occupants of the Abura lands were all descendants of the domestics of Osam Kwesi, while he himself was a domestic to the Stool of Abakrampa, an assertion which his contemporary successor repeated in the 1975 Oath case, aroused more

emotions than anything else because, for those reading his Notice, he was plainly saying that they were all of slave descent. And although the Akan people even today are quite aware of who amongst them is of such descent, to call such a person a slave is considered a serious offence. Consequently, as in the 1975 Oath case, attention was diverted from the underlying cause or causes of the conflict to a more formal issue; in this instance, whether or not the Asukwa Twidan were descendants of 'domestics' and, even if they were, that this should not have been stated publicly.

After considering the arguments presented by both sides, many of which are rather obscure and difficult to assess as to their bearing on the case, we cannot get any clear picture of what happened to the Abakrampa-Abura relations in the past. The Omanhene construed his claim to Abura-Dunkwa land by turning Yamfo Paintsir, the founder of the town, into a son of his predecessor. Yamfo, having no offspring and foreseeing his violent death in 1820, left the surrounding lands to his father.¹¹ Such juggling with historical facts was resorted to frequently by both parties and was only thinly veiled. However, when Nana Quansah claimed that one of his forebears had been occupant of the Abakrampa Stool, it seems likely that he was correct. For it is only since Kwesi Otu I, Aburahene in the 1830s and 1840s that the Paramount Stool has been occupied by the Nsona Royal Family of Abakrampa. Before that the *Amanhene* (pl. of Omanhene) were selected according to their capacities as war leaders (*Osahene*) and accordingly hailed from differing localities and differing lineages. Although it seems fairly certain that one among them belonged to the Asukwa Twidan family from Dunkwa, a considerable difficulty remains in that Nana Quansah's version makes mention of Osam Kwesi I, who would have been the 5th King of Abura and who, in 1664, led the people of Abura in the Simbiw war.¹² Against this, historical documents point to the successful reign of Osam Kofi as Aburahene in the first decades of the 19th century, by which he is Yamfo Paintsir's contemporary (cf. Wilks 1975: 168-69).

More importantly, perhaps, in Nana Quansah's argumentation, is that the Stool of Nifa Gyasehene belongs to his family by right and that one of the main reasons why it is not presently occupied by a member of the Asukwa Twidan is that this 'bloodstool' is kept by the Omanhene in the Stool chamber at Abakrampa. When, in the 1840s under Kwesi Idun I a war with the Assin Atandaso Chief Kodjo Tsibu Kuma ('junior') threatened (Ibidem: 213- 14), the Omanhene took this bloodstool to Abakrampa for safekeeping, where it has since remained. All efforts of the Asukwa Twidan

to have the Stool released to them have failed to produce results. We find this argument of some significance because this is one of the few points on which both parties agreed. The Omanhene acknowledged that the Asukwa Twidan Stool is kept at Abakrampa and emphasized that he annually performed the rituals for the Dunkwa Stool in addition to those for his own Stool.

There is thus a substantive argument for the Chief of Dunkwa not to be an Odikro who, not being a member of the State Council, has the task to hear the Omanhene's decisions and to carry them out, but rather to be a wing chief, an Ohene who sits on the Council and can make himself heard. At the same time the argument is that a member of the Asukwa Twidan ebusua should occupy this Stool, a right that is now denied to them and will continue to be denied for as long as their Stool remains at Abakrampa. In this respect it is relevant to quote Sanders (1978: 37) who, on the basis of the inquiry into the 1861 disturbances, concluded: 'Dunkwa had, it appears, begun to think of itself as a paramountcy'. If we realize that the 1861 inquiry also dealt with break-away tendencies at Dominasi and Kwaman, and that these did indeed become independent Paramountcies in 1917, it is not difficult to see why the successive Amanhene have so virulently opposed and suppressed attempts in that direction by the Dunkwa ebusua and their elders.

If we call the argument on whether the position of the Dunkwa chief should be a subordinate (as it is now) or a more consequential one, a substantive one, it is because this is about the only substantive point which has kept the parties so strongly divided for more than a hundred years. Most if not all the other questions at issue are mystifications, elements of ideology which serve to conceal the real interest at stake, namely: the control over land and the income from it. Why, after all, did Chief Asempah and A.C. Brew defy the Omanhene by means of a Public Notice in the *Gold Coast Nation*? It was because in February 1919 the Omanhene had come to Dunkwa and had waited there three weeks for Brew to turn up so that he could ask him and Asempah why they had engaged a surveyor to survey Dunkwa town and surrounding lands. As Brew did not want to give him any reason, the Omanhene had the gong-gong beaten to announce that all inhabitants of Abura-Dunkwa were free to cultivate, build, and bury their dead on Asukwa land without let or hindrance (as usual), but that none of them could dispose of it as their absolute property, the absolute title being vested in the Abakrampa Stool.

This does not imply that the Supreme Court's Divisional Court at

Cape Coast where the case was down for hearing, in any respect entered into the substantive argument or made any effort to look into the underlying causes. Instead, the judges attempted to bring about an amicable settlement by referring the case for arbitration to a committee chaired by Chief Biney of Cape Coast.¹³ But the Cape Coast chiefs could not bring the parties together and in the end the Court had to resume hearing the case. When at last, in October 1924, the judges arrived at a ruling, the Court ordered Asempah and Brew to withdraw their Public Notice publicly, while the defendant, Nana Otu Ababio II, had to apologize by means of a Public Notice to be published twice, 'for the suggestion that the plaintiff's ancestor Osam Kwesi and others were domestics of the Abirankur Stool of Abura'.

It is against the background of the Stool conflict and its history that we should see the concept of Stool land in its present use as a *relative* rather than *absolute* category. Accepting that in a general sense all Abura lands are somehow under the Stool of Abakrampa, there seem to be at least four categories of such lands:

1. The Asukwa land whose renting and leasing continues under the authority of Nana Quansah, the Asasewura of the Asukwa Twidan ebusua, without intervention by the Omanhene.¹⁴
2. The other Dunkwa lands as well as all those lands under sub-chiefs, whose owners recognize the authority of the Omanhene and have agreed to seek his consent for (and accordingly let him share in the proceeds of) any important land transactions. These chiefs and elders contribute equadoto to the annual festival of the Abakrampa Stool.
3. Those lands within the Abura-Dunkwa territory: Owarakesem, (part of) Ampaah and Foopa, the cultivation of which is granted more directly by the Omanhene. For these lands he appoints his own caretakers whose task it is to ensure that all those farming there pay the yearly equadoto.
4. The real Stool lands outside the Dunkwa territory, such as Esamang, Sikabiw ahd Nsendze.¹⁵

The fact that the Paramount Stool has not been able to find any ways to put an end to present-day practice with regard to Asukwa land, and that Otu X and his predecessors have been able to assert their authority over the

Asukwa Twidan and over other landholding families at Dunkwa, puts the Abura-Dunkwa Stool lands in the centre of attention. This is what we experienced when, in the autumn of 1978, we started to have the Dunkwa family lands surveyed with a view to producing a triangulated map of the territory. We found that the Omanhene desired to supervise our investigation, or that he at any rate wanted to set himself up as the authority who would check our findings and approve them.

Acting through Nana Mensah, we were at first (3.11.1978) told to bring him the record of history that had been 'dictated' to us by Nana Quansah. We went to see Nana Mensah, explained our way of working to him, emphasized that we had introduced our research work to Nana Otu in an appropriate way, and found ourselves able to allay his fears.

Then, a few weeks later (21.11.1978) we were addressed as 'Planning Officer Abura Dunkwa lands' and notified that our 'head office' at Cape Coast had never officially informed Nana Otu of our assignment 'to work at Abura Dunkwa and plan lands'. It was on this occasion that we were asked to send the information on the lands which we had collected so far to the Omanhene through the Odikro, so that he could 'check and verify any such fabricated legends [also referred to as 'fable-tales'] which might have been dictated to you by what Nana Mensah calls the self-made landowners.' To this he adds: 'as I have previously warned you *the Abura Dunkwa lands Owakesem, Ampaah and Foopa are owned by the Stool of the Omanhene of Abura and being looked after by overseers and caretakers.*' As this sounded much more serious, the next day we had a long discussion with Nana Mensah during which we questioned him closely on the status of the Stool land concerned. We attempted on the one hand to convince him that we were recording *all* evidence, and on the other to tell him as adamantly as possible that, although no statement was ever accepted uncritically, in our line of work we would never leave the sifting and screening to an outsider.

The problem seemed to be shelved for a time until, on 11 December 1978 at sunrise, Nana Mensah wrote a third letter to the field supervisor, instructing him to suspend the fieldwork as well as the cutting of footpaths along the boundaries of the lands until we had met the State Council at Abakrampa for a discussion of the issues that had arisen. In the letter, which I only received later in the day, he reiterated what he had written earlier on the subject of the Stool lands, this time adding: 'Kwame Nyamekye [the Tufuhene of Atwea ebusua] has no family land at Owakesem, therefore any part or portion of the said land having been surveyed and planned

for him must be cancelled: It must be understood that land known as Oworakesem is a stool property of Nana Omanhene.'

In attempting to stop the research work, however, the Odikro had not counted on the men who were then waiting to start the day's work and who were annoyed that they were hindered in going ahead. These men and their friends and neighbours who joined them on the way, converged upon the *ahenfie* (the chief's hall) where, in due course, a number of *mpanyinfo* and *asasewuramon* also assembled. Nana Mensah was severely criticized by all these people for what was called his mistaken intervention, tempers rose and a scuffle ensued in which, some say, Nana was threatened with a beating.

The quarrel became so fierce that some suggested they should see the Omanhene for arbitration; hence, later that morning, they all repaired to Abakrampa. From the reports we received it appears that, in a meeting chaired by the Omanhene, the Dunkwa elders took Nana Mensah to task. It was stated authoritatively that he, the Odikro, had been constantly kept informed about the ongoing research work (which he did not deny) and that he had so far cordially cooperated (which he did not deny either). In brief, the Dunkwa elders came out as defenders of the surveying of their lands which, they said, they liked because it was undertaken by a disinterested outsider. As they correctly pointed out, Nana Mensah had not objected to having his own land surveyed.

In brief, the Odikro was faced with weighing his allegiance to the Abakrampa Stool against the danger of too much unpopularity at home. What was said from his side or on his behalf we do not know. However, we were told that the letter of 11 December should be considered not to have been written so that the issue was closed. From then on the surveying could proceed unhindered.

4. The Original Unity of the Dunkwa lands and the Process of their Sub-Division

From the little we know about the history of how the present settlers came to occupy the Dunkwa lands, there can be little doubt that the past saw a much greater unity of ownership. It is not possible to say with any precision when the Mfantse arrived in the area to capture the land from its original inhabitants, the Etsifo (or Etsii) and Asebufo (or Asebu's), but it cannot have been as long ago as Nana Quansah suggests. If what he claims is

correct, his ancestors built a hamlet on Asukwa land and started to clear it more than 500 years ago. It seems more likely, however, that at that time, i.e. the end of the 14th century, the Mborbor-Mfantse to which the Abura's (or Aburafo), the founders of Abura State belonged, came down from the savannah in Northern Ghana (where they are alleged to have dwelled in the area of Tekyiman), first to defeat the Akraman and then to settle at Mankesim. There they organized themselves into five *abron* or wards, each *bron* forming its own military or asafo company. In due course, having grown too numerous, four of the five wards moved away from Mankesim in search of a new habitat. Of these the Anafo bron moved to the North-West and, after splitting into two, one (the Nomabufo) settled on the coast and formed Anomabu State; the other (the Aburafo) settled inland, first near Gyabankrom and later at Asimadzi near Abakrampa, to form the Abura Oman.¹⁶

On their arrival they found two peoples in their way: the Asebufo who had arrived a century earlier (it is said that they came over the sea from Benin) and the original inhabitants, the Etsifo. Under their Osahene Apredontwi,¹⁷ the Aburafo first routed and suppressed the Asebufo, then subjected the Etsii. Only then, in about the second half of the 16th century, did they really take possession of the land: a definite area of the conquered territory being assigned to every clan where it could establish itself under its own warleader. The surviving Etsifo were allowed to settle down among them.¹⁸

We must assume that it was at that time that Asukwa Kwegyir and Kwegyiriwa, Nana Quansah's ancestors, came to settle on Asukwa land, which was at least twice as large as it is at present.

If what several *asasewaranom* have told us is historically correct, the original Asukwa must again have been much larger as it also comprised the lands which are now known as Odompem (to the North), Dawurampon (to the South), Amoanda (to the West) and Ampaah (to the North West). The Twidan lineage which inhabited this Great-Asukwa needed other lineages to supply suitable marriage partners, and it was of course more effective to have these settle in the vicinity; parts of Great-Asukwa were therefore allocated to the lineages that intermarried with the Asukwa Twidan and, in time, also with each other. Alternatively, these areas have never really been part of Asukwa but formed a large reserve of virgin forest from which the lineages, intermarrying with the Asukwa Twidan, could easily parcel out their own family lands. These *mbusua* and the lands where they settled were the following:

- Adwenadze: present-day descendants are Yaw Donkoh's ebusua on Odompem, and Nkwa Nye Nyame's ebusua on Ampaah;
- Kona: present-day descendants are Kwesi Tanyi's ebusua on Dawurampon;
- Nsona: present-day descendants are Kodjo Abodom's ebusua on Amoanda.¹⁹

These five original Dunkwa ebusua, known as the *Nnamfodo Mba*, 'the Children of the Masters', lived in hamlets or villages on their respective lands where they also buried their own dead. When later, in Yamfo Paintsir's time (ca. 1790-1820) they were forced to leave their villages of origin and to live together at Dunkwa, the cemeteries remained. They are the distinguishing mark of Nnamfodo lands: a patch of untouched forest, known as epow,²⁰ in the middle of the land where the Christianized family members no longer chose to be buried. Although there is an epow on Ofu land (Ahwiawom), the Aboratze ebusua of Nana Owiredu does not count itself among the Nnamfodo, the obvious reason for this being that they hold the land by virtue of the Stool of Kyeame (Linguist) which is heritable in the family.

Be that as it may, we have every reason to assume that in the 17th century the territory of what would once become Dunkwa was made up of six major lands: i.e. 1. Asukwa (Twidan); 2. Odompem (Adwenadze); 3. Dawurampon (Kona); 4. Amoanda (Nsona); 5. Ampaah (Adwenadze) and 6. Ahwiawom/Ofu (Aboradze). Each of these lands was then much larger than it is today; in the intervening period they have in one way or another been subjected to a process of sub-division and separation.

The history of this process, by which some lands have been more affected than others, cannot be completely reconstructed. On the contrary, much escapes us and many details can only be guessed at. It might well be, for example, that Tease and Amia were once parts of Odompem and that we just missed the opportunity to interview elders who might have remembered the events that had made them into separate lands. In the same way, Kweku Nsarkoh's Kurado land might not, as we now suggest, have been split off from Ahwiawom/Ofu but from Odompem. Even so, we know quite definitely that some of the present-day lands have at one time been part of one of the six original Dunkwa lands while we also have more or less precise indications of how they become separated.

Table 4:
How the Separated Lands Were Acquired

| How acquired: | Abs. | % |
|--------------------------|------|------|
| Gift | 6 | 29 |
| — to servant | 1 | |
| — to wife, intermarriage | 3 | |
| — to son | 2 | |
| Bought | 10 | 47 |
| No information | 5 | 24 |
| Total | 21 | 100% |

As Table 4 shows, however, we have no information on about one-quarter (24%) of the cases; secondly, almost half (47%) have been acquired through purchase; while somewhat more than one-quarter (29%) were received as gifts. At times this was a gift to a wife (and consequently to her offspring) or straight-away to her ebusua because of intermarriage (three cases); in others it was a gift to a son (two cases) or to the family of servants (who are said to have come to serve the Asukwa Twidan during the Mfantse-Asante wars in exchange for security).

Lastly, the majority of cases in which lands (but not exactly the largest area) were acquired through purchase, did not occur before the second quarter of the 19th century when British power and jurisdiction started to be felt. That is to say, land has been sold and bought since the Aburahene, Kwesi Otu I, as one of the 'allied' chiefs, had attested the Anglo-Asante treaty of 1831. In other words, the buying of land, which in nine out of the ten cases was by persons or families not originating from Abura-Dunkwa, mostly took place after the sovereignty of the Mfantse states had begun to diminish and, accordingly, the authority of their Paramount Chiefs was becoming reduced. Nevertheless, only three out of the nine land purchases by foreign ebusua were from outside Abura State, i.e. by persons not subject to the Abakrampa Stool. And, as we know, on the death of their buyers all these lands (if they had been privately acquired) became the land of their mbusua, the members of which pay allegiance to the Abakrampa Stool.

Whether or not those acquiring the lands were private persons or mbusua, the selling entities were never 'communities' but always 'families', no matter whether at the same time their Mpanyinfo were divisional chiefs or not. In other words, while the land that they were alienating may have been 'Stool land' in the remoter sense of the term and they may, if they

Table 5:
The Nnamfodo Lands and Their Sub-Divisions

| Name of land | | Ebusua | Asasewura | How acquired |
|----------------------------|------|---------------|------------------|-----------------------------|
| Osopaah | (23) | Adwenadze | Efuaba | gift to servant |
| Mankensu | (21) | Nsona | Kweku Appiah | given by Omanhene |
| Obapa(ye) | (18) | Twidan | Kwame Paintsil | gift to son |
| Owarabam | | Odomna | Kwame Kyer | gift to wife |
| Danyamease | (17) | Twidan | Ekua Fenyiwa | bought |
| Otandurase | (14) | Nsona | Kwesi Tekyi | * |
| Foopa | (13) | Dehyena | Arkin Mensah | bought (but invalidated) |
| Osekyerew | (15) | Amoana | Kofi Andze | bought |
| Dawurampon | (25) | Twidan | Kweku Amoah | intermarriage |
| Dawurampon | (24) | Nsona | Kwesi Aidoo | intermarriage |
| Mankensu | (22) | Kona | Papa Agyekum | bought |
| Benyadze | | Kona | Yaw Ayew | bought* |
| Ampaah | | Twidan | Kwamena Aman | *(stool land) |
| Ahwiawom | (5) | Twidan | Ekua Fenyiwa | bought |
| Ahwiawom | (6) | Nsona | Kofi Kumah | gift to son |
| Kurado | (7) | Kona | Kofi Mensah | bought |
| | | | Aidoo | |
| Kurado | (8) | Nsona | Yaw Gyan Kyer | bought* |
| Kurado | (9) | Amoana | Kofi Andze | bought |
| Kurado | (10) | Adwenadze | Kweku Nsarkoh | * |
| Ayensuem | (11) | Dehyena | Kwesi Kwakwa | * |
| Brukudo (or: Hasowodze) | (30) | Nsona | Yaw Gyan Kyer | bought |

* Not known with any certainty

were divisional chiefs, have owed special allegiance to the Paramount Stool, what they sold was their own family land, and as far as they were concerned the selling of it was none of the Omanhene's business.²¹

Although the main forces that led to the breaking-up of the original lands (the efforts of migrant families to find farming land at Dunkwa; the need to finance extraordinary expenses such as the costs of litigation) are still at work and may well have increased in strength, they no longer operate in the same direction. Insiders agree that since about 1950 the sale of farming land, a frequent occurrence since the first successes of cocoa earlier in the century, has subsided (cf. Okali & Kotey 1971: 11-12). According to Gordon Woodman: 'There is evidence that today communities (families?) are often more reluctant to make outright grants than they used to be, and these lesser grants are much commoner' (1976: 167). The absence of land sales in past decades, as well as the growing incidence of tenancies which we recorded for Abura-Dunkwa, fully support these views.

One might, of course, be tempted to assume that those who had sold some of their lands had now come to see that they had somehow squandered their inheritance and that, in due course, the remaining land would be insufficient for their kin. We agree with Woodman that this does not seem to be an adequate explanation. For one thing, the greatest demand for agricultural land is in areas (in the Western Region for cocoa; in the savannah belt of Ashanti and Brong-Ahafo for maize; in the Upper Region for rice) where in the past land sales did not occur; therefore, the people concerned have little or no experience in selling their land. For another, if it was really the scarcity of land for family members that mattered, one would expect family lands to be cultivated mostly by members of the family. On the whole, however, this is not at present the case in view of the fact that the letting of land to tenants has become fairly common (cf. *Ibidem*: 167 n.32).²²

There are other pressures inducing the division and splitting-up of family lands which, although certainly not of recent origin, must have become heavier with the increase of family membership and the shrinking of family land. What we have in mind is not only that, with a growing population, the number of those wanting land for subsistence cultivation has increased (notwithstanding the diminishing proportion of those in the labour force who are farming, their absolute number is still rising), but also that as a result each original *ebusua* is dividing into a growing number of separate *ebusua*, some of which are separate dwelling units while others consist of two or more dwelling units.

It may be useful to point out that in the Akan language the term 'ebusua' means both the generalized lineage or clan (of which we have seen that there are ten represented at Abura-Dunkwa) and the localized (sub)-lineage or division, of which we counted a total of 73. We now find that within this conception of the ebusua at the level of landholding unit, there is a lower level to which the term is also applied. This is shown very clearly in the case of the Nsona ebusua of Kodjo Abodom, which owns Amoanda as its family land and which is made up of ten sub-divisions or branches, each of which is an Nsona ebusua in its own right with its own Ebusua Panyin. Were we to count all of these sub-divisions as separate mbusua, their total would be much higher than the 73 given in Table 2. As we have already intimated, some of these third-level ebusua are dwelling units, which is to say that their members live under one and the same roof; but this is not generally or commonly the case.

The effects of this process of ebusua-multiplication is becoming visible in that some of the larger family lands such as Amoanda and Asukwa have become divided into parts, each of which has been assigned to, and is permanently held by, one of the sub-divisions or branches of the original land-owning lineage. Table 6 lists the names of the Ebusua Mpanyinfo who, as heads of the ten sub-divisions, have custody over the twelve sub-family lands.

Table 6:
*The Sub-divisions of the Amoanda Nsona ebusua
and of its Family Land*

| No. | Sub-divisions by Ebusua Panyin | Names of the Sub-Family Lands |
|--------------|--------------------------------|-------------------------------|
| 1A } 1B } | Kodjo Abodom | Bedzito |
| 2 | Kofi Esuoso | Asaman |
| 3 | Kwesi Kumah | Bedzito |
| 4 | Kweku Abban | Mankensu |
| 5 | Yaw Esuman | Abaasa |
| 6 | Kwame Boh | Abaasa |
| 7 | Kweku Abban | Abaasa |
| 8 | Yaw Akumanyi | Amoanda |
| 9 | Ama Serwa | Obostsi (Kumawu) |
| 10 | Esi Abaiduwah | Kumawu |
| 11 | Kofi Asankoma | Abesem |

In the same way, the Asukwa Twidan of Kobena Abban divides into ten branches, each with its own Ebusua Panyin and each permanently farming on its own part of the Asukwa land. As far as our information goes, the process of sub-division of the Asukwa land started when, in the 1920s, Chief Kobena Asempah partitioned the land into eight parts and assigned one to each of his nieces who were going to inherit from him. In Table 7 we show how the four sections of the land that had already been known by different names (Odomankoma, Enyabirim, Kukubir and Kotokotui) were subdivided to form eight parts, with for each part the name of the inheriting niece who came to found a separate branch of the Asukwa Twidan ebusua. In the present generation three of the original branch-family heads are still alive and continue to act as the caretaker for their own section of the Asukwa

Table 7:
***Sub-Divisions of Asukwa and Branches of the
Twidan Ebusua to which these have been allocated
in the Present and Past Generations***

| No. | Sub-Divisions of Asukwa | The Past Generation | | Present Generation | |
|-----|----------------------------|------------------------|----------------------------|-----------------------|---------------------------------------|
| | | No. | Nieces of Nana Asempaah | No. | Their Sons & Daughters |
| 1. | Odomankoma 1 | 1. | Adua Kwansimah † | 1. | Kobena Abban X Osam Kwesi V |
| | | | | 2. | Esi Nyarkowah |
| | | | | 3. | Ama Paintsiwa |
| 2. | Odomankoma 2 | 2. | Abu Ogyanoah † | 4. | Ekua Ansawaah |
| 3. | Odomankoma 3 | 3. | Esi Ampem † | 5. | Kofi Katsinka alias Teacher Tessel |
| 4. | Enyabirim | 4. | Maame Akosua † | 6. | Efua Sekyiwa |
| 5. | Kukubir 1 | 5. | Ekua Nkrumah | 7. | Efua Sekyiwa |
| 6. | Kukubir 2 | 6. | Adua Ahemba | 8. | Efua Sekyiwa |
| 7. | Kotokotui 1 | 7. | Ekua Acquah | 9. | Kweku Attah |
| 8. | Kotokotui 2 | 8. | Abena kumah | 10. | Kweku Attah |

land (specifically: Kukubir 1 and 2 and Kotokotui 2). For the other sections an inheriting son or daughter is now responsible. As the first ebusua branch has, during this generation, split into three branches, the total has now risen to ten, with part of one of Odomankoma sub-divided into three ebusua sub-divisions.

While the process of sub-division has proceeded in this way over a period of some 50 to 60 years, the Asukwa Twidan ebusua still operates as a unity. *Ebusua ye kor* (there is only one family) we were told by Kobena Abban, the overall Ebusua Panyin, when we questioned him on this issue. It is undeniable that the ten branches are united in taking care of family matters. They share funeral dues and act as one in case of litigation, while in all matters concerning the Asukwa land and its parts everyone is invariably referred to their Chief, Nana Quansah, alias Osam Kwesi V.

But this is not the entire story. In line with what one would expect, a process of sub-division of this kind has at least some disintegrating effects. Meeting with the Ebusua Panyin of one of the ten branches of the Twidan ebusua, we were told that this elder was not only Panyin of his own ebusua but equally the Asasewura of his own land and that, consequently, we should arrange for this land (which we had so far treated as part of Asukwa) to be surveyed and mapped as a separate family land. When we next met this elder for an appointment to establish the details of the land, we were told that there would be no interview and that the land should not be surveyed. All we had been told a week earlier was retracted.

What could have caused this complete reversal? We found that on the previous day, when the elder had been testifying in the Odikro's court because two people each contested a piece of this elder's part of Asukwa which had been leased to both of them (a mishap that has befallen other landlords as well), the overall Ebusua Panyin was among the audience and protested that the elder could not lease land and receive money for it without consulting (and 'acknowledging') the Asasewura of Asukwa. As everyone should know: 'Asukwa Twidan ye kor' and this allowed no exception. A quarrel ensued, as a result of which the elder had to give in and was ordered to slaughter a sheep by way of pacification.

It is doubtful whether it will be possible to contain these forces in the longer term assuming, as seems likely, that the process of sub-division will proceed at an accelerated pace. Even with the central authority of the Ebusua Panyin and the Asasewura being a few degrees less active and less determined, the breaking-up forces might well gain the upper hand.

Notes

1. For details of the interview and of the surveying methodology by means of which the family lands, their location and boundaries have been ascertained, we refer the reader to Appendix E. Within these family lands certain plots, invariably planted with tree crops such as cocoa, citrus, oil palm and coconut, are privately owned. For the present account these have been left out of consideration.
2. The 'Report on the Pilot Survey on the Land Tenure System in Selected Areas in the Western and Central Regions of Ghana', in which (on p.9) we find the procedure for the acquisition of land thus fundamentally misconstrued, leaves much more to be desired, both in substance and in methodology.
3. There is some doubt as to whether at least one more land should be included in the 'territory' as it is quite regularly identified as an Abura-Dunkwa land, the owning ebusua having, by residence, a connection with the town. This is the land named Oworatse, owned by the Nsona ebusua under Kwame Braku and situated to the North-East of the territory. Apart from the fact that at present this land has no common boundaries with any of the Dunkwa lands (when it was acquired some generations ago it had such boundaries but these have since crumbled through land sales and family sub-division), it is entirely located on Tetsi territory which is under the Ayeldo Stool. Moreover, the Nsona ebusua of Kwame Braku belongs to the Ayeldo Royal Family and can claim rights to the Stool. No matter how decisive these arguments appear to be, we shall see later that, given the connections of some of the Abura-Dunkwa lineages with their places of origin and given their continuing rights to the original family lands, they are not all that decisive.
4. We refer here to the Amoana ebusua of Kofi Andze, who at Dunkwa own both Osekyerew (No.15) and Kurado (9), and who continue to have rights to the family land at Kwaduegya; and to the Dehyena ebusua of Kodjo Damtse (alias Papa Jonah) who have farm rights on Foopa land (No.13) but still keep a claim to the family land at Kurado, a village under the Ayeldo Stool on the border with Abeadzi-Dominase. It is not without importance, we suggest, that Papa Jonah's Dehyena ebusua do not formally hold Foopa as a family land. The Paramount Chief claims the area as Stool land, the cultivation of which he has granted to Papa Jonah's family as a reward to one of its members, Ahin Mensah, for being one of the Asafo Supi (commander of a company). It should also be stressed that Kofi Andze's ebusua acquired both its family lands through purchase, but this does not make them less of a Dunkwa lineage. This can be seen from the fact that Kwesi Afful, Kofi Andze's uncle, was the Odikro of Dunkwa until 1950.
5. As before, we have not included the few privately-owned lands which we know to have a boundary with the Abura-Dunkwa territory. These are: Nyimpaka's land (Mr Woode) in the North bordering on Kurado (2) and (10); Kwamena Appah's Aboamakye (Adwenadze) in the East bordering on Osopaah; Mr Fynn's land (Kona), bordering on Dawurampon in the South; Wonyaniwodze, owned partly by Mr U.K. Hackmann (Kona) and Kwame Awotwe (Aboradze), in the South bordering on Amoanda.

6. Swearing an oath to an Akan means deliberately alluding to some past adversity or calamity by speaking a given formula; this consists of a few words which contain a rather oblique reference to the event, e.g. by just mentioning the weekday on which it occurred. As even such a casual reference will give offence to the ancestors who do not want to be reminded of disasters, uttering an oath is breaking a taboo. Consequently the office holder - chief, headman or elder - whose oath has been used is obliged to investigate the circumstances under which it was uttered and to decide whether there was sufficient reason for swearing it. If so, the person against whom the oath was sworn is found guilty and will be fined. Otherwise, the oath was misused and the one swearing it will be ordered to pay the fine. In the case in question, the formula of the oath was *Aburaman Wukuda* (i.e. the Wednesday of Abura State); this being the Omanhene's oath the parties had to appear before the Oman's judicial council.
7. That this is not mere conjecture but is born out by the facts can be seen from the 'Abra, Dominasi and Kwaman Inquiry', in which the Judicial Assessor reported to the Colonial Secretary on the results of his investigation of disturbances at Dunkwa, that the people of Abura- Dunkwa: 'object that they are not servants of the people of Abakrampa or the King of that place.... That they have a right to make their own laws and to promulgate them by their own officers, and that the King has no right to summon people from Dunkwa to appear before him at Abakrampa.'
8. Both James Hutton Brew, alias Prince Brew of Dunkwa, and A.C. Brew were sons of Samuel Collins Brew JP and Amba Baawa, a grand-aunt to Nana Quansah. Accordingly they belonged to the Asukwa Twidan ebusua of Abura-Dunkura. See Sampson (1969: 114).
9. According to the oral history of the Oman ('State') of Abura, Abirankur or Nana Kwesi Idun Panyin was the 6th Omanhene (late 17th century?) who led the Mfantse in the Sasabor war in which they assisted the Agona people to rid themselves of their despotic king, Nyaku-Eku. Hence the reference to the Abakrampa Stool as 'the Stool of Abirankur'. The golden horn which was captured from Nyaku-Eku is said to be among the Stool treasures of Abura at Abakrampa.
10. Compare how, according to Busia, government interference with the selection and enstoolment of loyal Chiefs in Ashanti occasioned a popular movement to get these men destooled. See Busia (1951: 105-6).
11. James Sanders, who has been investigating the life history of Yamfo Paintsir (known to the Asante as 'Opentri') and its connection with the origins of Abura-Dunkwa as part of the Asante Collective Biography Project, has recorded about the same story as told to him by the present Omanhene on 28 August 1976. In this version we find Abirankur, alias Kwesi Idun I, who was the 3rd Aburahene and who must have lived around (or even before) 1700 instead of a century later, to have been Yamfo's father - a detail which in our view exposes the mythical features of the story (Sanders 1978: 36-40).
12. The Simbiw war was one of eight wars which the Mborbor Mfantse, and the Aburafo among them, have fought, according to oral history. Of all these wars only the Benda war, in which the Mfantse assisted the Asante against the two Akyim principalities, has been

dated as having taken place in 1741-42. Although the name 'Benda war' (so called because the Mfantse soldiers were paid the value of one Benda, or £7.4s, for their participation) does not appear in official historiography, the oral account is supported by documentary sources which indicate that the Asante invaded the Akyem territories in 1742 (see Claridge 1915: 210- 211; Wilks 1975: 24).

13. Apart from Chief J.E. Biney, the committee of arbitrators consisted of: Chief J.D. Abraham, Chief W.Z. Coker, W.S. Johnston, James Jackson, George Amissah, Father J.P. Brown, J.M. Kitson and H.M. Insaideo.
14. There is ample proof that all those desiring to acquire a plot of Asukwa land, including chiefs as well as governmental bodies, had no objection to negotiating with Nana Quansah and entering into an agreement with him. The late Odikro, Nana Budukama II, alias Yaw Fohr, signed agreements with Nana Quansah on behalf of the community: in 1956 for building a new market; in 1960 for a Community Centre; in 1965 for the building of a latrine. And when, in 1968, he erected a water reservoir on Nana Quansah's land without having obtained permission, he was sued in the Omanhene's court and fined by Nana Otu IX to the payment of *hyerogudzi*, a pacification fee. This is a course of action which the present Omanhene is not likely to follow.
15. The difference between categories 3 and 4 is not only that they classify Stool lands within and without the Dunkwa territory but that, accordingly, their status as Stool lands had been brought about by different processes.
16. According to oral history, of which we have collected several independent accounts, the asafo companies from other wards also became founders of independent Mfantse States, i.e.: the Bentsir bron: Enyan Abasa; the Nkusukum bron: Nkusukum; the Edumadze bron: Ekumfi; the Kurentisi bron: Mankesim (consisting of two companies, the Twafo and the Gyase).
17. The Osahene is a military leader who is appointed for one particular campaign. Until the 1820s the Amanhene of Abura were successful Osahenes elected for their military prowess and leadership, and therefore belonging to different clans and towns and villages within the State. With the long reign of Kwesi Otu I, the Stool of Abirankur came into the Nsona ebusua of Abakrampa, where it has since remained.
18. The Asebus founded their own state whose territory stretches to the South of Abura State towards the sea and includes Mouree.
19. According to Nana Quansah's family history, *Osam Kwesi I* (ca. 1660), son of Ekua Akowah who was the daughter of Kwegyiriwa, subsequently married: 1. Efua Fotwiwaa from Adwenadze ebusua; they acquired Odompem; 2. Amoadauh from Kona ebusua who settled on Dawurampon; 3. a woman belonging to the Nsona ebusua, whose daughter Asukwa and offspring settled on Amoanda; 4. Fowa from Aboradze ebusua who acquired the Oworabam Land.

20. As we have explained in Ch.II, this is unclearable forest, in contrast to kwaa, virgin forest land that is potentially cultivable.
21. That the Omanhene has not always seen eye to eye with the Dunkwa elders on their land sales is clear from the case of Foopa, the sale of which in 1807 by Nana Quansah's ancestor to a buyer from Egya (Anomabu State) and thus a foreigner, was not recognized by the present Omanhene as valid.
22. In contrast to Woodman, we have not found long tenancies still to be common.

1. The first part of the document is a list of names and titles, including "The Hon. Mr. Justice" and "The Hon. Mr. Justice".

2. The second part of the document is a list of names and titles, including "The Hon. Mr. Justice" and "The Hon. Mr. Justice".

VI

ACCESS TO LAND AND ITS DETERMINANTS

1. Access to Farmland as a Problem

Under a genuine system of communal land tenure, safeguarding the access to a sufficient area of farming land for all those who till the soil seems not to be a problem. With everyone belonging to a community or a family which holds its own area of land and all having claim to an unoccupied part of that land, starting to farm is just a matter of clearing another plot.

But this is surely an idealization. Even in a genuine communal system, safeguarding everyone's access to land is conditional upon the position of the community's or family's land which, in the shorter or longer term, is occupied by those members who are actually engaged in the farming. In other words, it is dependent on the man:land ratio. In fact, this is one of the problems that we set out to investigate, i.e. what reserves of unoccupied land the Dunkwa families have at their disposal; whether this is a matter of a few large tracts of land or of many smaller patches scattered over the territory; and to what extent these lands would have to be kept back in order to accommodate the growing farm population.

Another condition would need to be fulfilled before a communal system of land tenure could function properly, i.e. the condition of equal access for all who have to live from farming the land. In the case of Akan land tenure, which is based on the 'family' or lineage as the main landholding unit, this implies an equitable distribution of land among families; or in other words, that the larger families of which more members will require farmland will hold proportionately larger lands than the smaller families. This is the problem of equitable versus differential access which we also set out to study.

All the same, there are other conditions of a rather objective, geographical nature, such as the distance to one's farming area and the quality of the soil, which are also likely to intervene in the working of the system. Given the fact that Akan farmers do not usually live on their farms but in fairly large, nucleated settlements; and also given the fact that in the rural areas transport to and from the farms is on foot (and thus by headloading) along a network of footpaths, it is inevitable that some agricultural land is located at a critical distance from the farmer's residence. While a territory like Abura-Dunkwa is not homogeneous in this respect, it is also not

homogeneous in terms of quality (ground water level, relief, stumps and stones, soil structure, fertility and the like). In their articulation with the social structure, these objective geographical factors may well have become components of differential distribution in the sense that they work more to the advantage (or detriment) of certain groups than others. Although it was outside the scope of our study, especially from the technical viewpoint, to collect data on such environmental properties as relief, drainage and soil capability, we have attempted systematically to include distance as a determinant in our research.

One of the major determinants of availability of land to all those who farm to live, and even to those among them who have a valid claim to a portion of land, has so far remained out of consideration: i.e. the policy with regard to land and the administration of it by those who are its custodians. If we mention only the extent to which, in the latter part of the 19th and the first half of the present century, family lands have shrunk as a result of sales, it will be clear that the fate of unoccupied lands has been very much in the hands of Chiefs and even more of Ebusua Mpanyinfo and Asasewuranom. And as it will become clear, the situation has not significantly changed today, no matter whether the elders and land chiefs decide to lease their land rather than to sell it. This amounts to saying that for those who can claim part of their own family land for cultivation, the availability of a sufficient reserve of unoccupied land will also depend on whether or not their elders have found other purposes, useful to them, to which that reserve can be put.

This also raises the problem of the fiduciary role of elders and land chiefs who, as its custodians, are expected to administer the family property on behalf of all members, but who cannot properly be called to account for their decisions. We shall consider only the extent to which this lack of accountability 'individualizes' the remaining communal features of land tenure arrangements, and opens the door even further for the forces of accumulation and differentiation in the distribution of wealth and income.

2. Some Notes on Research Methodology

Although a more detailed account of the methodology and execution of the field work is given in Appendix E, it seems useful at this point of the argument to insert some notes on research methodology. This is done in the conviction that there is no other way to evaluate the range and adequacy

of the statements on access to land which we are going to make, than by viewing them in terms of the approaches and methods whereby our empirical materials have been collected.

After having identified the Dunkwa family lands, their location and boundaries, by two different but complementary methods, we were faced with the question of how to collect data on:

- access to these lands;
- the ways in which they are used;
- the nature of the organization of labour by means of which they are cultivated.

Considering that out of an estimated 1250 Dunkwa farmers, both male and female, we had no workable sampling frame, the best we could think of was to approach them via their family lands and the farms that they cultivated there. Consequently, we selected four family lands, varying both in their distance from the centre of Dunkwa and in area; on each of these lands, we then attempted to locate all the separate 'farms' or 'plots' in the hope of identifying the complete population of individual farmers cultivating there. However, the sheer size of Amoanda and the large number of farms situated there (estimated at 500-600), forced us to limit ourselves to identifying some 250 farmers; as matters stand, we are not able to say how representative these are for all Amoanda farmers. Next these farmers so identified were localized at their Dunkwa houses and interviewed with a set of general questions amounting to a kind of Farm Census.

At that stage we realized that any information on land use would need to be very accurate if it was to be of any use. Furthermore, adequate information on the organization of production and on farming operations could only be collected in connection with actual cropping and fallow patterns. We therefore decided to survey a sample of individual farms, using data from the 255 census interviews as our sampling frame, with a view to producing a detailed plan of each of the sample farms. Accordingly, some 70 farms were surveyed while the farm plans were subsequently used to interview farmers on farming operations in which they had engaged in the present as well as in the past season in connection with their various crops.

As the detailed interviews as well as the production of farm plans meant for the farmers a rather time-consuming involvement with our research, it proved virtually impossible to adhere to any systematic sampling design. We had to avail ourselves of all the cooperation individual farmers were willing and able to give, while trying to avoid too skewed a distribu-

tion of sample cases over the four lands. The results as well as the data on the selected lands are shown in Table 8.

Table 8:
The Four Selected Lands by Distance and Area with Census and Sample Sizes

| Selected Family Lands | Average Distance from Dunkwa | Area in Acres | Farm Census | Farm Operations Sample | Farm Plans |
|-----------------------|------------------------------|---------------|-------------|------------------------|------------|
| Odompem | 1.25km | 380 | 42 | 10 | 10 |
| Amoanda | 2.25km | 1,160 | 151 | 22 | 22 |
| Osekyerew | 3.00km | 180 | 24 | 25 | 25 |
| Edumenu | 6.00km | 380 | 38 | 13 | 13 |
| Total: | | | 255 | 70 | 70 |

3. Access to Land: For Whom and How Equitable?

We now come to consider the question of reserves of unoccupied land which might be available within the Abura-Dunkwa territory. Inspection of the farm plans shows that, apart from the fringes of waste land along the many streams and on the steeper hillsides (as on Mounts Amia and Ofu), of small corridors of *kwa* (forest) at odd places as well as of the *Epow* (cemeteries) on the Nnamfodo lands, there are only few areas under fallow older than three years. As far as we were able to estimate, so-called *odoto* land (5-20 years fallow) does not make up more than a half percent of the entire area. Hence, we could only speak of a reserve of unoccupied land if we could apply it to *mfofo* (see Ch. IV), i.e. land under short-term fallow. This is a reserve of a kind, of course, but a reserve which is absolutely indispensable to those who are presently cultivating the land and not available to others who have still to start farming. This amounts to saying that no reserve of unoccupied land needed to safeguard access to land for the future generation of farmers is available.

That this is the correct conclusion is supported by the results of a simple calculation. Taking as our starting-point that:

- the estimated number of farmers in the Abura-Dunkwa population in 1978 was about 1150, and that
- the average farmer will, inclusive of fallow, need 6-8 acres of farming land,

the territory should be large enough to accommodate 6900 acres of farmland as a minimum and 9200 acres as a maximum. The total area of Dunkwa family land is 9230 acres. In other words, once the unclearable waste lands are taken into account, all remaining land is needed for those who are already actively engaged in farming.

The fact that unoccupied land is in short supply and that the number of people farming the Abura-Dunkwa land could only be increased by further lowering the fallow period, which has already become fairly minimal, is not the only obstacle to the smooth working of the system. Even if the stock of unoccupied land were still considerable, there would be many members of landholding families whose valid claim to land could not be honoured. A careful inspection of the table in Appendix C which, for each of the landholding lineages, lists both the number of adult family members and the acreage of their family lands, shows that other than what might seem necessary for an equitable distribution of land, the larger lineages do not on the whole own the larger lands, and vice versa.

It seems appropriate to remind the reader of the way in which, for each of the lineages residing at Dunkwa, the number of their adult members was established (see Chapter V and Appendix B). The figures relate to those adult members for whom the 73 families pay a contribution to the Abura-Dunkwa Funeral Society; they are taken to mean that, on the whole, a family paying for more adult members is also likely to have a larger number of persons cultivating the land than a family that pays for fewer adult members. We assume that this relationship is not fundamentally confounded by the inclusion of adult members who do not regularly reside at Abura-Dunkwa but for whose funeral the ebusua will accept responsibility. To the extent that, to calculate a co-efficient of correlation on which we report below, not the actual figures but only their rank order is of importance, it will be sufficient to assume that for each ebusua the number of those who actually farm is proportionate to the number for whom a contribution is paid.

It is true that the largest lands: Kurado/Ofu (1465 acres), Amoanda (1160 acres) and Sampson (1110 acres) are held by some of the larger families (respectively numbering 156, 128 and 114 adult members). At the same time, however, the ebusua with the largest membership, i.e. Papa Otabir's Nsona family (No. 43), which numbers as many as 217 adults, has only 180 acres at its disposal. And while one of the smallest lineages, Yaw Ayew's Kona ebusua with three adult members, holds a small but in their case adequate land (Benyadze, about 30 acres), a family land of about the same acreage

(Dawurampon) is all there is available to the Kona lineage of Kwesi Aidoo which has as many as 61 adult members.

By way of summarizing how the actual distribution of family lands by area is related to the number per family of those who will require land to farm, in Appendix C we have established the rank order of landholding families by adult membership and by area of family land. Using these two rank orders for calculating 'rho', Spearman's rank correlation coefficient, we found this to be as small as 0.234. In other words, there is no appreciable correlation between membership of families and size of their lands.

It therefore has to be concluded that at Abura-Dunkwa the communal land tenure system no longer safeguards access to land for all those who, as members of landholding families, can claim a portion of the family land. Also, the working of the system is heavily impeded: on the one hand by an incipient scarcity of land; on the other by an altogether lop-sided distribution of that land. And it should be realized that in reaching these conclusions, which are so unquestionably negative, we have not taken account of the many immigrant families whose members cannot claim any land at Dunkwa. Table 2 has shown that there are 45 such immigrant ebusua; although on average their membership is much smaller than of the indigenous ebusua (45 against 72 adult members per family), these nevertheless total about 1900 adults. Moreover, these numbers refer to those immigrants who have either come to settle with some of their kinfolk and who, over time, have formed their own lineages that are recognized and known at Dunkwa; or who, arriving in pairs or individually, have joined one of the existing ebusua. The numbers thus do not include those who, having arrived more recently, have not yet formed their own ebusua or joined any of the existing ones.

Given the particular record from which we took our information on lineages presently residing at Dunkwa, we can say little about these 'stray' immigrants except when we have come across them as farmers on one of the four selected family lands. In such cases these 'unofficial' or 'unassociated' immigrants are not exactly a negligible component: of the 255 farmers on the four family lands we found 32 (or 12%) to be immigrants not belonging to any of the 73 existing lineages.

On the whole the figures indicate that for all those who do not belong to any of the Dunkwa families the chances of their acquiring a portion of farmland are not all that low. In addition to the 32 'unassociated' immigrants, we located 74 members of non-landholding ebusua on the four family lands. This amounts to saying that 106 out of the 255 farmers in-

cluded in the Farm Census, or more than 40%, were of immigrant origin.

To deduce from these figures that about 60% of the 255 farmers are therefore from landholding lineages would be quite correct insofar as this is not taken to mean that they are farming on the land of their own families. Only about three-fifths of all those belonging to landholding families (87 or 59%) cultivate the land of their own family; another 61 (or 41%) cultivate the land of *other* families (see Table 9).

Table 9:
Farmers on Four Family Lands by Indigenous and Immigrant Lineage Membership

| Family Lands Lineage membership of farmers | Odompen | Amoanda | Osekyerew | Edumenu | Total | |
|---|-----------|------------|-----------|-----------|------------|------------|
| | | | | | Abs | % |
| A. Farmers from Landholding Families | 19 | 89 | 19 | 21 | 14 | 58 |
| 1. On Their Own Family Land | 10 | 48 | 17 | 12 | 87 | 34 |
| 2. On Other's Family Lands | 9 | 41 | 2 | 9 | 61 | 24 |
| B. Farmers from Non-Landholding Families | 23 | 62 | 5 | 17 | 107 | 42 |
| 3. Members of Immigrant Ebusua | 18 | 46 | - | 10 | 74 | 29 |
| 4. Non-Associated Immigrants | 5 | 16 | 5 | 7 | 33 | 13 |
| Total | 42 | 151 | 24 | 38 | 255 | 100 |

We can only conclude that the way in which farmland is actually allocated is very different from what would be expected on the basis of the simple formula that states that it is on the land of one's family that one can legitimately claim to farm. The question then is on what auxiliary or alternative formulae the allocation is really based and whether these formulae are in line with, or contrary to, the original land tenure arrangements.

4. Auxiliary Rules for Allocating Family Land

What about the relationship between those who farm on other families' land and the lineages that own it? There have always been two positions in which a person might find him or herself in the lineage-structured society of the Akan which necessitates auxiliary rules of land allocation. Firstly, there is the position of the husband or wife, marrying away from their family's land; secondly, there is the position of the children growing up away from their mother's, and thus from their own family land.

The first of these auxiliary rules is to the effect that a man of immigrant stock who marries into a landholding Dunkwa lineage may be granted farming rights on his wife's family land; alternatively, a woman may be granted farming rights on her husband's family land. This rule can only have effect during a person's lifetime and can never extend to his or her successors. What they acquire is merely a farming right; the right to inherit a farm or farmland remains reserved to the family to which, by definition, they do not belong.

The other auxiliary rule is to the effect that children may be given a plot to cultivate on the land of their father's lineage if, by residing with the father, they are too far away from their own family land to claim a portion of it. On the father's death the family will not normally demand the land back; the farming rights of a son or daughter on paternal land will usually last during their lifetime and will not end until their death. Here, as in the first case, no right to succession can arise as this would entail alienating the land to another lineage.

When, as we have seen in Chapter Five, Asukwa land was still sufficiently large, or alternatively when large reserves of virgin forest were still available around the Asukwa land, lineages inter-marrying with the Asukwa Twidan could easily settle in the vicinity and acquire their own family lands. Even at later times the Nnamfodo lineages could afford to donate considerable areas of land to faithful wives and serviceable sons and their families (we refer to the coming into existence of such lands as Osopaah, Obapa, Owarabam, parts of Dawurampon and Ahwiawom). Be that as it may, the creation of new *ebusua asase* for members of in-marrying immigrant families could only take place in special cases. With land resources under pressure by a growing population and an increasing number of lineages, the only adequate response is to apply the auxiliary rules outlined above, which have long been applied in such cases.

From our findings it seems that the accommodation of spouses on

the family land of their in-laws and of children on paternal land is not exceptional. As can be seen from Table 10, as many as 37 of our respondents (or 14.5%) were farming on the land of their in-laws and another 32 (or 12.5%) on paternal land. In all, the auxiliary rules were invoked in 27 percent of all cases (N = 255).

Table 10:
*Farmers Cultivating on Family Land of In-laws,
of Father or of Friends, by Sex*

| | Male | Female | Total | % |
|------------------|------|--------|-------|-------------------|
| On In-laws' Land | 18 | 19 | 37 | 14.5 |
| On Paternal Land | 20 | 12 | 32 | 12.5 |
| On Friends' Land | 13 | 14 | 27 | 11.0 |
| Total | 51 | 45 | 96 | 38.0 (N = 255) |
| % of sample | 56 | 44 | | |

Table 10 also shows the singular category of those men and women who farm on the land of friends: persons who, although not having any family relationship with the landowning lineage, have grown up in close contact with its Ebusua Panyin or Asasewura and have thus been granted some farmland for free. This category increases the group of those whose access to land is not problematic, although they cannot claim it as a member of the owning lineage, to 38% or nearly two-fifths of the sample.

In both categories of farmers on the land of in-laws or of friends, the division between the sexes is fairly equal. However, in view of the over-representation of men among those cultivating a farm (56% versus 44%) this really means that proportionally *more women than men* farm on the land of in-laws and friends.

From what we have asserted so far about the operation of the auxiliary rules of land allocation, it might not be expected that among the 69 farmers who cultivate on their in-laws' or father's land, a sizeable number, namely 30, belong to other lineages owning family land at Abura-Dunkwa. As Table 11 shows, however, this category amounts to 43% of all farmers in this group (N = 69), with the non-associated immigrants, as seems obvious, forming a minority.

Table 11:
Farmers on Family Land of In-Laws or of Father,
by Indigenous or Immigrant Lineage

| Farming on Land of | In-Laws | | Father | | Total | |
|---|---------|-------|--------|-------|-------|-------|
| | Abs | % | Abs | % | Abs | % |
| Farmers from Landholding Family on Other Family Lands | 17 | 47 | 13 | 39 | 30 | 43 |
| Farmers from Immigrant Lineages | 15 | 42 | 18 | 55 | 33 | 48 |
| Non-Associated Immigrants | 4 | 11 | 2 | 6 | 6 | 9 |
| Total | 36 | (100) | 33 | (100) | 69 | (100) |

The question is, of course, why people should obtain land from their in-laws' or father's lineage when they have a straightforward claim to a portion of their own family land, and what can induce these lineages to grant them any land at all, knowing that they can validly claim land elsewhere.

To look firstly at the issue from the viewpoint of land-granting *mbusua* and why they should so easily agree to allocate some of their land to such persons, it should be said that the practice is reciprocal and, after having been adhered to by so many generations, cannot easily be reversed or stopped. Moreover, it has been reinforced continuously by the various reasons for which members of all lineages, now as before, need to acquire cultivable land from a related and not (or also!) from their own family.

In view of the fact that the distribution of land among the lineages is basically inequitable, the mere fact of belonging to a landholding *ebusua* does not necessarily mean that one's claim to family land can be validated. On the contrary, many members of these lineages can only find land by invoking the auxiliary rules. However, those who demand land from their in-laws' or father's lineage are not invariably from those families who hold the smallest or even the smaller lands; in other words, different reasons are at work. It may well be, for example, that the land of a person's own *ebusua* is located much further away than his or her father's land, or that the land that can be acquired through in-laws is of better quality. The latter may specifically be a factor in the planting of special crops, e.g. perennial tree-crops might require conditions that cannot be provided on the own family land.

As those who plant perennial tree-crops mostly plant the usual food-crops as well, to have a tree-crop farm more often than not means to have two (or more) farms. In fact, as Table 12 shows, as many as 75 farmers in the sample, or nearly 30% (N = 255), reported that they cultivated another farm; another 14 stated that they cultivated two (or three) more farms. In other words, 166 farmers out of the total of 255 farmed only the plot on the basis of which they had been sampled.

Table 12:
Male and Female Farmers Cultivating More than One Farm

| | Male | Female | Total |
|---------------|---------------|---------------|---------------|
| One More Farm | 45 | 30 | 75 |
| Two or Three | 12 | 2 | 14 |
| Total | 57 | 32 | 89 |
| Out of | 142 or 40% | 113 or 28% | 255 or 35% |

The 255 farmers who were interviewed thus together cultivated $(166 \times 1 + 75 \times 2 + 14 \times 3.5) = 365$ farms. On the question of incidence of perennial cash crops a reliable estimate can also be made. Of the 255 sample farms, 21 were found to be planted with a tree-crop in one or another stage of maturity. In addition, of the 89 farmers cultivating more than one farm, 53 or 60% planted a perennial tree-crop¹, so that a total of 74 of the 365 farms which the 255 farmers were cultivating, or a full one-fifth (20%), were devoted to such cash crops as lime, palm oil, cocoa or coconut.

In Table 12, as before in Table 10, a difference between male and female farmers comes to the fore.

There seems little doubt that in procuring a second or third farm plot for a perennial tree-crop, members of land-holding lineages have a clear advantage over the others, no matter whether they look for a suitable plot on the land of their own family or of relatives. Since, at the end of the last century, the cultivation of marketable tree-crops has become of importance, the auxiliary rules have frequently been invoked for the very purpose of acquiring additional land.

Apart from these reasons there are indications that some of the Asasesuranom promote farming by their own lineage-members on paternal and, to a lesser extent, on in-laws' family land so that a larger

portion of their own family land may be diverted to other purposes, such as leasing to those who have no choice but to obtain a tenancy (become tenants). To this category we now turn.

5. Tenancies

In Chapter V we have quoted the opinion of Gordon Woodman to the effect that: 'today communities [families?] are often more reluctant to make outright grants than they used to be, and these lesser grants are much commoner'; in other words, land sales have become rather infrequent (since about 1950) and, instead, there is a great readiness to grant tenancies. This is supported by the evidence from our own study: of the sample of 255 farmers as many as 67 or 26% rent the land on which they farm. In addition, another eleven of those farming on paternal or in-laws' land are paying some kind of rent; in all, therefore, 78 or 30% of the respondents had some kind of tenant status.

In Table 13 we see that these tenants are far more often of immigrant origin than 'friends' and 'relatives' (75% versus 56%), and that especially the unassociated immigrants are more frequently represented (37.5% versus 7%).

Table 13:
*Friends, Relatives and Tenants among 255 Farmers of
Indigenous and Immigrant Lineages*

| | Friends | Relatives | Total | | Tenants | |
|---|---------|-----------|-------|-------|---------|-------|
| | | | Abs | % | Abs | % |
| 1. Farmers from Landholding Lineages on Other Lands | 12 | 30 | 42 | 44 | 17 | 25 |
| 2. Farmers from Immigrant Lineages | 14 | 33 | 47 | 56 | 25 | 37.5 |
| 3. Non-Associated Immigrants | 1 | 6 | 7 | | | |
| Total | 27 | 69 | 96 | (100) | 67 | (100) |

To understand the consequences for a farmer within a communal system of land tenure of only being able to acquire a piece of farmland by paying rent, we have to enquire into the conditions of tenancy. It may be useful to stress at the outset that the practice of leasing land is, as Mensah Sarbah put it: 'of the greatest antiquity' and 'was in times past more universal than sale of land which is of comparatively modern growth' (Sarbah 1897: 66). According to Sarbah, there used to be three standard forms of tenancies, apart from 'perpetual leases' which commonly applied to building land only, i.e. (1) share-cropping tenancies, and two types of 'period tenancies', namely (2) sowing tenure, and (3) annual tenure.

Share-cropping tenancies were, and are, most often granted to those who want to acquire land for planting perennials, such as citrus, palm oil or cocoa. The usual arrangement in these cases is for the crop to be divided into three equal parts of which one is either given in kind or its value paid in money to the landlord by way of retribution. This agreement is the tenancy-form of the labour-contract, known as *abusa*, whereby a caretaker hired to look after a tree-crop farm, more especially a cocoa farm, is remunerated for his work with one-third of the produce or the proceeds.

Sowing tenure was a period tenancy — according to Mensah Sarbah 'the simplest and most common kind of tenure' (Ibidem: 68)² — whereby a plot of land was leased for one sowing season only in return for about one-tenth of the crop. In the case of *annual tenure* the agreement would last until the tenant was given notice. Under the terms of such long-term leases the tenant was expected to pay rent in the form of labour services: during the sowing and reaping seasons he was obliged to work on the landlord's farm, usually for three days per week (Sarbah 1897: 69-70).

Using this account of the practice with regard to tenancies in the second half of the 19th century, we shall now consider the forms of tenancy used at Abura-Dunkwa about a century later. Our data on 255 sample farms show that 21 of the 78 tenancy arrangements, or 27%, are or are going to be share-cropping tenancies. 'Are going to be', as in nine cases the *abusa*-terms have not yet taken effect because the trees have not matured and, consequently, have not started bearing. All the same, these tenants have paid an initial fee ranging from as little as C3 plus a bottle of rum to as much as C100. (The total for the nine cases paid 'for once' is C400, or C45 on average.) In addition, some of the tenants are required to pay a small annual money rent until the first tree-crop can be reaped after about 4-5 years. Both the initial fee and the yearly rent are payable in connection with the food crops which, in the meantime, are invariably grown among the young trees.

From Table 14 we see that apart from the abusa-agreements, 12 in all, three farmers have entered into so-called abunu terms, a sharecropping arrangement whereby the crop is shared equally between tenant and landlord.³

Table 14:
Share-cropping Tenancies

| | | Abs | % |
|-------------------|------------|-----|-------|
| Abusa Now | 4 } 8 } | 12 | 57 |
| Abusa Later | | | |
| Abunu | | 3 | 15 |
| Fixed Abusa Rents | | 6 | 28 |
| Total | | 21 | (100) |

Together with these farmers (out of the total of 78 rent payers) who had entered, or had arranged to enter, into share-cropping terms, we tabulated another six who in fact pay a fixed rent so that, by definition, they should be categorized under period tenancies and not under share-cropping. That we have nevertheless classified them here, is because the landlords concerned view a fixed rent of C50 yearly in one case and of C120 yearly in five other cases as representing a share in their tenants' cocoa harvest (estimated); or rather, the annual rent is considered to be a direct conversion of abusa-terms into a money payment. It seems that the reason for charging fixed rents at a substantive level instead of entering into share-cropping terms is that an abusa- or abunu-agreement will only work if the landlord, at the time of the harvest, visits the farms of his tenants to inspect the crop. If, as often happens, the cash crop farms are at a walking distance of an hour or longer, and the landlord is an aged person who does not like to employ a younger representative, he may well prefer to charge a fixed rent. As this nevertheless means that what would have been a share-cropping tenancy has taken on another form, we shall look again at these 'fixed abusa rents' when discussing the far more frequent period tenancies.

Share-cropping arrangements are not the most common form of tenancy, because leasing land for growing food crops is of more frequent occurrence. No matter whether these 'period tenancies' are for one cropping sequence of two seasons (see Note 2) or for an annual tenure, payment is neither in produce nor in labour services but invariably in money.

With regard to the period for which parties have entered into a tenancy-agreement, three groups can be distinguished:

1. *Tenancies for the lifetime* of the farmer. Of these we encountered 11 cases, invariably of tenants who, although having some type of family relationship to the Asasewura, were nevertheless required to pay a rent. It should be stressed, however, that in these cases no initial payment was demanded and annual rents did not exceed (in 1978) an amount of C4 on average.
2. *Annual contracts* which continue over a longer period of years (in which parts of the rented land may subsequently be left fallow) and are terminable on notice by either landlord or tenant. Of these there are 36 cases in the sample, of which 20 or 56% pay only small rents averaging C4 annually; the other 16 or 44% pay substantially higher rents, more especially in the form of an 'entrance fee'. This is an initial payment averaging C35-C40, in addition to which most of these tenants have to pay the same low rent of about C4 annually.

In this category belong the six tenants whom we have earlier grouped with the sharecroppers in Table 14. In view of the fact that these 'annual contracts' involve much higher rents of as much as C100 or more per year, it is easy to see the distinction which is generally made between leasing land for the more permanent cultivation of tree-crops, which are likely to occupy the land for 30-40 years, or for the growing of annual foodcrops, by which the land will not be taken up for a period of longer than two years.

3. *Seasonal contracts* for which in most cases an initial fee averaging C30 is charged. This therefore amounts to an average yearly rent of C15.

The data pertaining to these different types of period tenancies are summarized in Table 15.

Insofar as rent-paying relatives can be counted as tenants, these,

together with annual tenancies at low rents (categories 1 and 2a), encompass about half (31 or 51%) of all tenancies. The other half is at higher rents (categories 2b, 2c and 3) although not more than 11, including the fixed abusa rents, involve amounts of ₦50 or over.

The low average level of rents is closely connected to the concept on which the leasing of land at Abura-Dunkwa is based: an annual tenancy at a fixed rent is locally known as *agorfie*, a type of tenure which so far has not been documented in the literature. For this reason we have to depend on the explanation of *agorfie* which is locally prevalent: namely, that it is a tenancy granted to those of a landlord's neighbours with whom he has grown up and with whom, therefore, he is acquainted since they played together (*agorfie* = playground). Such persons, although not on the same footing as relatives, deserve the landlord's special consideration and may thus expect to receive a grant of land at a 'friend's price'.

Table 15:
Types of Tenancy

| | Abs | % |
|--|-----|-------|
| 1. <i>Tenancies for Life:</i> (Relatives) | 11 | 17 |
| 2. <i>Annual Tenancies:</i> | 42 | 67 |
| (a) Small yearly rent | 20 | 32 |
| (b) Large initial fee and small yearly rent | 16 | 25 |
| (c) Fixed Abusa rent | 6 | 10 |
| 3. <i>Seasonal Tenancies:</i> Larger fee for once | 10 | 16 |
| Total | 63 | (100) |

6. 'Distance' and the Asasewura's Policy

In discussing the issue of access to farmland in the introduction to this chapter we have suggested that the distance between Abura-Dunkwa as the residential centre where most of the farming population actually lives⁴ and the surrounding farm areas, is likely to have a bearing both on the way in which land is allocated and in which it is used. It was with a view to assessing this effect that, in focusing the investigation on four of the 31

family lands, we selected family lands located at varying distances from the centre.⁵ Accordingly, in studying the differences between the four lands the effects of the factor 'distance' will somehow be thrown into relief.

We would not have brought up this issue of distance if we had not had some definite notions as to the differences that it would make. The research experience which accumulated during the fieldwork period gave rise to the following hypotheses:

1. On the nearer family lands more people will attempt to acquire farms so that the auxiliary rules which allow
 - a child to farm on paternal land,
 - a husband/wife to farm on the land of his/her partner's family,
 - the granting of farming rights to a friend at no cost, will more frequently be involved.
2. Because the cultivation of annual foodstuffs necessarily involves the more regular headloading of bulky crops (cassava, plantain), there will be a tendency to use a larger part of the nearer lands for food production (both for subsistence *and* for the market).
3. Female farmers will more frequently farm on more near than on more distant lands. This is both because women are more often engaged in growing food crops, and because they can on average spend fewer hours per day on farming, so that they will want to avoid long travelling times to and from their farms.
4. Due to the pressure to acquire farms on nearby land as well as to the concentration of foodcrop production there, a smaller part of these lands will remain uncultivated, fallow periods will be shorter, and a smaller proportion of the area will be set aside for (more) permanent cultivation.
5. Due to the more frequent allocation of farms to paternal relations, in-laws and friends on nearby family lands, there will be less occasion to lease land to tenants.

For the more distant lands these hypotheses mean that we shall tend to find:

- relatively fewer paternal relatives, in-laws and friends with farms there;
- a smaller proportion of the land being devoted (annual) food crops;
- relatively fewer women farming in these areas;

- a proportionally larger part of the land is uncultivated and fallow periods are longer;
- a larger proportion is (more) permanently planted with perennial tree-crops;
- relatively more tenants on these lands.

If, with a view to testing these hypotheses on the effects of distance, or for statistical reasons, we contrast the figures for the two nearby lands of Odompem and Amoanda (N=193)⁶ with those for two more distant lands, Osekyerew and Edumenu (N= 63), the results are as follows:

Hypothesis 1: Table 16 shows that the difference on this score is very striking. While almost half (46%) of all those cultivating on the nearer lands were given farming rights because they were related to the landowning families through their father, marriage or friendship, this holds only in one out of six cases (16%) for the more distant lands.

Table 16:
***Paternal Relatives, In-laws and Friends on
More Nearby and More Distant Lands***

| | Abs | % | N = |
|-------------------------------|-----|----|-----|
| The more nearby family lands | 86 | 46 | 188 |
| The more distant family lands | 10 | 16 | 63 |
| Total | 96 | 38 | 251 |

Hypothesis 2: Of the total acreage of farmland surveyed and measured on the more nearby family lands, as much as 87% was devoted to (annual) foodcrops.

In Table 17 we see that this differs significantly from the more distant lands where 52% of the planted area was under food crops.

Table 17:
Percentage of Area Devoted to Food Crops on
More Nearby and More Distant Lands

| | Acreage on foodcrops | Total acreage ⁷ | % |
|-------------------------------|-------------------------|-------------------------------|----|
| The more nearby family lands | 81.3 | 93.9 | 87 |
| The more distant family lands | 35.9 | 68.5 | 52 |
| Total | 117.2 | 162.4 | 72 |

This difference becomes even more significant if we consider the acreages per farmer which, on the two categories of family lands, were planted with food crops. While on the nearer lands the acreage per farmer amounted to 2.5, on the more distant lands this was somewhat less than one acre (0.95). This suggests that on nearby lands like Odompem and Amoanda food crops such as cassava, maize and plantain are much more frequently grown for the market and not only for subsistence.

Hypothesis 3: The expectation that, in view of the more frequent cultivation of food crops on the nearer lands and with the need to lose less time on travelling, more of those farming there than on distant family lands would be women, is corroborated by the difference of the percentages in Table 18: on Osekyerew and Edumenu just over one-third of all farms in the sample (or 35%) belonged to female farmers, but on Odompem and Amoanda this was almost half (or 47%).

Table 18:
Percentage of Female Farmers on Nearby and
on More Distant Lands

| | Abs. | % | N = |
|-------------------------------|------|----|-----|
| The more nearby family lands | 90 | 47 | 192 |
| The more distant family lands | 22 | 35 | 63 |
| Total | 112 | 44 | 255 |

Hypothesis 4: Ignoring the uncultivated area which, not having been parcelled out, does not appear in a survey of individual farms, for the investigation of this hypothesis we can base ourselves on the proportion of total acreage surveyed and measured on each of the family lands which was found to be either mfofo- or odoto-land, i.e. land under short (up to 5 years) or long (6-15 years) fallow.

Table 19 shows that in this respect much more uncultivated land (40%) is available on distant family lands than on the nearby ones (25%).

Although the expected difference in the average duration of fallow is found to occur (the fallow on distant lands amounting to 5.3 years on average compared to 4.5 years on the nearby family lands⁸ it is not really significant. To this should be added as a first proviso that these figures are based on fallow periods of farm plots as reported by the respondents, and are therefore tainted with all the inaccuracy of recall of events long since past. In most cases the moment at which these plots had again been cleared was already one or two years before the date of the interview. Consequently, the moment at which the reported fallow period had started would by then have been between 5 and 10 years earlier. A second proviso is that the averages have not been weighted for the acreages under fallow.

Table 19:
*Percentage of Total Area Under Fallow on
Nearby and More Distant Lands*

| | Acreage under fallow | Total acreage ⁹ | % |
|-------------------------------|-------------------------|-------------------------------|----|
| The more nearby family lands | 31.4 | 112.6 | 25 |
| The more distant family lands | 36.6 | 92.5 | 40 |
| Total | 68.0 | 205.1 | 32 |

Where the evidence on the duration of fallow may be somewhat inconclusive, the hypothesis is again supported by the percentage difference of the acreages under (more) permanent cultivation.

Table 20:
Percentage of Area Devoted to Perennials on
Nearer and More Distant Lands

| | Acreage under Perennials | Total Acreage¹⁰ | % |
|-------------------------------|---------------------------------|-----------------------------------|-----------|
| The more nearby family lands | 12.7 | 125.3 | 10 |
| The more distant family lands | 32.6 | 125.0 | 26 |
| Total | 45.3 | 250.3 | 18 |

While only 10% of the nearby family lands is used for the growing of such perennials as cocoa, citrus, oilpalm and coconuts, of the area of the more distant lands this amounts to as much as one-fourth (26%).

Table 21:
Percentage of Tenants on More Nearby
and More Distant Lands

| | No. of Tenants | % | N= |
|-------------------------------|-----------------------|-----------|------------|
| The more nearby family lands | 44 | 23 | 188 |
| The more distant family lands | 23 | 37 | 63 |
| Total | 67 | 27 | 251 |

Hypothesis 5: Lastly, the more distant lands are indeed more often farmed by tenants than is the case with the more nearby family lands. While less than one-fourth of those farming on nearby lands (23%) are tenants, this amounts to more than one-third (37%) on distant family lands.

It goes without saying that the statistical differences among family lands with regard to the allocation of farming rights and land use are not purely the result of differences in distance to the centre. One realizes this quite clearly when looking at the pattern of allocation for Osekyerew (See Appendix D, Table A1) which deviates very specifically from what one would expect on the basis of distance alone. The deviation is not so much

in the part played in the allocation of land by tenancy (although on expectation this should have been somewhat larger), but rather in the absence of any paternal relatives and in-laws on the land.¹¹ With the exception of one person who was given a farming plot for the sake of friendship (see Appendix D, Table A2), the auxiliary rules of allocation have not been applied at all with the result that as many as 72% of all the farmers on Osekyerew belong to the Amoana ebusua of Kodjo Attah, i.e. the family holding the land. If, for a moment, one would assume this to be a temporary situation, this assumption would have to be discarded in view of the fact that none of those farming on Osekyerew have any additional farms on other family lands. In other words, it is a systematic feature.

In seeking an explanation it should be realized that the Amoana of Kodjo Attah have migrated from Kwaduegya — where they still claim rights to their original family land (see Ch. V) — in the recent past (i.e. not more than 100 years ago), and would have no land at Abura-Dunkwa if it had not been acquired through purchase.¹² It seems, then, that the ancestors of the Amoana family now living at Dunkwa, migrated when the land became available to them and that, at that time, they had not yet entered into marriage relationships with other Dunkwa ebusua and were therefore no party to the mutual acceptance of in-laws and paternal relatives on their land.

What is so particular about this case is not that Osekyerew as a newly-bought family land would have been outside the scope of the normal allocative rules, but that throughout all these decades it has continued to remain so. It is not the initial but the continued absence on the land of paternal relatives and in-laws which is exceptional, and in our view can only be seen as the outcome of a deliberate policy on the side of the present land custodian and of his predecessors.

The importance of the deviating land allocation pattern on Osekyerew is that it draws our attention to the capacity of the land custodian, the Asasewura, to control those categories of persons to whom farming rights are granted on the family land under his/her administration. There is every reason to assume the Asasewura's deliberate control to be at work not only where, as on Osekyerew, it ostensibly opposes existing allocative mechanisms, but also on other lands where it is not so ostensibly applied to promote them. This is more than an assumption because it finds immediate support in a statement by the Asasewura of one of the more distant lands¹³ that he encourages the members of his family to claim farming rights on the land of their in-laws or of their father, in order that

a larger area of their own family land can be given out for the growing of perennial cash crops. It is worth noting that the land concerned is in great demand for this purpose and, even in 1974, had brought a yearly income from rent of £600-£800.

7. The Fiduciary Position of the Ebusua Panyin and the Asasewura

In pointing out the fact that the holding of land by a family can be turned into a source of income, and that, accordingly, we find at least some land custodians making special efforts to increase the flow of cash from this source, we have not considered to whom the income will accrue. To the naïve there is only one simple and straightforward reply to this question: The land is part of the corporate family property which is administered for the family by the Ebusua Panyin or the Asasewura, and the income is by rights family income. This is how matters should work out, but there is no guarantee that they really do. As we shall see, the material and formal arrangements for protecting family interests are full of loopholes and there is every indication that family heads and land custodians use these as escape routes in furthering their own interests.

Legal specialists have commonly called the head of family (and, for that matter, the land custodian) the 'trustee' of family property¹⁴ and have consequently compared the position of the trustee in Anglo-American law to the position of the Ebusua Panyin and the Asasewura in Akan customary law. This results in the identification of some significant differences which show that the two positions cannot really be reduced to the same denominator.¹⁵

Firstly, a 'trustee' is not supposed to benefit in any form from the property given to him in trust. The Ebusua Panyin, being himself a member of the family, however, is supposed, together with the other members, to benefit from the family property that he administers. In this sense his trusteeship is a 'highly interested' one which gives rise to a conflict of duty and self-interest (Asante 1975: 91).

Secondly, the limitations on the powers of a trustee are substantive; those on the powers of the head of family and of the land custodian are only formal and to some extent procedural. In fact, Akan customary law imposes only one basic limitation, i.e. that these powers must be exercised in the interests of the family. Moreover, there are some actions, e.g. the alienation of family land, which he can only perform with the

approval and cooperation of the other family elders. And it is on this solitary procedural requirement that Asante makes the following significant comment: 'The enterprising head of family therefore does not rely on an ingenious construction of a document but on a skilful manipulation of the family council for the purpose of enhancing his powers' (Ibidem: 92-93).

In this respect it is of great importance that a head of family (or a land custodian) who, at regular times, will participate in a discussion of family affairs in the family council, does not owe a duty to keep accounts of the property he manages and *can never be compelled* to give any information on the state of affairs. This has led Mensah Sarbah to say that in case of misappropriation the only remedy which the family has is the removal of the Ebusua Panyin and his replacement by someone else (Sarbah 1897: 90).¹⁶

It is not surprising, therefore, that courts of justice can do little or nothing to support claims which families make against their head. In Akan customary law all these matters are categorized as *efisemi*, meaning 'household matters', and these fall outside the jurisdiction of the Chief's court which can only take cognizance of them if a claimant should invoke the Great Oath of the Chief (see Chapter V).

Notes

1. Of the 89 only 80 gave information on the crops they planted on the other farms; 48 of this 80 reported that they were cultivating a marketable tree-crop. We are now applying this percentage to all 89 in the category.
2. As we have seen in Chapter II the usual pattern is to plant cassava on a newly cleared plot about 3-4 weeks after it has been sown with maize, and to intersperse these crops or to fringe the land with plantain trees. Under favourable circumstances, i.e. if the roots do not suffer from rot or blight or from the flooding of the land, the harvesting of cassava might continue until the next rainy season or even longer; a 'seasonal' tenant will therefore occupy the land for a total of two agricultural seasons. This is what, in the subsequent discussion, we shall take a 'sowing tenure' or 'seasonal tenure' to involve.
3. Besides the tenancy form of the abunu-agreement, there is also a labour-contract by the terms of which the farmer and the permanent labourer (or caretaker) on his tree-crop farm divide produce or proceeds into equal parts. At Abura-Dunkwa this labour-contract is practised in the first few years after establishing a new farm as long as the trees are not bearing and all that can be reaped from the land are staple foodcrops, such as cassava and cocoyam. Accordingly, the fifty-fifty arrangement serves the purpose of leaving the labourer with a more adequate income.
Consequently when, under abunu-terms, the landlord receives as much as the tenants instead of the usual one-third, we must assume the reverse situation: in order for the landlord to get an adequate return from his land while for one reason or another it is not producing as much it could (the farm is new and the trees are not yet bearing; the tenant is old and cannot cultivate the land very effectively; the farm is neglected and the trees are not bearing much fruit), he claims a larger share.
4. As we have noted above, Akan farmers do not usually live on their farms. This does not alter the fact, however, that some of those who farm the more distant lands build cottages on their farms where they stay for weeks during the main agricultural season. In this way, entire farming hamlets have arisen on such far away family lands as Amanpado, Edumenu, Sampon and Owarakesem for temporary habitation.
5. From Table 8 we see that the average distances are as follows,
 - for Odompem: 1.25 km.
 - for Amoanda: 2.25 km.
 - for Osekyerew: 3.00 km.
 - for Edumenu: 6.00 km.

It should be realized that these distances have been measured 'as the crow flies'. Footpaths to the farming areas invariably go a long way around and travelling times from home to farm of 1-2 hours are quite common.

6. Whenever in any of the following tables the sub-total for Odompem and Amoanda is less than 193 this is due to lack of information for a few respondents on some issues.

7. 'Total Acreage' in Table 17 refers to the total area of all farms surveyed which was actually under crops at the time of surveying. This is to say that, in calculating the percentages in the table all uncultivated land (under fallow) is left out of consideration. For further statistical details, see Appendix D.

8. Fallow periods reported are as follows:

| | Total No. of Years | No. of Fallow Periods | Average No. of Years |
|---------------|-----------------------|-----------------------------|----------------------------|
| Odompem | 40.5 | 14 | 2.9 |
| Amoanda | 159.0 | 30 | 5.3 |
| Nearby Lands | 199.5 | 44 | 4.5 |
| Osekyerew | 105.5 | 21 | 5.0 |
| Edumenu | 80.0 | 14 | 5.7 |
| Distant Lands | 185.5 | 35 | 5.3 |
| Total | 385.0 | 79 | 4.9 |

9. In this table 'Total Acreage' is the sum total of land under foodcrops and land under fallow: that is to say that the total area of farms surveyed and measured on each of the family lands has been reduced by the area under permanent cultivation. The rationale for this will be clear: land under perennial crops, cultivated for a term of some 30-40 years, is removed from the alternation between food cropping and fallow.

10. This time the total acreage equals the *total* area surveyed and measured, including all land under crops as well as under fallow. We are now contrasting the part of each farm which is devoted to *temporary cultivation* (which includes land under foodcrops as well as land under fallow which is only waiting to be put under foodcrops) and the part that is devoted to (more) *permanent cultivation*.

11. There is no doubt that, as a consequence, the contrast between the nearer and the more distant family lands on this score in Table 16 amounting to 46 vs. 16%, is exaggerated.

12. We refer the reader to Table 3, from which it can be seen that the Amoano ebusua has bought two parcels of Abura-Dunkwa land: first Osekyerew and second the smaller Kurado 4.

13. Wherever we discuss the Abura-Dunkwa family lands and their *asasewurahom*, as well as the Abura-Dunkwa ebusua and their *mpanyinfo*, they are referred to under their proper names. In these cases anonymity would be as useless as it is unwanted and might even be self-defeating. Where, however, we are concerned with such sensitive matters as the way in which the Ebusua *Pyanyin* leads his family as well as the way in which the *Asasewura* administers the family land (more especially because this involves their fiduciary role over the family) anonymity is a necessity.

14. References to the head of the family (as well as to the Chief!) as a 'trustee' are to be found in Sarbah (1897), in Danquah (1928), as well as in Asante (1975).
15. The following is based largely on Asante (1975: 82-142).
16. To this Ollennu (1962) has added that, once deposed, the former occupant of Stool or office is accountable and may also be sued for accounts (p. 139). Asante has correctly remarked that 'it hardly provides an effective stimulus to honest and efficient day-to-day administration of the family property' (1975: 118).

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY

MEMORANDUM FOR THE RECORD
DATE: 10/15/54
SUBJECT: [Illegible]

APPENDIX A

**SOME NOTES ON MFANTSE
POLITICAL ORGANIZATION**

MFANTSE POLITICAL ORGANIZATION

From an analytical viewpoint the political organization of the Mfantse states is seen to consist of two components: a Stoolholding component coming from below and dealing with the distribution of authority; and an Officeholding component coming from above and modelled on the military command structure.

Stoolholding

Because inherently authority arises from control over land, positions of authority are territorially based, commonly occurring at three levels, to wit: 1. the position of the Odikro at the village level; 2. the position of the Ohene at the level of a group of villages or of a more important centre; 3. the position of the Omanhene, the Paramount Chief, at the level of the state (= Oman). At times there may be a fourth level of authority in between that of the Omanhene and the Ohene. In such a case the state is divided into a number of sub-divisions each headed by a sub-chief having his own court and his own Council of Elders.

Becoming a Chief is to become enstooled, i.e. to be given custody over the Stool as an ancestral shrine by 'being put upon it'. This emphasizes the fact that the authority of a Chief is *inferred* authority which, because it is authority over land, goes back to the members and elders of the landowning families. This is very clear in the case of the Odikro who is selected by the leading Ebusua Mpanyinfo or lineage heads. It is true that the selection is often, but not always, limited to certain members of one particular family, but it nevertheless makes the Odikro much more a *primus inter pares* who represents the landed interests of a community than a ruler. For any Chief, the incumbency of a Stool holds that he derives his authority from the common people and from the Elders who represent them. Chiefs at all levels, also therefore at the State level, are responsible to the common people who have the final word in their election and who have also the right ultimately to destool them. That this is a real and not an illusory force can be seen from the fact that when by the Native Jurisdiction Ordinance of 1883 the Chiefs and their Councils were given the competence to make Bye-Laws, this was put to very little use because the enactment of any unpopular Bye-Laws might, and in some cases did, result in their destoolment. This was not significantly changed until the Native Authority Ordinance of

1944 - and by then Ghana, or rather: the Gold Coast, had experienced 70 years of colonial domination - introduced the appointment and gazetting of 'Native Authorities' (= chiefs and their councils) by the Governor of the Colony. The effect of this was to make the position of the Paramount Chiefs more stable.

Office Holding

As we have already pointed out, an appointment to any of the offices which form the second, office holding component, is from above; that is, by the Paramount Chief in whom the power of the state is vested. In fact, these Offices are mainly those of the divisional army commanders to which the Omanhene, exercising his powers of commander-in-chief will usually appoint some of the more important territorial stoolholders. In the Akan military organization there are seven such divisional commanders or 'wing chiefs': i.e. 1. the *Twafohene*, or commander of the vanguard; 2. the *Adontsenhene*, or commander of the main body of the army; 3. the *Nifa-* (or: *Nyimfa-*)*hene*, commander of the right wing; 4. the *Benkumhene*, or commander of the left wing; 5. the *Nkyidomhene*, or commander of the rearguard; 6. the *Ankobeahene*, or commander of the body guard; and 7. the *Tufuhene*, or commander of the Asafo companies. In addition there are two offices belonging to the so-called 'Gyase'-group, i.e. offices *within* the royal household of the Chief which carry considerable weight. One is that of the *Gyasehene* — in the past often filled by a slave — the Court Chamberlain who, as leader of the Chief's household, commands the different groups of servants (such as hornblowers, swordbearers, drummers) and who looks after the paraphernalia (the State Sword, the palanquin, the State umbrella, etc.). The other office is that of the *Omankyeame*, the Chief's spokesman — of which usually there are several — who speak at public meetings for the Chief and deliver the verdicts in court. They are the Chief's diplomatic representatives; it is only through the spokesmen that others, be they chiefs or commoners, have access to him.

It is the Office holders who sit on the State Council of which neither the *Adikrofo* (plural of *Odikro*) nor the *Ahene* (plural of *Ohene*) are regular members; they only attend when invited to discuss particular matters. If, therefore, the *Odikro* of Abura-Dunkwa has a seat on the State Council it is because he holds the office of *Nifahene* to the Abura Omanhene. In case the Paramount Chief would, as he was asked to do, return the Dunkwa

Stool to the Twidan family of Nana Quansah, the Odikro would lose his office as Nifahene and, accordingly, would also lose his place on the State Council.

The Asafo

In a discussion of Mfantse political organization we have to pay some attention to the role of the Asafo although in origin these were military companies formed on a patrilineal basis each under its own commander. It is often suggested that the Asafo companies are commanded by *Asafohenfo* (sing. *safohene*) or 'captains'. But in fact the *Asafohenfo*, of which there may be as many as four or five to a company, are subaltern officers under the *Supi* who, as carrying the company's *Obaa* or whip, is its real leader.

It is usual for one village or town to raise more than one Asafo company each with a *Supi* in charge and for the joint command to be in the hands of the *Tufuhene*, one of the divisional chiefs. (This is not contradicted by the occurrence at Dunkwa of one Asafo company headed by three *Supis* since three original Dunkwa companies had merged to form the present *Nkoom* company.)

In the Mfantse states the Asafo have continued to exist. Nowadays, all men and women are members and women are also eligible as *safohene* or *Supi*. Although the companies perform some social and many ritual functions, the main role which remains from the past is their political role of organizing and expressing public opinion with regard to the chiefly government. It is mostly through the Asafo and its leading officers, the *Tufuhene* and the *Supis*, that destoolment charges are professed against a chief or that objections are raised against a new Stool candidate. For the case is that a new *Omanhene* has to be paraded by the Asafo before he can be constitutionally enstooled. And it is from this that, more generally, the Asafo derives its strength as an institutional opposition, i.e. that many of the *Omanhene's* official acts of necessity have a ceremonial aspect in which, to give them validity, the Asafo's participation is required.

Sources:

Christensen (1954:107-126); Hailey (1951:189-228); Manoukian (1964: 35-46); Stone (1972).

APPENDIX B

**OVERVIEW OF THE ARUBA-DUNKWA MBUSUA
BY THE NAME OF THEIR EBUSUA PANYIN,
THEIR PLACES OF ORIGIN, NUMBER
OF REGISTERED ADULT MEMBERS AND
LANDOWNERSHIP**

| Clan & Lineage (by Ebusua No. Panyin) | Place of Origin | No. of adults M/F=Tot. | Family land at Abura Dunkwa (yes/no) | Asasewura (if different) |
|---|--------------------|------------------------------|---|--------------------------------------|
| TWIDAN MBUSUA | | | | |
| 1. Kweku Imprem | Nyakrom | 46/51=97 | Yes | Kwamena Annan |
| 2. Kwedu Amoah (Mr J.B. Rockson) | A.-D. | 7/ 2= 9 | Yes | - |
| 3. Kwame Paintsil (Osofo Anaman) | A.-D. | 37/57=94 | Yes | - |
| 4. Kweku Nyimpa- minnyim (Mr Asamoah) | Akesegua | 27/23=50 | No | - |
| 5. Kofi Kwakwa | Anankye | 20/30=50 | Yes | Ekuia Fenyiwa |
| 6. Kobena Abban (Mr J.A. Quansah) | A.-D. | 47/51=98 | Yes | Osam Kwesi V (Mr R.K. Quansah) |
| ADWENADZE MBUSUA | | | | |
| 7. Yaw Donkoh | A.-D. | 11/14=25 | Yes | - |
| 8. Ekow Kyer | A.-D. | 20/24=44 | No | - |
| 9. Kwesi Yaah | A.-D. | 9/13=22 | Yes | Yaw Tawiah |
| 10. Nkwa Nye Nyame | A.-D. | 9/ 7=16 | Yes | - |
| 11. Kofi Kwataah | Sunkwa | 5/ 8=13 | Yes | Efuaba |
| 12. Kobena Panyin | A.-D. | 7/ 2= 9 | Yes | NkwaNye Nyame |
| 13. Kweku Nsarkoh | A.-D. | 7/ 5=12 | Yes | - |
| 14. Kobena Appah | A.-D. | 15/32=47 | No | - |
| KONA MBUSUA | | | | |
| 15. Kweku Thomas | Tetsi | 32/50=82 | No | - |
| 16. Kwesi Apaa | Ayiwase | 41/53=94 | No | - |
| 17. Kwesi Tanyi | A.-D. | 24/32=56 | Yes | Papa Agyekum |
| 18. Kobena Tsenkorang | Mankesim | 27/44=71 | No | - |
| 19. Kwesi Nsaidoo | Abaka | 18/27=45 | No | - |
| 20. Kwame Kwa | A.-D. | 13/17=30 | No | - |
| 21. Kwesi Mpraim | Odonkwai | 12/12=24 | No | - |
| 22. Kobena Gyakye | Odompaw | 27/37=64 | No | - |
| 23. Kobena Brebu | ? | 28/27=55 | No | - |
| 24. Kwame Kurankye | Nkwanta | 8/12=20 | No | - |
| 25. Yaw Ayew | Adasamadze | 2/ 1= 3 | Yes | - |
| 26. Kweku Kyer | Tetsi | 5/ 7=12 | No | - |
| 27. Kodjo Annan | ? | 2/ 5= 7 | No | - |
| 28. Kweku Tawiah | Patoako | 12/12=24 | No | - |
| 29. Kwesi Aidoo | Kyikyibo Obohen | 33/42=75 | Yes | Kofi Mensah Aidoo |

NSONA MBUSUA

| | | | | | |
|-----|---|--------------|--------------|-----|--------------|
| 30. | Kodju Dadzie | Ekroful | 7/29 = 36 | No | - |
| 31. | Kwame Braku | Ayeldo | 22/23 = 45 | No | Kofi Eku |
| 32. | Kwame Kwakwa | Aboase | 27/28 = 55 | No | - |
| 33. | Kweku Appiah | A.-D | 25/24 = 49 | Yes | - |
| 34. | Yaw Otu | A.-D | 22/28 = 50 | Yes | Kweku Tawiah |
| 35. | Kwesi Aidoo | Abakrampa | 18/43 = 61 | Yes | - |
| 36. | Kodjo Osea | Assin Kwaata | 20/52 = 72 | No | - |
| 37. | Kodjo Donkoh | ? | 13/17 = 30 | No | - |
| 38. | Yaw Gyan Kyer | A.-D. | 15/14 = 29 | Yes | - |
| 39. | Kwesi Kyer | Osekyerew | 3/10 = 13 | No | - |
| 40. | Kwesi Tekyi | New-Odonase | 23/43 = 66 | Yes | - |
| 41. | Kwame Bondze Kofi Kumah (Papa Napoleon; Nana Kodjo Aful) | Tetsi | 72/85 = 157 | No | - |
| 42. | Kodjo Abodom | A.-D. | 54/ 74 = 128 | Yes | - |
| 43. | Papa J.E. Otabir | A.-D. | 92/125 = 217 | Yes | Kofi Kumah |

ABORADZE MBUSUA

| | | | | | |
|-----|--------------------|--------------|-------------|-----|--------------|
| 44. | Kobena Attah | A.-D. | 50/64 = 114 | Yes | Esi Prempeh |
| 45. | Kobena Yaidoo | ? | 4/ 1 = 5 | No | - |
| 46. | Kodjo Eduonu | Egya | 1/ 2 = 3 | No | - |
| 47. | Kwame Dro | Breman Esiam | 1/ 1 = 2 | No | - |
| 48. | Kwesi Arko | Betsingwa | 43/64 = 107 | No | - |
| 49. | K.A. Quashie | ? | 5/ 1 = 6 | No | - |
| 50. | Kwesi Egyir Kofi | Mpesidadze | 8/10 = 18 | No | - |
| 51. | Kobena Nyamekye | A.-D. | 71/85 = 156 | Yes | Nana Owiredu |

ATWEA MBUSUA

| | | | | | |
|-----|--------------|-------|------------|-----|-------------------|
| 52. | Kobena Kumah | A.-D. | 38/52 = 90 | Yes | Kwame Nyamekye |
|-----|--------------|-------|------------|-----|-------------------|

AMOANA MBUSUA

| | | | | | |
|-----|---------------|-----------|-------------|-----|---|
| 53. | Kofi Andze | Kwaduegya | 53/63 = 116 | Yes | - |
| 54. | Michael Moses | Tetsi | 3/ 7 = 10 | No | - |
| 55. | Yaw Essel | Nsanfo | 27/34 = 61 | No | - |
| 56. | Kweke Ayew | Ekumfi | 24/20 = 44 | No | - |
| 57. | Kofi Esuako | A.-D. | 16/21 = 37 | No | - |
| 58. | Kodjo Kuma | Ekumfi | 6/ 6 = 12 | No | - |

DE HYENA MBUSUA

| | | | | | |
|-----|---------------------------------------|-----------|--------------|-----|-------------------------------|
| 59. | Kwesi Kwakwa | A.-D. | 55/68 = 123 | Yes | - |
| 60. | Yaw Bessa | Nsafo(na) | 50/51 = 101 | No | - |
| 61. | Kodjo Damtse (alias Papa Jonah) | Mankesim | 65/100 = 165 | Yes | Ahin Mensah (Kweku Appiah) |

ODOMNA MBUSUA

| | | | | |
|---|----------|--------------|-----|------------|
| 62. Kodjo Nyarkoh (alias J.B. Yorke) | Afrangwa | 30/ 40 = 70 | Yes | Kwame Kyer |
| 63. Kofi Donkoh | Eduakrom | 11/ 13 = 24 | No | - |
| 64. Kweku Nyame | Ayiwase | 75/113 = 188 | No | - |
| 65. Kofi Aidoo | Putibew | 1/ 1 = 2 | No | - |

ANONA MBUSUA

| | | | | |
|---------------------|------------|------------|----|---|
| 66. Kofi Nkrumah | Obohen | 29/24 = 53 | No | - |
| 67. Kobena Akumanyi | Odumase | 17/15 = 32 | No | - |
| 68. Kwame Yankson | Anomabu | 4/ 8 = 12 | No | - |
| 69. Kobena Donkoh | Odumekyir | 6/ = 6 | No | - |
| 70. Kwame Mensah | ? | 1/ 8 = 9 | No | - |
| 71. Kodjo Quego | Mpesidadze | 1/ 5 = 6 | No | - |
| 72. Kweku Owusu | Nankesedo | 23/34 = 57 | No | - |
| 73. Kodjo Abban | ? | ?/ ? = 21 | No | - |

APPENDIX C

**RANK CORRELATION BETWEEN
LANDHOLDING LINEAGES BY NUMBER
OF ADULT MEMBERS
AND
FAMILY LANDS BY AREA**

Rank 1: No. of Adult Members

Rank Correlation Table

Rank 2: Family Lands by Acreage

| No. | Ebusua Panyin/Clan | No. of adults | Rank | | D | D ² | |
|--------------|-----------------------|---------------|-----------------|------------------|-----------------|-------------------------------|-------------------|
| | | | 1 | 2 | | | |
| 1 | Kweku Imprem/Twidan | 97 | 9 | 200 | 13 | - 4 | 16 |
| 2. | Kweku Amoah | 9 | 26 | 177 ⁵ | 15 | 11 | 121 |
| 3. | Kwame Paintsil | 94 | 10 | 105 | 19 | - 9 | 81 |
| 5. | Kofi Kwakwa | 50 | 17 ⁵ | 370 | 9 | 8 ⁵ | 72 ²⁵ |
| 6. | Kobena Abban | 98 | 8 | 670 | 5 | 3 | 9 |
| 7. | Yaw Donkoh/Adwenadze | 25 | 21 ⁵ | 380 | 7 ⁵ | 14 | 196 |
| 9. | Kwesi Yaah | 22 | 23 | 380 | 7 ⁵ | 16 ⁵ | 272 ²⁵ |
| 10. | Nkwa Nyame | | | | | | |
| 12. | Kobena Panyin | 25 | 21 ⁵ | 225 | 12 | 9 ⁵ | 95 ²⁵ |
| 11. | Kofi Kwataah | 13 | 24 | 140 | 16 | 8 | 64 |
| 13. | Kweku Nsarkoh | 12 | 25 | 80 | 22 | 3 | 9 |
| 17. | Kwesi Tanyi/Kona | 56 | 16 | 91 ⁵ | 20 | - 4 | 16 |
| 25. | Yaw Ayew | 3 | 27 | 30 | 26 | 1 | 1 |
| 29. | Kwesi Aidoo | 75 | 12 | 85 | 21 | - 9 | 81 |
| 33. | Kewku Appiah/Nsona | 49 | 19 | 115 | 18 | 1 | 1 |
| 34. | Yaw Otu | 50 | 17 ⁵ | 55 | 23 ⁵ | - 6 | 36 |
| 35. | Kwesi Aidoo | 61 | 15 | 32 ⁵ | 25 | -10 | 100 |
| 38. | Yaw Gyan | 29 | 20 | 440 | 6 | 14 | 196 |
| 40. | Kwesi Tekyi | 66 | 14 | 986 | 4 | 10 | 100 |
| 42. | Kodjo Abodom | 128 | 4 | 1160 | 2 | 2 | 4 |
| 43. | Papa Otabir | 217 | 1 | 180 | 14 | -13 | 169 |
| 44. | Kobena Atlah/Aboradze | 114 | 7 | 1110 | 3 | 4 | 16 |
| 51. | Kobena Nyamekye | 156 | 3 | 1465 | 1 | 2 | 4 |
| 52. | Kobena Kumah/Atwea | 90 | 11 | 300 | 10 | 1 | 1 |
| 53. | Kofi Andze/Amoana | 116 | 6 | 285 | 11 | - 5 | 25 |
| 59. | Kwesi Kwakwa/Dehyena | 123 | 5 | 15 | 27 | -22 | 484 |
| 61. | Kodjo Damtse | 165 | 2 | 120 | 17 | -15 | 225 |
| 62. | Kodjo Nyarkoh/Odomna | 70 | 13 | 50-60 | 23 ⁵ | -10 ⁵ | 110 ²⁵ |
| Total | | 2013 | | 9229.5 | | ∑ D² = 2505 | |

RANK CORRELATION: Calculation

$$\begin{aligned} \text{rho} &= 1 - \frac{6 \sum D^2}{N(N^2 - 1)} \\ &= 1 - \frac{6 \times 2505}{27(27^2 - 1)} \\ &= 1 - \frac{15,030}{19,656} \\ &= 1 - 0.766 \\ &= [0.234] \end{aligned}$$

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APPENDIX D

**MORE COMPREHENSIVE STATISTICAL
INFORMATION ON ALLOCATION OF
FARMING RIGHTS AND LAND USE
FOR THE FOUR SELECTED FAMILY LANDS**

Table A.1
Allocation of Farming Rights by Broad
Categories for the Selected Family Lands

| SELECTED FAMILY LANDS | On own family land | | Relatives and friends | | Tenants | | N= | No infor- mation |
|--------------------------|-----------------------|----|--------------------------|----|---------|----|-----|---------------------|
| | abs. | % | abs. | % | abs. | % | | |
| Odompem | 10 | 25 | 23 | 58 | 7 | 17 | 40 | 2 |
| Amoanda | 48 | 32 | 63 | 43 | 37 | 25 | 148 | 3 |
| THE MORE NEARBY | | | | | | | | |
| FAMILY LANDS | 58 | 31 | 86 | 46 | 44 | 23 | 188 | 5 |
| Osekyerew | 18 | 72 | 1 | 4 | 6 | 24 | 25 | - |
| Edumenu | 12 | 31 | 9 | 24 | 17 | 45 | 38 | - |
| THE MORE DISTANT | | | | | | | | |
| FAMILY LANDS | 30 | 48 | 10 | 16 | 23 | 37 | 63 | - |
| Total | 88 | 35 | 96 | 38 | 67 | 27 | 251 | 5 |

Table A.2
Allocation of Farming Rights to Paternal Relatives,
In-Laws and Friends on the Selected Family Lands

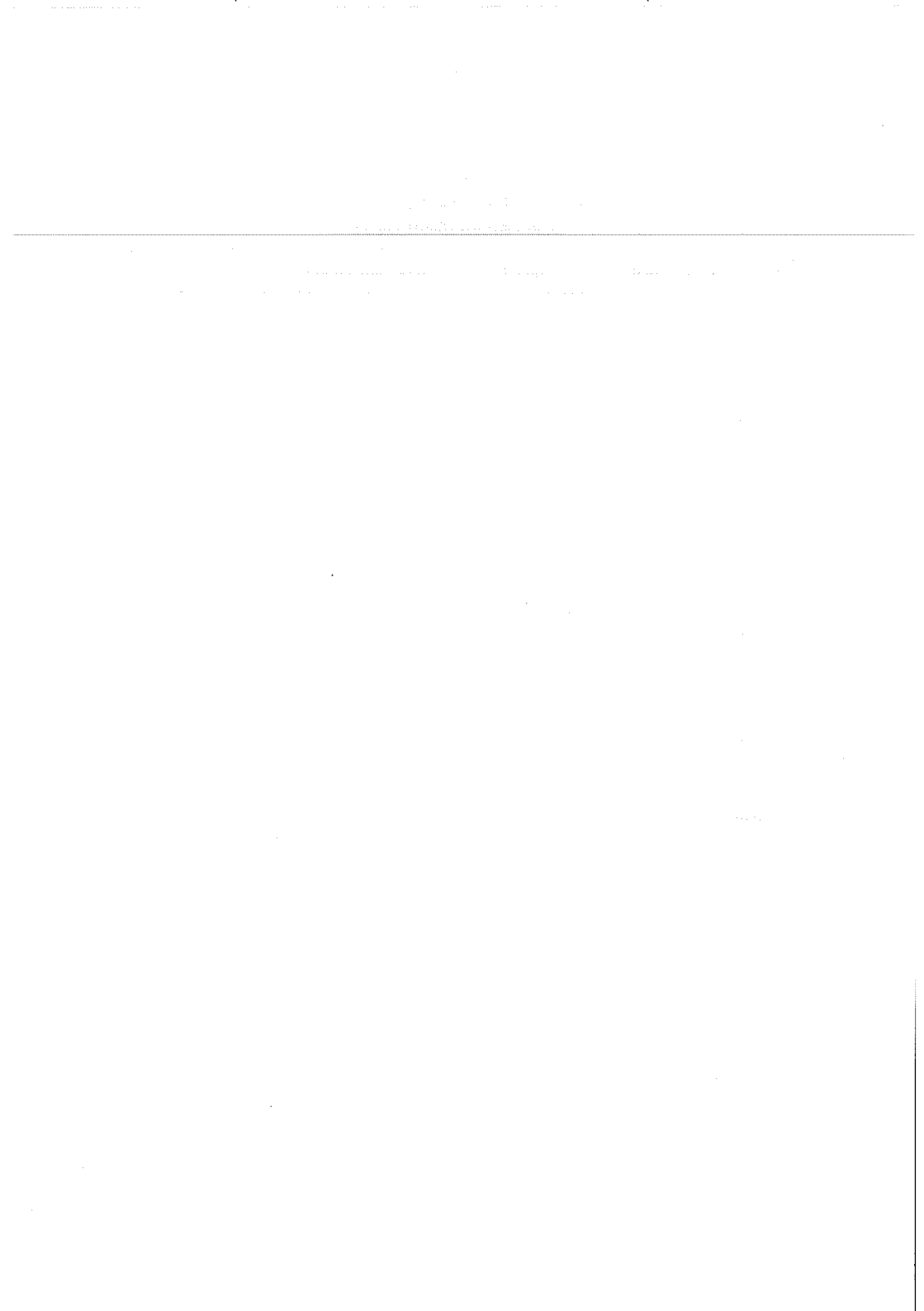
| SELECTED FAMILY LANDS | Paternal Relatives | | In-laws | | Friends | | N= |
|--------------------------|-----------------------|----|---------|----|---------|----|-----|
| | abs. | % | abs. | % | abs. | % | |
| Odompem | 9 | 11 | 4 | 11 | 9 | 21 | 40 |
| Amoanda | 23 | 15 | 28 | 19 | 12 | 8 | 148 |
| Osekyerew | - | - | - | - | 1 | 4 | 25 |
| Edumenu | 1 | 3 | 4 | 10 | 5 | 13 | 38 |
| Total | 33 | 13 | 36 | 14 | 27 | 11 | 251 |

Table A.3
Period and Sharecropping Tenancies
on the Selected Family Lands

| SELECTED LANDS | Agorfie | Abusa and Abunu | Total |
|----------------|-----------|-----------------|-----------|
| Odompem | 5 | 2 | 7 |
| Amoanda | 33 | 4 | 37 |
| Osekyerew | 5 | 1 | 6 |
| Edumenu | 9 | 8 | 17 |
| Total | 52 | 15 | 67 |

Table B
Land use on the Selected Family Lands (in acres)

| SELECTED FAMILY LANDS | Area under foodcrops | | Area under perennials | | Area under fallow | | Total area | N= | Area per farm |
|-----------------------|--------------------------|-----------|-----------------------|-----------------|-------------------|-----------------|--------------------------|-----------|------------------|
| | abs. | % | abs. | % | abs. | % | | | |
| Odompem | 23.2 ⁵ | 54 | 5.9 ⁵ | 14 | 13.5 | 32 | 42.7 ⁵ | 10 | 4.3 |
| Amoanda | 58.0 | 70 | 6.7 | 8 | 17.8 | 22 | 82.5 | 22 | 3.7 ⁵ |
| Osekyerew | 33.8 ⁵ | 48 | 11.6 | 16 ⁵ | 24.9 ⁵ | 35 ⁵ | 70.4 | 25 | 2.8 |
| Edumenu | 22.0 ⁵ | 40 | 20.9 ⁵ | 39 | 11.6 | 21 | 54.6 | 13 | 4.2 |
| Total | 137.1⁵ | 55 | 45.2 | 18 | 67.9 | 27 | 250.2⁵ | 70 | 3.6 |



APPENDIX E

**THE FIELDWORK AND
ITS IMPLEMENTATION**

THE FIELDWORK AND ITS IMPLEMENTATION

My interest in land tenure and access to land in Southern Ghana and all the inter-connected problems is not an arbitrary matter but is linked to my earlier research. I have always been deeply concerned with the plight of fishermen and peasants, small-scale entrepreneurs, both men and women, and the question of how they managed to subsist and the historical, political and socio-economic processes that played a role in their way of life.

My research into the political economy of peasant farming started in 1974 in the following manner. When discussing how to improve their individual incomes as well as their collective welfare, the elders of Abura Dunkwa* said that lack of land was not likely to be a problem. On the whole there was plenty of land, although it was not always in the near proximity. Although I and my colleagues at the Centre for Development Studies at Cape Coast had for many years maintained that lack of wage labour would be a bottleneck in developing peasant agriculture, the elders assured me repeatedly that they would gladly make time available to clear new land and to plant a new cash crop. However, they wanted me to advise them as to which crop that they had not already tried would be most profitable.

I was never certain whether they really expected me to answer that question. In particular, I was aware that they were referring sarcastically to tobacco — the last crop that they had 'tried' and has mostly given up because of the ridiculously low (non-equivalent) prices paid by the Tobacco Development Board. In 1973 this had become quite a scandal.

But however pertinent my questions regarding the estimated area of available land, its location and quality, and also about the number of man-days that they would be able to devote to cultivating an additional crop, the answers were never satisfactory.

This marked the start of my research. In 1974, with the aid of Samuel Kwegyir, research assistant at the Centre and son of the Okyeame (chief linguist) of the Abura-Dunkwa Odikro, and armed with a list of all Abura-Dunkwa families, including the heads of all matrilineal divisions, that had been provided by the 'ebusua clerk', I started to visit all heads of landowning Dunkwa families, both male and female. My questions concerned the location of their lands, their approximate areas, and the

*Abura Dunkwa is a small rural town of 4000-5000 inhabitants in the Central Region.

extent to which they were under cultivation or fallow. Kwegyir's assistance was invaluable in that he knew all the people concerned and their inter-relationships. Nevertheless, compilation of the somewhat dubious data took some considerable time: some of the interviews were so lengthy that they had to be spread over repeated visits. Moreover, the lands, about 30 in all, covered an area of roughly 50 sq.km., which was yet another complicating factor.

An early result was that preliminary information enabled us to draw a rough map of the territory in question and its subdivisions, on the basis of 1:25,000 Survey Department maps, which made it possible to estimate the land area that was available to each family.

If a Ghanaian belonging to one of the principal tribes of Southern Ghana such as the Asante or Mfantse wishes to have some land to farm, he or she has to invoke his/her membership of a village community which holds title to village (Stool) land, or of a village family that holds title to family land. As a member of such a village/family, he or she is entitled by customary law to cultivate unoccupied land of the village or family and to acquire its usufruct. Cultivators are prohibited from alienating the land, and the system is therefore assumed to guarantee (equal) access to land for present and future generations. The question is, of course, whether present conditions do indeed offer equal access to farming (and building) land.

In the course of the research it became clear that the population of Abura Dunkwa consisted of 73 families or *mbusua*, that of these 51 were immigrant and 22 autochthonous *mbusua*, and that only 28 held any family land within the territory. This raised the question of access to farming land for members of non-owning families. Notwithstanding the crudity with which our maps had been drawn, they unmistakably illustrated the unequal sizes of family lands which were sometimes farmed by many people, and the effect of this on the availability of excess land.

Additional fieldwork carried out in March and April 1977 made it possible to fill in some of the missing details in our sketch map. Over time, however, it became obvious that this was too provisional to be used as a basis for further research: this was intended to involve not only problems of land access, but also land use, types of crops grown; types of labour used (casual, annual, contract); seasonal farm operations (land clearing, planting, weeding, harvesting); sales of cash crops; sexual division of labour, etc. Our purpose was to gain a better idea of how the land was divided, leased and cultivated.

When it became possible for me to spend another six months in

Ghana (from August 1978 to January 1979) and to devote more time to the Abura Dunkwa research, I decided on a more comprehensive approach. My intention was to chart all Abura Dunkwa family lands, and my first step was to inform the Chief of the town and the Omanhene of Abura Traditional Area of the work that was to be undertaken and of its purpose.

I got into touch with a geographer/cartographer at the University of Cape Coast, who was willing to undertake a detailed family land survey. Casual labourers were hired locally for the work of cutting footpaths along the boundaries of family lands which, as was to be expected, ran mostly through uncultivated bush. The family heads co-operated by joining us in the fields and showing us their boundaries. The land had to be measured with the aid of a measuring tape and a compass with a graduated scale. The data thus obtained were converted into lines by the geographers at the university. At some points it was impossible to take measurements, e.g. when the ground was marshy, or when the borders between two or more lands were formed by rivers. The mapping process brought conflicts to light, not created by our surveying activities but of long standing. Their nature was studied carefully since they formed an essential part of the research subject.

In addition to a precise map of the family lands, we needed data on the various family groups: how many adult members they had, and who was permitted to claim a piece of land. For this purpose, we made use of the membership list of the *Eyije kuw*, the Abura Dunkwa funeral society. Such membership is by family group, each family contributing proportionately to the number of adults in the group. Family heads came to pay their contributions every second Saturday and the total takings were donated to a family group whose turn it was to arrange funeral festivities for one or more of its deceased.

The records of the society are comparatively accurate and up-to-date since all family groups in the area are registered. Family heads ensure that they pay for all their adult members, but also that they do not pay for too many. However, this does not mean that the numbers recorded equal those of adults who may claim land: among people for whom a family group feels obliged to arrange funeral festivities (three months after the burial) will be many who emigrated from the town many years, if not decades, previously. The society's administrative records, therefore, could only be a starting point in identifying their total membership.

We realized an important fact immediately: i.e. that there were about 30 family lands and more than 70 family groups. In other words, many

people could not acquire land through the family group to which they belonged on the maternal side. In this given part of West Africa, that family group—the matrilineage—determines rights to land. For those who belonged to family groups which lacked such rights, other kinds of family relations might be mobilized. Husbands may use their wife's family land; wives may have access to the land of their husband's family; children may farm on paternal land; in-laws may provide a person with some of their family land. However, such access does not confer the same rights to land as is the case with the matrilineage. Usually only very small plots can thus be acquired on a short-term basis for the growing of food crops; for all other purposes the usufruct of land can only be obtained by renting it on a yearly basis.

During this same period a start was made with the construction of individual farm plans which showed every piece of land, whether or not it was cultivated. This was preceded by a list of general questions based on the measurement of individual farms, and a pre-testing phase based on data that had been compiled earlier. On the basis of these farm plans, a farm operations questionnaire was then drawn up.

When I left Ghana in January 1979, the research was continued by Mr Agbodzah, the geographer at the University of Cape Coast, with a research assistant who had earlier been employed at the Centre.

Political developments in Ghana prevented much news being received about the progress of the research until Paul Haanen, a non-western sociologist with research experience in rural Ghana, agreed to go there to investigate, at my expense, for a period of five weeks. In particular, he was to finish the necessary interviews and to check earlier interviews for any lacunae or errors. Reaching Ghana in November 1979, he ascertained that the map of the family lands was more or less finished and that questionnaires of two family lands had been completed; and also the list of general questions, the farm plans and those regarding the farm operations were completed.

The general questions gave rise to some problems. The answers from the list were needed to get an impression of the number of male and female farmers per family land. It soon appeared that on the family land Amoanda there were far more farmers than had originally been assumed. This made it impossible to measure all the individual plots and to interview all the farmers who worked there. The guidelines laid out for Paul Haanen thus had to be changed since our initial intention had been to interview each individual farmer on the five selected family lands and to draw the outlines of their farms on the survey map.

Within a period of five weeks, four men made 250 interviews based on the general questions list. It should be clearly understood that the farm plans and the farm operations questionnaire could only be completed after the 'general questions'.

Meanwhile, in September 1979 together with my research assistant, Ms Reinke Zwanenburg, I had started to analyse those research data that had been compiled since 1974. Together with the newly acquired data, an inventory was made. The 'spread' of the farm operations data proved too scanty in that the majority came from two family lands, Osekyerew and Ahwiiawom. Further research was necessary, and Paul Haanen returned to Ghana in January 1980 for a period of six months in order to ensure that the farm operations questions were brought to a justifiable statistical level.

The missing information on the division of labour between husbands and wives was also obtained, particular attention being given to the contribution of the wife's crops (from her own farm) to the household and also that of the husband's crops.

Another field of attention was the cash crop (perennial tree crop) farms i.e. their contribution to the household's income and their needs in terms of inputs, especially labour. The manner in which cash crop plots were obtained and the title under which they were held were also examined.

All these activities made it necessary that the individual plots should be charted, particularly because the questions on farm operations had to be based on detailed maps of the farms concerned. This meant that we had to acquire at least one family land map showing its sub-division into individual farms. Our choice fell on Mankensu (No. 22 on the map), which had an area of 61.5 acres. This was a reasonable size with which to work and its custodian had no objection to its being charted. We thus gave up the original plan of mapping all farms on the five selected lands and of making a choice among them.

The work of measuring Mankensu and, where necessary, of clearing its borders, started in February 1980 and lasted for two months, work being done in the mornings only.

The data collection techniques employed in this research included systematic and participant observation and qualitative interviewing.

The following research data are available but have not been used in the final report.

1. Data on the family land of Mankensu, i.e. the map showing individual farms, who cultivated the land, their relationship to the Asasewura (custodian), crops grown.

2. Results of the farm operations questionnaire: i.e. age, education, all cultivating activities needed to produce the end product.
3. The sexual division of labour.
4. Basic information originating in the general questions list.
5. Systematic and precise price data for different crops, including transportation costs. A systematic comparison over a period of six months of prices obtained by selling on Abura Dunkwa market, selling to a dealer on the land, and selling at the major markets of Cape Coast and Mankesim.
6. All data regarding four farms on the family land of Ahwiawom.
7. A number of individual farm plans.
8. A map of the Amoanda subdivision.
9. Data on the original farms with which the author started his work. Later, a six-month farm diary was kept with data on man/woman workdays, the nature of their activities, and possible costs and proceeds.

1. The first part of the document is a list of names and addresses of the members of the committee.

2. The second part of the document is a list of names and addresses of the members of the committee.

3. The third part of the document is a list of names and addresses of the members of the committee.

4. The fourth part of the document is a list of names and addresses of the members of the committee.

5. The fifth part of the document is a list of names and addresses of the members of the committee.

6. The sixth part of the document is a list of names and addresses of the members of the committee.

7. The seventh part of the document is a list of names and addresses of the members of the committee.

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