

The Traditional Rulers and the Educated Elite between Agreement and Disagreement: The Case of the Gold Coast (Present-day Ghana), 1860s- 1920s

الحكام التقليديون والنخبة المتعلمة بين الاتفاق والخلاف:
حالة ساحل الذهب (غانا حاليا)، 1860-1920

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Abstract

In the Gold Coast, the traditional rulers had long been the medium through which the colonists ruled over the country. However, the relationships between the two sides (traditional rulers and the colonial government) were not always harmonious as contention between some chiefs and British officials was not infrequent during the second half of the nineteenth century. Likewise, the relationships between the Gold Coast educated Africans and the traditional rulers oscillated between cooperation, alliance, and dissension.

Keywords: Gold Coast, traditional rulers, educated elite, British colonial authorities

ملخص

شكل الحكام التقليديون بساحل الذهب (غانا حاليا) لفترة طويلة القناة الوحيدة للاتصال بين السلطات الاستعمارية الأوروبية والسكان الأصليين، وهو نظام استعماري يُعرف باسم الحكم غير المباشر. وبناءً على ذلك، فقد كان الحكام التقليديون في ساحل الذهب يحظون في الكثير من الأحيان بمعاملة خاصة من قبل السلطات الاستعمارية

البريطانية ويحافظون على مكانتهم المميزة بين شعبهم. ومع ذلك، فإن العلاقات بين الجانبين (الحكام الأصليين والحكومة الاستعمارية) لم تكن متناغمة دائما. لقد كانت المناوشات وحتى المواجهات بين بعض زعماء القبائل والمسؤولين البريطانيين شائعة خاصة خلال النصف الثاني من القرن التاسع عشر. بالإضافة إلى ذلك وعلى نحو مماثل، كانت العلاقات بين الأفارقة المتعلمين في ساحل الذهب والحكام التقليديين تتأرجح بين التعاون والتحالف والشقاق والمواجهة. الكلمات المفتاحية: ساحل الذهب، الحكام التقليديون، النخبة المتعلمة، السلطات الاستعمارية البريطانية

Introduction

During the period under review, the Gold Coast witnessed many instances of heterogeneous relationships between the traditional rulers and the educated Africans. While these relationships were sometimes more like a marriage of convenience, they were frequently characterized by open confrontations and clashes of interests. For instance, while the two sides cooperated and allied to found the Gold Coast Aborigines Rights Protection Society (ARPS) in 1898 to protest against and oppose the British land legislation, namely the Public Lands Bill, and preserve the native system of land tenure, they got into open confrontation when some educated members of this Society decided to break away from it and form a new and greater West African organization, the National Congress of British West Africa (NCBWA) in 1920.

One of the early examples of cooperation between the Gold Coast traditional rulers and the education elite took place in the 1860s when a local king (King Aggergy) and his educated collaborators worked closely to face the extension of British jurisdiction and the encroachments of British officials on the native authorities at that time.

1- King Aggergy, His Educated Supporters, and the British (1865-1866)

After the separation of the Gold Coast from Sierra Leone in 1850, the British established a Supreme Court in 1853, with

jurisdiction inside the forts and settlements. However, in practice the limits within which English law was to be observed were not well defined resulting in a steadily increasing power of the British courts, and causing a decline in the authority of the native courts, especially in Cape Coast¹ (see map). In April 1856, an Order in Council extended the jurisdiction of the Supreme Court by officially allowing it to deal with cases in the 'Protectorate' and inside the settlements, without having recourse to any native chief or authority. This contributed to further restrict the authority of the native court.

Extension of the British jurisdiction beyond the walls of their forts was not always coupled with an extension of their protection. The Fantis, one of the major ethnic groups in the Gold Coast who lived principally on the coastlands, were soon to experience this situation when they suffered great losses during the 1863 Ashanti invasion when the British attitude did not come up to their expectations. In January 1865 the Cape Coast Chiefs elected a new King, John Aggery (?-1869), the first Christian King of the town, an election welcomed and ratified by Richard Pine (Governor of the Gold Coast from 1862 to 1865) who invited King Aggery to the Government House, hoping that he would be a faithful ally².

Disagreement between King Aggery and Governor Pine was soon to emerge. The first clash between the two men took place when Aggery's court tried a man and sentenced him to imprisonment, but the latter escaped and sought trial by the British court. The sentence of the King's magistrate Joseph Martin was rejected and he was even fined, a decision that irritated King Aggery. A few weeks later, a similar event occurred during which the Governor accused the King's court of irresponsibility, and he asked King Aggery to meet him to discuss the authority of the latter's court which was to be set by the former³. Aggery replied by questioning the whole basis of British

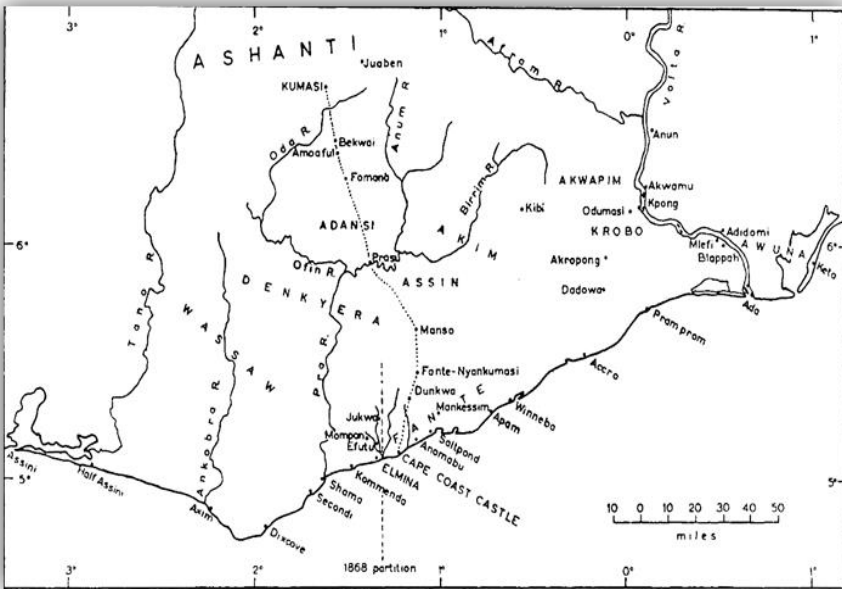
¹- Adu Boahen, "A New Look at the History of Ghana," *African Affairs*, V. 65, No. 260, July 1966, p. 196.

²- Ibid., p. 201.

³- David Kimble, *A Political History of Ghana; the Rise of Gold Coast Nationalism, 1850-1928*, Oxford: Clarendon, 1963, p. 203.

jurisdiction, criticizing the *de facto* authority established by the British who deprived the Kings and Chiefs of the power to govern their own people. He also stated that he would appeal to the home government to settle the matter, since British Parliament had clearly objected any extension of British authority beyond the walls of the forts.

Outline of the Gold Coast in the 1860s-70s



Source: W. D. McIntyre, "British Policy in West Africa: The Ashanti expedition of 1873-4," *The Historical Journal*, 1962, Vol. 5, No. 1, p. 46.

In September 1865, a serious riot broke out in Cape Coast between the British soldiers of the garrison and the natives, two of whom lost their lives. This incident caused an immediate reaction on the part of Aggrey who strongly protested to the British Administrator Edward Conran, and he complained about the soldiers' excessive use of force against the inhabitants. He stated that the 'Queen's subjects' were beaten, dragged like dead cattle, terrorized, and robbed of their

property; and urged the government to undertake a full judicial enquiry into the attack and punish those responsible¹. By doing so, King Aggergy became the spokesman of both the Chiefs whose authority was being undermined by British encroachments, and that of the people whose security had recently been threatened by the British military.

In 1866, King Aggergy wrote to the Governor-in-Chief at the West African Settlements, Samuel Wensley Blackall (1809-1871), asking him to clearly define the relationship between the King and the Governor on one hand, and that between the King's court and the British one on the other. He also complained that, unlike the government officials, he did not receive any customs duties or other revenues collected and announced that he intended to form his own military force². This brought about the fury of Conran who qualified Aggergy as an 'insolent, ignorant, and stubborn man', and considered his declarations as an attempt to overthrow the British government and establish his own. Subsequently, Conran criticized the bad influence exerted on Aggergy and the other Kings and Chiefs by their educated councilors, whom he qualified as "... petty native lawyers, who cling like leeches to the skirts of their more ignorant kings and chiefs for the sake of gain, ... giving the greatest trouble, and causing, what is much worse, the greatest discontent."³ On the other hand, in his dispatch to the Colonial Secretary Edward Cardwell, Blackall recommended a change in British policy in the area to avoid future clashes with the local Chiefs, and that Aggergy's intended military force should not be allowed to form if the British were to stay in Cape Coast. Consequently, the Secretary of State for the Colonies declared that Aggergy's ambitions should be strongly objected and that King Aggergy should be informed to abide by the British authority in return for protection.

¹- Kimble, op. cit., p. 211.

²- Ibid., p. 214. The Governor's name appears as Sir William Blackall, which seems to be a mistake by Kimble.

³- Henry Brackenbury, *Fanti and Ashanti, Three Papers Read on Board the S.S. Ambriz on the Voyage to the Gold Coast*, Edinburgh: W. Blackwood and Sons, 1873, p. 36.

In July 1866, Thomas Hughes, a notable Cape Coast merchant and former churchwarden, was chosen to represent the King and the inhabitants of Cape Coast in matters related to ‘order, civilization, improvement, and welfare of the people’¹. Conran, however, refused to recognize Hughes, believing that the latter sought to consider himself as equal to the Governor. Aggery criticized Conran’s attitude, accusing him of withholding people’s civil liberties. In September, King Aggery and those backing him expressed their grievances through a formal petition in which they complained about the whole British rule which sought to abrogate the authority of the native institutions, namely the Chiefs and Headmen, they argued². The immediate reaction of the British authorities was to reject the petition altogether and warn the home government about a return to state of affairs where ‘savageness and barbarity’ would be the predominant features, in case those behind the petition were to govern.

Aggery’s defiance of the British authorities went even further when he sent a letter to Conran in December 1866, in which he solemnly protested against the Governor’s policy which consisted mainly in ignoring him as the legal King of Cape Coast. Aggery mentioned the riots that had taken place in Jamaica in October 1865 and which ended in the imposition of a state of emergency and the execution of those who provoked the unrest³. He accused the British colonial authorities of aiming at inciting the Cape Coast people to commit similar acts of violence that would allow Conran to declare martial law. Nevertheless, he assured Conran that he would ‘never have that pleasure’, and that he would appeal to the Secretary of State for the Colonies for a redress of grievances, was Conran to continue his ‘arbitrary’ policy.

Aggery’s statements were even strongly threatening and reflected his determination to achieve his ambitions. He stated that “...

¹- Kimble, op. cit., p. 215.

²- Ibid., p. 216.

³- Imanuel Geiss, *The Pan-African Movement: A History of Pan-Africanism in America, Europe and Africa*, translated by Ann Keep, London: Methuen and Co. Ltd., 1974, p. 66.

if some tangible satisfaction is not accorded to me and those whose interest I am bound to protect, it will be time enough for me to adopt those measures which will ensure to me and my people something unlike the slavery that you are endeavouring to place us in.”¹ This passage is very significant in that the tone in which it was expressed reflected the natives’ refusal to submit to an alien ruler who did not consider their own laws and customs. Although Aggergy did not specify which ‘measures’ he would take to stand up to British encroachments, it seems clear that he was dissatisfied with the whole situation in Cape Coast which he considered as similar to slavery, and was, therefore, determined to get things changed.

Aggergy’s ‘seditious’ letter was more than Conran could bear, and marked the last phase of the confrontation which had opposed King Aggergy and his supporters – many of whom were educated – to the British colonial authorities represented mainly by the Gold Coast Administrator, Colonel Conran, and the Governor-in-Chief, Samuel W. Blackall. Conran arrested Aggergy who was no longer to be the King of Cape Coast, closed his court, and deported him to Sierra Leone in December 1866. Conran justified these measures by stating that Aggergy wanted “... not only to make himself independent of the administrator of the Gold Coast, but chief of the whole Protectorate; in short, paramount to the Queen’s representative.”²

King Aggergy and his educated collaborators’ constant opposition to British colonial policy provides a good example of some traditional rulers’ alliance with the educated elite to achieve their people’s welfare and interests. The story of King Aggergy is one of those episodes when the traditional rulers and the educated Gold Coasters considered that agreement and alliance were the best ways to withstand the extension of British jurisdiction at the detriment of the native authorities. Accordingly, another example of this alliance took place two years after King Aggergy’s deposition and deportation. This was the establishment of the Fanti Confederation in 1868, “With

¹- Quoted in Kimble, op. cit., p. 217.

²- Brackenbury, op. cit., p. 35.

Aggery there emerged, indirectly and as yet not clearly formulated, the idea of self-government and the hint of violent rebellion”, Geiss wrote¹.

2- The Fanti Confederation Movement (1868-1874)

One of the resolutions² of the 1865 Select Committee which was sent to the Gold Coast to probe into the administration of justice, among other things, gave birth to the idea of self-government in the Gold Coast during King Aggery’s very brief reign. After his deposition, the idea continued to haunt the native peoples’ spirits, particularly the educated ones’. The Fantis construed the recommendations of the Committee as a grant of independence. At the same time, they feared the consequences of the British withdrawal which would leave them at the mercy of their longstanding northern common enemies, the Ashantis (see map). This sense of insecurity urged the Fantis to conceive the idea of uniting their different states under one national government to protect and defend their mutual interests after the British ‘imminent’ departure. Also, another historical event helped convince the Fantis of the necessity of uniting and forming a national entity: the Anglo-Dutch exchange of territory which was agreed on in 1867, an agreement which came into force on 1 January 1868.

As the British and Dutch forts on the Gold Coast were intermingled, the British found it difficult to levy customs duties. The Dutch duties on imports were just nominal and this affected the British revenues in the places where both nations had a fort, as the

¹ - Geiss, op. cit., p. 66.

² This was the third resolution which recommended “That all further extension of territory or assumption of Government, or new treaties offering any protection to native tribes, would be inexpedient; and that the object of our policy should be to encourage in the natives the exercise of those qualities which may render it possible for us more and more to transfer to them the administration of all the Governments, with a view to our ultimate withdrawal....” See C. W. Newbury, *British Policy towards West Africa; Select Documents 1786-1874*, Oxford: Clarendon, 1965, p. 529.

natives smuggled their goods from the Dutch to avoid paying taxes¹. This situation created constant conflict between the British authorities and the natives. Therefore, the British government proposed an exchange of territory on the Gold Coast with the Netherlands to obviate such problems. This exchange generated a great deal of tension between the British and the Fantis who believed that they had acquired a guaranteed right of protection by the British who were now preparing to 'abandon' them to the Dutch.

The Fantis' reaction was a spontaneous meeting in January 1868 in Mankessim² (see map). The first decision of the Fanti representatives was that each state was to choose seven of its most respectable men as national councilors to form a Fanti Council (a kind of a national government) together with the Kings and Chiefs. They also decided the election of three leading Kings as 'Presidents of the Fanti Nation.' Fearing a possible preparation for a mischief, the then British Administrator, Herbert Taylor Ussher (1836-1880), sent Thomas Hughes (King Agger's former representative) to Mankessim to enquire into the real motives behind the meeting. Hughes was also charged with warning the Chiefs that any action against 'Her Majesty's Government' would be immediately punished, and that they should leave Mankessim on the spot, or else they would be arrested. Moreover, Ussher instructed the Kings and Chiefs who opposed the convention and rejected the transfer in Wassaw, Denkyira, and Kommenda (see map) that their presence on British territory would no longer be tolerated, since they were now under Dutch protection. The Kommendas in particular refused to lower the British flag and even attacked the crew of a Dutch boat which had landed on January 30 to hoist the Dutch flag. The next day, the Dutch retaliated by bombarding and burning the town, destroying the fishing canoes,

¹- Alfred B. Ellis, *A History of Africa of the Gold Coast of West Africa*, London: Chapman & Hall, 1893, p. 243.

²- Mankessim was an important center of power for the Fantis. It was the place where Fanti elders and their fetish priests met to discuss matters for the town and even for all the Fantis.

killing many of the inhabitants, and chasing the rest away into the bush¹.

The news of the Kommenda bombardment reached Mankessim during Hughes's visit and acted like 'an electric shock' throughout the British Protectorate. The meeting of the Fanti representatives turned itself into a 'council of war' and a strong movement of solidarity with the Kommendas was born. The Fantis decided to enter the war at the side of Kommenda, raise a poll tax to provide aid, and resist the Dutch occupation of the towns recently transferred to them by the British. The then Governor-in-Chief at Sierra Leone, Sir Arthur Edward Kennedy (1809-1883), commented on the situation saying: "A strong National Sentiment has aroused the 'Fantees'."² This union of the most important Fanti Kings and Chiefs came to be known as the Fanti Confederation.

In October 1871 the Fantis gathered again in Mankessim and drew up a formal constitution to bind the Confederation and set it on a sound footing. The constitution known also as the Mankessim Constitution was signed by thirty-one Kings and Chiefs, or their representatives, on November 18 of the same year. It gave the Fanti Confederation its definitive organization and was the fruit of the close collaboration between the traditional rulers and the emerging educated elite. This collaboration was not approved by the British authorities, which had been particularly suspicious about the educated natives' activities and intentions since the publication of the report of the 1865 House of Commons Select Committee. This attitude was shared even by some nineteenth-century historians such as A. B. Ellis, to cite just one example, who wrote about the educated Fantis saying that they were "... a few semi-educated natives and malattos [*sic*], who engaged in it [the Fanti Confederation] as a political speculation, by which they might gain money or power, or both."³ Nevertheless, the Constitution

¹- Ellis, op. cit., p. 246.

²- Quoted in Kimble, op. cit., p. 226.

³- Ellis, op. cit., p. 264. Ellis served in the British army and held important official positions. For instance, in 1878, Lieutenant Ellis was appointed District

was an evidence of the Fantis' political awareness and maturity since it reflected a desire for a general development of the Gold Coast. It tackled in detail the composition and the various functions of the government bodies: legislative, executive, and judicial; it provided an elaborate program of social and economic development which encompassed education, agriculture, industry, mining, and social amenities; and it defined the Confederation's relations with the British government¹.

The Fanti Confederation leaders negotiated with the British government about a scheme they had presented to Pope Hennessy, in which they elaborated in detail the way in which the Confederation intended to manage a government in the interior, with the recognition, sanction, and support of the Crown². But the procrastination of the local British authorities, the disapproval of the Colonial Office because of its suspicions about the educated members of the Confederation led to the entire repudiation of the scheme. Eventually, the plans of the Confederation leaders to establish self-government came to an end when the Gold Coast was declared a Crown Colony in 1874. Nevertheless, the Fanti Confederation had the merit of initiating a movement of cooperation between the traditional rulers and the educated elite for a joint action to achieve self-government, a cooperation that would never die out completely. The 1890s would witness the establishment of a new native organization after cooperation between the traditional rulers and educated elites.

3- The Aborigines' Rights Protection Society (1894-1898)

While the Fanti Confederation emerged mainly as a military alliance between different Fanti tribes in Cape Coast and the neighboring districts for mutual defense against the Ashantis, and then to withstand the aftermath of the British–Dutch exchange of territory,

Commissioner of the Kitta district. Accordingly, his career might have shaped his attitude to and biased his judgments about the educated natives of the Gold Coast.

¹- Ibid., p. 33. For more details about the Mankessim Constitution, see Kimble, op. cit., pp. 246-49.

²- Kimble, op. cit., p. 257.

the Aborigines' Rights Protection Society (ARPS) was a reaction to the British land legislation in the Gold Coast which threatened the native system of land ownership.

According to the Gold Coast native laws, three systems of land tenure could be distinguished. First, there was the 'stool land' which referred to the land that belonged to the whole tribe, the stool being the sacred symbol of unity and collective authority of all members of the community which owned it. This land was originally acquired by right of conquest and occupation. With the consent of the Chiefs and elders, members of the tribe could cultivate any unoccupied piece of the land for which they did not pay rents, but they had in return for this privilege to help in times of war or difficulty, if the Chiefs asked them to¹. The 'stool land' was, therefore, inalienable and reverted to the tribe after the death of its occupant. In addition to the members of the tribe, other individuals could cultivate parcels of 'stool land' with the consent of the Chiefs, provided that presents were offered to them in exchange; but, here again, the stranger could not possess the land. The cultivators used the method of shifting cultivation which consisted in working on one part of the land while leaving the other part fallow for a number of years.

The second kind of land was known as 'family land' because it was owned by a particular family. This land was at the outset acquired as a reward for important services during warfare or danger, and was sometimes granted to strangers after a long residence or intermarriage. Like the 'stool land,' the 'family land' was "... held in common by all the descendants of the original owner or owners to whom the grant had been made, and the head of the family acted as 'Chief' or trustee."² Though virtually a property, the 'family land' could not be sold outside the family without the consent of the Chiefs and elders of the tribe which had originally granted it.

¹- Frederic Shelford, 'Land Tenure on the Gold Coast,' *Journal of the Royal African Society*, July 1911, Vol. 10, No. 40, p. 473.

²- *Ibid.*, p. 475.

The third and last system of land tenure on the Gold Coast was the ‘private land.’ In this case, land was not inherited but acquired by purchase. The original acquirer of the land could bequeath it by will, and, in case he died intestate, the ownership would go as follows: “First, to the mother of the deceased; second, to his brothers and sisters by the same mother, according to age; third, to his uncles and aunts on the mother’s side; fourth, to the children of such aunts; and so on.”¹ The inheritors of the land had, however, the responsibility of looking after and supporting the poorer members of the family. ‘Private land’ tended, therefore, to become ‘family land’ after the death of the original acquirer.

An examination of the three native systems of land tenure on the Gold Coast reveals that individual ownership of land was almost inexistent, except for ‘private land,’ and even in this case this feature was limited to the original acquirer or purchaser. Private or individual property as it had existed in Europe was then unknown to the Gold Coast people, at least up to the second half of the nineteenth century. Land was rather held collectively or for the benefit of the family in its large sense, or the tribe. Moreover, land had more than economic value; it had also a religious significance, as it was sometimes associated with religious beliefs and rituals, for some communities believed it to shelter the spirits of their ancestors or their gods. Therefore, according to the Gold Coast strict customary law, land was inalienable and the concept of personal ownership was a foreign one².

During the second part of the nineteenth century, the Gold Coast became the destination of an important number of prospectors and concession hunters, after the great deal of publicity it received in Europe as a gold-producing country. Seduced by the big sums of money offered to them in exchange for land concessions, Chiefs and elders started to grant mining rights to those European prospectors

¹- Ibid.

²- O. Omosini, ‘The Gold Coast Land Question, 1894-1900: Some Issues Raised on West Africa’s Economic Development,’ *The International Journal of African Historical Studies*, 1972, Vol. 5, No. 3, p. 458.

over vast territories of stool land¹. The increasing number of land concessions granted to Europeans, disputes and litigations amongst the traditional rulers increased, too. As a result, the British government decided to intervene to regulate the whole matter.

Disputes over concessions continued unabated during the 1880s, especially with the development of the timber trade. Reports of reckless timber felling in some districts of the Gold Coast alarmed the Secretary of State who became increasingly concerned about securing a share of proceeds for the British colonial government. Consequently, in 1894 the Colonial Office urged the then Governor, Sir William Brandford Griffith (1824-1897), to send his proposals for land legislation which he had been considering for a long time².

As a response to the request of the Colonial Office, in the same year Chief Justice Hutchinson drafted a legislation which constituted the basis of the Crown Lands Bill, and according to which all waste lands (or unoccupied lands), forest lands, and minerals were to be vested in the Crown. All land concessions were henceforth liable to the Governor's approval, and royalties were to be paid by concessionaires to the government. Chiefs did no longer have the right to concede mining or timber rights over large territories to Europeans as they had hitherto been doing. The Bill made the Crown the only authority which could make concessions of waste lands, forests, and minerals.

The draft of the Crown Lands Bill was forwarded to London, and the Colonial Office approved it with minor amendments. In November 1894, it was given its first reading in the Gold Coast Legislative Council, and by the end of January 1895 it was published. As soon as the Gold Coasters knew about the new Bill, protests started during a meeting in Accra (the capital of the Gold Coast and seat of

¹- Charles U. Ilegbune, 'Concessions Scramble and Land Alienation in British Southern Ghana, 1885-1915,' *African Studies Review*, December 1976, Vol. 19, No. 3, p. 17.

²- Kimble, op. cit., p. 334.

government since 1877). A deputation was appointed and met the Governor to ask for a withdrawal of the Crown Lands Bill. The traditional rulers and the educated Africans opposed the Bill on the basis that ‘waste lands’ did not exist in the Gold Coast, and that according to native law, each inch of land had an owner, whether a King, a Chief, or a private individual¹.

In February 1895, a meeting was held at Elmina, and messengers were sent to Accra to meet the Governor to hand him a petition in which the inhabitants expressed their opposition to the Crown Lands Bill. Furthermore, the Chiefs, merchants, and residents of Accra addressed a document to the Secretary of State in which they stated that “... all the people of the Gold Coast were, ‘as one man’, opposed to the Crown Lands Bill ever becoming law.”² More other petitions came from various districts of the Colony to protest against the Ordinance. In addition to the Africans’ opposition, the British traders in the Gold Coast expressed their disapproval of the Bill which, they affirmed, would cause discontent and disturb trade.

Despite the numerous petitions from different districts, the articles of the local press, and the debates in the Legislative Council, the Colonial Office did not realize the extent of the agitation caused by the Crown Lands Bill, because Governor Griffith abstained from divulging all opposition to his proposed legislation. When he left the Gold Coast in April 1895 and was replaced by Sir William Edward Maxwell (c. 1842- 1897), the new Governor forwarded copies of the petitions against the Bill which had accumulated during Griffith’s governorship, in addition to those which he received himself³. The stormy opposition and agitation that the Crown Lands Bill had engendered led Governor Maxwell, who intended to draft a completely new Bill, to withdraw it in October 1895.

¹- Omosini, op. cit., p. 458.

²- Kimble, op. cit., p. 336.

³- Ibid., p. 337.

In January 1896 Governor Maxwell drew up the draft of a new Lands Bill which emphasized more on the administration of public lands rather than on their ownership. The Crown was to administer all the lands identified as ‘public’ for the ‘general advantage.’ Chiefs would still have some power, but they would no longer have the right to grant land concessions to Europeans without the government’s permission. The new Public Lands Bill was formally laid before the Legislative Council in March 1897. Governor Maxwell addressed a message to the Council in which he explained that the government aimed to establish an efficient machinery to administer the public domain for the public benefit and assured that the Bill was framed to control those who controlled the lands and not to give the Crown rights of ownership¹. Moreover, under the new Bill, the government could declare that any piece of unoccupied land had no owner and would then be occupied for public purposes; African landholders would be granted land certificates whereby land would be transmitted exclusively according to English law, so African traditional rights of ownership would no longer be automatically recognized; and Africans could not grant concessions to Europeans unless the Governor permitted it.

The Gold Coasters’ reaction was not long in coming, and an important movement of agitation against the new Bill was organized throughout the Colony soon after its introduction into the Legislative Council. Once again, traditional rulers and educated Africans joined together to protest as they had done a few years earlier. A meeting was held between three notables in Cape Coast who were John Mensah Sarbah (1864-1910), the first lawyer of Gold Coast descent and son of the first African nominated member of the Legislative Council; Chief J. D. Abraham; and ‘Father’ J. P. Brown. The meeting resulted in the formation of a committee which, after a few meetings, adopted the name of the Gold Coast Aborigines’ Rights Protection Society². The latter consisted of traditional rulers and educated Africans whose purpose was principally to oppose the British land legislation in the

¹- Omosini, op. cit., p. 461.

²- Kimble, op. cit., p. 341.

Gold Coast proposed by Governor Maxwell. The main objectives of the ARPS were stated in its constitution, and these were:

“(a) To protect the rights of the aborigines of the Gold Coast at all times by constitutional means and methods.

“(b) To promote and effect unity of purpose and of action among all aborigines of the Gold Coast.

“(c) To inculcate upon the members the importance of continued loyalty to the British Crown, and to educate them to a proper and correct understanding of the relations which have existed for above four hundred years between Great Britain and this country.

“(d) To foster in the rising generation a knowledge of their historical past, and to encourage the study of the laws, customs and institutions of their country, to promote a sound national educational policy with particular attention to agriculture, scientific and industrial training, and generally to facilitate the spread of industry and thrift in the whole country.

“(e) To be the medium of communication and right understanding between the Government and the people.

“(f) Generally to promote the interests and advancement of the aborigines of the Gold Coast in any lawful manner whatsoever.”¹

The weeks which followed the formation of the ARPS were characterized by a multitude of protests all over the Colony. By the end of May 1897 Mensah Sarbah was allowed to appear before the Legislative Council which met for a second reading of the Lands Bill as a point on its agenda². Sarbah emphasized the importance of the native system of land tenure, explaining that every piece of land, whether occupied or not and cultivated or not, had an owner; and that it reverted to the common land of the village in case a successor was not found. He also drew the Council’s attention to the fact that the Lands Bill would change the people’s natural right of ownership into

¹- George Padmore, *The Gold Coast Revolution; the Struggle of an African People from Slavery to Freedom*, London: D. Dobson, 1953, p. 37.

²- Kimble, op. cit., p. 345.

one of holders and settlers only. The Bill, he went on, would destroy the authority of the Chiefs and Headmen over their villages and families, thus shattering the whole social system of the Gold Coast¹.

By 1 January 1898, the ARPS launched its own weekly organ, *The Gold Coast Aborigines*, with the motto 'for the safety of the public, and the welfare of the race.' The newspaper called for a regular representation of the Chiefs in the Society's meetings, and suggested the establishment of branches of the ARPS in all the coastal towns of the Colony to bring the government to recognize it as the mouthpiece of the Gold Coasters². On 24 May 1898, an ARPS deputation sailed for London to meet the Colonial Secretary Joseph Chamberlain (1836-1914). The mission of the deputation was to clarify to the Colonial Office the grounds on which the Africans opposed the 1897 Lands Bill.

After he had met the ARPS deputation, Joseph Chamberlain assured them that the native land laws would remain and prevail and instructed the Gold Coast Governor to withdraw the Lands Bill, thereby making of the deputation's journey to London a great political success. This achievement gave the ARPS more respectability and credibility throughout the Gold Coast as the Chiefs in Cape Coast declared their full support to it and gave it all powers to act on their behalf. Consequently, the ARPS which started as a body that included traditional rulers and educated Africans, became a national body which was entrusted with the task of protecting the rights of the people of the Gold Coast.

The aforementioned examples of agreement between the traditional and educated elites during the second half of the nineteenth century are viewed as a kind of marriage of convenience whereby each side played a certain role and gained certain benefits and privileges. However, the relationships between the two sides were not always harmonious as the twentieth century would bring about new

¹- Ibid.

²- Ibid., p. 350.

conditions and realities that the Gold Coasters had to face and react against, sometimes amongst intense dissension within the elites.

4- The Emergence of the National Congress of British West Africa (NCBWA)

By the end of the nineteenth century and the beginning of the twentieth, the ARPS was still dominating the political scene in the Gold Coast as the only political body which acted as the main medium of communication between the Gold Coasters and the British authorities. However, its leaders were still living off the glory of their nineteenth-century opposition to the Lands Bills. They believed that they would monopolize political leadership in the Gold Coast, and that the British government was inclined to consider the joint opposition of the Fanti Chiefs and their educated advisers¹. Though the ARPS continued its opposition to land and forest legislation during the first decade of the twentieth century, its tactics failed to adapt to the circumstances of the new century.

A few years before the outbreak of the First World War, the ARPS started to lose momentum, its different branches throughout the Gold Coast being paralyzed by the monopoly of its central body at Cape Coast. The leaders of the Cape Coast ARPS section were usually the ones who took decisions in the name of the ARPS, thereby excluding the other local sections. "In fact," Langley wrote, "by 1914 the Gold Coast ARPS was in decline, still clinging to the old methods of agitation since the successful Lands deputation of 1898; thereafter it remained largely a Cape Coast affair, a shadow of its former glory."²

The end of WWI was accompanied by general discontent in West Africa as the colonial powers increased their exploitation of the natural resources of their African colonies to make up for the losses of the war. Moreover, the colonizers showed an apathy in considering the

¹ - Ibid., p. 358.

² - Jabez A. Langley, *Pan-Africanism and Nationalism in West Africa: 1900-1945*, Oxford: Clarendon Pr., 1973, p. 163.

colonial peoples' grievances. Having fought on the side of British troops during the Great War, West Africans expected more political concessions on the part of Britain vis-à-vis her West African colonies as a reward for their contribution to the war effort. However, their hopes soon came to an end after the British refusal to undertake substantial constitutional reforms. This stirred up their determination to establish a united front to face up to the British colonial administration.

To react against the bad functioning of the ARPS, Casely Hayford (1866-1930), one of its members and a great Gold Coast nationalist, thought of convening a conference of African leaders from the four British West African colonies. He believed that a sense of unity among West Africans could be generated by making appeal to race and color. Besides, he felt that some constitutional reforms and a redefinition of the ARPS political objectives were necessary to meet the needs of his countrymen. The economic and political problems which emerged by the end of WWI induced the Gold Coast educated elite to seek a share in the conduct of their country's affairs through elective representation. Such a right, Hayford believed, could be secured but through a strong pressure group, composed of representatives from the four British West African colonies: the Gambia, Sierra Leone, the Gold Coast, and Nigeria.

The ARPS leaders, particularly the traditional rulers, regarded any attempt to form a wider organization as a threat to its position and to the privileges of the tribal rulers, on behalf of whom the Society claimed to act¹. It, therefore, rejected the idea of the projected West African conference. Furthermore, its members declared that the initiation of any new movement was the role of the natural rulers and not the western-educated elite. However, Hayford was determined to carry out his project despite opposition of the conservative members of the ARPS, and he multiplied his efforts to gain more support.

¹- Badra Lahouel, "The Origins of Nationalism in Algeria, the Gold Coast and South Africa, With Special Reference to the Period 1919-37," Diss. U of Aberdeen, 1984, p. 246.

Casely Hayford and a member of the ARPS Executive Committee known as E. J. P. Brown were both nominated members of the Gold Coast Legislative Council in 1916. Brown always vied with Hayford and opposed Hayford's projected West African conference from the beginning. In the Legislative Council, Brown met Nana Ofori Atta (1881-1943), the *Omanhene*¹ of Akim Abuakwa in the Eastern Province, north of Accra (see map). The two men belonged to the same clan, the Nsona, so they soon formed an alliance against Hayford and his supporters².

In a meeting of the ARPS in May 1918, Casely Hayford and E. J. P. Brown were asked to draft a petition for elective representation. Though the draft was approved, disagreement over the way to address the petition soon emerged. Hayford believed that all the British West African colonies should be associated with the petition to give it more weight. He then suggested that the petition should be addressed on behalf of a united West Africa so that it would have more effect. But for the ARPS leaders, especially Brown, a joint petition was unlikely to bring any result as conditions in the four British West African colonies differed, they believed.

Another meeting was held in September 1918 in Cape Coast to discuss Hayford's idea of a wider West African collaboration, but the Chiefs expressed again their refusal to take part in the project. They feared that "... by joining the other colonies the British government would apply the same legislation to them, and they would lose their land. As a result, they decided that each colony should address a petition for constitutional reforms to its own governor."³ The petition was eventually abandoned, and the rift between Hayford and the traditional rulers was further widened.

¹- *Omanhene*: Paramount Chief.

²- Langley, op. cit., p. 165.

³- Lahouel, op. cit., p. 246.

By the end of 1918, a meeting between the ARPS Executive Committee and some *Amanhin* and *Ahinfu*¹ was held at Cape Coast to discuss Hayford's project. Though some of the natural rulers approved the idea of a West African Conference, they remained reluctant as to their full commitment to the project, because of the diverging views concerning it. Nevertheless, Casely Hayford and his followers started to form local sections of the projected West African Conference in Sekondi, Accra, and Cape Coast by the beginning of 1919². Moreover, in February 1919 Hayford and his followers handed a petition to Governor Hugh Clifford on behalf of the Gold Coast Section of the projected West African Conference. The petition signatories asked the Governor to receive a deputation and to send the resolutions enclosed in their petition to the British Prime Minister David Lloyd George (1863-1945), to the American President Woodrow Wilson (1856-1924), and to all the Allied Powers. Their aim was to give West Africans an opportunity to voice their grievances in the Paris Peace Conference. The resolutions contained mainly:

... protests against the handing back of any African colonies to Germany, and against the return of a German government to any part of Africa. There were also requests for an effective voice for West Africans in their internal affairs, with the grant of free institutions and the franchise: for freedom from all exploitation and interference with the rights of natives to their ancestral lands: and for the abolition of the liquor traffic throughout West Africa.³

The Governor met a deputation from the Gold Coast Section of the projected West African Conference and informed the Secretary of State for the Colonies about its members' resolutions. This exchange infuriated Nana Ofori Atta who reprimanded Hayford for not informing him and the Chiefs in advance about the initiative. Eluwa

¹ - *Amanhin* and *Ahinfu*: Kings and Chiefs.

² - Lahouel, op. cit., p. 247.

³ - Kimble, op. cit., p. 379.

pointed out that Nana Ofori Atta "... seemed to oppose the methods of the Congress's leaders, who had failed to enlist his co-operation and help, rather than the idea of a West African nationalist movement."¹ He, therefore, turned into a steadfast opponent to Hayford's project. Nevertheless, Casely Hayford still hoped to convince the ARPS to back his scheme. During a conference of the ARPS at Cape Coast in May 1919, he tried a final attempt to get the support of the Society and the Chiefs, but they expressed their open objection to an association with the other West African colonies to ask for reforms, emphasizing that the natural rulers and not the educated men were the official representatives of the Gold Coast people².

The NCBWA was eventually founded during the meeting which was held at the Accra Native Club from 11 to 29 March 1920. The four British West African colonies were represented in the meeting, with one representative from the Gambia, three from Sierra Leone, six from Nigeria, and forty-two from the Gold Coast³. Although some Chiefs were also present, the majority of the participants belonged to the West African educated class, making of the NCBWA a movement of the intelligentsia that did not look for the support of the Chiefs as the ARPS had done before. The delegates were mostly lawyers, doctors, journalists, clergy, merchants, and successful professionals. In his inaugural address of the Conference, Hayford stated: "This conference has been brought about by the intelligentsia of British West Africa by the necessity of bringing before the Government the wants and aspirations of the people so that they may be attended to as best as they may."⁴

The foundation of the NCBWA did not put an end to the clashes between the ARPS conservatives led by E. J. P. Brown and Nana Ofori Atta, and the Congress led by Casely Hayford. The former did not want to yield the political leadership to what they qualified as a

¹- G. I. C. Eluwa, 'The National Congress of British West Africa: A Study in African Nationalism,' *Africa Quarterly*, January-March 1973, Vol. 12, No. 4, p.319.

²- Ibid., p. 380.

³- Geiss, op. cit., p. 285.

⁴- Padmore, op. cit., pp. 47-48.

bunch of self-appointed western-educated youngsters who represented only themselves. Despite this, Hayford still hoped to secure the membership of the natural rulers, or at least their recognition of the representative character of the NCBWA. A couple of years later, the ARPS and the majority of the Chiefs changed their attitude and declared their full support to Hayford's West African organization¹.

Conclusion

The relationships between the traditional rulers and the educated elite in the Gold Coast oscillated between agreement and disagreement, depending on the period of time, the circumstances, and the interests of each side. During the second half of the nineteenth century, these relationships were most of the time characterized by agreement, cooperation, and alliance to protest and fight against British colonial expansionism with regard to jurisdiction and land. The two sides worked together to denounce the extension of British jurisdiction at the expense of the traditional 'judicial' system, especially after the proclamation of the Gold Coast as a Crown Colony in 1874. They again cooperated to express their refusal of the British-Dutch exchange of forts on the coasts through the foundation of the Fanti Confederation, an exchange which they saw as a threat to their security and economic stability. Finally, the two sides formed a joint organization, the ARPS, to show their total opposition to the British Lands Bills which undermined the traditional system of land tenure in the Gold Coast.

¹- Langley, op. cit., p. 173.

The twentieth century witnessed a change in the relationships between the traditional rulers and the educated elite. The latter were no longer satisfied with the domination of kings and chiefs and wanted to take the lead in the management of their country's affairs. Dissension and confrontation were very common between the two groups, particularly after the First World War when the idea of a West African organization was publicized by some educated figures. Judging that such an initiative would threaten their very position in the country, the traditional rulers strongly stood on the way of the project and refused to take part in it. The educated elite, on the other hand, believed that the kings and chiefs were no longer fit to represent the Gold Coast people as the natural rulers were mere tools in the hands of the British colonial authorities.

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