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URBANISATION, LAND ALIENATION AND POLITICS IN ACCRA

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INTRODUCTION

The phenomenon of urbanisation in Accra since the latter part of the 19th century has had a considerable influence on the customary land tenure system of the Ga speaking people in the area. Colonialism introduced radical notions of land tenure, ownership and use based on European concepts, principles and legal regimes in practice in Europe. Gradually, these ideas began to influence and eventually replace traditional notions. The situation has generally been described in the following:

New land tenure legislation was progressively added to the customary law, differing from the latter, and in most cases based upon, when not identical to, the legislation of the colonial power itself. The appearance of this legislation gave birth to, or emphasized a notion of private ownership and development of land in contrast to the notion of collective use without alienation which is typical of most customary laws.¹

Land is of basic importance in the identity, integrity, solidarity and culture of any group of African people. Herskovits has pointed out the extreme importance of "land in the aboriginal ways of life."² He correctly observes that:

Some of the most widespread patterns of aboriginal culture in subsaharan Africa and thus perhaps among the oldest traditions of its present inhabitants are found in the complex of beliefs and behaviour involving the relationships between man and the land that nourishes him.³

He further observes that the relationship that exists between the African and the land is very deep and in fact lies at the very core of his cosmology.⁴

In the light of these observations, the rate at which land has been alienated in Accra has made the "land problem" one of the most important and paramount issues with regard to urbanisation of the town along modern lines. In this article, we shall examine this issue in so far as it has affected the history of the Ga-Mashie people of Accra, who are the indigenous inhabitants, from 1877 to 1958.

Land Tenure, Use and Planning: From Traditional to Western Concepts.

In pre-colonial times, land tenure was governed by customs which were deeply embedded in religious beliefs throughout West Africa. In the words of Amankwaah:

There is no principle of land tenure more firmly established ... than that which states that land is ancestral trust which the living share with the dead. Traditionally land is therefore inalienable. This being the case, it behoves the living to so utilize land that the interest of the future and unborn generation is not jeopardised.⁵

The Ga-Mashie people believe that the ultimate owners of their lands are the gods. These inhabit the lagoons: Korle⁶ and Sakumo⁷ and the sea Nai.⁸ However, allodial rights are vested in corporate groups; these are clans and families, comprising of not only the living, but also the dead and the yet unborn. Members of the corporate group and strangers who require plots to build on, to settle on or to farm on approach the elders of the group for the purpose. Upon the performance of the necessary ritual, which involves provision of drinks for libation to the gods and the ancestors; the payment of a token fee, the value of which depends on the right in the land being demanded; and upon the slaughter of a sheep, the land is allocated. However, these rights are usufructory that is, the land cannot be alienated and the allodial rights cannot be transferred.

Land use in the pre-colonial days, before the introduction of legislative guidelines for Western style planning and development, was governed by customary and social norms. For example, the choice of a site for settlement, whether a village or town, was influenced by such important consideration as a source of good drinking water, good defensive features such as a ridge or a mountain shelter, the availability of fertile land for farming and of strategic areas for the building of the palace or seat of authority and other buildings for the elders and other important officials of the group. Plots were allocated and people of the same kindred were localized to form an identifiable quarter or section of the settlement. Spaces were provided for shrines and other sacred objects, durbar grounds and the market square.⁹

There was a gradual shift from this traditional system of land use and planning from the latter part of the 19th century as the function and role of Accra changed. In 1877, it became not only the political and administrative, capital of the Gold Coast but also its commercial and economic nerve centre, Accra, therefore began to experience an ever-increasing demand for land by government, commercial firms and individuals from all over the Colony for various developmental purposes, such as office and residential buildings, roads and other public works. The government began to legislate for modern town planning, the over-riding principle being a shift from traditional culture and social order towards a fully westernized society dominated by Western urban values. This resulted in "a host of patterns of behaviour which profoundly transformed native social norms, institutions and legal practices concerning land."¹⁰

In 1876 the colonial government enacted A Public Lands Ordinance in order to acquire lands in the new capital and seat of government and to establish title to such lands. It was the first of its kind in the Gold Coast.¹¹ A Town Council was set up in Accra under the Town Council Ordinance of 1896, with powers to set up statutory bodies to deal with environmental sanitation, the provision of infrastructure to ensure orderly planning of the town, the control and erection of buildings and the layout of streets with a view to securing proper development and public health.

It was in the period after the Second World War that plans were put in place for a broad and comprehensive planning in the Gold Coast. In 1945 the government enacted the Gold Coast Town and Country Ordinance (cap. 84), which "took broader view of planning ... orderly and progressive development of land, town and other areas, whether urban or rural to preserve and improve the amenities thereof and other matters connected

there with".¹² Among other things, the Ordinance also provided for the establishment of a Town and Country Planning Board or Authority, with powers to appoint planning committees for the development of "planning areas"; to control the development of the land in the areas concerned; to declare an area a planning area; to grant planning permits which fitted into schemes approved by the planning committee, and to destroy or stop development of land commenced without permit.¹³

All these had implications for Accra and its aboriginal inhabitants. Firstly, customary notions of land tenure, planning and land use were superseded and finally replaced by new principles based on European laws and practices. In effect, this meant that the traditional norm of collective land use was undermined as permission for the use and development of plots shifted from Ga traditional authorities to the central government. Secondly, modern town planning brought about the unfortunate situation whereby the land was divided up into small holdings which favoured private speculative interests to the disadvantage of the general interests of the whole community. Thirdly, this division into small holdings and the considerable burden which resale generally implies made the development of the town by the government, firms and individuals excessively costly.

Land alienation by the aboriginal people of Accra was facilitated by certain interrelated factors. Firstly, the ever growing influence of Christianity helped greatly to remove the fear of supernatural sanctions by the gods with regard to the practice. Secondly, the introduction and superimposition of British ideas with regard to the principles and perception of land and its ownership, as we have seen, significantly undermined the traditional norm of collective ownership. In the words of Pogucki:

The steady impact of modern economics coupled with progressing urban development, both residential and commercial... increased values of land, and this in turn became a major factor in the process of evolution of right, more defined by proprietary criteria.¹⁴

Thirdly, the ever-increasing demand for land by government, firms and private individuals served as a strong incentive to alienate. For example, between 1947 and 1951 the price for an acre of land at Adabraka, then a central residential area, increased by 350 percent.¹⁵ Commercial plots at the Station Road (now Kwame Nkrumah Avenue) increased in value by 500 percent between 1949 and 1955.¹⁶ At Korle Gonno, a popular suburban residential area, value increased by 50 percent between 1947 and 1953.¹⁷

Fourthly, the absence of natural wealth such as gold, diamond, bauxite, manganese, etc. coupled with the unsuitability of the land and lack of adequate rainfall for the viable cultivation of such important agricultural products as palm oil, cocoa, rice, etc. in commercial quantities, made land to the Ga-Mashie people the one single commodity, the alienation of which, within an urban context, could bring wealth. Speculation in land therefore became a very lucrative business. "Land" in the words of an informant, "became the Ga equivalent of cocoa, timber and mineral concessions elsewhere in the country."¹⁸

Fifthly, people were obliged to alienate their land to the Government to be developed in the public interest, in accordance with legislation passed to that effect.¹⁹

Methods of Land Alienation

There are seven ways in which land may be alienated. These are by sale, gift, grant, lease, loan, pawning²⁰ and legislation by the central government, or a statutory body like the Town Council.

Traditionally, alienation of land by sale (*shikpong yibaafoo*) must be by the general consent and agreement of the elders and heads of the group, family or clan who hold the allodial rights to the land. The sale may be necessitated by such considerations as (a) irreconcilable differences between members or segments of the group; for example, as to the use to which the land should be put, and therefore the need to alienate by sale and the proceeds distributed according to a formula agreed upon by all parties concerned; (b) the need to pay debts owed by the group; (c) the need to raise funds to build or renovate an ancestral building or compound (*we*) or shrine and (d) the need to set up a scholarship fund for the education of members of the group, etc.²¹

The customary procedure for the sale of land in the traditional manner described by Pogucki has since the publication of his book undergone some modification in details from one group to the other, but generally the principle is very much the same.²² The sale must be concluded in the presence of witnesses who meet on the land, and drinks are provided by the buyer for libation to be poured to the ancestors and the gods seeking their approval for the deal. A sheep is then slaughtered as a sacrifice to them, and the land is finally transferred upon the payment of the agreed sum by the buyer.

The transfer of rights by the traditional method is absolute, in that it involves the transfer of the allodial right from the seller to the buyer. Presently, despite the validity and sufficiency of title deeds drafted according to law, most groups and families still insist on the customary procedure as well.²³

In the pre-colonial period, the usual way of alienating land to individuals or a group within the allodial rights holders was by gift. Customarily, this was effected by the donee making a nominal or symbolic prestation either in cash or in kind, providing drinks for the pouring of libation to the gods and ancestors, and a sheep for sacrifice to the same in the presence of witnesses. A parent may similarly alienate land by gift to his or her children while he or she is still alive in the presence of members of the family. Such gifts are absolute in nature and the donor forfeits all rights to it to the donee. In certain instances, however, there may be a reservation of the right of revocation, such as in case of gross disrespect or disloyalty.²⁴

Alienation of land by grant does not carry with it the transfer of the allodial right and the right to sell to the donee. A grant also differs from a gift or outright sale because in addition to its being made to individual members, or segments of the owners, it can also benefit strangers.²⁵ In the case of the former, however, no payment is demanded, nominally or symbolically, although drinks and sheep are provided for ritual. In the case of the latter, however, a person must pay a large prestation for the grant and he may not pass on the land to his successors. Furthermore, the grant could be revoked at any time the donor needed the land for his or her own use, or in a case of serious disrespect on the part of the stranger.²⁶ A stranger who is granted land for a specific number of years or for life may be required to pay a yearly prestation called *Adode*. It was originally in kind but later it was converted to cash.²⁷

Pogucki observes a distinction between grant of farming land and grant of building land. He writes:

*In the first case a presentation of a sheep and one or two bottles of rum suffices. In the case of building land, payment of **Ohadu**²⁸ is required in addition. This seems to be logical as the building, as distinct from the land will become the absolute property of the donee.²⁹*

Pogucki furthermore observes that:

A grant of surface use to a stranger can be revoked if the land is left fallow or if the grantor requires it for his own purposes. Any buildings which may have been erected by the grantee remain however his property, as long as he does not abandon them designedly.³⁰

Land alienation by lease was originally not a Ga customary practice. It is a recent feature of customary law.

It was as recent as 1951 that the colonial government published the Public Lands (Leasehold) Ordinance to enable it to acquire lands for public purposes for a term of years. Prior to the enactment of this law, Stool and family lands were alienated to government and private individuals and firms on freehold basis, to such an extent that by 1945 the alarming rate of land alienation in Accra resulted in the formation of the Ga State Reformation Association, which wrote a Report which, among other things, warned that if this was not checked, the "next generation may find themselves deprived of their rights as Ga people".³¹ In the 1950's leasehold became preferable to many land owning groups, including stools.

Essentially, under leasehold agreements, there is a fixed amount of initial payment by the lessee and then he or she pays rent in cash yearly, monthly or quarterly for the duration of the number of years agreed upon for the lease. In Accra, most leases are for the building of offices, factories or residential accommodation, as against agricultural purposes elsewhere. It has turned out that but for alienation of land by leases, the Ga people would have lost ultimate ownership of most of their lands.³²

Land in Accra can also be used as security for loan or pawning. A person desirous of securing a loan surrenders his land to his or her debtor, by giving up the title deeds on it until the debt is paid within the time limit mutually agreed upon. Upon the expiration of the time, if the loan has not been paid, the land becomes the property of the creditor. However, land obtained on lease or by a grant or by any agreement entered into previously in which the allodial rights had not been transferred cannot be pawned. The principle underlying pawning is similar to the concept of mortgaging under the law. The difference, however, is that "upon pawning possession passes to the creditor, whereas upon a mortgage in English form possession remains with the debtor".³³

There is another form of loaning which ceased to be relevant in Accra when its status changed and urban development began in full swing. It was however very popular when agriculture by cultivation used to be popular in Accra. In this form of loaning, people gave out lands for agricultural purposes and the proceeds of the venture were shared between the owner of the land and the tenant farmer, according to a previously agreed upon formula. The agreement could be for a specific number of years, or for the life time of the tenant, or at the pleasure of the owner. The deal is concluded with the making of a prestation and the slaughtering of a sheep in the presence of witnesses.³⁴

The most significant method and means of land alienation that has had a very deep impact on the Gas of Accra is the acquisition of land by government and some statutory

bodies through legislation. With the establishment of a central system of government by the British in 1874, planning by legislation was introduced and it became a very important strategy for the achievement of national goals. It was in the light of this that in 1876 Lt. Governor Charles Cameron Lees signed into law a Public Lands Ordinance³⁵ for the purpose of acquiring and establishing title deeds to land for the new seat of government in Accra. It was the first Land Ordinance to be enacted in the Gold Coast, and it was meant to regulate the acquisition and vesting of land for public use.

Paragraph II of the Ordinance provided that:

Subject to the provisions of this Ordinance, it shall be lawful for the Colonial Secretary to agree with the owners of any lands required for the service of the Gold Coast and with all parties having any estate or interest in such lands for the absolute purchase for a consideration in money of such lands or such parts thereof as he shall think proper, and of all estates and interests in such lands of what kind so ever and also to take and acquire any lands required for such service, paying such reasonable compensation therefor as may be due, to the owners thereof, or parties having interest therein, and all lands so purchased or taken shall be conveyed surrendered to and become vested in and held by the Colonial Secretary, all such lands shall be vested in and held by the succeeding Colonial Secretary in trust as aforesaid.³⁶

It further provided that the Colonial Secretary should give notice to the persons entitled to sell on a 'Form A' provided in the schedule of the Ordinance. Such owners must state the particulars and evidence of their estate and interest in such lands and of claims in respect of them. Provisions were also made to determine compensation and any other consequential matters with respect to the purchase of the land by the Crown.³⁷

The Public Lands Ordinance No. 8 of 1876, as amended by Cap 85 of 1920; Cap 142 of 1928; Cap 113 of 1936; Cap 134 of 1951 and Cap 138 of 1951³⁸ was the principal legislation which enabled government to acquire stool³⁹ and private lands for public use in Accra, in the period covered by this study.

In 1883 the government passed a Registration Ordinance which placed land administration in the Colony under the Survey Department. However, by 1920 the keeping of land records was found to be unsatisfactory because, for one thing, the records were scattered in various government departments. Strenuous efforts were made between 1924 and 1925 by the lands branch of the Lands and Boundaries section of the Survey Department which began to search for all the records and information on land scattered over the various government departments, such as the Public Works Department (P.W.D.), the Survey Department, the Post and Telecommunication Department, the Justice Department, etc.⁴⁰

The volume and the specialized nature of the work necessitated the colonial government on 1st April, 1928 to create a separate department to deal with lands under a Commissioner for Lands, to be responsible for matters concerning land and land transaction involving the government in the Colony. Branches were opened in the Provinces, the first being at Kumasi, on 28th April, 1928. The primary function of the Lands Department was to ensure the efficient administration of laws relating to land and to perform the functions of:

- 1) Offering advice and assistance on land matters to all government departments and statutory bodies which have no appropriate specialist staff, like the Armed Forces, Local Councils, missions abroad etc.
- 2) Controlling contributions in lieu of rates to local government bodies.
- 3) Responsibility for the payment of rents, grants, etc. in respect of land leased by government and also grants and annuities arising out of acquisition made by government.
- 4) Keeping custody of land records and representing the government in land matters in courts and before rent assessment committees.
- 5) Dealing with administration of stool lands for which the Lands Commission is responsible; and registering and stamping documents relating to land.⁴¹

During the 54 years of its existence, the Lands Department had five sections; (1) The Administration Division, (2) The Common Services Division (comprising of the Drawing Office and the Photographic wing); (3) The State Lands Section; (4) The Stool Lands Section and (5) The Lands Registry Section.⁴²

Armed with the legislation and institutions, the colonial government, beginning from 1888, began to acquire large tracts of land on freehold basis in Accra for urban development and other public works such as road construction, sewerage, general planning, sanitary sites layout, public cemeteries, planned residential areas, office buildings, markets, etc.⁴³

The large scale alienation of land over the years to government, private firms and individuals had, by the early 1950's, began to have important effects on the socio-political outlook of the people of Accra with negative consequences for their offspring.

Firstly, as the propensity to alienate land by sale caught on rapidly, especially during and after the Second World War, there was no consideration by the allodial rights owners of the consequences of their action on succeeding generations in their groups. The notion of land being a sacred trust held on behalf of the dead, the living and those yet unborn was rapidly thrown aside. The introduction of the Public Lands (Leasehold) Ordinance (Cap. 138) of 1951 never caught on immediately; and by the year of independence, 1957, the Ga Mashie people had, by outright sale, alienated a sizeable proportion of their land holdings.⁴⁴

Secondly, and following from this, it became more and more difficult for the younger and succeeding generation to benefit from their family land holdings as a matter of birthright. Some Ga Mashie people had to re-purchase land at very high prices from alien speculators who had previously purchased them cheaply.⁴⁵ One important result of this was that by the early 1950's the heartland of Accra, namely, Usher and James Towns, had very high population densities⁴⁶ and serious overcrowding problems. Expansion to the outskirts had become almost impossible mainly because most of the lands in these areas, like Adabraka, Tudu, Nima, etc., had been alienated and occupied mostly by aliens.⁴⁷

Thirdly, because of the high value that land had acquired in Accra, there developed serious and uncompromising land disputes within and between families, individuals,

quarters (*akutsei*, singular *akutso*) and stools as to the ownership of rights to land. Some of these, like the one between Alata and Sempe with regard to Dansoman, a suburb of Accra, dragged on for decades. The outcome of all these has been serious rancour, bitterness and division within the Ga body politic as a whole.⁴⁸

Land And Party Politics in Accra

The alarming rate of land alienation in Accra became a hot political issue from the end of the Second World War. In 1945 a group in Accra known as the Ga State Reformation Association, made up of educated young men and women, issued a report intended to further the economic and social advancement of the Ga Mashie State.⁴⁹ The report, among other things, deplored the alarming rate of alienation of lands and land property in the Ga Mashie State, and warned that if this were not checked, the next generations might find themselves deprived of their rights as Ga Mashie people.⁵⁰

From the early 1950's up to the immediate post-independence period, the land issue became the central theme around which party political activities in Accra revolved. For example, the Convention Peoples' Party (CPP) of Kwame Nkrumah was accused of allocating estate buildings constructed on Ga traditional lands at such places as Kaneshie, Mamprobi, Kanda etc. to non-Ga members of the CPP and their wives, whereas these were allegedly built purposely for the Ga Mashie victims of the 1939 earth-quake in Accra.⁵¹ Again, in an article in the Gold Coast Independent of 6 November, 1953, one "Casabrofo", a columnist, lashed out at the CPP for using corrupt methods to influence the chiefs, *asafoatsemei*,⁵² *asafoanyemei*⁵³ and low and high fetish priests⁵⁴ to sell out their god-given lands.⁵⁵ A growing militant opposition to the CPP therefore grew around the land issue in Accra.

In the immediate post-independence period, this issue resulted in the formation of a radical Ga movement, the *Ga shifimo kpee* "Ga Standfast Association" which was inaugurated on 7th July, 1957.⁵⁶ The inaugural meeting was presided over by Nii Amunakwa II, Otublohum *manise*⁵⁷, and libation was poured and a sheep was slaughtered by the chief fetish priest⁵⁸ of the Ga Mashie state. Although it was said to be a non-political movement, it was closely aligned to parties opposed to Kwame Nkrumah's CPP; for example, present at the inaugural meeting were J.B. Danquah⁵⁹ and S.G. Antor.⁶⁰ Its members were mostly teachers, mechanics, storekeepers and young men, called "Tokyo Joes."⁶¹ The group received their greatest support from Ga university students (who demanded an inquiry into the allocation of estate houses) the ex-servicemen union⁶² and some *mantsemei*.⁶³

The movement, it was said, was formed to protect the general interest of all the Ga speaking peoples, but its slogans vividly revealed the primary Ga interest it sought to protect. The Slogans were:

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|---------------------------------|--|
| <u>Ga shikpon, Ga mei Anoni</u> | "Ga lands are for Ga people" |
| <u>Ga mei abii, nye teashi</u> | "People of Ga descent, arise" |
| <u>Gboi mli gbewo</u> | "We are being despoiled by strangers". |

Clearly, the land issue was at the very heart of the movement's agitation. For example, at a meeting of the movement on 12 June, 1957, it was charged that all lands in

the Ga state had been sold by the government of the CPP to wealthy 'foreigners'. It was the movement's contention that "unlike Ashanti chiefs, who had not alienated Ashanti lands to 'aliens', Ga chiefs had on their own accord sold Ga lands to wealthy Ghanaian aliens."⁶⁴ For this reason, the movement alienated some of the powerful chiefs in Accra, including the *Ga Mantse*. Indeed, as the movement came down heavily on the chiefs, the latter drew closer and to the CPP Government for protection.⁶⁵

The CPP went to great lengths to exonerate itself from the charge of alienating Ga lands. At a rally in Accra, Mr. N.A. Welbeck, a Ga and a Minister without portfolio in the CPP Government, deplored the charge of the *shifimo kpee* that strangers were depriving the Gas of their lands. He laid the blame for the blatant alienation of Ga lands on the Ga chiefs and promised (though he did not carry out his promise) that he would reveal the names of all the Ga chiefs and people who had disposed of Ga lands.⁶⁶

Support for the *Ga shifimo kpee* was not very widespread in Accra. For one thing, it was affiliated to the opposition parties which together could not challenge the hold of the CPP on the people, particularly the market women, who gave much financial support to the party. Furthermore, the xenophobic stance of the movement threw most of the non-Ga population of Accra into the arms of the CPP. Again, the venomous attacks on the traditional elite cost them support from this quarter. Also the violent means the group adopted to achieve their aims resulted in the withholding and withdrawal of support for them by many people. Finally, the formation of a rival Ga association by the CPP in Accra, called the *Ga Ekomefeemo kpee*,⁶⁷ checked the growth and influence of the movement.

The agitation of the *Ga shifimo kpee* and the violent physical confrontations with the *Ga ekomefeemo kpee*, resulting in acts of hooliganism and vandalism, caused such a serious concern to the Government that the Minister of Housing, Mr. A.E. Inkumsah, had to go on the air to address the problem of the Ga lands.⁶⁸ He asked the people of Accra not to be swayed by emotionalism and sentiment. He said that the expropriation of Stool lands by foreigners was a matter of concern between individuals and stools and did not involve government. He stated:

*where land had been acquired by government for a public purpose, [it ha been done]without strings, and reasonable compensation had been paid. The government was duly bound to develop the land in the public interest and not for any section or group of people.*⁶⁹

He explained that the CPP, since coming to power, had acquired only 2,624 acres of the total 25,600 acres (or 40 square miles) of Accra lands. These he said, were acquired for the construction of the Accra Industrial Estate, The Bank of Ghana, Botanical Gardens for the University College, Post Offices, Police Stations and the Korle Bu extensions, all projects of national importance. He attributed the outcry about lands to people circulating rumours that the Ga people were being robbed of their lands. He went on to give the CPP Government's version of the facts for the people to know who really was responsible for land alienation, whether Government, the Ga chiefs or individuals Gas.

In this connection, he revealed that seven years previously the Lands Department discovered that a certain Lebanese merchant had been purchasing tracts of land. On learning of this, the Government stepped in and repurchased the land to keep it 'in reserve for future development in the public interest'. He further revealed that in another case 100 acres near Kpeshie Lagoon were leased by the Teshie stool to a Lebanese man for

development into a residential area. A further 100 acres were leased at Tesano for the construction of a housing estate. All of these alienations were initiated by certain Ga chiefs and individuals who owned these lands, without the knowledge and consent of the government, which Mr. Inkumsah said, was not a dictatorship and therefore respected the individual's freedom.⁷⁰

It has been suggested that it was the activities of the *Ga shifimo kpee* which helped to provide the material for the CPP to use state power to dismantle opposition parties. In the words of Kotey:

The Ga shifimo kpee had grown to unexpected heights and [was] gradually becoming the most dangerous antagonistic group against the CPP in the immediate post-independence era. The violent clashes which were to take [sic] place in Accra furnished the CPP with the excuse to introduce far reaching authoritarian and repressive measures than [were] sanctioned under prevailing statutes.⁷¹

Firstly, the Government of the CPP passed the Avoidance of Discrimination Act of 1957 which was to forbid the existence of parties on regional, tribal and religious basis.⁷² In that same year, the Government passed the Deportation Act⁷³ and then in 1958, the Preventive Detention Act,⁷⁴ the most far-reaching measure of control and coercion that was to break the opposition. In November 1958, The Prime Minister, Kwame Nkrumah, issued a statement to the effect that there was a plot of assassination and violent overthrow of the Government.⁷⁵ The statement ordered the immediate arrest of 43 people, all functionaries of the *Ga shifimo kpee*.⁷⁶ This move finally broke the back of the movement and dealt it a blow from which it never recovered.

The issue of land alienation in Accra therefore had by the beginning of the 1950's become a very thorny political issue. It was fundamental in the determination of the nature of Ga politics throughout the 1950's which resulted in the extensive use of state power to deal with its implications, not only for Accra, but for the country as a whole.

Conclusion

In the period covered by this study, the Ga-Mashie customary land law underwent a rapid and profound change from sanctions based on traditional and religious notions to those of European legal and utilitarian principles. This process was facilitated by the demands of western modernism consequent upon the rapid rate of urbanism and urbanisation of Accra. Customary procedure became supplemented and sometimes supplanted by documents in a form imported from the English law.⁷⁷

The rapid and unchecked rate of land alienation, as a result of its ever rising value, had by the end of the Second World War resulted in a situation whereby expansion out of the Accra heartland of James and Usher Towns had become almost impossible for the majority of the aboriginal people living there. As an expression of deep concern and, above all, to draw attention to the seriousness of the problem the *Ga shifimo kpee*, was launched in Accra. Its close association with opposition parties to the CPP government and its violent and confrontational methods of calling attention to its grievances led to bloody scenes with the rival *Ga ekome feemo kpee* formed by the CPP in Accra, and to the enactment of tough laws to deal with all opposition to the CPP.

Although the *Ga shifimo kpee* did not, in the short run, achieve much over the land alienation issue, it succeeded in creating awareness in both the Ga Mashie people and the

government as to the seriousness of the problem in the long run, for efforts to be made to try and arrest the situation.⁷⁸ Indications on the ground, however, point to the fact that an appropriate solution is a long way off, and that the land issue is inextricably linked with the future solidarity, identity and cohesion of the Ga Mashie people of Accra.

NOTES AND REFERENCES

- 1) See C.S.A. *Meeting of Specialists on Urbanisation and its Social Aspects: Reports and Recommendations* (Abidjan, 23 - 31 August, 1961), p. 14.
- 2) Herskovits, M.J. 1962 *The Human Factor in Changing Africa*. London, p. 141.
- 3) Herskovits, M.J. *Op. cit.*, p. 143.
- 4) *Ibid.*, p. 143. For example, one of the titles of the *Nai Wulomo*, the High Priest of the Ga Mashie state is *Shitse* which means owner of the land. But it is in Northern Ghana that this is more forcibly expressed; particularly in the office of the *Tindana* for example, among the Tallensi. See Cardinall, A.W. 1921 *Natives of Northern Territories of Ghana* George Routledge & Sons, pp. 60 - 61.
- 5) Amankwaah, H.A. 1989 *The Legal Regime of Land Use in West Africa: Ghana and Nigeria*. P.L.P. Tasmania, Australia, p. 1.
- 6) *Korle* is a female deity and occupies the lagoon to the west of James Town. She has the *Korle Wulomo* as her high priest.
- 7) There are two *Sakumo* deities. The one worshipped by the Ga Mashie people is the smaller one known as *Sakumo fio*, and lives in a Lagoon to the borders of Ga Mashie in the west. The bigger one *Sakumo nukpa* is a god of the people of Tema and lives in a Lagoon between Tema and Nungua.
- 8) *Nai* is the head of the Pantheon of all the Ga states, from Ga Mashie to Tema. His priest, the *Nai Wulomo* is the High Priest of the Ga Mashie state.
- 9) See Amankwaah, H.A., *Op. cit.*, p. 68. For example the former capital of the Ga State, Ayawaso. In those days by and large, customs, social conventions and taboos were regulatory forces in the machinery of planning in the towns and villages.
- 10) Amankwaah, H.A., *Op. cit.*, p. 61.
- 11) See below.
- 12) The Town and Country Ordinance, 1945 (cap. 84) remained the principal enactment. It was however amended by the Town and Country (Amendment) Act, 1958, No. 30 and the Town and Country (Amendment) Act, 1960, No. 33

- which brought it in line with political and social developments. See Amankwaah, H.A., *Op. cit.*, p. 73
- 13) Amankwaah, H.A., *Op. cit.*, p. 72.
 - 14) Pogucki, R.J.H. 1955 *Land Tenure in Ga Customary Law*. Government Printer Accra, 1955, p. 21
 - 15) *Ibid.*, p. 11.
 - 16) *Ibid.*, p. 11.
 - 17) *Ibid.*, p. 11.
 - 18) Interview with Mr George Lomotey, 17 years, 16th June, 1988.
 - 19) See below.
 - 20) Pogucki, R.J.H., *op. cit.*, p. 31 - 36.
 - 21) Interview with Mr. George Lomotey, (78 years) in June, 1988.
 - 22) Pogucki, R.J.H., *Op. cit.*, p. 31, Note 1.
 - 23) Personal experience of the author when he purchased a plot of land.
 - 24) Pogucki, R.J.H., *Op. cit.*, p. 32.
 - 25) By "Stranger" it means someone who does not belong to the allodial rights owners.
 - 26) See Pogucki, R.J.H., *Op. cit.*, p. 33.
 - 27) The name given to the prestation in Ga.
 - 28) Pogucki, R.J.H., *Op. cit.*, p. 33, Note 1.
 - 29) *Ibid.*, p. 33, Note 1.
 - 30) *Ibid.*, p. 33, Note 1.
 - 31) See **Gold Coast Independent**, 24 February, 1945.
 - 32) Odoi-Yemo, Emmanuel 1991 *A Review of the Cadastral System in Ghana*, p. 4. A paper presented at the Advance Course in Cadastral Systems in Gavle - Sweden, June.
 - 33) Pogucki, R.J.H. *Op. cit.*, p. 34.

- 34) *Ibid.*, p. 33.
- 35) See Ordinance No. 8 of 1876
- 36) See Ordinance No. 8 of 1876.
- 37) *Op. cit.*, par. 4.
- 38) Asigbetse, William 1988 *A Descriptive List of the Records of Government Acquired Lands Held in the Central Records Room of the Lands Commission Secretariat: 1887-1987* Chapter 2. (Unpublished Dip. in Archival Studies dissertation, Legon, September, 1988.
- 39) Stool lands denotes land owed by a kinship group vested with political power.
- 40) Asigbetse, W. *Op. cit.*, p. 38 - 50.
- 41) *Ibid.*, pp. 38 - 42.
- 42) *Ibid.* The Lands Department was made defunct and turned into the Secretariat of the Lands Commission under PNDC Law 42, 1982 Section (36) Sub-Section (2).
- 43) See the List of land acquired by the Government between 1888 and 1957 in Accra and for what purposes, compiled by Asigbetse William, *Op. cit.*, pp. 51 - 115.
- 44) See Section D. below.
- 45) Personal interview with Mr. Anum Arko, 56 years, who comes from La but had to purchase land from an Ewe man at Madina, which belongs to the La Stool.
- 46) See Kilson, M. 1974 *African Urban Kinsmen: The Ga of Central Accra*, p. 1. Also see Chapter 4. C. Hurst & Co. London.
- 47) See previous section.
- 48) The history of the relation between the *Alata* and *Sempe* Stools on land holdings dates back to the 1930's.
- 49) See Note 31 above.
- 50) *Ibid.* See Note 31 above
- 51) Austin, D. 1964 *Politics in Ghana : 1946 -1960* , p. 375, Footnote 14.O.U.P., London.

- 52) *Asafoatsemei* (*asafoatse* - singular) means War Captains of the Traditional Army or *Asafo*.
- 53) *Asafoanyamei* (*asafoanye*, sing.) are the female counter parts of *asafoatsemei* (*asafoatse*, sing.) Title for traditional war captains.
- 54) Custodians of religious and ritual matters in Ga Society. Their head is the *Nai Wulomo* the Chief traditional priest of the Ga Mashie state. He lives in the *Gbese* Quarter of the Ga State.
- 55) See *Gold Coast Independent*, 6 November, 1953.
- 56) The movement had been existing for some time. But it was on 7th July, 1957 that it was formally inaugurated. The actual name was *Ga-Adangme Shifimo Kpee* and was meant to embrace the whole Ga-Adangme people. In reality however, it was a purely a movement of the Ga Mashie people of Accra.
- 57) *Otublohum* is a Division of the Ga State whose predecessors were from Akwamus.
- 58) *Nai Wulomo*.
- 59) J.B. Danquah, was a leader of the opposition National Liberation Movement and a founding member of the United Gold Coast Convention (UGCC). He was a bitter opponent of Kwame Nkrumah and the CPP.
- 60) S.G. Antor was the founder (together with Kojo Ayeke) of the Trans-Volta Togoland Congress (TVTC) which demanded the reconstitution of the former German Togoland. He was a bitter opponent of the CPP and Kwame Nkrumah. See Austin, D., *Op. cit.*, p. 265.
- 61) Mostly these were unemployed young men. They were identified with a peculiar hair cut and made free use of alcohol and Indian hemp. They terrorized opponents of the *shifimo kpee* and fought violent running battles with supporters of the CPP in Accra in the 1950's.
- 62) The ex-Servicemen had their grievances with the government about their general welfare and they threw in their lot with the *shifimo kpee* particularly over the issue of the allocations of estate houses in Accra.
- 63) Particularly Tetteh Kpeshie II, Mantse of the Sempe Division and the Mantsemei of Tema and Teshie. See *Daily Graphic*, 5 June, 1957. *Mantse* (*Mantsemei*, plural) is the title of a Ga traditional ruler.
- 64) Kotey, C. Nii Amon 1977 *The Limits of Ethnicity in Ghanaian Politics: A case study of the Ga Shifimo kpee* (unpublished Long Essay for Award of B.A. Political Science, Dept. of Pol. Science, Legon. March 1977), p.25.

- 65) For example, the Ga Mantse, Nii Tackie Kome II refused to support the Shifimo kpee when the latter asked the Ga state council for support, because the group's methods were deplorable. He was not happy with the way the group was blaming strangers for the problems of the people. See *Daily Graphic*, 5 June, 1957.
- 66) *Daily Graphic*, June 27, 1957.
- 67) It means the Ga Unity Party. See Austin, D., *Op. cit.*, p. 376.
- 68) *Daily Graphic*, 3 August, 1957.
- 69) *Ibid.*, *Daily Graphic*, 3 August, 1957.
- 70) *Ibid.*, *Daily Graphic*, 3 August, 1957.
- 71) Kotey, Clifford Nii Amon, *Op. cit.*, p. 27
- 72) Act No. 38 of 1957.
- 73) Act No. 14 of 1957.
- 74) Act No. 17 of 1958
- 75) *Daily Graphic*, November 11, 1958.
- 76) *Daily Graphic*, November 11, 1958, pp 1 and 16 for their names. It is significant that all the 43 were also members of the United Party; the union of all the opposition parties to the CPP, which come together as a result of the Avoidance of Discrimination Act of 1957.
- 77) Pogucki, R.J.H, *Op. cit.*, p. 43.
- 78) In 1962, the CPP government passed the **The Lands Act (Act 123)** which provided among other things that the President by executive instruments could declare any stool land to be vested in him in trust for that particular stool. In 1964, by Executive Instrument 108, the President declared 1/8 of Greater Accra lands to be vested area. The Lands Department failed to implement the instrument and chiefs in Accra continued to dispose of those plots. PNDC Law 42, had addressed the issue in providing that no assurance of stool land is granted to pass which purports to grant free hold interest in land to non-subjects of stools Leases are therefore granted on-all stool lands for terms usually 99 years. Transfer of such leases require the consent of the Lands Commission. See Odoi-Yemo, Emmi. *Op. cit.*, p. 5.