

UNSETTLED ACCOUNTS: STOOL DEBTS,
CHIEFTAINCY DISPUTES AND THE QUESTION OF
ASANTE CONSTITUTIONALISM

BY SARA BERRY

Johns Hopkins University

IN a recent study, Fred Cooper argues that strikes and other forms of labor protest had a clarifying effect on official thinking not only about labor policies but also about the aims and, ultimately, the viability of colonial rule.¹ As Africans went on strike, from the Copperbelt to the docks of Mombasa and the Gold Coast Railway, to demand better wages and working conditions, colonial administrators first envisioned and then embraced the idea of an African working class and the possibility that African workers could be managed with the same kinds of labor codes and social welfare policies that obtained in Europe.

Of course, the image of a working class applied only so far in Africa. Colonial officials never fully understood the way African workers lived or the place of wage employment in African society, and were dismayed when their newly acquired understanding of Africans as universal workers was challenged in the 1950s by former strike leaders who began to insist on Africans' rights to political autonomy. Nonetheless, as Cooper shows, the effects of recurrent, often highly effective, strikes were far-reaching. As officials confronted the financial and political implications of providing *all* Africans with social welfare benefits and economic development comparable to those of Europe, they decided it was time to abandon the imperial enterprise.

Chieftaincy disputes had an even longer history in colonial Africa than strikes, but did far less to clarify officials' thinking. Embedded in systems of governance which colonial administrators regarded as 'customary', chieftaincy disputes bore little obvious resemblance to forms of political contestation in Europe. Their ubiquity tended to reinforce rather than challenge the official presumption that Africans were different – backward, childlike and unfit to master the methods of modern administration or withstand the temptations of expanding commercial opportunity. Convinced that the vast majority of their colonial subjects would never approach European levels of political and organizational sophistication, administrators did not question the necessity of colonial rule, but they worried a good deal about how to implement it.

To this end, chiefs were crucial. Lacking the means to organize and operate large establishments of European officials to govern colonial peoples as well as to exploit their resources, colonial regimes had to rely on the labor and co-operation of Africans. Understanding traditional systems of authority and social order was essential to strategies of colonial governance in Africa, yet custom proved frustratingly elusive. This was not because African ideas about authority and social conduct were beyond European comprehension; rather, to the extent that power was in practice shared or at least dispersed

¹ F. Cooper, *Decolonization and African Society* (Cambridge, 1996).

among colonizers and those they claimed to rule, it was also subject to negotiation, contest and debate. Chieftaincy disputes were neither symptoms of the 'breakdown' of traditional order and morality nor simple manifestations of newly emerging patterns of class conflict, but part of an ongoing struggle to define and exercise legitimate authority in a society both transformed and destabilized by the imposition of colonial rule.

In the following pages, I will explore this point with specific reference to the early period of colonial rule in Asante. Though the position of the chief in colonial Asante was a relatively privileged one, it did not go unchallenged.² Contests among rival contenders for office and popular protests against the conduct of incumbents were frequent, often prolonged and sometimes violent. At first, colonial officials treated them with a mixture of contempt and tolerance, as inherent in traditional culture. 'By a fortunate coincidence', wrote Chief Commissioner Fuller in 1906, 'it appears to be part of an Ashanti chief's duties to dislike all other chiefs...' The resulting divisions being stronger 'than mere patriotism or hatred of our rule', he added, the government could afford to reduce the size of the Kumase garrison.³ Later, as increasingly formal codifications of custom failed to stem the tide of disputes, officials worried that *they* were to blame for having disrupted the orderly hierarchy of traditional society in their haste to dismantle the pre-colonial state, depose and deport rebellious chiefs, and reward colonial sympathizers with office, land and subjects. As we shall see, their reinterpretations led to shifts in policy which helped to keep debates going rather than bring them to a close.

For Asante chiefs and commoners, struggles over chiefly succession and destoolment were linked to pursuit of wealth, legitimacy and influence, but in complex ways. Access to land and labor, and the division of income, were important issues but not the only ones, and attitudes toward the colonial state were not one-sided: both chiefs and commoners were as likely to appeal to the administration for support in their struggles with one another as to combine in opposition to colonial rule. In the profusion of chieftaincy contests which continued unabated throughout the colonial period, struggles over wealth and influence took the form of conflicting accounts – disputed accounts of stool finances and contested accounts of custom and historical precedent. Debates over stool debts in particular were not straightforward contests over chiefly greed or integrity, but multi-faceted struggles to determine who was accountable to whom, and for what. These debates revolved in turn around questions of historical precedent and led to further debate over what was known about past events and by whom. Neither chiefs,

² B. Grier, 'Contradictions, crises and class conflict: the state and capitalist development in Ghana prior to 1948', in I. Markovitz (ed.), *Studies in Class and Power in Africa* (London and New York, 1987), 44–5. Grier argues that the colonial state reinforced and strengthened chiefly power in colonial Ghana – a point Mamdani has recently made for the entire continent. M. Mamdani, *Citizen and Subject* (Princeton, 1996). In contrast, Roger Gocking has explored the contradictory implications of stool disputes – though not stool debts – for the political viability of indirect rule in the Gold Coast Colony. R. Gocking, 'Indirect rule in the Gold Coast: competition for office and the invention of tradition', *Can. J. Afr. Studies*, xxviii (1994), 421–45.

³ National Archives of Ghana, Kumase (hereinafter NAGK) 6, Reorganization of Ashanti, 1906, Chief Commissioner of Ashanti to Chief Secretary, 4 Jan. 1906.

commoners nor commissioners agreed among themselves or with one another as to how such questions should be answered, but they all took part in the debates, whether or not they approved or even admitted of doing so. Taken together, their debates and struggles were no passing phase in Asante's transition to modernity but rather the core of the colonial political process.

The present essay explores inter-relations among stool debts, chieftaincy disputes and the production of knowledge about Asante 'custom' through a case study of conflict in Kumawu – a stool which like other outlying provinces of the pre-colonial state, enjoyed considerable autonomy from Kumase under colonial rule. I begin by discussing some of the causes of stools' indebtedness in the early colonial period and the place of stool debts within broader debates among colonial officials, chiefs and commoners over where to draw the line between public finance and private income and wealth. I then describe a series of disputes over destoolment and chiefly succession which kept Kumawu in an uproar for most of the decade from 1915 to 1925 and prompted debate between the governor and the Asante administration over 'the principles of Twi constitutionalism'⁴ and the practice of indirect rule. Stemming directly from struggles over stool accounts and chiefs' accountability, the crisis in Kumawu contributed to the government's decision, in 1935, to 'restore' the Asante confederacy.⁵ In the years following the restoration, stool treasuries were established, many stool debts were written off and the issue subsided as a central point of contention in chieftaincy disputes. But the struggles continued.

THE CHIEF'S POCKET AND THE PUBLIC PURSE

Most colonial administrators agreed with Chief Commissioner Maxwell that 'ninety per cent of stool troubles in Ashanti are caused by reckless finance'.⁶ Stools were frequently in debt and chiefs' efforts to pay off their debts by imposing levies on their subjects were a source of perennial friction. By reducing, or better yet eliminating, stool debts, officials hoped to assuage popular discontent, reduce the number of disputes and strengthen the edifice

⁴ National Archives of Ghana, Accra (hereinafter NAGA), ADM 11/1/1307, Kumawu Native Affairs, 1915–1925, Governor's comments on Chief Commissioner's Diary, 30 May 1916.

⁵ In 1932, Chief Commissioner Newlands argued that 'restoring' the confederacy was essential to the success of direct taxation: 'no revenue will be paid to any Head Chief's Stool which is not the Stool which, by Asante native custom, is the overlord to whom such revenue is due'. Quoted in W. Tordoff, *Ashanti under the Prempehs, 1888–1935* (London, 1965), 322–3. Because it reinstated the Asantehene, the 'restoration' of the Asante Confederacy Council is sometimes referred to as the beginning of indirect rule in Asante. Inasmuch as the Asante administration sought to maintain order through upholding 'custom' and chiefly authority, however, it may be said to have practiced indirect rule from its inception.

⁶ NAGA ADM 11/1/1906, Ex-King Prempeh, 1926–1927, Chief Commissioner of Ashanti to Secretary of State for the Colonies, 10 Sept. 1926. Scholars who have endorsed this view include Grier, 'Contradictions', 37, 44; R. Rathbone, *Murder and Politics in Colonial Ghana* (New Haven, 1993), esp. ch. 3; J. Simensen, 'Commoners, chiefs and colonial government', (Ph.D. thesis, University of Trondheim, 1975), chs. 7, 11, and 'The Asafo of Kwahu, Ghana: a mass movement for local reform under colonial rule', *Int. J. Afr. Hist. Studies*, VIII (1975), 400.

of chiefly authority on which indirect rule was predicated. Administrators were convinced that the long-term solution must be institutional: the creation of native treasuries, wrote Maxwell in 1926, is 'the most important work in Ashanti today'.⁷ But this was easier said than done. The necessary legislation was in place by the late 1920s, but getting chiefs to follow the rules was another matter. The District Commissioner of Mampong voiced a common complaint when he wrote, in 1937, that the Asokore stool 'is hopelessly in debt and [its] finances...a jumble of unintelligent accounting...'⁸

How did stools get into debt? To colonial officials and their scholarly contemporaries, the crux of the problem was litigation. Tempted by the rewards of colonial commerce and bewildered by bureaucratic procedures, chiefs, they felt, had been drawn into an escalating cycle of competition over land, money and office which rendered them unable (or unwilling) either to refrain from litigation or to control its costs. As early as 1912, a chief in Kumase told a government investigator that most stools were in debt because of land litigation, adding candidly 'mine is'.⁹ A colleague disagreed: since lawyers were prohibited from practicing in Asante, he argued, chiefs only spent money 'on entertainment'.¹⁰ But the implied distinction was not clear cut. In 1916, after winning a boundary dispute with the chief of Peki, Chief Kwame Ashanti of Treddeh sued his former rival, hoping to recover the £275 that he had spent in litigating over their mutual boundary. Most of the money, he explained, had been used to transport 12 stool elders, 18 subjects and an unspecified number of witnesses from Treddeh to Kumase, and maintain them there for four months while the case was pending before the Chief Commissioner.¹¹ Even without lawyers, litigation could be expensive.

In 1933, lawyers were finally admitted to Asante courts and Asante chiefs' outlays on legal fees began to rival those of their counterparts in the colony. In 1945, a government inquiry into the costs of stool litigation found that:

... the majority of states in the Colony and in Ashanti have been, and many still are, in debt. Though there are other contributing factors, litigation is undoubtedly the main cause of the indebtedness. Stool debts caused by litigation generally arise out of litigation over land and particularly out of boundary disputes.¹²

⁷ NAGA ADM 11/1/1906, Chief Commissioner of Ashanti to Secretary of State for the Colonies, 10 Sept. 1926.

⁸ NAGK 2348, Asokore Stool Levy, 1934-1942, Acting District Commissioner, Mampong to Chief Commissioner, Kumasi, 7 May 1937.

⁹ His testimony was confirmed by the Nkawiehene. NAGA ADM 5/3/13, Report on legislation governing the alienation of native lands in the Gold Coast Colony and Ashanti, Cd 6278, 1912:93, 95. (Hereinafter the Belfield Report.)

¹⁰ *Ibid.* 94. The second speaker, Adontenhene John Kwame Frimpong, was an influential figure in Asante politics from the turn of the century to the late 1940s. T. C. McCaskie, 'Accumulation, wealth and belief in Asante history: II. The twentieth century', *Africa*, LVI (1986), 12-13.

¹¹ NAGK 850, Pekki-Treddeh Boundary Dispute, 1916-29. See also NAGK 954, Omanhene of Juaben vs. Omanhene of Ejisu, 1925-35.

¹² Gold Coast Colony, *Report of the Commission of Inquiry (Havers) on expenditures connected with litigation* (1945), 31. In addition to contemporary sources, a number of more recent studies have cited costs of litigation as a major source of stools' chronic indebtedness. See, Tordoff, *Ashanti under the Prempehs*; M. Owusu, *Uses and Abuses of Political Power: A Case Study of Continuity and Change in the Politics of Ghana* (Chicago,

In the 32 disputes for which the commission collected detailed information, costs of litigation ranged from £40 to over £20,000, with a median of £1,700 per case.¹³

These data are dramatic but provide only partial support for the commission's conclusion that litigation was the principal source of stool debts. In the mid-1930s, for example, an official review of accounts for the chronically indebted (and disputed) stool of Asokore showed that roughly half of the stool's expenditures from 1934 to 1936 had gone for litigation.¹⁴ But what about the other half? In the neighboring stool of Nsuta, no one mentioned litigation in 1933 when, following the installation of a new chief after a decade of dispute, a debt of £2499 suddenly 'appeared'.¹⁵

Chiefs' outlays on litigation were substantial, sometimes ruinous, but they were not the whole story. For some contemporary observers, colonial rule was as much to blame as chiefs. 'Stool litigation', wrote Meyer Fortes in 1948, 'exemplifies... the incompatibility between the old social structure and modern development. [A chief] is no longer primarily the servant of the community and their intermediary with the ancestors. He is as much or more the servant of the White Man...' Chiefs' 'direct relationship with the administration', he added, 'stimulated their desire to aggrandise themselves at the expense of their neighbours...'.¹⁶ Expanding on Fortes' critique, Simensen and Grier attribute conflicts over stool debts and destoolments to capitalist exploitation. With the backing of the colonial state, chiefs operated as both landlords and capitalists: extracting rent from the expanding production of cocoa, rubber, timber and gold; keeping down the cost of labor by limiting ordinary farmers' and farm workers' opportunities to accumulate property;¹⁷ and participating directly in the rising class of 'cocoa capitalists' as farmers and traders on their own account.¹⁸

If chiefs often behaved as rentiers and capitalists, however, it does not necessarily follow that their subjects comprised an emerging class of peasants

1970); A. Y. Y. Kyerematen, *Inter-State Boundary Litigation in Ashanti*, African Social Research Documents 4 (Cambridge, 1971); Simensen, 'Commoners, chiefs and colonial government'; Grier, 'Contradictions'; Rathbone, *Murder and Politics*, 1993.

¹³ Havers Commission, 1945: Appendix B. These figures were based on cases from the Colony as well as from Asante. ¹⁴ NAGA 2348, Asokore Stool Levy, 1934-42.

¹⁵ NAGA 975, Nsuta Native Affairs, 1921-36.

¹⁶ M. Fortes, 'The Ashanti social survey: a preliminary report', *Rhodes-Livingstone Journal. Human problems in British Central Africa*, vi (1948), 22-3. Similar arguments were made by R. S. Rattray, *Ashanti Law and Constitution* (Oxford, 1969); K. A. Busia, *The Position of the Chief in the Modern Political System of Ashanti* (London, 1968); and many colonial officials. See Havers Commission, 1945; also K. Arhin, 'Some Asante views of colonial rule: as seen in the controversy relating to death duties', *Transactions of the Historical Society of Ghana*, xv (1974), 63-84.

¹⁷ Grier, 'Contradictions', 37ff., points out that, in the colony, the decision to vest land in the stools represented a reversal of the colonial government's earlier policy of condoning or even encouraging the development of individual ownership. She argues that this policy was designed to keep labor cheap by limiting Africans' opportunities to accumulate wealth.

¹⁸ G. Austin, 'The emergence of capitalist relations in south Asante cocoa farming, c. 1916-33', *J. Afr. Hist.*, xxviii (1987), 267ff., and 'Capitalists and chiefs in the cocoa hold-ups in south Asante, 1927-1938', *Int. J. Afr. Hist. Studies*, xxi (1988), 78 and *passim*. See also Grier, 'Contradictions', and Simensen, 'Commoners, chiefs and colonial government', and 'The Asafo of Kwahu'.

and workers. Opponents of a particular chief were likely to comprise an assortment of people – sub-chiefs and commoners, women and men of all ages and lineages, prosperous as well as poor. While acknowledging this point, Grier also argues that ‘at the heart of the conflict was the struggle between the traditional ruling class of royals and other privileged lineages, on the one hand, and the “commoners” or “young men”, persons of unfree or poor lineage, on the other’.¹⁹ But privilege was as likely to adhere to particular people as to entire lineages and protests were usually directed at unpopular chiefs rather than the institution of chieftaincy. Subjects rarely repudiated chiefs’ right to make demands on them, and were more likely to complain if they failed to litigate in defense of the stool’s lands than if they spent money in doing so.²⁰ Popular anger was roused less by chiefs spending more money than they collected than by their refusal to explain what they had spent it on.²¹

To commissioners struggling with the conflicts and confusions of the present, it was tempting to see the past as a golden age in which Asante beliefs and institutions functioned smoothly to the benefit of all. ‘In former days,’ rhapsodized the Assistant Chief Commissioner in 1934, ‘disputed elections were unknown and bribery in connections with election (sic) was unknown’.²² In 1921, the Asante administration established its own Anthropology Department, hoping to rediscover the virtues of the past in order to reinstate them. After his first few weeks with the new department, Captain Rattray assured his superiors that ‘no opportunity has been missed of instituting a propaganda among these people...[to convince them that] our culture,...dress, ideas, arts and customs should not be embraced and superimposed upon their own to the entire extinction of what is just and good in their own national institutions’.²³

For Rattray, what was just and good about Asante institutions was in part their functionality. Public finance was a case in point. In the past:

everything a Chief brought with him when he came upon the Stool became sunk in the Stool property. If he were destooled, he could not take anything away without special permission, even what had been his own property before he became Chief. In consequence of this law a Chief never regarded his tenure of office as a possible occasion on which he might enrich himself.²⁴

¹⁹ Grier, ‘Contradictions’, 36–7. The term ‘youngmen’ refers, in Asante parlance, to the majority of the population who do not hold office – i.e. occupy a stool. Use of this generic term has sometimes, I think, served to exaggerate the degree of collective solidarity or common class interest among those challenging a chief’s qualifications to remain in office. Allman argues that ‘youngmen or *nkɔwankwaa*’ of Asante played a catalytic role in the Asante nationalist movement of the mid-1950s. J. Allman, ‘The youngmen and the porcupine: class, nationalism and Asante’s struggle for self-determination, 1954–7’, *J. Afr. Hist.*, xxxi (1990), 263–79; R. Rathbone and J. Allman, ‘Discussion: the youngmen and the porcupine’, *J. Afr. Hist.*, xxxii (1991), 333–8; and J. Allman, *The Quills of the Porcupine: Asante Nationalism in an Emergent Ghana* (Madison, 1993).

²⁰ See Busia, *The Position of the Chief*, 207; Austin, ‘Capitalists and chiefs’, 88.

²¹ NAGK 1264, Petition from Twafohene, Akwamuhene and over 400 Youngmen of Asokore, 18 Jan. 1933.

²² J. N. Matson, *A Digest of the Minutes of the Ashanti Confederacy Council* (Accra, 1950), 67. ²³ Quoted in NAGA ADM 11/1/1907, Annual report, Ashanti, 1921.

²⁴ Rattray, *Ashanti Law and Constitution*, 116. See also, Busia, *The Position of the Chief*,

Writing in the late 1940s, the Asante scholar K. A. Busia went even further, reflecting nostalgically on a pre-colonial past when ‘the chief’s social personality was completely merged in his office’²⁵ and chiefly aggrandisement was unheard of. By virtue of his office, a chief was obliged to maintain a large household of wives, offspring, kin and retainers, and he also ‘provided food and drink for those who visited him, rewarded the services of his subjects, and distributed presents at religious festivals’.²⁶ Redistribution in other words did not depend on individual altruism but flowed automatically from the structural logic of Asante’s constitution, and chiefly aggrandisement was a modern invention.

Rattray’s and Busia’s encomia on pre-colonial fiscal practice have not been borne out by subsequent historical research. As Wilks, Arhin, McCaskie, and Austin among others have shown, social status in pre-colonial Asante was closely related to wealth. Rank often followed wealth – the coveted title of *ɔbirempɔn*, in particular, was reserved for those who could afford the lavish ceremonies of installation²⁷ – but ‘relative affluence or deprivation was [also] a reflection of one’s political position...’²⁸ McCaskie describes the case of Yamoah Ponko, a successful trader who began in the 1760s to invest in land and subjects. He donated land at Anyinasu to his father’s stool as a kind of down payment on the office,²⁹ then leased the land back from the stool and settled his subjects there to trade on his behalf. Over the course of his career, Yamoah Ponko amassed a fortune. He was rewarded with two of the most senior stools in Asante and, shortly before his death c. 1785, achieved the rank of *ɔbirempɔn*. After he died, the state claimed most of his gold as *awumnyadeɛ* – the ‘death duties’ which were levied on personal wealth – but as stool property, the land at Anyinasu was exempt from taxation. Far from performing a kind of constitutional alchemy which turned chiefs’ private wealth into public property, stools in pre-colonial Asante could be bought, sold, mortgaged and used to shelter individually acquired wealth from inheritance taxes imposed by the state.

By the early twentieth century, then, the notion that a chief’s property was indistinguishable from the stool’s was probably anachronistic. It was certainly impractical. If, on succeeding to office, a chief’s income and assets became one with the stool’s, the reverse was also true: whatever the occupant

²⁵ *Ibid.* 199. Based on research carried out in 1941–2, Busia’s manuscript was submitted to Oxford University as a Ph.D. thesis, and first published in 1951. Busia cites Rattray as his ‘main source’ on Asante history and chose to do his fieldwork in Mampon because Rattray had worked there: *ibid.* x. Rattray did not, however, believe that a chief’s person was inseparable from his or her office: ‘In Ashanti, the stool is greater than the King or Chief who sits upon it’.

²⁶ *Ibid.* 199. According to this argument, chiefs who accepted bribes were guilty of violating custom.

²⁷ I. Wilks, *Forests of Gold: Essays on the Akan and the Kingdom of Asante* (Athens OH, 1993), 136ff.; T. McCaskie, *State and Society in Asante* (Cambridge, 1995), 42–9. Anyone receiving the rank of *ɔbirempɔn* was expected to make a public display of his wealth. In addition to showing off the candidate’s achievements, this ritual enabled the state to make a preliminary assessment of his fortune and what might be demanded as death duties.

²⁸ K. Arhin, ‘Rank and class in Fante and Asante’, *Africa*, LIII (1983), 9.

²⁹ Under the rules of matrilineal succession, Yamoah Ponko would not normally be eligible to succeed to his father’s stool. In this case, however, strategic generosity eventually gained him the office. See McCaskie, *State and Society*, 59–64; also Wilks, *Forests of Gold*, 136–8.

of a stool decided to do with its resources was by definition for the stool's benefit. If chiefly aggrandizement was unthinkable, so was chiefly accountability: a chief could hardly be held personally accountable for property which belonged to the stool. Indeed, by insisting it was customary for a chief to merge his or her personal property with that of the stool, officials tended to defeat their own efforts to prevent chiefly aggrandizement. Rather than eliminate stool debts and forestall disputes, the conflation of private with public property encouraged chiefs to evade accountability and provoked their subjects to try to unseat them.

It also contributed to stool debts. Commissioners and commoners held to the view that, according to custom, when a chief took office his property became indistinguishable from that of the stool. Chiefs, however, insisted that the tribute, fees and gifts accruing to their office were theirs to dispose of as they saw fit. In effect, both sides tended to conflate public and private accounts: the difference was that while commissioners thought chiefs should devote their personal resources to the public good, chiefs were more inclined to treat the perquisites of office as personal income. The result was a stand-off. In 1912, Fuller assured his superiors that chiefs would use 'their rents' to maintain the roads.³⁰ Twenty years later, his successors were still trying to convince stoolholders that 'cocoa tribute for land access ought to be treated as a form of public money ...'³¹

The ambiguities of chiefly finance emerged clearly during a revealing set of exchanges in the Gold Coast Colony between the administration, the chiefs of Akyem Abuakwa and a group of settlers, known as the new Juabens, whose forebears had fled Asante during the British invasion of 1874 and settled in Akyem. Though physically scattered throughout Akyem, the New Juabens maintained allegiance to a common chief, and claimed separate but equal political status *vis-à-vis* the Akyems. Unlike the migrant cocoa farmers³² who came later, the New Juabens did not purchase land in Akyem, nor did they pay tribute on the cocoa farms which they eventually planted. In 1918, the Akyem state council resolved that, like other strangers, descendants of the New Juaben settlers should pay cocoa tribute at the going rate of one-third of the crop. The New Juabens refused and the government backed them up, arguing that chiefs were not authorized to impose taxes. The Akyem state council was obliged to settle for a 'voluntary rent' of £1 per farm.³³

In 1927, taking advantage of a new Native Administration Ordinance,³⁴ the paramount chief of Akyem Abuakwa, Nana (Sir) Ofori Atta, reasserted his right to tax the New Juaben settlers – this time demanding 1d per cocoa tree,

³⁰ NAGA 5/3/13, Belfield Report, 1912, 87.

³¹ J. Dunn and A. F. Robertson, *Dependence and Opportunity in Ahafo* (Cambridge, 1973), 53.

³² Beginning in the 1890s, many Akwapim, Krobo, Ga and Shai farmers bought land and established cocoa farms in Akyem Abuakwa. P. Hill, *Migrant Cocoa Farmers of Southern Ghana* (Cambridge, 1963), *passim*.

³³ Simensen, 'Commoners, chiefs and colonial government', 106.

³⁴ This Native Administration Ordinance applied to the Colony. Colonial legislation for Asante was kept separate from that of the Colony until 1934. Lord Hailey, *Native Administration in the British African Territories*, Part III (London, 1951), 229. For an absorbing account of Nana Ofori Atta's career and the complex political aftermath of his death, see Rathbone, *Murder and Politics*.

the rate which had been officially approved in Asante in 1913.³⁵ By the late 1920s, however, cocoa prices had fallen substantially and the real burden of the tax had risen accordingly. More determined than ever to resist the chiefs' demands, the New Juabens insisted that they were Asantes and hence under no obligation to pay taxes to the Akyem stool. But they also claimed that, as long-term residents of Akyem, they were 'naturalized with the Okyeman from the time immemorial' and, like indigenes, were entitled to farm on Akyem land without paying tribute to anyone.³⁶ Ofori Atta countered that they could not have it both ways, and insisted that, as 'strangers', the new Juabens owed cocoa tribute to the stool.³⁷

Official opinions were divided.³⁸ The Secretary for Native Affairs insisted, as a matter of principle, that chiefs had no authority to levy taxes independently of the government. The governor was willing to allow the stool to collect cocoa tribute from the New Juabens to help defray its debts, but only if the chief would agree to establish a stool treasury. Ofori Atta was eager to raise revenue, but unwilling to submit stool expenses to government audit. Beating a strategic retreat on the issue of taxation, he suggested that cocoa tribute was not a 'tax', but a 'private' arrangement between settler farmers and the indigenous 'owners' of the land, in which government had no right to interfere.³⁹ Like the New Juabens, Nana Ofori Atta sought to have his cake and eat it too – invoking the history of the Juabens' migration and the principle of stool ownership to support his claims to tribute, but rejecting the government's view that tribute was a form of public revenue which belonged to the *oman* rather than the *omanhene* and must be publicly accounted for.

Throughout the debate, key participants articulated their positions in ambiguous, even contradictory, terms. Colonial officials both upheld and restricted chiefs' authority; Ofori Atta defined cocoa rents as both public and private income; and the new Juabens claimed to be both Asantes and citizens of Akyem. Viewed in the context of these on-going struggles, efforts to appropriate cocoa income appear less as a sustained attempt to define and enforce a single system of property rights than as moments in a continuing

³⁵ In making this claim, Ofori Atta was testing section 40 of the new Native Administration Ordinance which extended chiefs' authority to make bye-laws to all matters pertaining to 'good government and the welfare of the inhabitants'. Quoted in Simensen, 'Commoners, chiefs and colonial government', 200.

³⁶ NAGA ADM 1/1/184, Cocoa farming tribute.

³⁷ *Ibid.*, Ofori Atta to DC Akyem, 10 Apr. 1928.

³⁸ Simensen, 'Commoners, chiefs and colonial government', 201–2. Simensen has traced the long history of Ofori Atta's debates with the colonial administration on these and other issues in great detail. Briefer accounts are also given in Rathbone, *Murder and Politics*, ch. 13, and K. Firmin-Sellers, *Transformation of Property Rights in the Gold Coast* (Cambridge, 1996).

³⁹ NAGA ADM 11/1/184, Cocoa farming-tribute...bye-laws, Ofori Atta to DC Kyebi, 12 Sept. 1929.

proliferation of rules and historical precedents.⁴⁰ Rent-seeking was a matter not of clarifying and enforcing the rules, but of participating in their ongoing reinterpretation. A similar dynamic was at work in Asante.

CRISIS IN KUMAWU

In 1916, after a reign of twenty years, Kumawuhene Kwame Affram was destooled. He had been the target of disaffection before but Chief Commissioner Fuller and the District Commissioner, Alex Norris, who admired the Kumawuhene, were inclined to dismiss his critics as jealous upstarts. Both men understood chiefly power in Asante as authoritarian and hierarchical, and sought to uphold it as a cornerstone of British rule. In 1915, for example, when one of the Kumawuhene's drummers defected to the Basel Mission in Akuapem, Norris fetched him back, 'explain[ing] to the Mission that we could not allow this kind of thing as it would lead to any man who does not want to serve their (sic) masters running away and saying they are Christians'.⁴¹ Both Norris and Fuller considered Kwame Affram an exemplar of traditional authority: 'the finest chief we have..., loyalty personified...'⁴²

The commissioners' enthusiasm for Kwame Affram was not universally shared by his subjects. In May 1915, when disaffection was already rife in Kumawu, the chief was accused of having embezzled money from the government's war fund. At first, Norris dismissed the charges as slanderous but later, after riots broke out in the town, he investigated and found them to be true. Hoping to save face for the chief as well as his superiors, Norris persuaded Kwame Affram to repay the money and to add £300 from his own pocket as a gesture of loyalty and reconciliation.⁴³ He then informed the Chief Commissioner that the *omanhene* had made peace with the 'youngmen' and deserved to 'avoid disgrace'.⁴⁴

The rioters did not get off so easily. Norris 'removed the five Principals',

⁴⁰ Firmin-Sellers, *Transformation of Property Rights*, ch. 4. I am not persuaded by Firmin-Sellers' argument that Ofori Atta set out to introduce a new system of property rights in Akyem Abuakwa, replete with institutions of enforcement, in a manner consistent with 'new institutional' economic theory. Specifically, she argues that Ofori Atta gained the support of colonial authorities by controlling their access to information about events in Akyem, and the support of his subjects by convincing them that the stool would use its revenues for their benefit. The former claim is not borne out by the lively debates within the colonial administration over Ofori Atta's motives and policies, explored in detail by Simenson. The latter claim depends on reading Ofori Atta's and J. B. Danquah's rhetoric as evidence of their accomplishments, and a modest increase in 'customary' tax payments to the stool treasury (from £110 in 1941–2 to £362, or 9 per cent of total revenue, in 1942–3) as 'a remarkable story' which shows that 'citizens paid their taxes to the treasury and, in return, rulers enforced property rights, refusing to appropriate the farmers' profits'. Firmin-Sellers, *Transformation of Property Rights*, 84.

⁴¹ NAGK 413, Kumawu candidates for baptism forced to beat drum, 1915, District Commissioner, Juaso to Chief Commissioner of Ashanti, 27 Sept. 1915.

⁴² NAGA ADM 11/1307, Kumawu Native Affairs.

⁴³ NAGA ADM 11/1307, Governor's comments on Fuller's diary, 11 Nov. 1916; Chief Secretary to Acting Chief Commissioner, 23 June 1916.

⁴⁴ NAGK 935, Boundary demarcations – Chief Commissioner's instructions, 1915–1931, District Commissioner, Juaso to Chief Commissioner of Ashanti, 23 May 1915.

locking them up in the Sunyani jail to keep them out of trouble while he went on leave to England.⁴⁵ For good measure, he also arrested three clerks and banished them from Kumawu. The hapless clerks had not taken part in the riot: their principal offense appears to have been that they ‘knew book palaver’, and had promised that if the rebels ‘listened to their guidance – they would shew them how to win their cause’.⁴⁶ On the eve of his departure, Norris warned Fuller that a party of Kumawu youngmen was *en route* to Kumase to appeal his decision, adding that ‘I trust you will uphold my order, whatever you think of it’.⁴⁷

Fuller obliged, but the chief’s opponents were not mollified. In January 1916, perhaps emboldened by the commissioners’ backing, Kwame Affram indulged in ‘an outburst of passionate abuse’ against his detractors which was followed by further riots.⁴⁸ Norris, by then returned from England, quelled the disturbances but did not succeed in silencing demands for the chief’s destoolment. In April, a group of ‘Elders and youngmen’ petitioned the government to remove Kwame Affram from the stool. In addition to embezzlement, they charged the chief with levying heavy fines for trivial offenses, ‘misconducting himself with the youngmen’s wives’, ‘marrying women of close kind and affinity’, insulting both youngmen and elders, and generally indulging in ‘tyrannical rule and... improper conduct’.⁴⁹

As news reached Accra of the depth and duration of the crisis in Kumawu, the governor grew alarmed, then annoyed. In May, he was dismayed to discover that the Acting Chief Commissioner’s report on the January riots had failed to mention either Norris’s finding of embezzlement or the youngmen’s charges against the chief. Norris was rebuked for accepting financial restitution from the Kumawuhene, while ignoring popular demands for his destoolment: ‘Government had allowed itself to be bought off by a contribution to the War Fund...’⁵⁰ By the end of the month, Norris had ‘requested’ and received a transfer to another district.

While the governor deplored Norris’ poor judgment in making light of the Kumawuhene’s financial peccadillos, he was more disturbed by the Asante commissioners’ apparent disregard for political principle. ‘An Omanhene in Ashanti is an elected Chief of his people who have a perfect right, according to native custom, to destool him if he has betrayed his trust...’⁵¹ In Kumawu, he concluded, the people rioted because they believed that

the Omanhene was secure of the support of the local Government in any circumstances, and that it would be vain to address a petition for his deposition to

⁴⁵ NAGK 62, Kumawu politics, District Commissioner, Ashanti Akyem to Chief Commissioner of Ashanti, 25 March 1918; NAGK 935, District Commissioner, Juaso to Chief Commissioner, Kumasi, 23 May 1915.

⁴⁶ NAGK 935, Assistant District Commissioner, Juaso to Chief Commissioner, Kumasi, 23 May 1915.

⁴⁷ NAGK 935, District Commissioner, Juaso to Chief Commissioner of Ashanti, 23 May 1915.

⁴⁸ NAGA ADM 11/1307, Chief Commissioner of Ashanti to Chief Secretary, 29 Aug. 1916.

⁴⁹ NAGK 64, Kumawu elders and young men – petition for destoolment of Omanhin Kwame Affram, 1916.

⁵⁰ NAGA ADM 11/1307, Chief Secretary to Acting Chief Commissioner of Ashanti, 23 June 1916.

⁵¹ *Ibid*, Chief Secretary to Acting Chief Commissioner of Ashanti, 30 May 1916.

you through the D.C. This impression was strengthened by the extravagant eulogies of this Chief which were delivered in His Excellency's presence by Mr. Norris who described him as 'the best chief in Ashanti', and scouted the idea of allowing him to be deposed.⁵²

In all, the governor expressed 'deep displeasure' not only with Norris, but also 'with the attitude assumed by the government of Ashanti towards native questions, as that attitude is revealed by an examination of its dealings with the people of Kumawu'.⁵³ Norris and Fuller, he concluded, had shown not merely poor judgment, but 'an apparent failure to grasp the basic principles of Twi constitutional law and *custom*...', adding that 'the real delinquent in this case is the CCA'.⁵⁴

In October, the 'malcontents' prevailed in Kumawu: Kwame Affram was destooled and banished to Efiduase. Accompanied by more than seventy wives, offspring, kin and retainers, the ex-chief left Kumawu 'unbroken in spirit, ... as arrogant as ever', and vowing to return.⁵⁵ Fuller acquiesced in his protégé's downfall, but vigorously defended his own understanding of Asante custom. After Prempe was deported, he reminded his superiors, chaos reigned in Asante until Stewart took command in 1902, and the role of Asantehene 'devolved upon the British administration'.⁵⁶ As the ranking representative of that administration, the Chief Commissioner was, in effect, the modern successor to the Asantehene. If government failed to appreciate this fact, Fuller intimated, the people of Asante were not so obtuse: they had never claimed 'democratic powers' and deferred to the administration in all matters of 'internal politics'. Two Kumawu sub-chiefs and their youngmen, he added, had actually written to thank him for his role in destooling Kwame Affram. 'Had they for a moment considered that the power of destoolment rested with them, they would never have addressed me such a letter'.⁵⁷

In short, the political crisis in Kumawu set off a debate over constitutional principles that reverberated throughout the Gold Coast administration. The depth and persistence of opposition to the Kumawuhene raised questions not only about the conduct and capability of individual officials, but also about the principles of chiefly succession in Asante. Brushing aside Fuller's claims that the malcontents in Kumawu were aberrant trouble-makers – 'youngmen' who had no right under customary law to unseat a chief – the governor argued that social order had been jeopardized in Kumawu because the Asante administration had ignored legitimate popular demands. His doubts did not, however, extend to the merits of colonial rule itself. Instead, he concluded that what was needed to make indirect rule work was a better understanding of Asante custom.

THE STRUGGLES CONTINUE

If Kwame Affram's destoolment satisfied the governor that justice had finally been done, it did little to restore tranquillity in Kumawu. The new

⁵² NAGA ADM 11/1307, Chief Secretary to Acting Chief Commissioner of Ashanti, 30 May 1916.

⁵³ *Ibid.* Chief Secretary to Acting Chief Commissioner of Ashanti, 23 June 1916.

⁵⁴ *Ibid.* Governor's comments, 11 July, 1916. The CCA refers to the Chief Commissioner of Ashanti.

⁵⁵ *Ibid.* Chief Commissioner of Ashanti to Chief Secretary, 14 Oct. 1916, and personal communication, Nana Osei Bediako Firaw, Kumawu.

⁵⁶ *Ibid.* Chief Commissioner of Ashanti to Chief Secretary, 16 Nov. 1916. ⁵⁷ *Ibid.*

Kumawuhene, Kweku Boaten, proved no less controversial than his predecessor. Within a year of his accession, fresh disturbances broke out. Once again, controversy focused on the stool's finances, and the commissioners were faced with a choice between suppressing dissent and sacking the chief.

Kweku Boaten, a successful cocoa buyer, was not a member of Kumawu's royal family. The elders accepted his bid for the stool primarily because he promised to take personal responsibility for the stool's outstanding debt. Sources give different figures for the amount of the debt, but officials and townspeople agreed that much of it stemmed from the riots which led to Kwame Affram's destoolment in 1916.⁵⁸ In effect, Kweku Boaten purchased the stool by undertaking to pay the fines of stool subjects who, in their efforts to unseat his predecessor, had been convicted of riot and assault – and had also paved the way for his own succession.

Having accepted Kwame Affram's downfall, Fuller wasted little time on regrets. Within a week of his erstwhile protégé's departure from Kumawu, the Chief Commissioner was ready to welcome the new chief: 'slippery, astute and sycophantic, ... he is, nonetheless, a firm believer in the Government and has invariably rendered me assistance when called upon to do so'.⁵⁹ While admitting that Kweku Boaten had probably intrigued and bribed his way to office, Fuller 'confessed to a feeling of relief' that the elders had chosen him 'instead of some nonentity without brains or influence'.⁶⁰ He even produced a genealogical table which purported to show that Kweku Boaten 'was descended from former Kumawu Omanhins on his mother's side...', a story which officials carefully preserved as long as Kweku Boaten remained on the stool and abandoned as soon as he left it.⁶¹

Once assured of the commissioners' approval, however, Kweku Boaten set out to profit from his office rather than endow it. He seized farms and houses belonging to his predecessor, claiming that they were stool properties; confiscated the goods of traders who incurred his displeasure; and imposed heavy fines for trivial offenses.⁶² He even tried to back out of his promise to pay off the stool's debt, imposing a levy on his subjects to cover the cost rather than absorbing it himself.⁶³ His audacity cost him the support of two of Kwame Affram's most outspoken opponents. One, Bodomasehene Kwame Tua, was a lifelong activist in Kumawu politics, who boasted of having

⁵⁸ NAGK 31, Kumawu disturbances, 1920, Chief Commissioner of Ashanti to Chief Secretary, 10 Sept. 1920; NAGK 62, District Commissioner, Ashanti Akyem to CCA, 17 Jan. 1919; Kojo Nsiah and Kofi Wurai to Governor, 16 June 1918. According to Harper, Kweku Boaten had agreed to pay off a debt of £1100. In April, 1919, the chief himself claimed to have paid £1310 towards the stool's debts, leaving a balance of £90 owed to Chief Frimpong. See also NAGA ADM 11/1307, Chief Commissioner of Ashanti to Chief Secretary, 14 Oct. 1916, and Minute by Secretary for Native Affairs, 7 June 1929; also NAGK 23, Petition praying for their return to Kumawu, 21 Apr. 1919.

⁵⁹ NAGA ADM 11/1307, Chief Commissioner of Ashanti to Chief Secretary, 14 Oct. 1916.

⁶⁰ *Ibid.*

⁶¹ Compare NAGK 31, Chief Commissioner of Ashanti to Chief Secretary, 10 Sept. 1920; NAGK 29, Kobina Kodia, Omanhene of Kumawu – election of 1922; NAGK 34, Enquiry into the constitution of the Kumawu Stool, 1924.

⁶² NAGK 62, Kumawu Native Affairs, 1918; NAGK 68, Enquiry into a complaint against Omanhene of Kumawu by one Kwesi Nuama, District Commissioner, Juaso to Chief Commissioner of Ashanti, 30 Jan. 1918.

⁶³ NAGK 62, Report on Kumawu Palaver, 24 Dec. 1917; NAGK 31, Chief Commissioner of Ashanti to Chief Secretary, 10 Sept. 1920.

destooled both Kwame Affram in 1916 and his predecessor Kwesi Krapa, in 1896.⁶⁴ The other, Yaw Kusi, a trader from Offinso, was one of the men whom Norris had sent to jail in 1915 for rioting against Kwame Affram. Kweku Boaten rewarded Yaw Kusi's opposition to Kwame Affram by appointing him to the office of Gyasehene but, when Kweku Boaten reneged on his promise to pay off the stool's debt, Yaw Kusi turned on his patron and began a campaign to destool him. In May 1918, Kumawu was again shaken by rioting and in June Yaw Kusi was banished from the town. Less than a week after his departure, two 'youngmen' took up the cause, charging Kweku Boaten with a list of offenses which ranged from illegitimacy and greed to attempted murder.⁶⁵ Like the clerks whom Norris had arrested in 1915, they too were banished for going beyond their perceived social powers, in this case by contravening the 'custom' that only elders had the right to press destoolment charges against a chief.⁶⁶

Like his initial endorsement of Kweku Boaten, Fuller's subsequent handling of the stool debt question was more opportunistic than principled. The alacrity with which he welcomed the new chief⁶⁷ suggests that the Chief Commissioner was more concerned to have the stool's debts paid than worried about the source of the money. Although he had questioned the legitimacy of the debt, declaring at one point that debts incurred to pay the fines of rioters were not the responsibility of the stool,⁶⁸ in approving Kweku Boaten's candidacy, Fuller tacitly endorsed the elders' decision to sell the stool to a non-royal, in order to defray a 'debt' the legality of which he

⁶⁴ NAGK 28, Re Kumawu Exiles wishing to return to Kumawu..., Kwame Tua to Chief Commissioner of Ashanti, 3 Dec. 1921; NAGA ADM 11/1307, District Commissioner's Report on Kumawu Disturbances, 1918. Kwame Tua was often at odds with whoever happened to be occupying the Kumawu stool. In 1916, he was jailed for his part in the riotous protests against Kwame Affram; in 1920, he was arrested and fined for taking part in the riots against Kweku Boaten. NAGK 64, Kumawu elders and youngmen – petition by for destoolment of Omanhin Kwame Affram of Kumawu, 4 Apr. 1916; NAGK 31, District Commissioner, Juaso to Chief Commissioner of Ashanti, 14 July 1920; NAGK 62, Acting District Commissioner's Report on Kumawu palaver, 24 Dec. 1917. He boasted of having installed Kwame Affram on the stool for the first time in 1896, after ousting his predecessor Kwesi Krapa, and later of unseating Kwame Affram in 1916. NAGK 28, Kwame Tua, Bodomasehene, to Chief Commissioner of Ashanti per District Commissioner, Juaso, 3 Dec. 1921. NAGK 31, Yaw Djibin, Worasohene and 11 other elders to Chief Commissioner of Ashanti, 9 July 1920. When Chief Commissioner Harper visited Kumawu and surrounding villages in December 1921, he was surprised to find that 'Kwame Toa, the chief king maker and king breaker of Kumawu does not seem to have much honor or support in his own country', adding hopefully that Kwame Tua looked old and ill and that, 'if he were to disappear from the scene', opposition to Kwame Affram's reinstatement might diminish. NAGA ADM 11/1/1902, Chief Commissioner's Diary, 12 March 1921.

⁶⁵ NAGK 62, Report on Kumawu Palaver, 24 Dec. 1917; K. Nsiah and K. Wurai to Governor, 16 June 1918.

⁶⁶ *Ibid.* Chief Commissioner of Ashanti to Chief Secretary, 4 Sept. 1918.

⁶⁷ Kweku Boaten's appointment appears to have been carried out in haste. Four years later, Fuller's successor could find no record that Kweku Boaten had ever been formally installed as Kumawuhene. NAGK 31, Chief Commissioner of Ashanti to Chief Secretary, 10 Sept. 1920.

⁶⁸ Cited by Chief Commissioner Harper in a memorandum which reviewed the history of Kumawu's stool debt. *Ibid.* See also NAGA ADM 11/1/1307, Chief Commissioner of Ashanti to Chief Secretary, 14 Jan. 1916.

denied. Consistency, to say nothing of constitutional principle, was evidently not the Chief Commissioner's primary concern in managing the affairs of the Kumawu stool.

Elders and subjects were also ambivalent toward the stool's debt. In agreeing to pay the debt out of his own pocket, Kweku Boaten may have had no other motive than personal aggrandisement, an argument borne out by his subsequent behavior. The elders' eagerness to have the debt paid is somewhat harder to explain, however. In accepting Kweku Boaten's offer to purchase the stool by paying the rioters' fines, the elders implied not only that the chief's wealth and political ambition qualified him for office, but also that the stool was financially responsible for the cost of political protest. In general, Asante stool elders jealously guarded their 'constitutional' prerogative to appoint and destool their chiefs, insisting that the only acceptable way for youngmen to express dissatisfaction with a chief was by politely informing the elders of their grievances. Ostensibly the sub-chiefs and elders of Kumawu subscribed to this dictum, but their willingness to sell the stool (even to a pretender) in order to avoid having to hold riotous youngmen to account for their actions suggests that they did not always find it expedient to practice what they preached.

Though the administration supported Kweku Boaten as they had Kwame Affram by punishing his detractors, the chief eventually bowed to popular pressure, cancelled the levy and paid the stool's debt himself. Tensions in the community subsided and towards the end of 1919 some of the exiled rioters petitioned to be allowed to return to their homes and farms, though Kweku Boaten complained that members of Kwame Affram's family – notably his mother, his queenmother, and several of his sisters – continued to intrigue against him.⁶⁹ Early in 1920, however, a scandal erupted which even Kweku Boaten was unable to face down.

Three laborers, engaged to dig a grave, discovered objects at the grave sites of some of the town's earliest settlers which suggested that the graves themselves might contain gold.⁷⁰ The news was conveyed to the Kumawuhene, who sent the gravediggers packing and despatched two of his associates to investigate. What happened next is not clear, but the treasure – comprising by some accounts, three large vessels of gold dust worth £11,000 – disappeared and the townspeople whose forebears occupied the graves in question accused the Kumawuhene's messengers of stealing it. On 22 January, the two men were charged before the Kumawuhene and elders, found guilty and imprisoned. That night they 'escaped' from jail – the door was later said to have been left unlocked – and, six days later, their bodies were found hanging from a tree in the forest near Bodomase.

In the ensuing uproar, the Kumawuhene fell under suspicion for complicity (if not outright responsibility) in the prisoners' deaths and the disappearance of the gold, and his opponents seized the occasion to renew their efforts to destool him. At first the commissioners defended him, but after the chief's house was attacked by a mob and Kweku Boaten himself

⁶⁹ NAGK 28, District Commissioner, Juaso to Chief Commissioner of Ashanti, 18 Sept. 1919; NAGA ADM 11/1307, Skene's Report, 8 Sept. 1920.

⁷⁰ Except where noted otherwise, my account of this incident is based on NAGK 27, Notes of an inquisition into the death of two Kumawu men – stealing gold dust valued at £11,000, 1920.

beaten severely enough to require hospitalization they withdrew their support. On 10 September, Chief Commissioner Harper destooled Kweku Boaten without even launching an investigation of the charges against him: the chief's position, he declared curtly, had become 'untenable'.⁷¹

Following the Kumawuhene's disgrace, the commissioners moved unilaterally to stabilize the stool's finances. They drew up a 'Kumawu Constitution' which directed that the stool create court and financial records, keep them up to date and open a bank account. However, they backed away from imposing a political settlement, preferring to place the onus of consensus on the community by insisting that they would not confirm a successor to the stool unless the choice was 'nearly unanimous'.⁷² By 1921, the stool's debts had been paid and the remaining exiles returned home without incident, but the elders remained deadlocked over the choice of a new chief. A campaign to reinstate Kwame Affram drew support from prominent chiefs in Kumase, as well as his friends and relatives in Kumawu,⁷³ and Harper expected that they would prevail. However, led by Kwame Affram's old adversaries – Bodomasehene Kwame Tua and Kweku Boaten's queenmother, Adwoa Serwaa – 'opposition [proved] stronger than expected'.⁷⁴

Two years later, with no end to the deadlock in sight, the District Commissioner intervened and a new chief, Kwabena Kodua, was installed.⁷⁵ Although the elders gave formal assent to his candidacy, the new chief owed his position entirely to the government. When asked, in 1923, to sign a petition urging the administration to repatriate the ex-Asantehene from exile in the Seychelles, Kwabena Kodua begged the District Commissioner to advise him, as 'he did not know what course to take'.⁷⁶ His tenure in office lasted less than two years and, in December 1925, Kwame Affram was finally reinstated, fulfilling his defiant promise of 1916.

To be sure, the District Commissioner imposed conditions.⁷⁷ Kwame Affram had to promise to retain Adwoa Serwaa as queenmother and furnish the District Commissioner with an account of his private debts, which were to be kept separate from the stool's. He also promised to refrain from repeating any of the offenses with which he had been charged in 1915.

⁷¹ NAGK 31, Chief Commissioner of Ashanti to Chief Secretary, 17 Sept. 1920. In an earlier moment of compromise, the elders had agreed to repay the stool's outstanding debt themselves if Kweku Boaten died on the stool, but not if he abdicated. Apparently the Chief Commissioner hoped that, by removing the chief unilaterally, he could prevent the elders from evading 'their share' of the stool's debts. NAGK 24, Petition in favour of Kweku Boaten...as Omanhin of Kumawu, Agreement between Kweku Boaten and Elders of Kumawu, 21 Apr. 1919.

⁷² NAGA ADM 11/1/1902, Chief Commissioner's Diary, 12 Apr. 1921.

⁷³ In August 1921, Harper noted that the prominent Kumase chief Kwesi Nuama had come to plead Kwame Affram's case, explaining that Kwame Affram was 'marked out by Providence to return as Chief to Kumawu. No elephant has been killed since he was destooled, but no sooner does he set foot on Kumawu land that (sic) two elephants are killed and so on'. *Ibid.* 15 Aug. 1921.

⁷⁴ *Ibid.* 12 Apr. 1921.

⁷⁵ NAGK 29, Kobina Kodua, Omanhene of Kumawu – election of, 1922.

⁷⁶ NAGA ADM 11/1/1901, Ex-king Prempeh – return of, 1911–1925, *Precis of correspondence*, entry for 18 Dec. 1923.

⁷⁷ NAGA ADM 11/1/1307, Acting Chief Commissioner of Ashanti to Chief Secretary, 1 Sept. 1925.

Finally, the chief and his supporters agreed to make 'a free gift' – amount to £1065 10s of their own money – to defray the stool's accumulated debts.⁷⁸ Once again, the commissioners put solvency ahead of principle, and proved themselves complicit in what Chief Commissioner Harper condemned as 'a practice of buying and selling stools'.⁷⁹

'THE POWER IN THE STORY'⁸⁰

Throughout the decade of political turmoil in Kumawu, both combatants and peacemakers appealed to history to advance and defend their claims. Between 1920 and 1925, colonial officials made at least four separate attempts to compile authoritative versions of the genealogy of Kumawu's royal family and the structure and functions of its offices. They consulted the chief and selected elders when the stool was occupied and their own files and colleagues when it was not.⁸¹ Individual chiefs and elders also furnished historical briefs to substantiate their respective agendas. Ohemaa Adwoa Serwaa, who opposed Kwame Affram's reinstatement on practical grounds,⁸² buttressed her position with a lengthy history of Kumawu, in which she claimed *inter alia* that Kwame Affram was 'grandson' to a former Kumawuhene whose disgraceful conduct had led to his descendants being forever barred from the stool.⁸³ The views of her ally, Bodomasehene Kwame Tua, on royal genealogy are not recorded, but he liked to recount his own history as a kingmaker whenever the opportunity arose.⁸⁴ Kwame Affram's supporters also stressed the importance of history to good governance and the welfare of the community. As Kumawuhene, they pointed out, Kwame Affram had successfully defended stool lands against rival claimants, but under his successor Kumawu lost a land case with Asokore because 'we had no one capable of giving the history of the disputed land...[N]o one else knows the history'.⁸⁵

In Asante, it is said, 'the chief speaks with the voice of the ancestors'.⁸⁶ In conversation, chiefs often refer to their predecessors in the first person: 'I fought with Osei Tutu at Feyiase', as if the famous battle of 1700 had occurred within living memory. Like the ubiquitous formula 'from time

⁷⁸ *Ibid.* ⁷⁹ NAGA ADM 11/1/1902, Chief Commissioner's Diary, 14 Dec. 1921.

⁸⁰ I have borrowed this phrase, with admiration, from M-R. Trouillot, *Silencing the Past* (Boston, 1995), 1. Trouillot's subtle exploration of the various ways that power may be expressed or exercised through stories and silences about the past has been an inspiration in my efforts to think about the abundance of historical narrative in debates over property and power in Asante. I am, of course, entirely responsible for the resulting use – or misuse – of his insights.

⁸¹ See n. 61 above.

⁸² She warned that Kwame Affram's reinstatement was likely to cause further turmoil, since he could be expected to take revenge on the youngmen who had insulted him and seduced his wives while he was in exile. NAGK 28, Enquiry...re election of candidate to Kumawu stool, 20 Apr. 1922.

⁸³ NAGK 62, Adjuah Serwah, Ohimba Kumawu to Chief Commissioner of Ashanti, 2 Dec. 1921.

⁸⁴ See n. 73 above.

⁸⁵ NAGK 28, Enquiry...re election of candidate to Kumawu stool, 20 Apr. 1922.

⁸⁶ K. Yankah, *Speaking for the Chief: Akyeame and the Politics of Akan Royal Oratory* (Bloomington IN, 1995), 95. He explains that to use the first person in public speech is a royal privilege: others, notably *akyeame* or royal spokespersons, must use the third person. *Ibid.* 130.

immemorial' (which is as likely to be heard today in arguments before the High Court as in casual conversation), chiefs' syntactic identification with sometimes distant ancestors conflates history with custom, suggesting that authority gains legitimacy in the present from the fact of its exercise in the past. Similarly, colonial officials, chiefs and commoners often invested particular historical events with the weight of constitutional principle, invoking a timeless past to construct a charter for the present. In citing Kwame Affram's knowledge of history as evidence of his suitability for office, the chief's supporters portrayed him as a living repository of both historical and constitutional knowledge.

If chiefs who 'know custom' often tell conflicting stories, the very premise that history constitutes a single corpus of shared constitutional knowledge embraces the possibility of multiple versions and future reinterpretations. In colonial Asante, chiefs' and commissioners' avowed commitment to custom allowed them to claim certainty while simultaneously entertaining doubts; to invoke the authority of constitutional principle without resolving the question of which historical precedents merited the status of custom. In effect, 'custom' embraced both a set of constitutional principles, and an on-going practice of historical narrative and interpretation. If the former was unchanged, in theory, 'from time immemorial', the latter clearly entailed an interactive and performative process, in which rules and social relations were continually reaffirmed and redefined through the (re-)production of history. When told in a judicial venue or some other public forum – whether as family history, legal testimony, royal pronouncement, praise poem or political ritual – historical accounts and allusions claimed authority for both narrator and narrative.⁸⁷ Neither reactionary nor visionary, custom in colonial Asante was a process of active engagement between past and present.

If chiefs told many stories, colonial officials alternated between portraying custom as fixed and timeless and lamenting its vagaries and elusiveness. Their efforts to compile definitive statements of custom were punctuated by expressions of doubt that such a project was feasible, and each official enquiry was followed sooner or later by another.⁸⁸ When Kwame Affram was restored to the stool of Kumawu at the end of 1925, Rattray was collecting material for *Ashanti Law and Constitution*.⁸⁹ He 'had the honour to be present at the ceremony'⁹⁰ when Kwame Affram was reinstated, and soon afterwards returned to Kumawu to gather data. Although Rattray's enquiries

⁸⁷ *Ibid.* 49ff. See also K. Arhin, 'The Asante praise poems: the ideology of patri-monialism', *Paideuma*, xxxii (1986), 163–97; McCaskie, *State and Society*. Additional examples of the power of speech, and song, in African politics are given in K. Barber, *I Could Speak Until Tomorrow: Oriki, Women and the Past in a Yoruba Town* (Washington DC, 1991); L. Vail and L. White, *Power and the Praise Poem: Southern African Voices in History* (Charlottesville VA, 1991); and D. Coplan, 'History is eaten whole: consuming tropes in Sesotho auriture', *History and Theory*, xxxii (1993), 80–104.

⁸⁸ As one observer concluded, after a lengthy review of land disputes in Adanse, since judgments in the native court 'turned on questions of historical fact... rather than Court decisions on legal principles', it was not 'possible to abstract... any general principles of Akan land tenure' from court records. Quoted in Kyerematen, *Inter-state Boundary Litigation*, 36.

⁸⁹ *Ashanti Law and Constitution*, the final volume of Rattray's ethnographic trilogy on Asante, was first published in 1929, following *Ashanti* (Oxford, 1923) and *Religion and Art in Ashanti* (Oxford, 1927). ⁹⁰ Rattray, *Ashanti Law and Constitution*, 222, n. 5.

in Kumawu were completed in a couple of weeks, the evidence he collected there figured prominently in the book. On the subject of land tenure in particular, Rattray's conversions in Kumawu led him to make substantial revisions in his own earlier thinking.

As its title suggests, *Ashanti Law and Constitution* was intended as an authoritative compendium of customary law. Rattray rarely mentions individuals by name in the book, and never enumerates his informants.⁹¹ His field notes make it clear, however, that his inquiries in Kumawu consisted primarily of conversations with Kwame Affram, supplemented by a few exchanges with the chief's mother, Yaa Amponsa, and the ex-Krontihene, Kweku Kodua. Both Yaa Amponsa and Kweku Kodua had remained loyal to Kwame Affram during his exile, challenging his detractors and organizing repeated petitions to the government for his reinstatement.⁹² Yaa Amponsa, at least, was rewarded for her efforts: not long after his installation, Kwame Affram reneged on his promise to retain Adwoa Sewaa as Queenmother, and appointed Yaa Amponsa in her place.⁹³ Rattray makes no mention in the book of either the decade of turmoil which preceded his inquiries in Kumawu or the parts played therein by his informants. On the contrary, he describes Kwame Affram (without mentioning his name) as a living repository of customary knowledge, 'one of the most learned exponents of the old Ashanti law' whose words 'may... be accepted as more than the mere *obiter dicta* of a learned custodian of the law and be taken as a fairly accurate statement of the traditional rules upon this subject'.⁹⁴ Like Fuller and Norris, Rattray was evidently prepared to accept political success as presumptive evidence of historical expertise.

During his first twenty years on the stool, Kwame Affram had worked energetically to defend and advance the stool's claims to land and revenue. He contested the stool's boundaries with Kwahu and Mampon; intervened in a land dispute between Kwaman and Beposo, as well as in a quarrel between the Manwerehene and Tafohene over land and subjects at Drabonso; and lost no opportunity to press his own stool's claims to homage, fees and tribute.⁹⁵ In his conversations with Rattray, however, the Kuma-

⁹¹ At times Rattray cites his Kumawu informants by name, but he also quotes them without attribution at several other points in the book. See, e.g., Rattray, *Ashanti Law and Constitution*, esp. chs. 28–33, and Rattray Collection, MS106, nos. 21–22. The Rattray Collection is housed at the Royal Anthropological Institute in London. A copy on microfilm, used by the author, exists at the Herskovits Library at Northwestern University.

⁹² NAGK 62, Kweku Boaten and others to Chief Commissioner of Ashanti, 17 June 1918; NAGA ADM 11/1/1307, Acting Chief Commissioner of Ashanti to Chief Secretary, 1 Sept. 1925.

⁹³ Interview with Panin Yao Mensah, Kumawu, 11 July 1994. In 1930, her signature appears on a petition addressed to the Chief Commissioner by the chiefs and elders of Kumawu, requesting that a surveyor be sent to prepare a layout of the town. NAGK 1683, Kumawu Township, 5 Jan. 1930.

⁹⁴ Rattray, *Ashanti Law and Constitution*, 355. Compare T. C. McCaskie, 'R. S. Rattray and the construction of Ashanti history: an appraisal', *History in Africa*, x (1983), 192.

⁹⁵ NAGK 682, Strangers in Kumawu lands, 1906–08; 684, Land dispute between Kumawu and Okwahu, 1907–1912; 726, Report on tour – re land dispute between Mampong and Kumawu, 1908; 829, Chief of Kwamang – assault on his subjects by Chief of Atebubu, 1914; NAGK 856, Chief Kofi Nti – his subjects at Drabonsu,

wuhene glossed over the history of his own efforts to defend or extend stool territory, stressing instead the antiquity of the stool's rights to land. Most stools, he explained – his own included – had originally acquired their land either by settling their people in an unoccupied area or by fighting for it. In the case of Kumawu, the people had followed his ancestors to their present site long before the founding of Asante. 'In olden times, the *Oman* (tribe) all resided in one large town'⁹⁶: people went out into the surrounding countryside to hunt and farm, but returned to town to sleep. Later, the stool allocated portions of its land to sub-chiefs and heads of families who, in turn, distributed land among their followers.

From Kwame Affram's stylized account of the way stool lands came to be partitioned, Rattray constructed an explanation of their origin which reversed his own previous conclusions. In an earlier work, Rattray had postulated that stool lands were a relatively recent innovation, having emerged toward the end of a gradual process in which isolated, self-contained families (or 'kindreds') had evolved into larger social units ('clans' or 'tribes').⁹⁷ Stool lands and chiefs emerged gradually, as families chose one family head to preside over the others. In *Ashanti Law and Constitution*, Rattray repudiated this theory and declared, largely on the basis of Kwame Affram's testimony, that stool lands had come into being at a moment of 'revolutionary' social change brought on by the transition from hunting to agriculture.⁹⁸

When Asantes took up farming, Rattray declared, they gave up 'roaming' and settled permanently on portions of stool land allocated to them by the head chief. The subdivision of stool lands did not lead to political instability: subjects continued to serve their chief and indeed risked losing their land rights if they did not. With the advent of 'our beneficent rule', however, subjects were freed from 'the most onerous' of their traditional obligations to the chief, namely military service. 'Stool revenues have correspondingly diminished...[together with] respect, discipline and obedience...'⁹⁹ Because they had already allocated most of their lands to sub-chiefs, head stools in particular found themselves excluded from the benefits of rising land values and the spread of commercial agriculture in the colonial era. Thus, Rattray concluded, the chronic indebtedness of Asante's principal stools was directly

1917–1921; NAGK 8/73, Committee of Privileges, 1935. The Kumawu stool was a prime beneficiary of the colonial boundary, established in 1906, between Asante and the Gold Coast Colony. As Fuller reminded the chief, 'the Kumawus are not numerous, but you are none-the-less left in possession of a vast territory, which you cannot properly look after for want of people. It does not, therefore, behoove you to claim more land than has been granted you... I shall inform all settlers *north* of the Obosum [River] that they are in Ashanti territory and that they will have to obtain your permission to remain there'. NAGA ADM 11/242, Kwahu-Kumawu Land Dispute, 1909–1912, Chief Commissioner of Ashanti to Omanhene of Kumawu, 16 May 1907. Despite, or perhaps because of, Fuller's imperious tone, the lesson was not lost on Kwame Affram or his successors. Fuller's letter has figured prominently in litigation between the Kumawu stool and its neighbors ever since. ⁹⁶ Quoted in Rattray, *Ashanti Law and Constitution*, 344.

⁹⁷ Rattray, *Ashanti*, ch. 21.

⁹⁸ Reacting to Rattray's earlier 'evolutionary' interpretation of Akan history, Wilks has also proposed a 'big bang theory' which associates the origins of Akan matrilineal clans with the development of forest agriculture. Wilks, *Forests of Gold*, 94.

⁹⁹ Rattray, *Ashanti Law and Constitution*, 359.

attributable to the partition of their lands. ‘Unless steps are taken soon,’ he warned, ‘we shall find Stools and all the wonderful organization they represent broken and, at least metaphorically, bankrupt...’¹⁰⁰ To avert such a calamity, he recommended that government allow head chiefs to recoup their finances by imposing taxes on their subjects!¹⁰¹

In the culminating volume of his corpus on Asante custom, Rattray revised his earlier views on land tenure to make the case that Asante chiefs be granted powers of direct taxation in order to defray their debts. In justifying so radical a departure from established government policy, he relied almost exclusively on testimony which (despite his disclaimers) was far from disinterested. In depicting Kumawu as a polity whose members had spread over the countryside from a single point of origin, receiving allocations of land from his own ancestor, Kwame Affram offered a version of the stool’s history which clearly served to underscore his own claim, as head chief, to control its lands. Whether, in 1926, his subjects would have agreed we do not know: Rattray did not ask. Among their descendants, history is by no means a matter of consensus. In 1994, conversations with more than fifty Kumawufo yielded substantial agreement that the chief controlled stool land but many different accounts of how the stool had been founded and portions of its land settled.¹⁰²

Rattray not only limited his inquiries in Kumawu to three informants, but his reading of their testimony was decidedly selective. In describing how he allocated land to his subjects, Kwame Affram explained that he never said ‘I present this land to you’, but rather ‘I give you this land to eat on’ or ‘to look after for me’.¹⁰³ He added, however, that he really meant ‘I present it to you’, because both he and the land seeker understood that he would never try to take it back – unless, of course, a subject refused to continue to serve the stool. From this somewhat enigmatic statement, Rattray singled out the idea that land, once allocated to a sub-chief or a subject, would not be reclaimed, and argued that the stool was thereby precluded from any share of its produce in the future. Although Kwame Affram explained that his words were intended to safeguard rather than relinquish the stool’s continued right to receive revenue from allocated land,¹⁰⁴ Rattray chose to ignore this part of the chief’s testimony, preferring to advance his own interpretation and its corollary, a case for direct taxation. After years of ethnographic enquiry, Rattray appears to have considered his own understanding of constitutional matters superior to his informants’. In the final chapter of *Ashanti Law and Constitution*, he chided head-chiefs in general for ‘forfeiting

¹⁰⁰ *Ibid.*

¹⁰¹ *Ibid.* 365.

¹⁰² During two months’ residence in Kumawu, in June and July, 1994, I discussed matters of land and local history with men and women of varied backgrounds, including a number of sub-chiefs and family heads.

¹⁰³ Specifically, the chief explained that he would not say ‘*me de asase yi me kye wo*’ (‘I present, make a gift of, this land to you’) but rather ‘*me de asase yi, me ma wo didi so*’ (‘I take this land [i.e. soil] and give it to you to eat upon’), or sometimes ‘*me de asase yi ma wo, fwe so ma me*’ (‘I take this and give it to you to look after for me’). Rattray, *Ashanti Law and Constitution*, 354.

¹⁰⁴ “‘I would never give land to any man using the words *me de kye wo* (I make you a gift), for if I did so, that would mean the donee could sell the actual land; if he found a nugget upon it he could keep it, and he need never give me anything from it...’” *Ibid.*

much of their old authority over Sub-Chiefs and their people, because they are themselves losing sight of what was their real position under the old Constitution...'¹⁰⁵

SETTLING ACCOUNTS?

Rattray's three volumes on Asante culture established a benchmark for subsequent generations of ethnographers. As a 'guide for Political Officers',¹⁰⁶ however, *Ashanti Law and Constitution* was obsolete almost as soon as it was published. By 1932, the Chief Commissioner was lobbying to 'restore' the Asante confederacy in order to make indirect rule work – an argument which directly contradicted Rattray's conclusion that '[d]ecentralization... was [a] fundamental of the Ashanti Constitution', on which 'lay the whole success and wonder of this loosely bound confederacy...'¹⁰⁷ Two years later, on the eve of restoration, the Assistant Chief Commissioner convened a committee of linguists to help him prepare a digest of 'old Ashanti custom as it obtained prior to 1900... and any recognized modifications [to serve] as a guide to Political Officers' in dealing with constitutional disputes and Stool Treasuries.¹⁰⁸ It was as if *Ashanti Law and Constitution* had never been written.

In 1943, the 'restored' Asante Confederacy Council formally endorsed the complete separation of chiefs' personal income and property from that of their stools.¹⁰⁹ It was already common practice to distinguish them informally, as Hobbs had done in 1925, when he laid down conditions for Kwame Affram's return to the stool. By publicly ratifying the principle, the Council probably helped to dissipate some of the discursive ambiguity which allowed Kwame Affram and many of his colleagues to demand that their subjects reimburse them for the costs of campaigning for and remaining in office. In the depressed economic conditions of the 1930s, it had become increasingly difficult for chiefs to raise levies¹¹⁰ or to maintain their demand for high levels of tribute from 'stranger' farmers.

Colonial officials also took a firmer line on the question of stool accounts. Stool treasuries were created in increasing numbers, 'native clerks' were engaged to keep accounts and commissioners began to reduce burdensome stool debts through the simple expedient of disallowing most of the expenses claimed by chiefs and elders.¹¹¹ As they did so, chiefs' resistance to stool

¹⁰⁵ *Ibid.* 409.

¹⁰⁶ See n. 109 below.

¹⁰⁷ Rattray, *Ashanti Law and Constitution*, 405. McCaskie argues that this is a better description of the colonial order than of the precolonial state. McCaskie, 'Ahyiamu – a place of meeting': an essay on process and event in the history of the Asante state', *J. Afr. Hist.*, xxv (1984), 169–88.

¹⁰⁸ Matson, *A Digest of the Minutes of the Ashanti Council*, 52.

¹⁰⁹ NAGK 1231, Asante Confederacy Council Digest, 1935–49, 13.

¹¹⁰ In 1937, the stool of Asokore succeeded in raising only 18 per cent of the amount needed to pay off the stool's debt. Two years later, another levy was imposed, with even more meager results. Fewer than one fourth of the assessed men and women paid voluntarily, and the amount realized was little more than half that collected in 1937. After prosecuting fifty-five delinquents for a return of only £20.10, the stool gave up the attempt. NAGK 2348, Asokore Stool Levy, 1934–42; NAGK 1858, Asokore Stool Levy, 1936–7.

¹¹¹ Hailey, *Native Administration*, 240; NAGK 2348, District Commissioner's memorandum on the enquiry into the Asokore Stool debt, 17 May 1938.

treasuries subsided and they were established with little fanfare. Stool debts declined in the latter part of the colonial period, not because they were repaid or sold to private creditors but because they were written off.

Settling stool accounts on paper did not, however, resolve the question of chiefly accountability. After 1935, chiefs were no less interested in turning office to profit than they were before. But the terrain of contest had shifted, from struggles over stool debts to the administration and adjudication of rights to land. With the establishment of Native Tribunals in the mid-1920s, the growing number and jurisdiction of customary courts gave chiefs an increasing role in the adjudication of land disputes. In 1930, the government also created a Lands Department, headquartered in Accra, with responsibility for preparing town plans and recording and administering formal leases.

Chiefs were not slow to see the importance of these developments. In 1930, Kwame Affram and the elders of Kumawu requested that government prepare a layout for the town. Within three years, the demarcated plots were taken up, and the DC called for a new survey, urging prompt action since 'the Kumawus are keen on the improvement of their town'.¹¹² In 1935, the 'restored' Asantehene was given expanded judicial responsibilities, especially with regard to disputes over land and "'constitutional" offences against Native Law and Custom...'¹¹³ Eight years later, the Asantehene acquired his own Lands Office, housed in the royal compound at Manhyia, and the right to review every new lease issued in Kumase.¹¹⁴

Thus, with the wholehearted support of the colonial state, the reinstated Asantehene presided over an expanding apparatus of 'customary' and bureaucratic institutions concerned among other things with the allocation of land rights and the adjudication of conflicting claims to land and landed property. Seated at the apex of the reconstituted 'traditional' state, Prempe II occupied a pivotal spot in the apparatus of indirect rule where, under a government committed to upholding 'custom', he presided, in effect, over the interpretation of the past. As layouts replaced levies as prime instruments of chiefly rent-seeking, chiefs learned to navigate the corridors of bureaucracy as well as palace courtyards, bureaucrats contested for stools and Prempe I's successors set to work to furnish the Golden Stool with land as well as subjects. But that is another story.

SUMMARY

During the early decades of colonial rule in Asante, the chronic indebtedness of many stools was a source of recurrent friction and debate among colonial officials, chiefs and commoners, and a fertile source of chieftaincy disputes. Previous studies have attributed persistent stool debts to the break-down of traditional institutions, chiefly rent-seeking under the auspices of indirect rule, and/or commercialization and emerging class conflict. This article argues that chieftaincy disputes may be also seen as part of a larger series of

¹¹² NAGK 1683, Kumawu township, 1930-3, Acting District Commissioner to Assistant Chief Commissioner, Kumasi, 25 Feb 1933.

¹¹³ Hailey, *Native Administration*, 244.

¹¹⁴ The Asantehene's steadily expanding role in the allocation and adjudication of land claims in and around Kumase since 1935 will be discussed in another paper.

struggles to define and exercise legitimate authority in a society both transformed and destabilized by the imposition of colonial rule, and views stool debts as the symptoms as much as the causes of such struggles. A case study of recurrent disputes over the stool of Kumawu between 1915 and 1925 is presented to show how local struggles over chieftaincy and stool debts re-shaped both official and scholarly interpretations of Asante 'custom', as well as vice versa. By the late 1930s, stool debts were receding as a bone of contention, but the struggles continued.