

Towards Nationhood  
in  
West Africa

by  
J. W. DE GRAFT JOHNSON

THREE SHILLINGS AND SIXPENCE

**TOWARDS NATIONHOOD IN WEST AFRICA**



*[By kind permission.]*

IN HOC SIGNO

# Towards Nationhood in West Africa

By

J. W. DE GRAFT JOHNSON

*Thoughts of Young Africa  
Addressed to Young Britain*

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## PREFACE

THE hope and desire of Africa is the same throughout the length and breadth of the continent. It is concentrated in the great yearning for freedom, for emancipation from the yoke of the centuries. The youth of Africa everywhere, is assailed by the alluring thoughts of a free Africa, of an Africa that owning no foreign burden, but stepping into her rightful place as a unit in the powerful army of the human family, will emerge from the darkness of the past and assume her obligations and responsibilities as a respectable and respected member of society.

Such thoughts and sentiments have been crystallised with this history of African aspirations and sent forth into the world with the blessing of Africa. In order to deal definitely with concrete facts and figures, and to present a true and uncoloured picture of the political appeal, it has been necessary to take the case of some particular country. The Gold Coast has been selected *first*, because it is the home of the writer and the region with which he is most familiar; *secondly*, because of recent years, the changes and alterations, both in the country and in the outlook of the people, have been phenomenal; *thirdly*, because it has built up one of the greatest romances of modern industry and is very much to the fore at the present time; and *lastly*, because there, certain experiments are being conducted into new ways and methods of education, sanitation and health and economic development.

What is said here, however, applies with certain necessary local adjustments and modifications to various parts of Africa and in particular, to British West Africa.

Young Africans are co-operating for the cause of Africa. In their two organisations, the Union of Students of African Descent and the West African Students' Union

they are correlating lines of thought and action. They have laid seige to the citadel of England's nobleness of mind and soul, and there are hopes, great hopes, that the future will see the African better understood and appreciated, and given his due right of recognition in the Comity of Nations.

The views herein expressed received their inspiration from my father, to whom I was secretary for many years. Those who came in contact with him realised his great soulness and magnanimity. He fostered a spirit of mutual forbearance between white and black, and was a strong supporter of Anglo-African relations. But this did not blind him to his duty to his people and country, and he died as he lived, a pillar of support and a tower of strength to his Motherland. I have taken the liberty to include in this sketch, a short memoir of his life. I am convinced that the reader of the appeal will understand it better for a little insight into the character of the man to whom I owe all I am and hope to be. While this work was in progress he passed away, but it is a source of some comfort to me that its publication received his sanction.

I am indebted to my many friends, both in England, America, and in West Africa for much sympathy and encouragement—Particularly to Mr. and Mrs. Arthur Frith of the London Fields Fellowship, Mr. Frank Estcourt, of the Christian Endeavour Comradeship (Manchester Branch) who has very kindly drawn the illustrations at the request of Miss Pollard, Secretary of the London Branch; and Mr. K. Benstir Enchill of Nsawam, whose practical assistance has made the publication possible.

LONDON,

*Dies Irae,*

March 24th, 1928.

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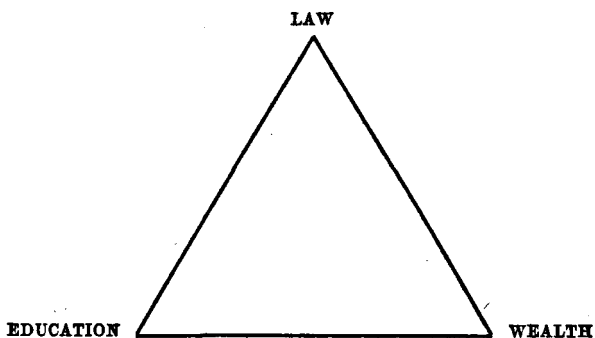


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THE TRIANGLE OF DYNAMIC FORCES DIRECTING  
HUMAN DESTINY.

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“ That democracy alone will be triumphant which has both intelligence and character. To develop them among the whole people is the task of education in a democracy. Not by vainglorious boasting, not by self-satisfied indifference, not by selfish and indolent withdrawal from participation in the interests and government of the community, but rather by the enthusiasm, born of intense conviction, that finds the happiness of each in the good of all, will our educational ideals be satisfied and our free government be placed beyond the reach of the forces of dissolution and decay.”

DR. NICHOLAS BUTLER.

CHAPTER I.  
PROLOGUE.

GOD is the brave man's hope\*  
And not the coward's excuse.

PLUTARCH.

THE African is a much maligned man. Every other person but himself has expatiated on his mentality and character. Every white man that goes to the Coast seems to be under the impression that the Native has no faculties for reasoning; that his thinking is largely to be done by others and that he ought to be sufficiently grateful for such gratuitous services! It must be granted that it is hard to understand the complex mind of the illiterate African, but—and here is the wonder—it is harder still to appreciate the viewpoint of the literate African! And all this muddle and confusion in ideas exists solely because people will not condescend to study the psychology of the African!

The average white man, particularly the Anglo-Saxon, believes that the educated or so-called educated African should approximate as much as possible to himself in modes of life and conduct, and in ideas; he is therefore much scandalised when he finds that this 'modern' African acts in much the same way as his illiterate brother. There has been lately a great deal of discussion about the African becoming 'denationalised' in coming into intimate contact with modern civilisation in its natural habitat, for which reason he is supposed to lose touch with his people.\* It is said that he is unduly

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\* This is pure fiction. One might as well ask if 400 years of Roman rule converted the early English into pseudo Romans. They spoke and wrote Latin and imitated Roman manners but they never became Romanised in nature. Race characteristics are not obliterated simply because a man becomes adapted to another civilisation.

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suspicious of all that the Government does, that he is intensely embittered and can only spit mud and poison, and that consequently it is difficult for the Government to appraise at their proper valuation things said and done by him.\*

But it seems a veil blinds the sight of the world to the innate qualities of the African;† mankind appears not to realise that even he has a destiny, a contribution to make towards knowledge and humanity with that delicate but persistent personality that eludes the analysis of scientists!‡ Would it were possible to swing the chords of sweet harmony and make the music of his life burst upon the world with all the freshness of improvisation!

Denationalised? Not in the least. If anything the educated African is more capable of an African orientation and hence it is that he often finds himself in disagreement with policies and methods laid down for his guidance

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\* This accusation is generally levelled at the head of the Native who has received his education in Europe or America. He is considered to be the fountain of all political agitation and unrest, particularly if he happens to be a lawyer. Somehow our white friends seem to display a rather curious psychology in this matter for one should infer that such a Native would be best appreciated by the civilised mind. The statement that there are too many lawyers is only partly true. Compared with the population there is one to every 10,000 while in England with the estimated number of lawyers at 20,000, there is one to every 2,000. The statement is true only in respect of the smallness of numbers in other professions.

† "I am, at least, in some degree, awake to the charms and worthwhile virtues of our Native African life—a life wherein I behold my own narrow but intense Vision of Beauty—in a word, Lamia."—*An Africa for Africans* (A. Shearly Cripps).

‡ "I stood in the Palace of Industries at Wembley before a loom, a marvel of ingenuity on which a web of many colours was being woven. As I watched, the shuttles darted to and fro across the web with threads of different colours, and the web and its pattern grew before my eyes. On the great loom of Art each race is a shuttle bringing its own coloured thread to the weaving of a glorious fabric for the adornment of this temple of God which we call the world."  
—W. F. Hutchison in *The African World* (Supplement) Nov. 29, 1924.

and progress ' by those who do not share that orientation. " If I do not keep step with my companion," says Thoreau, " it is because I hear a different drummer. . Let a man step to the music he hears however measured or however far away." It is therefore not because the literate African is denationalised or has lost touch with his people that he is so anxious to watch the acts of Government, but it is in order to preserve his individuality from being swamped by the actions of those who do not, and perhaps cannot, appreciate its characteristic features.

It is a common mistake to define the ' educated African ' as the Negro in coat and trousers, speaking English and imitating Western manners. To do so however is to misconceive the true aim of education. Unfortunately Europe's ambition has been, and still is, largely to reproduce herself in Africa, and as a consequence the system of education and all missionary effort so far have been directed to achieve that result. But there is a naissance and more and more the literate African realises his need to adhere closely to his traditions and history. It is a fundamental mistake to suppose that ' educated Africans ' are only those who have in some way or other acquired Western knowledge, tastes and manners. That is far from the truth. Nor is the prevalent impression correct that the Africans who happen to visit European and American centres of learning are the cream of the people. The question of the visit to these educational institutions is entirely economic and depends upon the length of the purse. But such Africans as do visit this country in the rôle of students\* are in the position of ambassadors from their people charged with the natural duty and mission of educating public

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\* There is much to be said in favour of Governor Guggisberg's suggestion that such students should have received a good foundation locally before proceeding to foreign institutions of learning for unless they are conversant with their own history, customs and usages, they are not likely to be in a position to interpret their people rightly.

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opinion in Britain as to the truth about Africa and the African.

That is the apology for this sketch. The writer came to England at a mature age and has not imbibed ideas and notions far ahead of his people. But he has observed that the average Englishman knows very little about the African. This is an attempt in a small way to meet that deficiency, to supply that want. He speaks for the average African at home, the unsophisticated denizen of the land of the palm tree!

## CHAPTER II.

### BRITISH YOUTH AND AFRICA.

If these little sparks of holy fire which I have thus heaped up together do not give life to your prepared and already enkindled spirit, yet they will sometimes help to entertain a thought, to actuate a passion, to employ and hallow a fancy.

JEREMY TAYLOR.

TO-DAY there is world-wide interest in Africa. Men of all races\* are turning their attention to that vast continent, and the African is beginning to ask himself the burning question—what is wrong about me? This interest is so vivid and keen and so sudden in character that one is inclined to be chary of what it might portend. It excites in the youth of Africa imaginary evil and good.

There are various organisations in England working for international and inter-racial co-operation and understanding. They have varied programmes and varied methods of work, but all are conscious of the supreme importance to be attached to the leavening and beneficent influence of Christianity. Some of them rightly place the gospel of the man of Nazareth in the front rank of their activities. Such for instance is the Fellowship of Reconciliation,† membership of which is open—

“ to all who are convinced that love as seen in the life and death of Jesus, is the only power which can

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\* Such for example is the International Institute of African languages and Culture of which Lord Lugard is Chairman. While the Institute can do real and useful work, it must not be forgotten that its personnel is at the moment largely European. The same weakness exists with regard to the Colonial Office Advisory Committee on Tropical Education. The African is best interpreted by the African and opportunity should be given to him to explain his point of view.

† Similar organisations are the British Federation of Youth, the Christian Endeavour Comradeship, etc.

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overcome evil, who for this reason abstain from any share in war or the preparation for it, and who feel that they are called to give their lives to the removal of the causes of strife and injustice and the creation of relationships of love, in personal, social, and church life, in education, in the treatment of crime, in business and industry, and between nations and races—”

this ideal is praiseworthy, for it is a serious attempt to spread practical and personal Christianity. It is necessary to clear our minds of hazy notions and ideas in order to arrive at the truth about Africa. Facts, it is said, are stubborn things, and the truth is often unpalatable, but in appealing to such organisations, with noble aims and objects advocating for universal brotherhood and universal service to mankind, it is felt that the truth will stimulate thought and make for better understanding and reconciliation. Yet what is the truth about Africa and the African?

A Gold Coast writer, the late Hon. J. Mensah Sarbah, C.M.G.,\* thus sums up the ideals and aspirations of the man of Africa:—

“ Assisted by deftness and aim, perseverance and steady application assuredly increase one’s talents and strengthen his character. The ambition to excel in whatever is of good report is not insolence, neither is the determination to cultivate self-respect and to cherish a manly independent spirit impertinence, nor is pride of race in the African a sign of disloyalty. That the African can ever succeed once he sets his feet on the right path is denied by his unfriends and doubted by the sceptic; but, after all, could there be an answer more convincing and conclusive than the chapels and conventicles, churches and cathedrals of Christendom to the cool, cynical challenge—Can any good thing come out of Nazareth?”

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\* *Fanti National Constitution.*



In effect, Sarbah says the African is a man and must be recognised as such; he lives under his own roof and in the shade of his primeval forests; he is a coming man, possessing all the potentialities that make for real success in life. Will you deny him his birthright to manhood and to world recognition by the cool cynicism that nothing good can come out of Africa?

Man alone prides himself on his natural endowment of reason and soul and yet cannot live in brotherly unity with his neighbour. He prides himself as the greatest handwork of nature and yet in character and disposition he seems to be the furthest removed from his Maker of all the creatures of creation! From the point of view of science there are no special essential differences between man and man, for it is wicked to conceive that He who designed the cosmos and ultimately man—call Him God, Supreme Intelligence or First Cause—could be guilty of such a mean trick as to deny full recognition of the rights of manhood and nationhood to some peculiar section of His human creation! Nor is the faithful disciple of the theory of evolution in any better position! In the palmy days of Egyptian, Babylonian and Greek civilisations, wolves roamed the length and breadth of Western Europe. The ages have produced civilisations in different areas at different times, and while in the modern world Western civilisation is predominant, there is no saying what the future may unfold in the final balance up of social institutions.

The truth then is that being a man, the African\* should be treated as a man. Children in the family are not treated as the offspring of mongrels nor could the descendants of the builders of the Pyramids be lost in the pages of history. He is a man with his eyes raised to the skies

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\* E. W. Smith makes an eloquent defence of him in *The Golden Stool* (Chapter IV.)

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because of his humanity, but with his feet firmly planted on the ground.

The missionary preaches universal brotherhood and service for mankind, but it is strange how the tenets of Christianity seem to yield to man-made laws and regulations! Before the barrier of social etiquette, the missionary pauses ere he practices brotherhood with the dusky-skinned African. And yet in the supposed paganism\* of Africa are fundamental truths not incompatible with the teachings of the Christian faith. In religion, in morals, and in the social structures, African institutions have proved themselves sufficiently advanced

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\* With the more advanced knowledge of to-day concerning the relative values of religions and their inner truths, it is surely out of date to term religions other than Christianity, paganism. Much of the serious misunderstandings existing between various members of human society has been created by the prejudices that adhere to the orthodox followers of Church dogmas. In this connection it is interesting to note that the word, Fetishism, which is generally applied to the natural religion of Africa, is of European origin and dates to the time of the Portuguese Expedition of 1482. These adventurers were Roman Catholics and on their safe arrival at Elmina, offered a service of praise and thanksgiving to God for their delivery from the dangers of the sea. The service of the mass was sung with full ritual and the elevation of the Host appeared to the Native onlookers as partaking of the nature of a mystery or magic. When questioned what the monstrosity meant or implied, the priests explained that in it was hidden the essence of God, it was *Feitiço*. From that moment the word came to be applied to other images, idols, groves, etc., of the people, which also were explained to be not the real gods, but the depositories of the spirits of the gods. Hence Fetishism, broadly interpreted, acknowledges not a blind allegiance to images of gods, but to gods and goddesses which are represented by them. It may be added that so powerful an attraction that service proved to have had on the mind of the people that when the Dutch drove out the Portuguese and established the Dutch Protestant Church, the Natives who had been converted to Romanism by the Catholic fathers, founded a cult to continue the old worship. This had to be done secretly owing to the persecution of the protestants, and so a secret society had its inception, with its fetish grove and became known as Nana Ntuna (corrupt form of St. Anthony, the patron saint of the Portuguese). For credentials the society had the episcopal regalia of the Catholics left by the Portuguese on their retirement. These relics have been treasured to this day, and the society itself still carries on its work with many corrupt practices that have accrued to it in its progress through the centuries.

to meet the needs of the times. Europe appears to have assumed too much responsibility\* in laying down rules of conduct for Africa—rules of conduct which in the homes of the originators themselves have not been proved infallible, and some of which have created in the Western world an impasse in social conditions, difficult to bridge and so far unknown in Africa. The time has arrived therefore to introduce the principle of rationalisation in the methods of work in Africa. The time has arrived when African thought and faith should be built into the structure of national stability and accepted as forming part of the philosophy of life.

It is for the achievement of this difficult task that the sympathy of British youth organisations is solicited. For our duty is to place the other side of the picture before you, the African point of view. It is not easy to throw aside the prejudicial accretions of race consciousness and adopt an attitude of impartiality. It is difficult but not impossible to overcome this barrier and give the other viewpoint a chance. Too long has the opinion held sway of that learned Chief Justice of the United States of America in the days of slavery who pronounced the dictum that "Blackmen have no rights which whitemen are bound to respect."

It is after all not much that we ask. We do not ask to be loved by our white fellow citizens. We are not "afflicted with the mania of watery cosmopolitanism." We ask only for the due acknowledgment of the ordinary principles of human existence—'for justice, for civil equality, for tolerance, and for courtesy.' Is it any wonder that the African is nonplussed at the attitude of the British delegate at the inaugural Geneva conference of the League of Nations when he dissented from the altruistic suggestion of the Japanese ambassador that the

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\* "To watch over the preservation of the Native populations and over the improvement of their moral and material conditions of existence."—Berlin Act, Sect. 6.

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international recognition of the doctrine of the 'equality of the races' be inserted in the preamble to the covenant of the League!\*

In appealing to these organisations therefore to help us to educate British public opinion on the truth about the African, it is hoped that we have not appealed in vain. It will be slow and patient work but so long as the will exists to carry it on, it will bear fruit in due season. The White world realises more and more its economic dependence on Africa and closer will be the bonds that knit us together when economic conditions and laws which know no Colour bar, embrace us in their relentless grip.

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\* This question was raised by the writer at the third Annual Conference of the British Federation of Youth, held at Church House, Westminster, in March, 1928, when Viscount Cecil was the principal speaker: The reference to this attitude was received with cries of "shame, shame," but such cries should not be limited to the four walls of the Conference hall. The question is likely to be raised again by the African delegates at the forthcoming World Youth Congress to be held in Holland in the Summer of this year. The Congress might do better—rather than restrict itself to a consideration of the problem of peace, it might throw its weight and influence to lead the way to international unity promoted by a common feeling of brotherhood, to the Commonwealth of Jesus of Nazareth.

### CHAPTER III.

#### WEST AFRICA ON THE MAP.

LAND of my sires! What mortal hand  
Can e'er untie the filial band  
That knits me to thy rugged strand!

SCOTT.

ONE finds so many people having vague ideas of the size of Africa that it is necessary to draw attention to a number of important points, referring particularly to the part of Africa from which we come. The Gold Coast is on the west and is the second largest of the four British possessions in that part of the continent. The steam and motor boats which travel from Liverpool take about 9 days to reach Gambia, the first of the Colonies and the smallest. By the next day Sierra Leone is reached. Another three days take them to the shores of the Gold Coast, and a further day's travelling to Lagos, capital of Nigeria. The voyage therefore takes in all 15 or 16 days at the outside and the important ports touched are Bathurst on the river Gambia, capital of that Colony; Freetown, capital of Sierra Leone, possessing a fine natural harbour and presenting a picturesque scene lying under the shelter of the Sugar Loaf Mountain; Secondee (or Takoradi) and Accra on the Gold Coast, the latter the capital of the Colony and one day's distance by sea from the western port of Secondee; finally Lagos, rightly termed the Liverpool of West Africa. The distance in miles to Accra is roughly 3,936.

The Gold Coast comprises (a) the Gold Coast Colony,\*

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\* Divided for administrative purposes into three provinces—Eastern, Central and Western. The provinces are sub-divided into districts as nearly as possible coincident with the ethnological divisions of the people. There are thirteen such states in the Eastern Province, twenty-eight in the Central and twenty in the Western. The States in the Western and Eastern Provinces are somewhat larger in extent than those in the Central.

Ashanti and the Northern Territories are also divided into provinces and districts.

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(b) the dependency of Ashanti, and (c) the Protectorate of the Northern Territories. It has an area of 92,000 square miles, and is a little larger than Great Britain.\* The population is about 2½ millions of whom rather less than 2,500 are Europeans. Railways and motorable roads connect all the principal towns. Its chief articles of export are Cocoa, of which it produces more than one half of the world's total output—the story of its development being one of the greatest romances in modern industry—Palm Oil and Palm Kernels, Kola, Lumber, Copra, Gold, Manganese and Diamonds. In addition, the cultivation of Sisal Hemp, Cotton, Fruit and Shea Butter has been started; and Bauxite, Bitumen, Tin, Marble and Platinum have been discovered. The country has been truly described as an African wonderland, and arresting and interesting scenes of its many-sided activities may be seen at the Gold Coast Court at the Imperial Institute Galleries, South Kensington. Full and up-to-date information may also be obtained from Col. W. H. Levy, the affable and energetic officer in charge of the Gold Coast Commercial Intelligence Bureau.†

This gives a brief description of the growing importance of the country, and indeed of the whole British West African territories. If it arouses interest enough in any to make him venture forth to the coast, the people will give him a hearty welcome provided he has the right perspective to see the other point of view. Men and women of vision, culture and broad sympathy are needed by the West Coast to help her along the difficult paths of progress!

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\* Nigeria is seven times the size of Great Britain with a population of over twenty million Natives.

† Abbey House, 8, Victoria Street, Westminster.

## CHAPTER IV.

### THE BRITISH ON THE GOLD COAST.

THOU, O my country, hast thy foolish ways!  
Too apt to purr at every stranger's praise,  
But if the stranger touch thy modes or laws  
Off goes the velvet and out comes the claws.

HOLMES.

It will be interesting to rehearse in outline the history of the British connection with the Gold Coast.

British enterprise in the country dates as far back as the days of Edward IV., when individual interlopers managed to trade with the Coast which at that time was mostly in the hands of the Portuguese. Systematic trading started with the formation of the London Company of Adventurers in 1618, and the Company of Royal Adventurers of England trading to West Africa in 1662, the latter having at its head, the Duke of York, afterwards James II. The most enterprising of the English companies however—the others having declined in the meantime as the result of the conflict with the Dutch companies—were the Royal African Company of England formed in 1672, and its successor, the African Company of Merchants formed in 1752. The whole period of the connection may be divided into three stages—

(a) Prior to 1807. When the English following the ancient sophism that slavery was essential to civilisation, did their best freely and fully to participate in that nefarious but lucrative traffic.

(b) 1807—1862. When philanthropic and humanitarian motives added to forced economic conditions in America, suggested the abolition of the trade, and the British helped to suppress it in West Africa.

(c) 1862—present time, during which the country has been used as an outlet for British manufactures and merchandise.

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This is perhaps a sordid way of expressing the relationship between the two countries, but that is the method adopted by Mr. Richard, the honourable Member for Merthyr in the House of Commons in the debate on the Ashanti War of 1874.\* Said he—

“ What were the reasons alleged for our remaining in that country (*i.e.* the Gold Coast)? It was said that we were there to advance civilisation, commerce, and Christianity; but looking at the matter in the light of the past, he doubted whether we or any other European Power had ever as yet civilised any people. On the contrary, some of the saddest chapters of history were those which recorded the result of the contact of so-called civilised and Christian nations with primitive races. They had oppressed them, enslaved them, exterminated them, but never civilised them.”

It must be observed that up to 1821, there was no official and direct connection of the British Government with the country. During the whole of that period the country was faced with the dangers and difficulties of mercantilism and the question of moral responsibilities never entered into the conception of the merchants in their associations with the Natives. “ The promptings of humanity would seem never to have visited the hearts of Europeans on the Gold Coast during this long series of years. But if our benefits were few, who shall estimate the magnitude of the curse which we inflicted upon them? Our guilty and avaricious policy unchained all the worst possessions of the human heart, giving loose to the most unbridled depravity, until the very image of humanity appeared to be effaced, and nothing remained but the savage havoc of wild beasts and infuriated demons.”†

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\* May 4th, 1874 (Hansard).

† Cruickshank, Vol. II., p. 36. One of these curses was the introduction of the liquor traffic; instead of the trade decreasing, it is steadily increasing and assuming amazing proportions; it is likely to affect the health and purchasing power of the people. In January-March, 1927, 330,000 gallons of gin (trade gin) alone was consumed by the Natives.



Speaking with particular reference to the African Company, Mr. Hanbury in the House of Commons expressed the opinion that "its inhumanity, cowardice, and injustice were such as to stamp its rule with a blot which had never been effaced and to compel the Government to take the administration of the Coast out of its hands."\*

This is precisely the nature of the problem that faces the British administrator of to-day. The relationship between the countries is of a nebulous character and does not admit of a clean cut definition, for the Government was only induced to intervene to settle the disputes that frequently arose between the people and the traders. "It was obviously a necessary condition," writes Sir Matthew Nathan, late Governor of the Gold Coast, "to efficient trading on the Coast that these quarrels should be settled equitably, and it was from this point of view, and not from any feeling of duty to the native population, that the question of establishing a real government over English settlements was first approached."†

It stimulates healthy thinking to remind ourselves occasionally by such reflections as these, that our avowed intentions have not been altogether altruistic in the past.

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\* April 27th, 1874 (Hansard).

† *Journal of African Society*, July, 1904.

## CHAPTER V.

### THE IMPERIAL CONNECTION.

All persons possessing any portion of power ought to be strongly and awfully impressed with an idea that they act in trust, and that they are to account for their conduct in that trust to the one great Master, Author, and Founder of Society.

BURKE.

It was the Fanti Bond of 1844 which gave a formal recognition of British authority to which the people had already tacitly assented. By it the people renounced human sacrifices and agreed that all cases of murder, robbery, and other serious crime should be tried by the officers of the Queen. The terms of the Bond were thus expressed :

1. Whereas power and jurisdiction have been exercised for and on behalf of Her Majesty the Queen of Great Britain and Ireland, within divers countries and places adjacent to Her Majesty's forts and settlements on the Gold Coast, we, Chiefs of countries and places so referred to, adjacent to the said forts and settlements, do hereby acknowledge that power and jurisdiction, and declare that the first objects of law are the protection of individuals and of property.

2. Human sacrifices and other barbarous customs such as panyarring, are abominations, and contrary to law.

3. Murders, robberies, and other crimes and offences will be tried and enquired of before the Queen's Judicial Officers and the Chiefs of the districts moulding the customs of the country to the general principles of the English law.

It is worthy of note that the treaty conferred no territorial rights and that it was silent in regard to the collection of taxes or customs by the Queen's Officers,\* a significant omission pointed out by Lord Carnarvon, Secretary of State in 1874; nor did the aboriginal rulers give exclusive jurisdiction to the British in judicial matters.

In 1874, after the Ashanti War, an Order in Council defined the powers exercised by the British Crown in the Protectorate (now the Gold Coast Colony) as being exercised under the Foreign Jurisdiction Act, 1843.

Sir C. P. Lucas writing of the British connection says :

“ In tracing the history of European trade and settlement in West Africa, stress was laid upon the fact that down to the present century European nations, with the exception perhaps of the Portuguese, did not as a general rule exercise sovereignty or enjoy territorial ownership on the West African Coast. They had forts and trading establishments . . . . but their authority as rulers did not in most cases extend beyond the lines of the forts and the walls of the factories. On the Gold Coast the system—which implied trade and nothing more—was most fully developed . . . . but outside this the large area of country which was commonly included in the name of Gold Coast was, strictly speaking, not a Colony but a Protectorate. Except in the case of small strips of seaboard most of the Treaties which had been made with Native Chiefs and had been ratified by the Home Government, had been treaties involving British protection and jurisdiction but not actual session of territory. The Native recognised the authority of the Queen of

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\* This was the motive underlying the objection against the imposition of a poll tax in 1852. It was felt by the people that the imposition of a *direct tax* on a territory over which the Government had acquired no territorial rights would tend to convert the protectorate into a direct dominion.

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England and her representative, the Governor of the Gold Coast, but as being his guardian and referee rather than as the owner of his lands." \*

Hence it is clear that British jurisdiction on the Gold Coast has been based on "sufferance, on usage, on voluntary submission by the natives to British Control, on their acceptance of British jurisdiction which was the keystone of the system." †

Consequent upon the Order in Council of 1874, ‡ the different states and settlements on the Gold Coast with Lagos were created into a colony; in 1886 the Gold Coast was separated from Lagos, and in 1901, the various states were annexed together except the Northern Territories. Each of these states was independent and was possessed of a political constitution with the Omanhin or an equivalent officer § as the case may be, at the head and other Officers of State. What it really amounted to in practice was a gradual federation of the states under the common jurisdiction exercised by the British over them all.

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\* *Historical Geography of the British Colonies.*

† *Historical Geography of the British Colonies.*

‡ Previous to this the British Settlements on the West Coast were under a central administration with headquarters in Sierra Leone.

§ Amongst the Gas, the title is Manche, and amongst the Ewes it is Fis.

## CHAPTER VI.

### AFRICAN ATTEMPTS AT FEDERATION.

Responsibility educates and politics is but another name for God's way of teaching the masses ethics, under the responsibility of great present interests.

WENDELL PHILLIPS.

BUT we have anticipated. We must carry your minds back a few years previous to the Proclamation of 1874.

After the disastrous wars with the Ashantees in the early sixties, a Select Committee was appointed by Parliament in 1865 to enquire into the conditions of the West African Settlements and report thereon with special regard to the advisability of the continuance of British rule. In the report \* submitted, it was stated :

“ We owed a duty to the Natives. We have demoralised and disunited the people and had deprived the Chiefs of their authority, and until some elements of union and self-government were established on the Coast, it would be most unfair to leave it.

That all future extension of territory or assumption of government or new treaties offering any protection to native tribes, would be inexpedient, and that the object of our policy should be to encourage in the natives the exercise of those qualities which may render it possible for us more and more to transfer to them the administration of all the governments with a view to our ultimate withdrawal from all, except probably Sierra Leone.”

This decision was officially communicated to the Fanti Chiefs † by the local Government with the added message that they should not look for any more protection

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\* Parliamentary Papers.

† They signed the Bond of 1844.

## 20 TOWARDS NATIONHOOD IN WEST AFRICA

from the Government against further invasions; that they " must consider themselves as apart from Great Britain " and fight their own battles. The troublous times\* of the period coinciding with this unsatisfactory state of things provided sufficient food for thought. The need was urgent for a well organised system of administration and time was precious. And so it came to pass that these rulers and their educated sons put their heads together and founded an organisation under the name and title of the Fanti Confederation, in 1867. The objects and purposes of the organisation were thus set forth.—

" Whereas we, the undersigned Kings and Chiefs of Fanti have taken into consideration the deplorable state of our peoples and subjects in the interior of the Gold Coast, and whereas we are of opinion that unity and concord among ourselves would conduce to our mutual well-being, and promote and advance the social and political condition of our peoples and subjects who are in a state of degradation without the means of education and of carrying on proper industry, we, the said Kings and Chiefs after having duly discussed and considered the subject . . . . . have unanimously resolved and agreed upon the articles hereinafter named."

Now, although this movement really started in 1865, †

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\* As the result of Ashanti aggression; this period falls within what may be termed the period of the Hundred Years War in Gold Coast history. It started in 1807, and may have been due to the fact that Britain was about that time inclined to abolish the Slave Trade, while the other European nations, the Dutch in particular, still carried it on with the usual vigour. The Ashantees were friendly to the Dutch neighbours on the Coast (Elmina). The period closed with the full establishment of British authority in Ashanti after the Aisantiwa Revolt of 1901.

† After the war of 1863, the troops organised by Native patriots were disbanded by Government without some other provision made to replace them. In addition certain internal troubles and mal-administration were producing dissatisfaction and these gave birth to the idea of a Federation. One fruitful source of complaint was the non-fulfilment

its meetings had been devoted in the succeeding years up to 1871, chiefly to educating public opinion and canvassing for popular support. It was not unknown to the local Government for Mr. Simpson, one of the official administrators had been in touch with it since 1869 and had christened it the 'Fanti Confederacy.' The public meeting at which the above resolution and a draft constitution were adopted, was held at Mankessim \* on the 16th day of October, 1871. The scheme was formally submitted to the Government for approval on the following November 30th. But to Acting Governor Salmon who had succeeded Mr. Simpson and who had also some foreknowledge of the organisation, it came as a bolt from the blue. He argued that there was something radically wrong and that a blow was aimed at the Government.† He thereupon arrested the leaders who presented the scheme and clapped them in prison on a charge of high treason. He threatened and tried to coax away, those who had participated in the movement and in every way endeavoured

of the pledge of the Government to utilise the surplus funds from the levy of the poll tax of 1852 to the establishment of schools; these funds were appropriated to inflate the salaries of white officers while not a single school was founded. All educational work almost up to the end of the century was in the hands of missionaries notably the Wesleyan Methodists and the Basel Mission.

\* Near Saltpond, in olden times capital of Fantiland. In the neighbourhood of the town was the famous Nanamu Grove, the oracle of the Fantees.

† In 1868/9 there was an exchange of forts and spheres between the British and the Dutch. The Fantees who had settled at Kommendah objected to this transfer since it brought them under Dutch control without their consent and agreement. They rebelled against Dutch authority and their town was in the end bombarded to reduce them to submission. The Fantees generally supported the action of their brothers for the transfer was effected by the British Government without clearly understanding the nature of the difficulty they were creating. Apparently Governor Salmon considered that the action of the Fantees in 1871 was the signal for a general meeting, but though this plausible argument could perhaps salve his conscience for his own trepidation, it could not excuse his wicked ignorance and misconstruction.

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to discredit it in the eyes of his superior officers and the Home Government. We cannot enter upon the details of this fascinating subject; it is sufficient to say that Mr. Salmon was censured by his superior officer Governor Pope Hennesay; and the Secretary of State at the time ordered the immediate release of the illwronged officers whose only fault, if fault it was, was that they had dared to be leaders and exponents of the political principle of self-help and self-determination for their country.

The incident is of great importance in the history of the country. There is one special feature about the African that has perhaps escaped close study on the part of our White friends, that is his long memory. He could not have existed through the centuries in direct contact with his traditional past if he had not been generously endowed with that useful faculty. At the memorable interview on November 30th between Mr. Salmon and the officers of the Confederation, at which the draft constitution was presented to the Governor, his Excellency was reported to have been in a towering passion and that he was "going to do the d-l knows not what." It is said that after reading the documents through he fired up:—

"What do you mean by this? Do you not know that this is treason? I shall place you, Mr. Davidson, in the custody of Colonel Foster. Here, send for Colonel Foster at once. What next? Do you think, after we have been here for 200 or 300 years, we are going to be turned out in this way by you? I have a mind to bring down Ghartey\* for highway robbery. I will march and take military occupation of Mankessim. I am astonished that a man of your position, Mr. Davidson, and you, Mr. Brew, a lawyer, should lend yourselves to any such things. I will not listen to you. I will give you till Saturday to withdraw the documents.

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\* President of the Federation, later Omanhin of Winnebah.



I won't forward, I won't receive them; take them and go."\*

Writing to the Governor in Chief, Sir A. E. Kennedy, K.C.M.G., C.B., in Sierra Leone, Mr. Salmon referred to the Federation as a dangerous conspiracy which must be destroyed for good, or the country would become altogether unmanageable. Governor Pope Hennesey who succeeded Sir Arthur Kennedy as Administrator in Chief was specially requested by the Secretary of State, Lord Kimberley, to make inquiries into the whole question of the Confederation. He submitted the results of his investigations in a letter dated 29th October, 1872.\* In the course of this letter he referred to an interview he had had with the leaders of the movement at which he had explained that he would be sorry to disparage any legitimate efforts of the Fantees, or other protected tribes, to establish for themselves an improved form of government; but that on the contrary he would be glad to foster any effort of the kind; but that, continued he—

“ as long as they were under the protection of Great Britain, it would be necessary to consult the British Government about any new institutions that may be proposed . . . I entirely approved of some parts of the scheme . . . as to other parts . . . I was not in a position at the time to form any opinion.

“ The existence throughout the Protectorate of such a widespread desire for more intimate relations with the British Government, cannot be overlooked in considering the feasibility of the Fantee Confederation.

“ The Fantee Confederation are right in saying that the judicial authority of the chiefs has been usurped, and nothing tangible put in its place. The

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\* A writer (“ No Humbug ”) in *African Times*, London, December 1st, 1871. Eventually Governor Salmon accepted the documents and forwarded them on December 4th. *Parliamentary Papers*, 1873, No. 171.

† *Parliamentary Papers*, No. 171, 1873, p. 46.

Administrator at Cape Coast appears to have broken, as far as he could, the authority of the chiefs, and not to have substituted anything for it.

“ I therefore concur with the members of the Confederation that an important change is required, either a scheme of native government, with certain financial and judicial powers, should be recognised, or steps should be taken to gradually introduce, throughout the Protectorate, the same system of government that exists in the other Crown Colonies.”

Commenting upon the action of Mr. Salmon in these unfortunate proceedings, the Editor of the *African Times*, and English paper published in London, wrote in a letter dated January 4th, 1872, to Lord Kimberley, Secretary of State:—

“ I feel it to be my duty to express my full conviction that your lordship would never have sanctioned the leaving the lives and properties of large bodies of attached people, and the honour and credit of Her Majesty's Government, in the hands of such a person as the Acting Administrator Salmon, at Cape Coast, who has abused his power by the commission of such outrages, had you been made aware of his antecedents, and the means by which he obtained Executive favour, which were not of a nature to mark him out for so important a trust; in which he has now had the power to inflict a deep and lasting discredit on Her Majesty's Government throughout the Protected Territories—so called—by acts of arbitrary violence and abuse of authority which will not easily be effaced from the memory of the kings, chiefs, and people of Fanti, who have given so many proofs of devoted attachment to the British Crown.”

The unhappy gentlemen who were apprehended, petitioned Governor Pope Hennesey for the award of damages. In their Memorial dated April 18th, 1872, they said that “ It is actually necessary that the officials of

the Gold Coast should be taught to know that they cannot exercise such arbitrary and despotic powers as their superiors cannot set in motion with impunity."

As a last word on these regrettable circumstances, attention may be drawn to the candid opinion of an African who was himself a true patriot of his country, a firm believer in British statesmanship and a devoted subject of the British Crown:—

" Fanti patriots and Japanese Emperor with his Statesmen were both striving to raise up their respective countries by the proper education and efficient training of their people. The same laudable object was before them both. The African's attempt was ruthlessly crushed and his plans frustrated. Japan was not under an unsympathetic protection; she has succeeded, and her very success ought to be an inspiration as well as an incentive to the people of Gold Coast Territories to attempt again, keep on striving until they win in the twentieth century what was sought for thirty-five years ago.

" With Great Britain is linked the destiny of the Akan Nation as a whole—Ashanti, Fanti, Twi, and all Gold Coast Tribes. With the people there is no thought of any other European nation. They are proud of their inheritance, nor are they ashamed of their ancient history." \*

But it has been pointed out how in pursuance of the policy advocated by Governor Pope Hennessey, Crown Colony Government was introduced into the Protectorate by the Proclamation of 1874.

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\* J. M. Sarbah in *Fanti National Constitution*.

## CHAPTER VII.

### THE ABORIGINES SOCIETY.

In a troubled state we must do as in foul weather upon a river, not think to cut directly through, for the boat may be filled with water, but rise and fall as the waves do, and give way as much as we conveniently can.

SELDEN.

THE Fanti Confederation received a severe check but its spirit was not broken. The people realised that " Europeans come and go. But the African dwells here, this is his home. His interest in its welfare is not transitory but permanent." They were conscious of the fact that the British were retaining their connection with the country principally for trade purposes and that eventually a system of Native Government on modern lines would be set up. Mr. Knatchbull-Hugessen who was in the Colonial Office in 1873 expressed the view in Parliament during the debate \* on the Report of the 1865 Select Committee that—

" they did not think England ought to interfere anywhere excepting where it could be shown that direct and substantial advantage would accrue, and that they would never annex an acre or add a foot to British Territory except in such a case. A real Fanti Confederation, properly carried out was what the British Government always desired if the natives became fit for it."

But how were the people and their rulers to learn the rudiments of modern statecraft and fit themselves for this responsible development in their status as a nation? Surely by learning to do so in some sort of organisation. Another way was suggested by the Chiefs and Captains

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\* May 4th, 1874 (Hansard).

of Cape Coast in their Memorial addressed to Governor Hennessey on June 4th, 1872. Paragraph 7 stated:—

“ as the Gold Coast is not without educated natives fit for Government appointments or employments as well as foreigners of their own colour, your Excellency’s memorialists pray that the preference may be given to the natives, so that the natives may have the opportunity of gaining experience in public duties and of further bettering their impoverished condition.”

A third method was laid before Governor Hennessey by the Members of the deputation from the Confederation at their interview with him on the 11th and 12th April, 1872. It appears in paragraph 6 of the communication afterwards transmitted by the Deputation to the Governor. The passage is pregnant with meaning and merits close study:

“ That the Vice-President of the Confederation, and four other gentlemen, natives or residents of the Gold Coast, be appointed members of the Legislative Council, in addition to the present members, and that these gentlemen be elected by the people, and not nominees of the administrator.”

As if in anticipation of this being granted, which was no more nor less than a modest and in the circumstances, a reasonable request, the heads of the people of Cape Coast in their Memorial to the Governor aforementioned, desired—

“ that, if not asking too much, your Excellency’s memorialists would fain request that, prior to the passing of laws or ordinances, the subject-matter of each law or ordinance may be communicated to them through *their future representative*, so that all questions that might thereafter arise may be set at rest in the first instance.” (Italics mine).

Unfortunately Governor Hennessey was only able to recommend to the Secretary of State, the *appointment*

—not the election—to a seat in the Legislative Council, of a gentleman (Mr. F. C. Grant) who “seemed to have the confidence of the educated natives, as well as of the Chiefs.”

In pursuit of the first policy, the people notwithstanding the failure of the Confederation “by the action of H.M. Officials here and by the neglect and discouragement of H.M. Government,” organised the “Mfantasi Amanbuhū Fékuw,”\* a society having for its truly laudable object, the determination “to stop further encroachments into their nationality” in view of the existing dissatisfaction with the demoralising effects of certain European influences.

But a new spirit had entered into the administration on the Coast. In spite and despite of the fact that the conversion of the Protectorate into a Crown Colony was purely arbitrary and was not deemed to carry with it any rights beyond what the Government had enjoyed previously, the administrators proceeded to consolidate their position and to turn the Protectorate into a direct

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\* The Fanti National Political Society. Government officials are prone to think that the *fons et origo* of the Aborigines Society was the agitation over land legislation. This legislation certainly focused attention on that particular subject but it was nevertheless not the origin of the Movement. On the occasion of the visit of H.R.H. the Prince of Wales, the Society presented an address of welcome. In reply to it H.R.H. declared that the menace to the land was over and that the Society should set itself the task of helping the country forward. The first part of this reply showed that H.R.H. had been wrongly informed about the origin and objects of the Society.

In the letter sent to Mr. Sarbah by the Aborigines Society in 1897, thanking him for the return of the 400 guineas retainer offered him to plead the cause of the country at the Bar of the Legislative Council during the crisis of the Lands Bill, mention was made of Mr. Sarbah's services to his country by a series of articles and pamphlets on Fanti customs and usages during his student days in England. These articles it must be noted, were undertaken at the suggestion of the Amanbuhū Fékuw and formed the basis of the classic work “Fanti Customary Laws.”

dominion of the British Crown. But even so the people were disposed to acquiesce provided that the Government did not in any way either by legislation or coercion interfere with their rights to their lands, customs and institutions.

The new era in the administration saw a vision of the future, of the vast commercial and other possibilities of the country, and that vision seems to have been the turning point in the attitude of the Government. Lord Carnarvon, Secretary of State, had stated in Parliament that during the trying and difficult times of the period, the trade of the "Gold Coast had more than quadrupled in 10 years from 1862 to 1872," from £9,000 to £40,000. In 1889 the total average annual trade had reached the high figure of £804,762, and Governor Griffith in his despatch to the Secretary of State, dated June 12th, 1893, refers to the country as "immensely rich in vegetable and mineral wealth. 'Nature repays every effort of cultivation by a hundredfold return.'" At that rate of progress what might not the country be in the years to come? This prospect of the vast and almost limitless wealth appears to have clouded the vision of the administration and blinded it to the guarantees, securities, and promises of the past to the people that the policy of the British Government would be more and more to transfer to them the administration of all the governments.

In 1895—6, the administration then under the direction of Sir Brandforth Griffith projected a bill intituled "The Crown Lands' Ordinance." The main object of it was to place the management of the lands of the country in the hands of Government. But this was directly contrary to Native Custom, according to which the lands belonged to the people. A deputation\* from the people waited upon and interviewed Sir Brandforth at Accra who succeeded in convincing him that the bill

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\* T. F. E. Jones and Tinasi for Aburah; Kobina Fo (John Forson) and J. W. de Graft Johnson for Cape Coast.

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would be viewed with suspicion and vehemently opposed. The measure was accordingly withdrawn. Shortly after, Sir Brandforth Griffith was relieved by Sir William Maxwell who had been transferred from the Straits Settlements, a Crown Colony. He did not realise that the term "colony" applied to the Gold Coast was a misnomer but used as a term of convenience. He resuscitated the Lands' Ordinance because he had been accustomed to the operation of one in another "Crown Colony." A storm of opposition was raised by the Native community, but the Governor was determined to carry it through. He succeeded in doing so, the measure becoming known as the Lands' Bill of 1897. But Sir William\* had given birth to a feverish excitement. The still waters of political unrest had been deeply disturbed at last and as the occasion demanded there was unanimity of purpose and action on the part of the people and their Chiefs.

The old spirit of the Confederation flared up afresh at this attempt to usurp the inherent rights of the aborigines. The Mfantasi Amanbuhū Fékuw blossomed into the Gold Coast Aborigines Rights' Protection Society. The mind of the public was firmly set against the operation of what they considered and believed to be a pernicious legislation. Local attempts to persuade the Government failed, and the Society was compelled to send a Deputation† to England in 1898 to lay before the Secretary of State, the Right Honourable Joseph Chamberlain, a memorial praying Her Majesty's consideration of the rights of the people infringed by the Ordinance. The mission‡ was successfully accomplished

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\* According to local belief the Governor by this action incurred the displeasure of the traditional gods. He died at sea on his way home on leave.

† J. W. Sey, T. F. E. Jones and George Hughes.

‡ The Deputation engaged the services of the late Lord Oxford and Asquith (then Mr. Asquith).



and the Deputation returned on October 4th, 1898, amidst great rejoicing. Thus were re-laid the foundations of the Society that was to prove in later years, a powerful organisation, a great factor in the affairs of the country and a medium between the Government and the people at large. Composed of practically all the principal Chiefs\* of the country, with the few amongst the most enlightened and influential of their educated brothers elected by themselves into office, the assemblage of the Society was truly imposing, grand and impressive. It was the Confederation all over again. It was called to power not by the accident of birth but by the free choice of the nation and it embraced all that the people possessed of political wisdom and practical statesmanship. It was the noblest embodiment of the nation; in consistency and political sagacity, in unanimity and patriotism, it represented the best thought of the Gold Coast peoples. The Society was recognised by the Government. In October 1898, the Governor, Mr. Hodgson, met the Society in session at Cape Coast, the headquarters of the organisation, and commended the rulers, officers and members for founding it; he heartily congratulated them on what had been accomplished and added that the Government looked to them for ready assistance and cordial co-operation at all times in the difficult task of beneficial government. Subsequent Governors up to 1905 duly recognised the Society and generally communicated with its Executive Committee on all important matters. The constitution was formally drawn up and signed† on the 9th day of April 1907 to the intent:—

“ that the natural rulers and the inhabitants of this country may have facilities to carefully study and

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\* That is of the Central and Western Provinces—the Eastern Province at the time not being in direct touch with the others. Twenty-six out of forty-eight principal Chiefs inaugurated it; since then others from the three Provinces have given it their sanction and support.

† By thirty-seven Chiefs.

learn from time to time legislative measures and watch the acts\* of the Government so as to protect the aboriginal and national rights and institutions and by timely criticisms and strenuous effort fully profit by Her late Majesty's aforesaid Royal Commands."†

The Chiefs delegated their power and vested it in a President and Executive Committee appointed by them, so that while each Chief (*i.e.* Omanhin) was wholly independent of the other, the President of the Aborigines Society had, and still has, the unique honour of being in the position to invite any or all of the Chiefs to a conference to discuss whatever problems there may be before the country. A clearer conception of the organisation, its position and influence may perhaps be gained from the expression of opinion of Sir (then Mr.) Conway Belfield, K.C.M.G., who was sent out by His Majesty's Principal Secretary of State for the Colonies in 1911 to make investigations and report on the "Legislation Governing the Alienation of Native Lands in the Gold Coast Colony and Ashanti; with some observations on the 'Forest Ordinance,' 1911." At page 38 of his Report presented to both Houses of Parliament by command of His Majesty, he states:—

"It is generally believed by those who have not closely examined its constitution that the educated members in Cape Coast really indicate the policy of the Society, and that the Chiefs have little or no voice therein and are admitted to the privileges of membership principally for the purpose of providing it with funds. I found this to be by no means the case. At least three or four of the Chiefs readily speak, read and write English. Almost all of them

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\* That is as the result of the persistent attempt to alienate the lands of the people.

† Despatched on New Year's Day, 1901, to the intent that the New Governor and the Society should co-operate.

take in the ' Government Gazette ' and follow the actions of Government with accuracy and intelligence. There is no doubt that the inception of the Society was due to the expressed wish of the Chiefs themselves, and that they take as active a part in its proceedings as any of the educated members." \*

To suggest therefore as the learned author of " The Economic Revolution in British West Africa " (Dr. McPhee, Ph.D.) does in the introductory chapters† to his otherwise excellent manual that the Society was founded by lawyers and other Coast Natives who had received a measure of European education to serve their own purposes, is not only misleading and inaccurate, but mars a good treatise and betrays lack of due appreciation of the revelant facts in the history of the countries whose economic development is of such interest to him. Nor with due regard to historical facts could the Society be referred to as " a private Society." †

The Society has thus become the vehicle for concerted action and co-operative effort on the part of the people and their Chiefs. It is not an inchoate, sporadic and spasmodic movement, but is substantial and well grounded and is charged with duties§ other than those of mere criticism of Government actions.

The African has a long memory; he remembers the Confederation and the recommendation of the Select Committee, and is waiting. How long that memory is may

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\* The same observation was placed by the Chiefs before Mr. Rhys and other members of the Colonial Office Commission to West Africa in 1926.

† Page 26. The book treats of West African economics from the European angle.

‡ Colonial Secretary, Gold Coast, Legislative Council debate, March 18th, 1926, Session 1926-7, Issue No. 2.

§ In the Constitution, duties of a social nature are allotted to different Committees. Unfortunately the activities of the Government in matters of legislation are so prolific as to demand constant concentration on a review of such actions with the natural result that the other duties of the Society seem to recede more and more into the background.

be illustrated by this pithy observation by Mensah Sarbah in his illuminating preface to Judge Redwar's "Comments on Gold Coast Ordinances" (printed at the request of the Aborigines Society). Says he:—

"A Native of the Gold Coast, thinking of the future of his country, may be pardoned if he remembers certain facts:—*firstly*, that when the British Gold Coast Settlements \* were sorely pressed for a long time in the reign of King George III., Cudjo, the King of Cape Coast, supplied the Castle all the time with stores, and stood by England until she had finished her war † . . . ; *secondly*, that seventy years after, that is, on the 6th March, 1844, certain Fanti Kings signed the famous Bond with Great Britain whereby it was agreed that 'crimes and offences will be tried and inquired of before the Queen's Judicial Officers and the Chiefs of the district, moulding the customs of the country to the general principles of British law;' and *thirdly*, that thirty years afterwards, or a century from the presentation to Caboecer Cudjoe, namely, July 24th, 1874, these Settlements became the Gold Coast Colony, and in the year 1897, it was found necessary by the Chiefs and their people to found a Gold Coast Aborigines' Rights Protection Society."

Sarbah concludes with a flourish of Virgil's:—

*Forsan haec olim meminisse juvabit! ‡*

Truly indeed!

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\* Up to 1874 the country was called the British Gold Coast Settlements and Protectorate, the Settlements being the actual sites—and no more—of the forts and castles.

† A presentation of silver goblets was made by the King of England to King Cudjo for his loyalty and devotion.

‡ "One day, perhaps, it will please us to remember even this."

## CHAPTER VIII.

### THE CHIEF AND THE OMAN.

WHERE you are is of no moment, but only what you are doing there. It is not the place that ennobles you, but you the place; and this only by doing that which is great and noble.

PETARCH.

AT this moment there is much conflicting opinion about the position, influence, and authority of the Chief (Omanhin); it will be refreshing therefore to turn back to the records of the past and glean from them knowledge that is without prejudice or favour. Oman means state or metaphorically, the people; Ohene (or Ohin) means King or metaphorically 'Head.' Hence Omanhin, the king or head of the state or people. He is enthroned on a stool by the ceremony of Enstoolment, a secret religious, and spiritual rite, while he is publicly proclaimed and acknowledged by the brilliant spectacle of the ceremony of Installation.

" At the head of the Native State stands prominently the Ohin (King) who is the Chief Magistrate and Chief Military Leader of the State."\*

ATTACHED to him is the Public or Oman Council, the members of which are elected by the people, and of which other minor Chiefs† are ex-officio members. It is pertinent to observe here that the " King is the Chief Executive Officer of the State but not the Executive Council of the State. Such a Council exists and any acts done by the King without its concurrence are liable to be set aside. The King is the President of the Legislative Board, but he seldom, if ever, initiates any legislative

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\* Casely Hayford in *Gold Coast Native Institutions* (1903).

† Of these there are several. There are also military Chiefs.

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act. It is the province of the people through their representatives, the Councillors, to introduce legislation and say what law shall direct their conduct.”\*

“ The African King or ruler is not ordinarily a despot or other irresponsible person, but as a matter of fact, the first among his equals, and controlled by them in the Council which represents the whole people and expresses their will. The Council of the people is the only instrument or body which tempers the will or powers of the ruler.”†

“ The tribe is represented by a head Chief and he is controlled to a great extent by the holders of various customary offices. He is elected and can be deposed by the popular voice.”‡

From the foregoing it has been gathered that the Gold Coast is a congeries of small independent states, interdependent and inter-related to a large extent. Each is under the immediate management of its own tribal organisation, the Chiefs being “ men selected to fill the office of Chief, nominally by popular suffrage, in reality by the Principal Sub-Chiefs, Counsellors and Elders of the tribe.”§

The Native Government therefore is purely democratic in character, the sovereignty lying with the people through their representatives, the Oman Council. It is clear also that the British Government during the whole of its connection with the Gold Coast never conferred jurisdiction on Native Governments but that the jurisdiction exercised by these is inherent in the system. In the African mind the idea of Omanhin is inseparable from that of the Oman and it must be remembered that it is the people who

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\* Casely Hayford in *Gold Coast Native Institutions* (1903).

† Mensah Sarbah in *Fanti National Constitution* (1906).

‡ Sir William E. Maxwell, K.C.M.G., late Governor of the Gold Coast in *Affairs of the Gold Coast and Ashanti*, 1896.

§ Sir Hugh Clifford, G.C.M.G., G.B.E., late Governor of the Gold Coast, in *Encyclopædia Britannica*, 12th edition, Vol. 31, p. 296.

exercise jurisdiction over the Chief by reserving to themselves through their representatives, the Councillors, the right to elect, reject, and eject Chiefs and not vice-versa. There is both law and order in the African system, a democracy maintained by the operation, and not the subversion, of law. "If Democracy is to be saved for the world" says President Wilson, "it should be according to law."

The question of destoolment or deposition of Chiefs is intensely interesting. It is a right claimed by the people from time immemorial. Writing in the *Encyclopædia Britannica*, Sir Hugh Clifford says "all Chiefs are liable to 'destoolment' at the decree of their people if they fail to give satisfaction." It is an elementary point in Native Polity.

In *Quasshie Amfoo v. Ambah Yardonuah*, heard before Sir David P. Chalmers, Judicial Assessor on May 17th, 1871, judgment was delivered as follows:—

"Quasshie Amfoo is the person in the direct line to the Stool, and would have succeeded thereto if his election had been supported by the people who have the right of choice. These persons, however, have passed over the plaintiff and elected in preference, his nephew Gaissie." (Italics mine.) \*

Before the same learned Assessor the case of *J. H. Mould v. Agoli and Essan* was heard on June 6th, 1871, and judgment entered as follows:—

" . . . It is the fact that the plaintiff has been acknowledged as Headman by the family for a considerable number of years and has acted in this capacity, but the right of the family to displace him from that position on sufficient cause is in accordance with the laws and customs of the country." (Italics mine.) \*

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\* Sarbah—*Fanti Law Reports*.

A late example may be cited in the case of *Hima Diki v. Agiman and Others* heard before Mr. Justice Nichol at Axim in 1901. Touching the question of destoolment Nana Kweku Atta, the King or Omanhin of Axim gave evidence. He said that if a Chief brought himself under the law for a breach thereof in consequence of which he should be destooled, the Chief and his family might seek pardon of the people and might be forgiven three times. But added he, "if you repeat it four times, then they tell the family they don't want you anymore and that ends it. That is the Native law and practice." \*

Similarly in the case of Kweku Inkruma, at one time Ohin of Pepissa, the charge was laid by the Councillors and Elders of the Stool before King or Omanhin Kwamina Enimil of Eastern Warsaw, his overlord, and was accordingly proclaimed duly destooled after investigation. \*

Since 1883 † the Government has claimed the right to suspend or dismiss Chiefs on "sufficient cause" without reference to the Oman Council, or the people. Such an assumption of arbitrary power was morally wrong in as much as the people and their Chiefs had not given exclusive jurisdiction to the British Government at any time. Nor was the "sufficient cause" as interpreted by the Government quite in keeping with the traditions of Native Polity. Sarbah makes some pertinent remarks on this point in *Fanti National Constitution*. Says he:—

"Rightly or wrongly, the public suspect that under any pretext whatsoever deemed 'a sufficient reason' any Chief can be dismissed and degraded. Unfortunately these fears have not been removed or minimised at all in recent times by the treatment given to Kwamina Fabir, some time Ohene of Tarquah and Awuduah" (to-day he would have added

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\* *Gold Coast Native Institutions* (Casely Hayford).

† Native Jurisdiction Ordinance, 1883.



the Ohene of Assamangkesse) . . . "The right of dismissal is in the people not in the Crown."

Sarbah expressed this view in 1906. In 1910, the Ordinance of 1883 under which the Government had claimed the right of suspension and dismissal of Chiefs, was re-introduced for amendment. It was passed as Ordinance No. 7 of 1910. Mr. Hutton Mills and Mr. Sarbah were unofficial members of the Council at the time and were present at its passage. In the character sketch on his life written in 1924, the present writer made the following remarks:—

"It is inconceivable, therefore, how a man like Sarbah, holding and publishing such a view in 1906, could be said to have compromised his position by supporting the same Section in the 1910 Ordinance. The debates of that period, if published, would make an interesting reading as to what Sarbah said on this Section, and would help to clear away many points which have seemed doubtful ever since." \*

From an examination of the records † of the period, it appears Mr. Sarbah made this observation in regard to that Section. To quote the records:—

"Mr. Sarbah suggests that the suspension and dismissal of Chiefs should be by a resolution of the Legislative Council and not by an Order of the Governor in Council, as the proceedings at the Legislative Council being of a public nature, a Chief will have the satisfaction of knowing that his case has been fully considered."

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\* *Three Sons of the Gold Coast*, p. 25.

† *Gold Coast Government Gazette*, 1910, at the Colonial Office Library, London.

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A division was taken on the motion and Messrs. Hutton Mills and Sarbah lost against the members of the Executive.\*

Further on, in reflecting upon the effect of such treatments to Native Rulers on the morale of the people Mr. Sarbah says:—

“ To smash up or gradually undermine aboriginal authority, to degrade or belittle African rulers, although professing to govern through them, can only end in the failure of European rule and the demoralisation of Africans.”

It is a happy relief to find that Government has in a recent Ordinance † foregone this doubtful claim and rightly constituted the State (*i.e.* Oman) Council, the proper authority to decide questions of election or destoolment.

Before leaving this aspect of the subject it may be interesting to observe one small but significant development in the relations of the people with the Government. Up to the time of the Fanti Confederation, that is up to 1872, in all the treaties with Britain and in other historical records of the Government, the Native Rulers had been styled Kings and Chiefs, the title “ King ” being applied to the Head or Paramount Chief ‡ in the State and corresponding to the African genitive term “ Omanhin.” But in that year after the failure of the Confederation the attitude of the Government in this matter altered. When he was approached with a memorial by the people

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\* That is the Colonial Secretary, the Chief Justice, the Attorney-General, the Treasurer, and the Secretary for Native Affairs.

This explanation may in some degree help to disperse the clouds of doubt that have hung around that Ordinance since its passage in 1910.

† Native Administration Ordinance, 1927.

‡ The title Caboecer (from the Portuguese) was also at one time in current use, although it would seem to have been used for the Divisional Chief.

of Cape Coast—already referred to— in which among other things they prayed for his sanction for the election of a new King for Cape Coast, Governor-in-Chief Pope Hennessey replied :—

“ As your friend, I could not approve of the re-election of any Chief bearing the title of King. The title of King is a European one, not suited for the leading native authority in a place like this. If, however, you would wish to select a *headman*, who might be useful both to you and the Government, as the highest native authority at Cape Coast, I would gladly recommend Her Majesty's Government to grant your request, and to ratify the choice you might make.”  
(Italics mine.)

Since then that term of disrespect and indignity has stuck. It is a good sign however that the people prefer their own “ *abodzin* ” to the foreign epithet, and Government has latterly encouraged the use of the distinctive title of Omanhin. \*

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\* The title of Caboceer might be revived with advantage.

## CHAPTER IX.

### THE EDUCATED AFRICAN.

SOME have said that it is not the business of private men to meddle with government—a bold but dishonest saying, which is fit to come from no mouth but that of a tyrant or a slave. To say that private men have nothing to do with government is to say that private men have nothing to do with their own happiness or misery; that people ought not to concern themselves whether they be naked or clothed, fed or starved, deceived or instructed, protected or destroyed.

CATO.

EVERY child of the country, literate † and illiterate, is a subject of some Chief or other. He has a voice in the affairs of his country for he is within the family and tribal organisations and is represented by his paterfamilias in

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† In *The Christian Mission in Africa*, Rev. Dr. E. W. Smith says at page 6: "In many parts of Africa the advent of Western civilisation has created a cultural cleavage. In Sierra Leone, the Gold Coast and Southern Nigeria, for example, exist communities of Europeanised Negroes, many of whom have taken degrees at Oxford and Cambridge and London; they practise as doctors and lawyers; they no longer own any allegiance to their ancestral African authorities, and are adopting western habits of life. Members of this class sit with Europeans in the Legislative Council. And in the same land are found barbarians who are (or were until recently) cannibals and still practise witchcraft."

Here is a repetition of the same old error of considering the educated African—limiting ourselves to the West Coast—as being apart and distinct from the rest of his people. It needs but a little knowledge of the customs of the Akans for instance, to set the foreigner on the right track of understanding the African. There is neither social nor cultural cleavage; there could not be any such gap from the very nature of things and to think that the literate African owns no allegiance to his ancestral authority is to miss the point in understanding what this ancestral authority itself is. What is a barbarian and what is witchcraft? The answer of King (Omanhin) Kwamin Ansa of Elmina to the Portuguese General d'Asam buja in 1482 when the latter pleaded for a plot of land to erect a castle thereon—the present St. George—was reminiscent of a culture that had had its full effect on the people and produced men of vision, political sagacity and philosophic penetration. As for the witchcraft of the West African, there is more in it than meets the eye.

the representative assembly of the people, the Oman Council.

In 1852 the Government established " the Legislative Assembly of Native Chiefs upon the Gold Coast " with the immediate object of putting into operation a Poll Tax Ordinance. But the procedure was foreign to Native thought since by that means legislative powers would have been conferred on the Chiefs. The best way of approach was for the people to call together such an Assembly and present it to the Government for recognition as their National Assembly. The Assembly failed to function particularly when the Government found itself unable to carry out its promise to the Chiefs, namely the payment of their stipends.\* which had set at rest all grounds for protest against the innovation.

On the failure of the Assembly, one educated Native was appointed in 1861 by the Government to the Legislative Council to represent the views of the people. In 1872, another educated Native was added to the Council in compliance with the request of the people of Cape Coast as aforesaid. The system proved most satisfactory and conducive to better sympathy and co-operation between the Government and the governed, even though the representation of the people by two members was wholly inadequate and wrong in principle as favouring nomination and appointment rather than election.† Nevertheless it continued up to 1910 or thereabouts when Governor Rodger struck the first blow against the democratic principles of Native Government by appointing one Chief or Omanhin to the Council. This was a questionable policy ‡ and was severely criticised by the people

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\* This would have avoided the dangers and horrors of double taxation.

† Representation should go with Taxation is an English saying.

‡ It placed the Chief in a difficult position ; being a member of the Legislature, he could not make use of his reserved power of appeal in the event of any legislation failing to meet the wishes of his people.

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at the time. No notice was taken of the dissatisfaction and in 1916 Governor Clifford increased the number to two. The ostensible reason was that by this means it would be possible to minimise the work of the Gold Coast Aborigines' Rights Protection Society which these Governors thought consisted only of the educated elements of the coast towns and was an obstacle to Government. In fine, the net result of that policy has been the gradual weakening of the bonds that knit together, the Omanhin and his people, and incidentally—strange to say—the lowering of the prestige of the white man.\* This accidental result which the white man himself, except those in very intimate contact with the people, has hardly had time to be conscious of, is directly the outcome of a lack of understanding of the subtle psychology of the African.

To consider the educated African as an obstacle to Government is treading on dangerous ground, for his illiterate brother invariably realises in the end that blood is thicker than water. Besides it is inaccurate and far from the truth. Unfortunately that it has been so considered is true and can be verified by reference to history

Governor Salmon in suppressing the Confederation of 1872 referred to Mr. Brew, one of the leaders, as "a young man, a practitioner in the court here" who "is the prime mover of the affair"; the "Ministry and Executive Council composed of young men, some of doubtful respectability"; the Chiefs "were misled by the Cape Coast young men both as to the ends to be attained by the so-called Constitution, and as to its scope." †

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\* This was the impression forced upon the writer when he toured the country from East to West in 1919. Other careful observers have expressed the same opinion.

† The remarks occur in his letter forwarding the Draft Constitution to Sir A. E. Kennedy.

Governor in Chief Sir Arthur Kennedy also passed similar strictures on the leaders—who were all educated men—" I have a personal knowledge of some and a general knowledge of all the official and *ex-officio* members of the proposed Government, and I am of opinion that, as a body, they are entirely unworthy of credit, and untrustworthy." \*

Governor Usher too had a bad name for them—the evils—" resulting from the mediation and interference of the semi-educated natives or ' scholars,' " he said in a letter to Sir Arthur Kennedy.

But the series of censure on the character of the educated African did not end with these officers.

Mr. Hanbury said in Parliament† that—

" he was no admirer of negro character, no frequenter of Exeter Hall, no advocate for putting a coat of moral whitewash, very often a thin one, on every black man we came across."

In more recent times such scathing diatribes have assumed the form of ridicule—the African educated in Europe returns home with ideas and notions far above his people‡—he becomes denationalised(?) and loses touch with his people. This has been followed up as a policy by our White friends§ on every conceivable opportunity. The only possible aim could be to discredit the educated African in the eyes of the world.

We shall for a moment examine these insinuations against the respectability and reliability of the educated Native.

\* In the course of his letter to the Secretary of State.

† April 27th, 1874 (Hansard).

‡ He certainly does return home disillusioned.

§ Including even some missionaries, but there are notable exceptions. In *The Menace of Colour*, Dr. J. W. Gregory, F.R.S., says: " Negro education in the Southern States (that is of America) has no doubt been hampered by the widespread notion that the educated coloured man is more criminal and more dangerous than the uneducated. The educated Negro has been regarded as a spoiled Negro."

Governor in Chief Pope Hennessey in 1872 made this observation :—

“ As far as I could observe, every educated native at Cape Coast sympathised with the Confederation. Mr. F. C. Grant, a native gentleman, who is certainly not the inferior of any European on the Gold Coast in character, ability or mercantile position, is a strong supporter of the Confederation. If Mr. Usher's judgment on their moral conduct and character were sound, it would be a painful commentary on the so-called Christianising and civilising effect of the Gold Coast administration. But, on the contrary my enquiries on the spot, and an examination of the archives of the Local Government, convinced me that the educated natives have contrasted favourably as a body with the European residents. I was certainly impressed favourably by their tone and manner in their several interviews with me.”

No stress need be laid on the point raised by Governor Hennessey that if the character of the educated African were as bad as it is generally taken to be, it would be a poor compliment to the efficacy and beneficent influence of European Christianity and Civilisation; and under those shameful circumstances, it would be best for the churches to bid a hasty retreat.

A writer in the *Spectator* of December 1895,\* makes an apt remark on the complexity of the African character. Why was it, he asked, that time after time the educated African had fallen back into the jungle of life, had apparently “ gone Fantee ” as the Whites of the West Coast phrased it, in huge masses? Why indeed? It is but because you have not stooped to study nature as represented in the African! Says the writer :—

“ It is the inexplicable mystery of history, and is not solved in the least by talking of deficient

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\* Quoted by Sarbah in *Fanti Customary Laws*.



brain-power; for if there is one thing clear about the Negro, it is that there are individuals among them with plenty of brain-force, who learn the difficult trades or acquire the abstract ideas of the Whites, or even master their science like medicine or mathematics."\*

No, you cannot understand the mystery if you proceed on the assumption that the educated African is to have a European orientation. But Sarbah too, an ardent lover of his country and race and an admirer of British statesmanship has a word on the subject. Writing in 1906 he said:—

"It has been fashionable to disparage the educated African, and no opportunity is missed by his unfriends† to degrade, ridicule, or point the finger of scorn at him.

"At any rate, it is absurd to ignore the fact that on the educated African depends the successful administration of these tropical countries; nor should a greedy and selfish commercialism, which threatens to over-ride every sense of justice and every principle of our common humanity, be permitted to inspire and create, what will defeat the high aims of the statesman."‡

This is all in favourable contrast with the more or less prevailing misconceptions about the character and place of the educated African. To turn now to the charge that he is an obstacle to Government. If the educated African of to-day—limiting ourselves to the West Coast, and interpreting "educated" to mean "educated on Western lines"—who represents roughly about two per cent. of the total population is a danger, then it follows

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\* The writer would have been astonished by the romantic story of the Cocoa cultivation on the Gold Coast.

† Sarbah specially uses this term to describe those of our white friends who are not open enemies of the race, but ridicule the people when they have the chance.

‡ *Fanti National Constitution.*

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logically that in process of time when the remaining ninety-eight per cent. also become "educated," the position would be intolerable; the Government could not function at all, assuming it was intended it should continue in its present form. Or perhaps it is proposed to turn out a new product, a new educated African, who would be more amenable to European control, by the costly experiments in education being undertaken by the West Coast Governments. If that is so, it cannot move us to tears, for there never was greater delusion! You will succeed in turning out an African who will repudiate with decorum but with steady vehemence, all association with European influences. There is that \* in the African which escapes perception, does not yield to scientific analysis, nor admit of easy comprehension. It is simply a riddle of nature, the riddle of the Sphinx. Remember we are in the embryonic stage only in respect of modern conditions, but we are the decadent remnants of civilisations of forgotten eras, and we carry with us in our sub-conscious states the mighty spirit of the long dead past!

Stoddard in *The Rising Tide of Colour* summons his countrymen to enlist in a crusade against coloured ascendancy. It may be that to some it is another way to stem the tide of coloured ingress. But is that justifiable and right †? In the words of President Wilson:—

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\* This THAT is closely associated with his humanity. It is the mystic contact of his religiousness with his dark skinned desire and functioning body, what might be termed his *ectoplasm*.

† "The entire colonial policy is based upon the principle of Europeans depriving the inferior natives in foreign lands by main force of their land and maintaining our position there by force."—General Von Putt Kamer (1907).

"I do not think it would be fair to the native—But in dealing with the question, the dominant thing in our minds has not been justice at all, but we must conserve as far as we can, European civilisation."—A writer on General Hertzog's Native Bill (South Africa).



**AFRICA AT THE BAR OF JUSTICE**

“ Shall the military power of any nation or group of nations be suffered to determine the future of peoples over whom they have no right to rule except the right of force? Shall strong nations be free to wrong weak nations and make them subject to their purpose and interest? Shall peoples be ruled and dominated even in their own internal affairs by arbitrary and irresponsible force or by their own will and choice? Shall there be a common standard of right and privilege for all peoples and nations, or shall the strong do as they will and the weak suffer without redress? ”

The African believes that England at heart to-day is still the England of the Victorian era with its high standard of justice and deep sense of humanity. Mary Kingsley, an English lady of education and refinement, writing sometime ago to Mr. Sarbah apologised for the disinterested and indifferent attitude of her countrymen on the coast during the agitation over the Lands Bill of 1897, by saying:—“ The general English public are quite with you and me if we can make them understand the facts of the case.”

“ Facts and not Opinions ” should be the basis of understanding, says the British Federation of Youth. Here we are presenting to the public of England the facts constituting the truth about the African.

The suspicion, therefore, that the educated African is an obstacle to government or that he is denationalised and has lost touch\* with his illiterate brethren is quite unwarranted. Neither the intense passionate fervour of his rich eloquence when moved to righteous indignation over the inroads into his nationality, nor his deep appreciation of nature and ready wit, disguise or blunt the radical simplicity and directness of his character. After

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\* The late Dr. Aggrey demonstrated to Sir Gordon Guggisberg that he had not lost touch with his people after his continuous stay of over twenty years in the States.

all, in all ages and in all climes, it is the grand and solemn duty of the intelligent members of the community to work for the uplift, advancement, and progress of the people. England recognises this fact, and grants more privileges to such men by allowing graduates of Universities, an extra vote. Why should not the educated African, who thoroughly understands his people to a degree nobody else can, in words and actions, feelings and sentiments, hopes and aspirations, take the lead in the forward march of progress? Why not?

This is a solemn protest against the malicious propaganda about the educated African; he exists as a potent factor in the destiny of his people and race. He is anxious to play his part in the work of regeneration and reconstruction in his country, and asks but for the chance and opportunity to show his loyalty and devotedness to the Cause of Africa.

“ All that young Gold Coast asks of his country's avowed sincere well wishers, is a little chance and a fair one to develop his ancient heritage on his own natural lines, begging that in the meantime Gold Coast National Institutions should not be placed in water-tight compartments.\* For proper understanding and mutual sympathy he pleads. Therein alone lies the way of beneficial co-operation—believing as he does, that it is a far greater pleasure helping to build up a tradition than being obliged to live on the memory of one.† ”

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\* This is likely to be the effect of the Native Administration Ordinance, 1927, as passed.

† J. C. de Graft Johnson in “The Significance of some Akan Titles,” *Gold Coast Review*, December, 1926.

## CHAPTER X.

### TWO CONSTITUTIONS COMPARED

That what we have we prize not to the worth  
Whiles we enjoy it, but being lacked and lost,  
Why, then we rack the value, then we find  
The virtue that possession would not show us  
While it was ours.

SHAKESPEARE.

It may be instructive, at this stage, to compare certain aspects of the two constitutions together.

1. There exists in the Gold Coast no such system as is known in English history as Feudal System. Nor is there in the country any such general confiscation of land and acknowledgment of sovereignty as was done by William I. on his accession to the throne of England.

2. *Ergo*, the story of England has been a gradual development of Representative Government from Absolute Monarchy. On the Gold Coast, as has been abundantly shown, we had reached the stage of representative government before our intimate contact with Britain.

3. In England "it is fully established that the Crown or Executive is not entitled by virtue of any provision in a Treaty *not ratified by Parliament* to modify or interfere with or derogate from the rights of the subject arising under the law of the land." \* (*Italics mine.*)

This clearly shows that in England the King cannot exercise absolute power without reference to Parliament, and in order that such derived absolute powers as are exercised may be brought under the jurisdiction of Parliament, the doctrine of Cabinet Responsibility has been attached thereto. This doctrine is not unknown in the

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\* Dr. Hugh Bellot in Thomas's Leading Cases in Constitutional Law.

African system. All public declarations of laws, regulations, agreements, etc., are made not by the Omanhin or the Oman Council (corresponding to the British King or Executive, *i.e.*, Cabinet) but by an officer holding a well established and important position, the Linguist, who thus accepts the responsibility on behalf of the Omanhin and the Councillors, but who always acts under their direction. The Linguist, says Sir Hugh Clifford, "is the mouthpiece of the Paramount Chief on all formal occasions."\*

Furthermore, by the Parliament Act of 1911, the representatives of the people, that is, the Commons, went a step further and limited the powers of the Second Chamber, the House of Lords.

4. The machinery of legislation in Britain, consists of the King, the House of Lords (very much limited and more formal than real), and the House of Commons. Legislation is initiated in the Commons and may receive Royal Assent with or without the concurrence of the Lords. Obviously, the people of England would not for a moment tolerate any action on the part of the Upper House to legislate by itself even with the Royal Assent, if that were possible, in any matter whatsoever, let alone causes involving taxation. As a matter of fact the curtailment of the powers and privileges of the Lords in 1911 was occasioned by the exercise of their former right of interference with Money Bills.

In the Gold Coast, before the establishment of the British Government, the whole machinery of legislation consisted of the Omanhin and the State Council, the Omanhin being the head of the Executive to enforce the law, but generally taking no active part in the initiation of any legislation. In modern Gold Coast, there are three elements to be considered in the working out of the law, that is the Government, the Chiefs, who form the

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\* *Encyclopædia Britannica.*

aristocracy—in a liberal sense—and the people,\* corresponding to the British division of King, Lords, and Commons respectively, with this material difference, that the Gold Coast Administration not being a Responsible Government, the position and importance of the Governor, the head of the Executive, is much more real and his powers more extensive than those of the King in relation to Parliament. That an officer of the Crown should exercise in some part of the King's dominions, powers and prerogatives that His Majesty cannot exercise without reference to Parliament is made possible by the fact that the method of administration is what is known as the Crown Colony System, a form of government criticised by Mary Kingsley in *West African Studies*. Says she :—"Tinker it up as you may, the system will remain one pre-eminently unsuited for the administration of West Africa."

A new Constitution was granted to the Gold Coast in 1925. It enlarged the sphere of the Legislative Council and established Provincial Councils composed of the Chiefs as Electoral bodies for the election of some of *their members* to the Legislature. This has created a position analogous to that which would be created in England if the Lords *per se* selected some of their members to form the Executive with the King as the legislative machinery. The position is an anomaly and would never result in true progress for the country, especially in view of the fact that this reversion to the policy of 1852† is made in favour of six Chiefs only. It would put back for 74 years the hands of the clock indicating the progress of the peoples of the Gold Coast towards nationhood. That this policy

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\* The English merchants and other traders do not form a class by themselves. Their interests are identical properly speaking, with those of the people—the progress of the country. In addition Government safeguards them to a large extent.

† There was this fact in favour of the 1852 assembly, namely that it provided a common council or chamber for all the Amanhin after the manner of the Pitso of the Basutos, to which official legislations could be referred before their promulgation as law.



would be retrogressive may be further substantiated by the evidence of Colonel Ord, R.E., before the Select Committee of 1865.\*

*Chairman* (Rt. Hon. Chas. B. Adderley): What is the nature of the government of those Chiefs in the neighbourhood of the forts?

*Colonel Ord*: I should say that they exercise as much authority over their people as their headmen will allow them to do; it would be very difficult to define exactly their authority.

*Chairman*: Is the Government entirely vested in one Chief, or is he checked to some extent?

*Colonel Ord*: Yes, by the others.

*Question*: And is he not, on certain occasions, obliged to call those headmen together to obtain their consent?

*Answer*: He is compelled to consult them on many occasions.

*Question*: It is a sort of mitigated arbitrary power, is it not?

*Answer*: I should say that that would fairly represent its character.

This may be supplemented by the evidence of Sir Benjamin Pine (§3016) in reply to the question:—

Do you conceive that the native governments have a sufficient basis of municipal institutions for such a development without the necessity of introducing new institutions?

*Answer*: They have a basis of municipal institutions, certainly; and I think, with a little assistance from us in developing and framing them into something better, they might be established firmly and completely.†

It remains to add that Colonel Ord was Governor of Bermuda, and was sent out specially on two occasions

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\* Report, p. 49, Section 1055 *et seq.*

† Both Colonel Ord and Sir Benjamin Pine considered that the period of development might be between fifty and 100 years. Present tendencies show that it was a fair estimate.

in 1850 and in 1855 to the Gold Coast by the Home Government to make investigations. Sir Benjamin Pine went out in 1842 as Queen's Advocate to Sierra Leone; in 1847 he acted as Chief Justice and from 1848 to 1849 administered the Government. Later, he administered the Government of Natal for six years and from 1856 to about the middle of 1858, the Government of the Gold Coast. At the time of the proceedings of the Select Committee he was still in touch with Negroes as Governor of St. Kitts, in the West Indies.

5. Another point of comparison is that in England, the King's position is hereditary without any qualification. As the eldest son\* of his father he ascends the throne as of right and there is no question of his vacating that exalted position except by the ordinary intervention of nature.

On the Gold Coast, on the other hand, while the Chief's position is hereditary because confined to certain particular families,† it is also elective, and it is not so much a question of who is the rightful heir to the Stool, but who among the eligibles, fully satisfies the desires and wishes of the people.

In one respect, insignificant perhaps, but material, African Polity goes beyond the British. The King could be forced to abdicate if he attempted to legislate *per se* either by Statute or by Proclamation. This, under present conditions, is impossible and far fetched, but not inconceivable. On the Gold Coast, the Chief can be displaced not only for a similar breach of Constitutional law, but also for all other acts of personal conduct which in the opinion of the State Council are derogatory to his position.‡

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\* Cases have not been unknown where the rule of primo geniture has not been followed.

† There have been cases where this rule has been set aside by the people.

‡ Paradoxical as it may seem, this is due to the extreme reverence and respect paid to the office of the Omanhin.

6. A last point of comparison may be found in the system of Parliamentary Executives. The Opposition in Parliament acts as a check on the actions and policies of the Executive by subjecting them to severe, harsh and sometimes unfriendly criticism. But it is not done for the fun of it. "No administrative vigour and no legislative wisdom," says Dr. Butler, Head of Columbia University, "can long survive in the vacuum of public ignorance and indifference. A supporting body of opinion is essential to the conduct of legislative or administrative policy, and a serious and high principled opposition is necessary to prevent its exaggeration and abuse."\*

On the Gold Coast however, under the Crown Colony System, such opposition can be offered only by the existence on the spot of a "thoroughly representative public body, which can truly speak and act for the whole wants and desires of the whole community," when they see around them everywhere the potency of Government and their own enforced helplessness in having no voice in the affairs of their own country. Such a body at present exists in the Gold Coast Aborigines Society† and it is

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\* *Democracy, True and False.*

† Nana Ofori Atta in *Legislative Council Debates* (Session, 1919-1920, December 30th, 1920), said: "The history of the country shows that whenever there was cause for an anxiety on the part of the people, as against the British Government, the whole country had combined to successfully oppose such measure. There is the Gold Coast Aborigines Rights Protection Society at Cape Coast. This Society has stood and pleaded the cause of the country in a true and honest light. There had been no attempt on the part of this Society to run down or to usurp the authority of the Chiefs. Consequently the Society commands the confidence of the Chiefs and people of this country. Although I am not myself a member of the Society, my Division has had no hesitation whatever to associate itself with the deliberations of the Society, and whatever decision had hitherto been come to by the Society, has been entirely one in the interests of the country.

The late Honourable Nana Amonu V, in the Debates above mentioned, also said: ". . . . That any party or parties, body or bodies of persons that will produce credentials and emblems from these original rulers must be fully recognised establishment, such as the Gold Coast Aborigines Rights Protection Society which has done many great things for the common weal."

therefore incorrect to consider it hostile to Government and an obstacle to the Administration. To quote Dr. Butler again:—" political action on the part of a community or a state is the result of the interplay of two forces, the propelling and the resisting. Taken together and increased by the religious and the moral sentiments of the people, those political beliefs and tendencies to act constitute what is known as public opinion. It is a subtle, powerful and sometimes terrible force."

" People living in Crown Colonies know well enough from experience that the local press and public utterances, even if for years they gave the unanimous verdict and wishes of a united people have no effect whatever on legislation or on government."\*

In the course of the debate on the Native Jurisdiction Ordinance of 1910, Mr. Sarbah made this pathetic remark:—

" Rightly or wrongly the education of the West African Native is viewed with suspicion. This suspicion is quite unwarranted. I am aware that on many occasions suggestions made by educated Natives for the welfare of the Colony have been ignored. I would ask that the Council consider seriously the question of utilising, for the welfare of the country, the services of Natives, who by their experience and good standing, have gained the confidence of their countrymen."†

It is real hard work enough to do serious and constructive thinking and make suggestions for the benefit and better government of your country, but it is very hard on a man to expect him to continue doing so, knowing full well by

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\* C. S. Salmon in *The Crown Colonies of Great Britain*: " Submission to the prescriptions of men as necessities of nature, is the lesson inculcated by all governments upon those who are wholly without participation in them." *Representative Government* (Stuart Mill).

† Transcribed from the *Oratio obliqua* of the records,

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previous experience that these suggestions would simply be turned down and ignored!

But when taxes have to be paid and revenue raked up for the purposes of the administration the Natives must be informed. One would almost join, despite a certain feeling of despondency, in the humour of Kipling:

But when it comes to fighting, Lord,  
They'll put us in the stalls.

## CHAPTER XI.

### THE CROWN COLONY SYSTEM.

POLITICIANS think that by stopping up the chimney they can stop its smoking. They try the experiment, they drive the smoke back, and there is more smoke than ever, but they do not see that their want of common-sense has increased the evil they would have prevented.

BORNE.

It has been so far a heavy labour through the labyrinth of constructive analysis in order to arrive at the exact condition of feeling existing to-day on the Gold Coast, and indeed in all British West Africa. Tension has been produced lately by the passage of the Native Administrative Ordinance, which is an attempt on the part of the Government to rule the people through the Chiefs. So to rule the people successfully "demands knowledge, more or less intimate and accurate, of their country and the principle of the constitution of their own Government." \* It is because the Ordinance abrogates a cardinal principle of Native Polity that the resultant effect is confusion and illfeeling. It may probably result also in adding momentum to the lowering of the Whiteman's prestige and affect the profound respect for and implicit trust in, the established authority, which the people have always had.

But mistakes are incidental to legislatures as well as to individuals and it should not be difficult for Government to restore happy relations and good feeling.

Mr. C. S. Salmon, late Chief Commissioner of the Seychelle Islands, has the following comments to offer on the Crown Colony System. † Starting on the premises that it would be well at once to say that his chief object

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\* Sarbah.

† *The Crown Colonies of Great Britain*, 1886.

was to see every British Colony in a position to be able to determine its internal affairs for itself, by being endowed with that measure of liberty termed *local self-government*, without which British administration could never be worked anywhere to advantage, Mr. Salman proceeds:—

“ The Crown Colonies of the Empire are not now governed after any British model that ever existed in practice or in theory. On the contrary, the methods mostly employed must be admitted to be opposed to the instincts of Englishmen; they are more in harmony with those un-English forms of bureaucratic despotism—to be met with on the Continent, the results of which have been so fatal to mankind.

“ There is no doubt whatever that the people of Great Britain desire to see the inhabitants of each separate Crown Colony prosperous—not a party or a special interest, or a section only, but the whole body of the people of each community—believing that no country, however small, can be in a healthy condition unless all interests participate equally and on equal terms, according to their means and position, in the working of the whole for the common good.

“ The differences of race have been made much of by the opponents of free civil government in Crown Colonies and by the lovers of monopolies. But it is every day becoming more obvious that unless the non-British races—which comprise so large a part of the inhabitants of the British Empire—be given a share and interest in the general policy of the one household, the permanency of the fabric will be endangered.\*

“ The whole mistake was due to the notion that the trade of Great Britain with the Tropical Crown Colonies was entirely the effect and direct consequence of annexation, when in truth, the annexation was consequent on

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\* The learned author of *The Third British Empire* calls attention to the same fact and suggests that the postponement of the solution of the problem may end disastrously for the Empire.

the trade, and was made in order to ensure its stability and continuance.\*

“ In order to link these dependencies of the Crown permanently to Great Britain, there must be other, and even more enduring ties than the material advantages of commerce, for these might, and no doubt could be equally subserved by a change of masters. But if a people once felt they possessed moral and social rights and an independent status in the world, which could only be had and maintained by their connection with the Crown of Great Britain, they would make strenuous efforts to uphold and continue this connection, and the strength of the Empire would be materially augmented by willing hands in places which, under present conditions, would undoubtedly prove to be weak points under readily understood circumstances.

“ British officials at home are known to be the least bureaucratic of men. Under the influence of the very different position of official classes in the Crown Colonies all this is altered. People who would not tolerate any approach to it in their own country are adepts in the Crown Colonies in supporting administration and forms of government so intolerably bureaucratic that they are utterly demoralising to the inhabitants. Hence in these places the characteristics always noticed among a people less guided and supervised are only practically seen. On the other hand, the very scarcity of these nobler traits—although their presence at all under the circumstances must be difficult—is one of the chief reasons given for continuing these autocratic bureaucracies. A people are denied well-earned rights, the granting of which would be most beneficial to them and to the wealth and solidity of the Empire, because they do not show themselves to be rich in characteristics which require a freer air and medium to thrive in. The Administrative Authorities in command in Crown Colonies and the Colonial Office are

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\* Particularly true of British West Africa.



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too apt to say: 'Oh! these people are not advanced enough for this,\* nor are they disposed to accept it.'

"It appears to be beyond doubt that the people are as eager as they are fitted and competent to carry on their own local self-government. It may be difficult to get this view accepted by a school of able administration, because as Herbert Spencer says: 'It is strange how impervious to evidence the mind becomes when once prepossessed.'

"What is the kind of loyalty to be encouraged and sought for in a people not always of British race, but forming an integral part of the Imperial population? It should not be only, as it often now is, the suffrage of two or three sections of wealthy and powerful classes obtained by unduly promoting interests they are keenly alive to.

"There is nevertheless a serious danger even here when a people are ruled and governed by strangers in race, in language, in belief, in social habits, and in principles . . . . If the country be unsuitable to the ruling race as a home, there is danger of the people ruled being permanently relegated into that condition, so full of evil, of becoming a servile race administratively—there being no relation of life current between the head and the body." (Surely he must have been thinking of the West Coast, the proverbial White man's grave!)

"The law of progress—that a people, in order that they may work and thrive in the stern world of competition and of strife, must largely be self-reliant and their own masters—cannot be set aside with impunity.

"A community having any pretensions to industrial stability must have a body of local men, locally trained and competent to conduct the public business. This body cannot be called into existence in a Crown Colony more than anywhere else, by selecting youths from colleges.

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\* Such was the attitude of the Government towards the Movement known as the National Congress of British West Africa, organised by the people of British West Africa.

and by examinations, and then placing them in official appointments under arbitrary systems of administration. *To train for self-government will require the practice of self-government by the select of the community working for the general body.*" (Italics mine.)

'The inherent tendency of all human institutions to become corrupt' says the Duke of Argyle in a published letter quoted by Mr. Salmon, 'is a fact, not a dogma.' 'It points to publicity as one safeguard, and to division of power as another. Publicity prevents corruption from hiding in concealment, division of power hinders it from being easily triumphant.'

Mr. Salmon concludes his trenchant denunciation of the Crown Colony System by recommending that in all these colonies "they want an elected legislative body which shall deal with their taxes and public expenditure; which shall influence directly and, in a great measure, indirectly, their social and everyday life; which shall look after their material and moral progress and their household concerns."

Wise words and wise counsel for our White friends and our Chiefs!

Mr. Salmon wrote 28 years before the World War of 1914. During those trying and troublous times, the non-British races of the Empire stood squarely to their duty as members of the Imperial population. Promises and hopes were held out to them then by the British Government, in appreciation of their devotion, loyalty and service to our common household. It is ten years since the guns stopped booming and the nations became reconciled to each other, but still in West Africa we labour under those disabilities which Mr. Salmon so ably condemns with great force of logic.

## CHAPTER XII.

### MISTAKEN IDENTITY.

CONSCIOUSNESS of error is, to a certain extent, a consciousness of understanding; and correction of error is the plainest proof of energy and mastery.

LANDOR.

A great deal of misunderstanding has been produced by a recent Ordinance of the Government.\* The people see in it a serious danger to the stability of the Chief's position and the existence of their free institutions.

“ These institutions were not wafted into being as if by magic, nor received by succeeding generations as fully developed and perfect gifts from the hands of the originators; but are to-day the net results of the travail of the souls of many generations; that although the same democratic spirit has been prevailing every domain of them, it has been finding expression in various external wrappings suitable to its subsequently acquired experiences—wrappings which it has been throwing off time and again when no longer required—ever since the first coming into contact of the peoples of this country with Western Civilisation.” †

There appears to be some misunderstanding also about the real aims and objects of the Aborigines Society. It seems clear from our point of view that despite the critical attitude assumed by the Society towards the Government, which in itself is a healthy check on the activities of the Administration and should not be resented because it is

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\* Native Administration Ordinance, 1927.

† J. C. de Graft Johnson, in “The Significance of some Akan Titles,” *Gold Coast Review*, December, 1926.

a necessary condition to real progress, the two should co-operate for the common good of the country, seeing that if the Government is the head, the Society from its very composition, is the heart of the body politic, because it connotes all the members of the great family, Chiefs and people together.

Unhappily that this feeling of *esprit de Corps* and comradeship in the common cause of the country is conspicuously absent to-day, is the regrettable truth that has acted as the canker disturbing the peace and quiet of the course of events. That it was not always so is evident from the records of the past, but why did the feeling arise? When and in what manner was it engendered? As far as it is possible to diagnose the decease, for such it is, the cause would seem to be two-fold; but it will be found in the end that it is a case of mistaken identity, of one party suffering for another for the wrongs it never committed.

The Society was founded \* in 1897 and received the sanction and recognition of the Government both Home and Colonial. Friendly relations existed between the two bodies up to 1905. Governor Rodger had then assumed the reins of Government and was accorded a great reception when he visited Cape Coast about that time for the first agricultural show. Shortly after, the Government proposed to extend the operation of the Town Councils' Ordinance to the town of Cape Coast. The inhabitants protested against it oblivious of the fact that the Ordinance was already on the Statute Book and that the extension of its application to the towns was only a matter of time. It is not necessary to enter into the details and technicalities of the grounds for protest. Governor Rodger in an evil moment—for it was in the height of great agitation—visited the town, probably under the impression that his presence might allay suspicions and conduce to good feeling. Most unhappily, passion got the

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\* That is in its present form.

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mastery of the women populace who viewed the whole proceeding with undisguised and unrestrained resentment. Feeling that his presence instead of calming, had more boisterously stirred up the waters of excitement, and fearing that this resentment might break out into open rebellion, the Governor and his consort who had accompanied him, arranged to leave the town by the next steamboat for Accra. But the women had got wind of his movements and not wishing to be evaded in their demands for redress by this manoeuvre on the part of his Excellency, they gathered in full force at the landing place, clothed in sackcloth and ashes. The Governor and suite arrived. While on the point of embarkation,\* there occurred that unfortunate and inexcusable incident which has since proved to be a thorn in the side of the ancient town. The attitude of the women became menacing; they threatened, they shouted, they rushed towards the boat. Lady Rodger became frightened, thinking perhaps that the spirit of barbarism and cannibalism (?) had re-asserted itself, had repossessed them even as it was supposed to have done the women of Aztec in the last days of Montezuma's glory; she took fever. The boat sailed away and the people dispersed, but an indelible impression had been left both on Sir John and Lady Rodger. The Governor never forgave the town for never again did he walk its streets till he left the shores of the Gold Coast in 1910,† nor did his successor or deputy until the year 1913.

This incident occurred in 1906. Not quite a year after, that is, on April 9th, 1907, the National Assembly of the Aborigines Society met and adopted its Constitution, subscribed to by 37 Chiefs. But the Governor would have no more to do with Cape Coast, and so by the merest

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\* That is by the surf boat.

† The people "prayed" for Sir John as they had done for Sir William Maxwell and he too died at sea on his last voyage home in 1910.

accident of the headquarters of the Society being at Cape Coast, the organisation fell into disfavour with the Governor and his successors unto this day. That is the psychological reason.

The people of Cape Coast have regretted and repented themselves of this error long since, for it was a case of flesh mastering the spirit. But somehow the power to reconcile with the Government seems to have lost its efficacy. In the year 1913 the new Governor, Sir Hugh Clifford, visited the town and was received with a right loyal welcome\* by all sections of the community. The atmosphere was electrified with excitement. A new spirit seemed to pervade the air, and in their eagerness and sincere desire to reconcile with the Government and forget the past, the Aborigines' Society, on behalf of the country, entertained his Excellency and his charming Consort at a sumptuous banquet. But after events proved that the atmosphere created was transient, for it was in the course of Sir Hugh's administration that the gap between the Society and the Government tended to widen more and more.

It was one of the ambitions of our deeply lamented countryman, Dr. Aggrey, to bridge over this yawning gap and bring together the parted groups. It would seem as though Government having felt offended in that matter now desires reconciliation only on its own terms. Cape Coast on the other hand, while grieving for that sad occurrence, thinks there was just cause for complaint. Surely there ought to be a way of *rapprochement*,† of sinking the differences and working together for the common weal. It is at any time and in any place difficult to rear up a civilisation with some of the natural

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\* The writer was Assistant Conductor of the huge massed choir specially formed to receive his Excellency and Lady Clifford.

† It must be conceded that the Government has made some attempts to get into the confidence of the people, but the latter are perplexed in that they do not know to what extent exactly they can rely on the Administration.

and indigenous elements left out; it would be particularly difficult and most dangerous for future stability to leave out of that structure on the Gold Coast such elements as are produced by the Fantees. The women erred as most women do when roused to indignation and passion, but let their past plead for forgiveness. Let Lord Lauderdale plead for them in that noble and eloquent tribute he paid to them in Parliament, touching their part in the wars of the seventies.—

“ The Fantee women had come forward and supported the British forces in such a way, as that, but for them, it would have been difficult to reach Coomassie.” \*

Can one say more?

But there is a second reason which perhaps strikes more truly at the root. There is widespread dissatisfaction prevailing amongst our white community on the Gold Coast with everything and anything Cape Coast. Such a feeling exists because our white friends believe that Cape Coast is against British rule. This is entirely a wrong conception of the mind of the Fantees. British rule was welcomed and heartily accepted by the people to the extent that when the transfers to the Dutch were effected in the sixties, a section of the Fantees who happened to live in a part of the transferred territory, rebelled and expressed their unwillingness to be alienated from British rule; and in this they were warmly seconded by the whole Fanti people.

Nor is it accurate and justifiable to assert that the town is a hotbed of revolutionary politics. If Cape Coast indulges in too much carping criticism of official actions, as someone has been pleased to phrase it, it is not because its people are against the Government, but because they realise that the administration is “ foreign,” and that it

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\* Hansard, March 25th, 1874.

is necessary to watch over and guard their interests, in as much as various attempts have been made at different times by our White friends to overwhelm the awakening consciousness of racial pride. If they, and for that matter, all the people in the country and in British West Africa were given the assurance that the existing established authority was not "foreign" in its intentions, that it existed to care for, and help the Aborigines to reach out unto a higher level of usefulness so as to take their proper place and position in our common household of this great Commonwealth, there would be no need for the continued activities in their present forms of such organisations as the National Congress of British West Africa and the Aborigines Society.\* The Government and the governed would under such conditions be united in promoting the welfare of the country thereby furthering and advancing the economic development of the Empire and serving the general cause of humanity. It is, unhappily, true to say that the records of the past do not adequately support the view that such has been the aim of Government.† The authorities appear to have spent themselves in believing the alluring, but none the less, delusive phantasm of an England in West Africa; they seem to have worked consistently on English methods, both in church, government, and education, almost unmindful of the fact that it was the declared pleasure of Her Majesty's Government to train the Natives to set up a form of self-government for themselves.

It was in 1883 that the truth burst upon them of the false standards they had been setting up, of the uncharitable and selfish attitude they had been adopting. They proceeded to repair the error and to make up for lost

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\* Or the Nigerian Democratic Party.

† "We alone regard a man who takes no interest in public affairs, not as a harmless, but as a useless character; and if few of us are originators, we are all sound judges of a policy."—Jowett's translation of *Thucydides*.



time by the passage of an Ordinance \* which from its very provisions † broke faith with the people in the acknowledged relationship existing between England and the Gold Coast. But this enactment did more than just that; it conferred privileges on the Chiefs *as a class* as against the people who had both the right and power of electing the Chief. In effect it set up a Bismarckian regime which has been practically consolidated by a recent legislation.‡ The manner of approaching the problem has been English in character and spirit without consulting or taking into sympathetic consideration, any views of the people touching such reforms in their Polity. Count Tolstoy rightly condemns this attitude of unchristian self-assertiveness. Says he:—

\* Native Jurisdiction Ordinance, 1883.

† Section 29 gave power to the Government to suspend and dismiss Chiefs on "sufficient cause," while it was these very Chiefs who gave jurisdiction to the British.

‡ Native Administration Ordinance, 1927. A grave defect in this legislation is Section 26 where the Court (that is the Supreme Court or any branch thereof) is ordered not to entertain causes and matters relating to election, etc., of a Chief. This borders closely on a breach of the subject's liberty. In effect the section asserts that where the Legislature has granted jurisdiction to any Tribunal, it is not for the Court to consider the validity or otherwise of such legislation. "If the plaintiff has a right, he must of necessity have a means to vindicate and maintain it, and a remedy if he is injured in the exercise or enjoyment of it; and indeed it is a vain thing to imagine a right without remedy, for want of right and want of remedy are reciprocal." In the Native System, the people have the right to consider all questions of election and destoolment and therefore if they happen to be at variance with any Chief, they ought to have a right to a remedy in the Courts of the Colony which should be placed in a position to deal with it. The Privy Council has held that the Courts of a Dominion or Colony, like the Courts of the United States have a right to decide the validity or otherwise of any legislation passed by the local legislature. Since it may be assumed that the intention of Government is to avoid costly and prolonged litigation, the section should be amended so as to read that the Court should not entertain such causes and matters in the *first instance*, but exercise appellate jurisdiction by reference from the Court of Arbitration where it is desirable to have the highest judicial opinion on any legal and technical points raised in the course of the inquiry.

“ What on earth have we to do with legal guarantees and Western institutions?—Your mistake is always assuming that Western institutions are a stereotyped model upon which all forms should be based. It is this delusion that is at the bottom of half the wars and predatory aggression carried on by Europeans against men of other races. If reforms are wanted in Russia ” (the same is true of Africa), “ it is not either Western or Eastern reforms, but *measures suited for the people, and not other peoples*. The assumption that reforms, so-called, must be constructed upon Western methods, is a pure product of Western exclusiveness and is opposed both to Christianity and “ to common sense.” (Italics mine.)\*

There is no question about it, however, that a great deal of criticism emanates from Cape Coast, directed against all Government measures; much of it is idle and unnecessary. More can be achieved by a courteous approach to the authorities in all such actions. It is true, as Attoh Ahuma pointed out in the stirring days of 1897 † that the Government has not dealt fairly by us in regard to its past pledges, but it is surely futile to imagine that at this late hour such injustice and unfairness will receive correction and amendment. The best we can wish for is to keep on explaining lest similar acts be perpetrated in the future. The present is a time to give and take; in the words of Dr. Aggrey, ‡ it is a good policy to take what you get and get what you want. We cannot assume the air of offended dignity, for we must compromise in order to arrive at a practicable mean. This does not imply that we should drift into the doubtful practice of opportunism. But Lord Morley has a word

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\* *Review of Reviews*, May 5th, 1901.

† *Colony or Protectorate, Which?*

‡ The failure of the Aborigines' Society to adopt his suggestion for a round table conference with the Government in the matter of the New Constitution is much to be deplored.

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on this which should be read, learnt, and inwardly digested:—

“ A wise suspense in forming opinions, a wise reserve in expressing them, and a wise tardiness in trying to realise them.”

Such is the view of Dr. Butler, who expresses his conviction that—

“ the good citizen is not the querulous critic of public men and public affairs, however intelligent he may be; he is rather the constant participator in political struggles, who has well-grounded convictions, and a strong determination to influence, by all honourable means the opinion of the community.”

But perhaps a more direct reason for the breach between the Government and the Aborigines Society is to be found in the fact that Cape Coast is recognised to be the intellectual centre of the country. It has produced in the past and is still producing, men of high mental calibre with wide sweeping influence and outstanding personalities, at all times ready to grapple with the most intricate problems of politics and administration; men—and women too—with their courage in their hands, with forensic ability and great business acumen, who while willing to combine with the Government to work together, are nevertheless fully conscious of their duty to Fantiland, their country, and their race, and are not prepared to tolerate or participate in, any plan, policy or programme whatsoever, that does not appeal to them as giving sufficient allowance to, and laying proper emphasis on, the African's obligations to his own motherland.\* Yet should it not be rather a matter for congratulation that some such men do exist in the community; that even in such an area like West Africa, such eminent leaders are

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\* What these obligations are often appear differently to the European and the African.

products of the soil, a most prized possession of any civilised peoples? Incidentally it must be mentioned that the African considers his Chief the *first leader* of the people. Le Bon has truly remarked that it is to this small phalanx of eminent men that the advances of civilisation are due. Because in an age of popular conservatism, he proposed Home Rule for Ireland in the teeth of opposition, and strongly differed from Lord Palmerston on the Greek question of 1850, was England then the poorer for the existence of Gladstone?

To you, members of the rising generation of Britain, we appeal on behalf of young Africa! You have it in your power—and the opportunity is golden—to make friends with Africa, to heal up her broken sores, to pour oil into her gaping wounds; to lend a hand to raise her up upon the pinnacle of one common humanity and the highest eminence of service for mankind! It can be done; Africa possesses the intellect, the character and the morale; her past was wonderful, it overshadowed all other civilisations and cultures; the future is bright with the richness of a good harvest. The night clouds are fleeing from her sky after their long night watch; the silver streaks of dawn are breaking out at last in the distant east, and soon the morning of Africa's new glory will be with us, the sun of her modern righteousness and culture will give light to all the world! Will you stretch out the hand of comradeship and true friendship? The time is ripe, the need urgent, Africa stands bleeding to death from wounds inflicted by your grandsires; have you no gratitude for those who have toiled through long darkness in the lowly 'caverns' of the earth to minister to your wants and needs under the compelling sting of the lash? \* A sublime and solemn duty, it is yours to fulfil. Be prepared for the task, rouse yourselves up, and God grant England fails not in the hour of supreme test!

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\* The Industrial progress of England owes much to the labour of Africans in the cotton fields of America.

## CHAPTER XIII.

### A RETROSPECT.

The conduct of a wise politician is ever suited to the present posture of affairs. Often by foregoing a part he saves the whole, and by yielding in a small matter secures a greater.

PLUTARCH.

It seems necessary to review the institution of Native Administration in order to arrive at a right estimate of the importance to be attached to the question of reconstruction.

*First.* According to the Customary Law, the Omanhin (Chief) represents the unity of the tribe, and the Oman Council, the authority of the community. The Chief is *primus inter pares* and exercises jurisdiction strictly in accordance with the wishes of the Council. He is therefore the head of his tribe and the chosen representative of its identity, "the successful leader of its enterprises, the guardian of its peace, the president of its assemblies; created by it, and, although empowered with a higher sanction in crowning and anointing" (that is installation and enstoolment), "answerable to his people. He is the national representative; he leads the army of the nation; he is supreme judge; in each capacity his power is limited by a council of free advisers; and he is bound by oaths to his people, to govern well, to maintain religion, peace, and justice, they being bound to him in turn by a general oath of fidelity." \*

*Second.* The Oman Council is composed of the Chieftains of the State as *ex-officio* members and any others who might be selected by the people "on account of personal character and intelligence; every councillor

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\* Stubb's Select Charters.

is not a stoolholder, nor is every stoolholder a councillor. Councillors who have not attained that position by right of inheritance are practically, and in truth, the direct representatives of the people, and voice public opinion."\*

*Third.* The Chief is inseparable from the Oman Council or the people, for he exercises no lawful jurisdiction without its concurrence. In matters of legislation he has no direct voice† although he sits as president of the Council; it is the province of the councillors to bring forward or initiate any rules or laws, and his right as head of the Executive to ensure the performance of any duties imposed by such legislation.

*Fourth.* The British Government never conferred jurisdiction on the Chief, nor did it create any new officers. What legislations‡ have been promulgated hitherto§ have been with the intent to regulate the exercise of such inherent jurisdiction.¶ This is tacitly admitted by the recognition paid by Government to Native Customary Laws, Customs, and Institutions, not repugnant to natural justice. The Order in Council of April 4th, 1856, declared in clause 3 *inter-alia* that—

“ On the determination of any matter or question which may concern or arise out of any dealing with the Natives of the said Protected Territories, *equitable regard* shall be paid to the Local Customs of the said Territories, so far as the same shall not be *repugnant to Christianity or to Natural Justice* ” ||

The office of Judicial Assessor owed its origin to this, and the Supreme Court Ordinance of 1876 did no more than give validity to the British informal courts

\* Sarbah.

† This does not preclude his tendering suggestions for the consideration of the Council.

‡ Native Jurisdiction Ordinances, 1883 and 1910.

§ Up to 1926.

¶ Preambles to Ordinances cited, *supra*.

|| Hayes Redwar's *Comments on Gold Coast Ordinances*.

that had been existing in the vicinity of the forts. 'The earlier informal courts' says Sir Brandforth Griffith, late Chief Justice of the Colony, "were gradually transformed into the present Supreme Court."\*

*Fifth.* The British Government assumed sovereignty and usurped the powers and jurisdiction of the Chiefs *as representatives and not as individuals or a class*. The Chiefs do not in the Native Polity form a class as such by themselves nor do they as individuals exercise jurisdiction beyond the limits of their family; as Heads of the aboriginal institutions, they represent the authority of the Oman Council. The usurpation therefore was NOT of the rights of the Chiefs *as such*, but of the authority vested in them,† namely the Oman Council. Any reversion of such authority therefore should be made to the original sovereign body, not to any particular person or persons who may be the titular representatives of that body.

*Sixth.* The Gold Coast has a peculiar connection with the British Crown; its position in the Empire is unique. Sufficient recognition is not paid to this fundamental and material difference. It is difficult to place it under any of the well-known categories of Colonies. It was neither settled, ceded, conquered, nor purchased.‡ This refers

\* Introduction to Gold Coast Ordinances.

† If it were otherwise, the whole fabric of the Government would crumble down as being based on a fallacy. The Chief in the Native institution had the right to approve of any legislation agreed upon by the Councillors. This right was still reserved to him although the authority of the Oman Council in matters of legislation had been usurped by the Government. The Chief therefore had still this reserved power ready to be applied where Government legislated contrary to the wishes of the people. He as representing the people could use this right to appeal against the legislation whereas if the Chief assisted in the legislation, he forfeited his right of appeal against it in the interests of the people. It was on this basis that the Chiefs successfully appealed against the Ordinances of 1895, 1897 and 1911.

‡ The purchase of the Danish possessions (for £10,000) effected by the transfers of 1850 was limited to the forts and castles erected by them in the eastern part of the Colony.

more particularly to the Colony proper, and for that matter the Northern Territories is in the same category except that its administration has been rightly classified as that of a Protectorate. Ashanti has been generally considered a conquered country,\* but its true position is somewhat doubtful. Mr. Richard, Member for Merthyr, in the course of the debate in Parliament on the Ashanti War of 1874, expressed the view that—

“ his conclusion was that it was not a just and necessary war, that it might have been avoided and that it arose from a contemptuous disregard of notorious and acknowledged rights on the part of our adversary. The only answer he had heard given to that question was that it was necessary to strike the terror of the British name into the Ashantees and the people of the countries around.†

In the Governor's Despatch‡ to the Marquess of Ripon Secretary of State in 1894, occurs a significant passage, illuminating as well as instructive. The passage is in paragraph 8.

“ It is very difficult to forecast what Ashantis may possibly do, because with them the unexpected is constantly arising. I will only add here that if this Government is to be relieved of constant trouble, annoyance, anxiety, expense, and injury to its commercial interests, it appears to me that the time has come when a most decided policy should be pursued with Ashanti. Expressing my honest belief to your Lordship, I think that the proper course which should be pursued now is to acquire thorough and unmistakable control over Ashanti in such a manner as will put a stop, once for all, to the inconvenience, trouble, and expense which that country has been a source of to this Colony from time immemorial.”

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\* That is by the War of 1874 and the Expedition of 1896-7.

† Hansard, May 4th, 1874.

‡ No. 2 of December, 1894. Parliamentary Papers C.7918 (1896).



This candid expression of opinion throws a world of light on the subsequent proceedings which ultimately led to the overthrow of the Ashanti Dynasty, the deportation of its King, Nana Prempeh, since repatriated after some thirty years of exile in foreign clime and soil, and the complete establishment of British authority in that ancient and historic country. Yet according to the records, Ashanti at one time, prior to the expedition of 1896/7, offered to come under British sway, and the offer was repudiated by the Government of the Gold Coast. It is a moot point whether, under such circumstances, the Council of the League of Nations would not *jure gentium* consider that there was no justifiable cause for the violation of the national integrity and honour of Ashanti, and the forfeiture of her independence.

However that may be, Ashanti is well satisfied with her position as a member of this great Empire and we are assured that if her total and independent existence were offered her as a condition of the re-establishment of her ancient kingdom, rights, and privileges, she would choose to remain a Dependency of the Commonwealth; for every son and daughter of the whole territory is well and rightly persuaded that our destiny is linked with Great Britain, and that under her tutelage, we shall succeed in achieving the best in every phase of life. Our quarrels and bickerings are domestic affairs, and if sometimes we, junior members of the large household, complain of your taking the lion's share, it is perfectly natural. When we are done, we will shake hands and joggle along as best we can; on the larger issues we are agreed, and no one can shake the African's firm belief in the virtues that have made England, the model state for the world.\*

Reference has been made to Ashanti because in the

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\* During the Great War some of our white friends became apprehensive that the people might rebel against British authority owing to the unfairness of their attitude towards the Natives, intensified by the Forestry Bill of 1911. Such fears however do great injustice to the loyalty and devotion of Africans.

scheme of reconstruction, she would constitute an integral part of the Native Self-Government, which it is the expressed ambition of Britain to rear up on the Gold Coast and in West Africa. The world to-day is being welded into one political and economic system. Ashanti and the Colony are peopled by Africans who have certain strong affinities with each other. There is unity\* of race, language, religion, customs and laws as well as common ancestry. In addition there is the absence of any negative condition, the absence of effective cleavage. There is no barrier of any kind, except the artificial and superficial barrier of government policies, to hinder the two from coalescing for the greater progress of the country.

*Seventh.* The problem of Native Administration is subtle and complex. The Government realises that the authority of the natural rulers is rapidly waning,† that tribal and family affinities are being loosened by the contact with the West. The point seems to be overlooked, however, that any attempts to arrest the advance of this disintegration should be on the line of reinforcing Native Authority as such, which has been abundantly shown to be represented by the Oman Council, not the Chief. That is the natural and rational course to pursue since it is scientific in view of the fact that the biological basis of the tribal organisation rests upon the foundation of the family as a unit. The extension of the administrative and juridical powers of the Chief,‡ therefore, would be

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\* That is in essentials and fundamentals.

† Strictly speaking this has been due to the attitude of the Government itself towards these rulers, but the new attitude heralded by the Native Administration Ordinance will in a large measure help to re-instate the influence of the Chief. The Government cannot complain for what has happened as the result of its own actions in the past. It could not imprison Chiefs and otherwise degrade them for no other reason than that it suited the policy of the officer for the time being and *Not for any offence whatsoever*, and then expect their authority over their people to remain unaffected. Sir Benjamin Pine referred to this wrongful attitude in his evidence before the Select Committee.

‡ Native Administration Ordinance, 1927.

in strict conformity with the policy herein advocated, while the conferment of any legislative powers on him would directly abrogate the principle of the social structure; it would render him not amenable to the law nor responsible to the people as required by custom. In the most advanced nations to-day, the principle of the Head of the State being a constitutional figurehead is a generally accepted theory, and the maintenance of the Native Law accordingly in this regard would be in consonance with modern thought of the Kingship.

Mr. Salmon,\* an ex-administrator of the Gold Coast—the very same who made history in the days of the Confederation—has some wise counsel to offer which shows that he must have profited by his strange experiences of that period. Says he:—

“ In fact the country must be ruled and governed by a native element, and Great Britain can easily assist and guide it by laws and regulations—the fruit of ages and experience—engrafted on to and merged with such existing native systems and methods *the people may desire to keep and to follow*. . . . It is difficult at any time to rule a country against the wish of its inhabitants, but the West African system has been as much as possible to rule the country as if there were no inhabitants.” (Italics mine.)

*Eighth.* It is an accepted fact amongst all serious thinking Africans that the Native Jurisdiction Ordinances of 1883 and 1910 have proved a stumbling block to national progress.† They have served to disturb the peaceful and friendly relations subsisting between the Chief and his people, and much doubt has been expressed as to the real object and motive of Sarbah's participation in their passage. Reference has been made to the question of his attitude to section 29. On the ordinance

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\* *The Crown Colonies of Great Britain.*

† See Appendix I.

as a whole, he did not think it worth while to lodge a protest for a repeal of the enactment of 1883. The reason for the position he assumed is hinted at in his speech in the course of the debate in 1910:—

“ That this Council should consider seriously the question of utilising, for the welfare of the country, the services of Natives, who by their experience and good standing, have gained the confidence of their countrymen.”

In this connection reference may be made also to his suggestion to Government for the establishment of a School of Interpreters. This recommendation, it would appear, has lately been put forward again by Nana Ofori Atta, K.B.E. In attempting to do synthetic construction of the entire fabric of Sarbah's conception of the *modus operandi* of the Ordinance, attention must be drawn to his illuminating preface to Judge Redwar's "Comments on Gold Coast Ordinances," and the preface to the "Fanti Customary Laws."

" A Native Chief may not connote a Native Court," says Sarbah, " but Native Chiefs and all that there is among Natives is closely bound up with the Native Courts." For any improvements to be real and lasting in the Native institutions, adequate consideration must necessarily be allowed for the proper evolution of the tribunals. On that depends the evaluation of the African character as a potent factor in the destiny of the race.

Sarbah was conscious of the fact that extra-territorial jurisdiction was exercised by Britain in divers foreign countries whose legal guarantees and safeguards were not such as could be accepted by the British Government in the protection of their subjects within the domains of those countries. He was also aware of the fact that the English common law had its salient features directly due to the historical environment in which it was moulded. He had thought it right and proper to remind the educated African of his duty to the *Begwa* (Oman Council), in

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which " public men receive a training useful and essential for the proper discharge of the juryman's duties "; and had expressed the earnest hope that the educated African would realise the value of the Council as containing many possibilities of great usefulness. It is not difficult to follow the trend of Sarbah's thought. He realised that for the country to be accepted into the comity of nations and to contribute to human progress and happiness, the first essential was to dig deep and straight the foundations of national character in the historical environment of the law of the people, the influence of which would gradually evolve a mind more and more permeated by the spirit of legality. This development of the law of the country was to be guided by the spirit, not necessarily the substance which depended so much on local conditions, of English law. Further, that the historical environment in the Gold Coast—and generally in West Africa—was largely humanistic and communistic—not in the European sense—and withal imbued with the spirit of true Christianity. In process of time African legal institutions would be purged of all hackneyed features; they would catch the fire of modern development but would retain the invaluable essence and spirit of the human sympathy and love of the people.\* Europe would have been worn out by its lack of community-feeling; its legal traditions safeguarding individualism would have crumbled down because the spirit of it had palled on the Western world; and the West, tired and weary with fruitless experiments with makeshifts, balms, and salves, would turn to collectivism, then to Eastern communism, and lastly to one common fraternity of men. And Africa would be ready and willing to point the way to the Gospel of Christ and the establishment of the kingdom of love. The world as one international unit! think of it. No more wars between the nations;

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\* The system is largely equitable in principle.

no more varying standards of right and wrong; no more economic distress among the peoples of the world; no more preferential duties and tariff—all in one great unity and federation, the League of Races! President Wilson was inspired when he dreamt of a League of Nations, but the vision of the League of Races is waiting for its prophet! And the African too stands under the shadow of that mighty revelation, praying and waiting for the blessed time!

This appears to have been Sarbah's conception of the African Ideal Government. But he died; in the height of his powers and work he was struck down and with his death ended the dreaming and the visioning and the working towards its practical realisation.

*Ninth.* What was required of, but was not perceived by, the Government in 1883, was a reconstruction and a re-organisation of the Native System of Justice, based upon the excellent methods of Governor Maclean, whose period of rule is perhaps the one relieving feature of the gloomy picture of the years during which the Merchants administered the affairs of the country. To continue to prolong the life of the tribunals in their ancient form would be a false step, as Chief Justice Sir Brandforth Griffith is reported to have stated when he dissented from the passage of the 1910 Ordinance. To do so would be retrogressive for time would bring about their dissolution and decay as the inevitable result of mere inanition. With their evanishment the hopes of the past and the present in an African State Government would be blighted and lost. Such a loss would materially affect the progress of mankind since it would involve the extinction of the principles of brotherly love and friendship inseparable from the African system. But it is not beyond the ability of true statesmanship to suggest ways for reforms so that these tribunals may eventually be resorted to by Natives and foreigners alike, white and black. As a matter of fact the true aim of Government should be to remodel

these courts in such a way and on such lines as would make them approximate the standards of the British courts, which they should supplant and replace after the proper height of development had been attained. By that time it is most probable much advance would have been made towards political emancipation, and on the West Coast there would exist a self-contained and co-extensive Dominion of the Empire, taking its due and rightful place in the great Commonwealth. Sir William Geary, lately one of H.M. Judges on the Coast, speaks truly when he says:—

“ The best hope of England is that when the hour comes—and the African is No Fool—the African will remember that England in his childhood taught him those good things, and join in on equal terms as the free citizen of a free Empire.”\*

*Tenth.* A recent enactment of the legislature† has evoked much caustic and pessimistic comment on the attitude of Government towards the evolution of an African State Government. It has been pointed out that the extension of the administrative and juridical authority of the Chief, which is virtually a derogation from the sovereignty of the Government, is progress along right lines, an instalment of the further concessions of political power likely to be granted with the growth of years. The procedure‡ adopted in the passage of the legislation however seems to have run against the subtle psychology of the African. Unless this error is amended in succeeding legislations of like nature, there is great danger of a clash of interests arising as between the Chiefs *as such* and the people. Modern Europe furnishes many examples of this catastrophe; in the story of the Kaiser, Nicholas of

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\* “Morning Leader,” 1906, from Sarbah, F.C.L.

† Native Administration Ordinance, 1927.

‡ That is its being promoted at the instance of a number of Chiefs thereby conferring on them legislative rights as well. See note (\*) under Section 5.

Russia, and Louis XVI. of France; and of Charles I. and James II. of England, there is much material for reflection. Herein lies the possibility in the last analysis of the abolition of the office of Chief.\* This subtle psychology of the African's mind is elusive and evasive. The illiterate unsophisticated Native sits under the shade of his palmtree, perhaps with a pipe in hand and a pot of palm wine for consolation and companionship after the day's hard toil in the burning heat. He muses and reflects perhaps upon an action of the Chief! What does the Nana mean by his conduct? Why should anyone interfere in our traditional usages and customs? A train of thought is started. All of a sudden he lays down the pipe and quaffs a drink. "There must be something in this," he says, and so a revolution in feeling begins, a feeling indicating lack of confidence in the Chief.

It is a wonder our white friends in spite of our many years of contact, do not seem to appreciate the subconscious rumination of the African. "Poor, deluded, ignorant bushman" they call him, but those who contemptuously deride and mock his simplicity and candour do but betray lack of insight into human nature, lack of substantial knowledge of the philosophy of life. All life is not made up of the changing phases of a scheduled routine of conduct and behaviour; it is not a moving panorama of a series of scenes and episodes in one grand uniform tale. "For all her 'uniformity' Nature never repeats herself, and it seems that somewhere at her core there must be an exuberant well-spring of novelty that irrigates the dull expanses of routine." These men would seem to inhibit Nature from displaying variegated colours in human psychology! And thereon hangs a tale, full of pathos and bitterness, the tale of Africa's supposed degradation in the eyes of the West!

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\* The evil is a two-edged sword and might also result in the overthrow of Government.



## CHAPTER XIV.

### RECONSTRUCTION—A.

#### RATIONALISATION IN METHODS.

REAL political issues cannot be manufactured by the leaders of political parties, and real ones cannot be evaded by political parties. The real political issues of the day declare themselves, and come out of the depths of that deep which we call public opinion.

GARFIELD.

PROGRESS is the keynote of the Gold Coast Administration, and Governor Guggisberg will live in the annals of Gold Coast history as the pioneer of the economic revolution in the country. Incidentally he will be venerated by posterity as one of the founders of the future African State Government, the one that built its foundations on the impregnable rocks of economic stability. It is much to be regretted that his last days on the Gold Coast were clouded by the illfeeling which he inadvertently created by his support of the procedure\* followed in the passage of the Native Administration Ordinance. But he was a man of action and had not the leisure to plunge into philosophic excursions into the bewildering maze and intricacies of law. The future will judge him gently for against that must be placed the far-reaching policy he enunciated. He was most anxious to promote any measures that would conduce to the permanency and con-

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\* The proper procedure was for the Attorney-General to introduce the bill in the usual way. That would have avoided the clash between the people and certain of the Chiefs, since in that way the Chiefs would not have been privy to its passage and could therefore appeal on behalf of the people for any amendments in the legislation. As it was, it placed the Chiefs in a difficult position since the enactment was largely to extend their jurisdiction, a great desideratum for National progress. It was a case of making the accuser the judge in his own cause.

ervation of African institutions. This particular task however needed inspiration and faith in the abiding and elemental good principles of African Customs.\* Says Sir Smalman Smith, a judge of the High Court in 1887, "the Native laws and customs are always founded on very good and intelligible reasons, which are perfectly rational and consistent." Governor Guggisberg† was an administrator, not a jurist, and hoped to solve the problem administratively. But inner order is the condition of outer order and the solution of the problem administratively does not get at the core of the matter.

It is the declared policy of His Majesty's Government to train the Natives to set up a form of Self-Government. Law and all that it denotes, is the measure of a nation's greatness. The two ideals are really concurrent for a government must be maintained by law, and no state whose laws and their administration are unjust, partial, or antiquated can be elevated to the dignity of nationhood. Law with order therefore is the condition of good government and will now be discussed in relation to the African peoples of the Gold Coast.

But there are two processes incidental to Law and Order; not of it, but in it; they are the appendages and paraphernalia of good society. These are Education and Wealth. With Law, they compose the apexes of the triangle of dynamic forces directing human destiny.

There is small room here for elaborate expositions on Education and Wealth.‡ For present purposes it is intended to indicate in what degree exactly true systems of education and of the production and distribution of

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\* Sir Gordon appears to have considered this from the English standpoint only.

† To the credit of Sir Gordon stand many important landmarks. The building of tarretted roads and railways and the construction of the deep sea harbour at Takoradi; the erection of the African Hospital and Infant Clinic at Accra and the establishment of that great educational experiment at Achimota, the Prince of Wales College.

‡ The two subjects will be dealt with in separate volumes.

wealth fall into the triangular scheme to make for *real* progress.

Education includes its handmaid Religion which should thus be relegated to its true position of assisting, and not replacing, education proper. The study of the Vernacular is a *sine qua non*, so also the thorough study of English. Principal Fraser of Achimota is to be warmly congratulated for insisting upon the scientific study of the Native languages;\* a definite advance towards the creation of a common medium of speech has been made by the application of a uniform script at the suggestion of Government and every attempt in the future should be directed to laying emphasis on the most virile of these dialects, Twi-Fanti, with a view thereby to popularise its systematic study in *all* schools and gradually to evolve a *lingua franca* and literature.† African in character and spirit. The suggestion of Nana Ofori Atta that instruction in African civics‡ should be correlated with the study of local history deserves attention. In Governor Guggisberg's excellent manual, "*The Keystone*," is told the story of the new era in educational methods introduced into the country. There is perhaps

\* Fante has recently been accepted as one of the subjects for the matriculation examination of London University.

† The other dialects would remain as provincialisms in the same way that English is the common language of Great Britain while crouching behind it are the provincial dialects in addition to Welsh, Scotch and Gaelic. A certain amount of sacrifice has to be made of tribal pride in order to arrive at this very desirable goal.

‡ In this connection special attention should be paid to the study of African music, particularly the art of drumming. The drum is a medium of speech; it is to the people what the bagpipe is to the Highlander. In times of peace, it provides music for dances and teaches the young the traditional history of his military unit. It assembles the people much more quickly than the tolling of a bell for its sounds travel over hill and dale for miles; in short it is the radio of the African. In less settled times, it becomes a living power; it fires up the military ardour of the people and to its sounds the Asarfu (soldiers) march inspired by the martial music that tells them of the past and bids them follow up the traditions of their forefathers.

one point that Sir Gordon does not make quite clear, but this may be due to the ambiguity of the expression used. He recommends that students should be so taught as to be able to *think in English*. This must be interpreted to mean a bilateral development of African psychology. It should not be inferred that the new conception is to be attained by a sacrifice of the original and more natural orientation. In religion, much has to be done if the work of Christian Missionaries is to have permanent results. The sweeping away of the indigenous systems of worship by the earlier missionaries without their first understanding the spiritual essence and significance of those systems has led to a chaotic and muddled confusion in religious ideas. This has arisen from the fact that the foundations of the original worship were as much Christian in concept as the tenets of *true* Christianity. A distinction must be made in these days between what is Christianity and what is alleged to be Christianity, for dogmas, rites, and ceremonies do not affect the basic principle of the religion of international brotherhood first revealed by Christ. Above all things the evidence of true Christianity must be borne by actual life, and our white friends who preach to us in Africa of the love of God for man must be prepared to reconcile their teaching with their treatment of coloured peoples. Unless this is done, the future of European Christianity in West Africa at any rate is doomed. This failure will not seriously hamper development, for lurking in the background, almost obscured by many embellishments and adornments of modernism, is the African's innate religiousness; this is to prove the *via media* for attaining unto that state of spirituality to which the gospel of humanity calls. Character is of the heart, not of the mind.\*

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\* "Good citizenship is not so much a matter of information as of disposition, not so much of the head as of the heart; not so much dependent upon knowledge as upon sentiment. Those who wish to do right have little difficulty in finding out the right."—President Calvin Coolidge.

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The aim of education in this connection therefore should be to produce an African deeply entrenched in his own philosophy, susceptible to Western influences and culture which he should be able to adapt and assimilate.

Governor Rodger in his address at the Estimates Session of the Legislative Council in 1905, said:—

“ The civilisation of West Africa should proceed on lines suited to the environment, which are not necessarily identical with those most suitable in Europe. Natives should retain and improve on all that is good in the traditions and customs they have inherited from their ancestors, as well as adopt what is good—and only what is good—of that which they learn from contact with Europeans. Improvement, not mere imitation, whether in words, manners and customs, or in dress and artistic industries, are the true keynote for racial civilisation throughout the world.”

That wealth is a potent factor in the development of nations is now a truism. It is acknowledged generally that twentieth century law and politics are enmeshed in the entrails of economics and that the future of the world depends largely upon the economic adjustment between the nations.

The Akan man\* has a rare talent for compressing a mass of profound knowledge into an apothegm, and his proverbs and witticisms are rich with many apposite remarks and observations that show the depth of his insight into human nature. “ *Wodsi ayeridsi wodzi hen aben* ” is one of the commonly used expressions; this means that the intensity of a trumpeter's blare is determined by the state of his stomach. Another of deeper penetration, illustrative of his sub-conscious psychology and his clear discernment into the spirit of progress and nationhood, is afforded by the saying:—

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\* A general term applied to the aborigines of Ashanti and the Colony, showing their common ancestry.

"*Neu gyina detsi du,*" that is water stands on *terra firma*; to the African there is no bottomless pit; no matter how deep the ocean may be, there must be a solid foundation under it. One wonders if the Churches and administrations in Africa perceive this profundity of thought! In this is built the philosophy of Ethiopia, the almost immediate and intuitive perception of the truths of nature!

Under wealth is to be classed the production and distribution of economic wealth in the strict sense, but this by no means exhausts the ambit of its classification. Within it lies the important question of the human agency, population, with its subsidiaries, the problems of marriage, health and sanitation, wages, income and capital. The matter of population\* in tropical Africa is of the most serious concern to the West, for without the co-operative effort of the Aborigines, there is sure to be a deadlock somewhere in the giant task of administration and economic development. For their part in the slave traffic the British are under an eternal obligation to bear with the inertia of the people. The population has not

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\* The density of population for the Colony is forty-nine to the square mile; in Ashanti and the Northern Territories it is seventeen per square mile; for the whole country twenty-six per square mile. This depicts an alarming state of things and intensifies our fears as to the effect of certain aspects of western civilisation on the health of the people. What it can portend can only be surmised from history. The country supplies more than 50 per cent. of the world's output in cocoa. Assuming that there are 1,000 farms each employing ten hands, it will mean at least 10,000 hands actively engaged on the farms and to maintain that standard, the number should be reckoned at 30,000. The population of 1921 was made up of 733,093 males and 567,956 females. Of the males 280,210 were under 16, leaving 282,883 of whom 131,266 were above 46 years of age. The Colony therefore possessed 151,617 able-bodied men and if we excluded that portion of it mentally and physically incapacitated and also that which could be considered as falling within the school age limit, we should probably find that there were not more than 140,000 which could be reckoned upon as the human agency in the act of production. On the hypothesis that 30,000 were required for the farms (cocoa) 110,000 only had to be distributed amongst the many other occupations of the people. Hence the serious shortage in labour, particularly at the mines.

only been depleted by the activities of the slave raiders, but has been put into a state of coma from which they are only now awakening. To expect the people, therefore, to match modern competition is to ask for the impossible, though there are notable signs that the moment the African throws off this age-long lethargy, he will awake as a giant refreshed after his course. The commercial development of West Africa is largely in the hands of foreign capitalists, and the question will soon arise as to whether or no Western capitalism, with its necessary attendant evils, should decide the future of the country. For European individualism is strongly opposed to African communism, and the choice lies between the two; individualism arouses the best instincts of the person, gives the greatest impetus to individual accomplishment, but sacrifices the safety and welfare of the many for the comfort and convenience of the few. Capitalism\* as ordinarily understood has no kinship with the gospel of service for humanity, and since the African's chief racial characteristic is his love of service and his humour, European capitalism is likely to prove a disturbing factor in the social and economic advance of the people. It is unlikely that Africa will for all time be the dumping ground of Europe, nor is it to be expected that it will continue to export only raw materials.

The subject of marriage deserves special discussion. It can only be dealt with summarily in the course of this sketch. The most striking observation to be made is that in Africa—West Africa—marriage is a political and state problem, and does not fall within the province of the Church as it is in England.† With the introduction

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\* The co-operative system would appear to be more suited to the social organisation of the people. It would assimilate the individualistic tendencies of the European with the communistic spirit of the African.

† Originally the Church had nothing to do with it. It is still so in most continental countries.

of Christianity, the Church has asserted her right to dictate in the matter, and confusion has thereby been caused by the fusion of the two ideas. It would seem the better policy to restrict the question to its original sphere, for while the Church does not recognise divorce—except for adultery—and does not countenance the re-marriage of divorced persons, she has not the right to refuse the sacraments to any divorced person, re-married in accordance with the law of the land. The introduction of Christian marriage, by which unauthorised\* term monogamy is referred to in West Africa, was premature and has resulted in producing those conditions in the morals of the people everywhere associated with the observance of a form of religion which recognises one law for the rich and another for the poor! That state of life should have been approached by gradual processes, for the insistence on this “Christian marriage” by the church has already brought about disastrous results and is a serious problem facing missionaries in West Africa.

In wealth again are the great issues of industries,† trade, and commerce, which in modern times form the backbone of all national enterprise. It may be pertinent to observe here that the country cannot afford to be

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\* There is no authority for it in the Bible; it is simply a law of the Church. “Church Marriage” would be more correct.

† For the past forty years the rainfall has been steadily decreasing. Observations made at the Government Sanatorium, Aburi, show that except in 1917 when the annual rainfall reached the apparently phenomenal figure of 73 inches, when it was 48.6 inches the year before, there is no other year when it has been over 60 inches, while it sank as low as 32 inches in 1904 and 1912. With such a decline in the rainfall, the sylvian nature of the forests is endangered. Hence the efforts of the Forestry Department to secure forest reserves should receive whole-hearted support. Unless some means are found to counteract the diminishing rainfall, the natural fertility of the soil will be seriously impoverished and the rivers become of still less importance commercially. This observation was first brought to the notice of the public in 1923, and the figures dealt with here are as they were then. Aburi is not the wettest part of the country but has the advantage of having had meteorological observations taken for over fifty years.



exploited always by the foreign capitalist and the matter will probably be brought to a head when Africans take to the plough in earnest.

The author of "The Economic Revolution in British West Africa" (Dr. MacPhee, Ph.D.) suggests that the economic revolution of these territories has been accomplished within the last 30 years, more or less. It is true that the volume of trade has considerably expanded, and that the cultivation of cocoa\* on the Gold Coast has been phenomenal in success. It is evident however to those well acquainted with the economic problems of West Africa that this is the era of transport revolution, for whatever success has been hitherto achieved has been won by the employment of old primitive methods of farming. With the rapidly increasing knowledge in agricultural science and modern methods, an agrarian revolution is expected to follow and before long mercantilism in its modern aspect of capital and industry† will throw out its tentacles over the ambitious and aspiring spirits of the indigenous population. There is a great future ahead, which needs sympathy and co-operation on both sides to bring to reality. Britain should realise its wealth, not in the goods, but in the people of Africa, and with and for the people studiously strive together for the common goal.

In everything however, great care is to be exercised so that the individuality and uniqueness of the African ideal be not smothered by a too much top weight of artificial innovations, the flotsam and jetsam of exotic civilisations. "Human beliefs," says George Eliot, "like all other natural growths eludes the barriers of

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\* First shipment 1890 was 80 lbs. In 1926 it was 231,000 tons.

† In this connection it may be mentioned that the effort of the Agriculture Department to encourage the formation of co-operative societies on the Gold Coast is to be commended; it is a move in the right direction.

system." To attempt therefore to circumvent natural development by any extraneous setbacks is to court disaster and failure in a great object than which there is no fiercer hell.\* To essay to change the course of Africa's ordained destiny would be a challenge to the prescience of God; it would mean leaving the future citizens of a united world without the fundamentals that would bring cohesion and stability to the whole!

In concluding these preparatory remarks on the lines of reconstruction, it might improve our perspective and vision if we reminded ourselves of a few facts in history. About this time in England one hundred years ago there was great agitation for reforms in the House of Commons, which were secured by the passage of the Reform Act of 1832; this bill gave impetus to the establishment of Representative Government, the people obtaining better representation in the legislative assembly of the nation. About the same period in Gold Coast history, the country was under the régime of the Maclean administration, a man who understood how to make steady progress, and influence the Native customs and laws; there was sustained effort between the administration and the people to improve on natural lines. A century has passed and for a result we are farther off from the goal than when we started. †

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\* Keats.

† That is in the idea of the unification of all interests.

## CHAPTER XV.

### RECONSTRUCTION—B.

#### A COUNCIL OF CHIEFS.

THE manna of popular liberty must be gathered each day or it is rotten. The living sap of to-day outgrows the dead rind of yesterday. The hand intrusted with power becomes, either from human depravity or *esprit de corps*, the necessary enemy of the people. Only by continual oversight can a democrat in office be prevented from hardening into a despot; only by uninterrupted agitation can a people be kept sufficiently awake to principle not to let liberty be smothered in material prosperity.

WENDELL PHILLIPS.

SHOULD there be an African State Government on the Gold Coast under the ægis of the British?

To ask such a question a few years ago, before the Great War and the activities of the West African National Congress,\* was to open the floodgates of ingrained prejudices and invectives. But a new spirit possesses the world; the youth of all nations to-day are surmounting the difficulties of colour, class and creed and are drawing together with a common programme to save the world from confusion and chaos. The African youth submits that he also is an important unit in this crusade; that he too is entitled to a hearing and that while all others take pride in their race and nation, he as well has a right to be proud of his race and build up a nation of his own. To British youth is the challenge thrown whether they are prepared to give the Negro youth a chance to evolve a culture of his own; whether they are

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\* A movement inaugurated at Accra in 1920 by the people of the four British West African Colonies for more effective voice in the management of the affairs of their own country. It is similar in scope and object to the Chartists organisation of the Mid-Victorian era.

willing to reconcile precept with example and do to others what they wish done to them. It is hardly possible to expect peace on earth when the interests, not of all, but of a few, seem to crave the attention of the powers of the world. Herein lies the weakness of the League of Nations.

“ West Africa was not a member of the League of Nations, but it had connection. It was in the cradle of a member of the League, for Britain has taken up the position of guardian. But surely it was not going to be in the cradle always! The people were beginning to feel they had been in the dark too long, and they were seeking enlightenment through education. And a good guardian saw that its charge was wisely placed. The great danger was the inherited belief of the white race that they were superior, and that the coloured races were inferior. Sometimes they carried that opinion too far. Africa must come out some day. How best could friction be avoided when the awakening came? By teaching them that there was no inferiority in any section of the human race! Some day Africa would be standing at the parting of the ways. “ If the guardian has done the right thing, Africa will follow in the same footsteps; if not some other course may be taken.” The danger that must be realised was that the peace of the world may be broken by its smallest nation. To-day, he concluded, Africa stood bleeding from past wounds, and all she asked from the great nations was, “ Give me time, have patience, and try to understand me.”\*

What is the criterion by which nations are adjudged as such? The Western idea of a nation denotes the possession of military, naval, and air power; capital, wealth and population; industries, trade, and commerce. Of these qualifications great emphasis is laid on the first

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\* *West Kirby Advertiser*, January 13th, 1928. Report of speech of West African Students' Delegate at a Youth Peace Conference at Liverpool (Mr. J. L. Mjinnow, Sub-Editor of *Wasu*).

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three, for it is chiefly on them that the "nations" of the world are so regarded. But such an interpretation of the term deprives many groups and communities of people, principally coloured, of the privilege of the status of nationhood. Wherefore it is expedient in as much as these various groups and communities are racial entities with social, economic, and religious systems of their own, that white youth should pause and consider seriously the nature of its acceptance of these peoples as racial or national units. On that question hangs the solution of the greatest pressing problem of modern times—peace. On the attitude of white youth towards coloured youth, is to be laid the foundations of the future history of man. A League of Nations properly so called should be an institution to safeguard the rights of all nations and to guarantee to the peoples of the earth international equality of status. It should have as members, not only representatives of nations so-called, but also of various groups each forming one social organic whole. In short it should in essence be a League of Races, and the youngest and most helpless member of the international population of the world should have as much equal right to be heard at its assemblies as the most powerful and most wealthy!

In church\* and state institutions, Africa should be left unhampered by prejudices and cynicism to develop

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\* What might be established on the West Coast is not a heterogeneous collection of so-called Christian Churches, but one comprehensive Christian organisation that will embrace all. The Roman Catholic Church does not recognise the other missionary societies as being *within* the Church; on the other hand no nation and no people will acknowledge the sovereignty of the Pope if by so doing they are to be dominated by Rome. Sectarianism in Africa will in the end undo the work of years. Such an all-embracing organisation should be evolved out of European and African thought, not simply European ethical and social standards foisted upon the people. If missionaries fail to take cognizance of this important consideration, they will be rearing up their edifice on a sandy foundation, ready to give way as the North African Church did, to the first approach of internal dissension and corruption.

along its own lines with the necessary modicum of external stimulus.

The ancient Greeks had a right conception of life in their devotion to art; religion to them was the inspiration of art and art was the medium for the development of imagination. What our White friends need is a little imagination to see the fruition of the plan of the ages in the fulfilment of the destiny of Africa.

A historian of England\* writing on the effects of the Roman occupation in Britain says:—

“Henceforth the Britons were to stand or fall alone. Yet the power to stand alone was no longer in them. They had been civilised in an orderly community, but they had not been welded into a nation. They had copied Roman habits, worn Roman dress, spoken the tongues of their conquerors, dwelt in Roman villas, bathed in Roman baths, tasted Roman luxury; but they had absorbed none of the qualities that had made Rome great. They had grown to love their goods in peace, but they had not learned that it is only the strong man armed that keepeth them so. They had leaned on the might of Rome, till they had lost all the rough vigour and love of independence that had marked Boadicea and Caractacus; and when deserted by the power that had first tamed and then protected them, they were bound to fall a prey to the fierce invaders who were pressing westwards.”

Here you have in a succinct form, a fairly accurate description of conditions that obtain on the Gold Coast. Substitute Africans for Britons, England for Rome, Akan Chiefs for Boadicea and Caractacus and you will find that country in the position and plight of England at the beginning of the Saxon invasion.† The people are being

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\* Warner in *The Groundwork of British History*.

† A.D. 410. The Romans ruled Britain for 400 years. Modern civilisation in West Africa can be dated back only to the seventies of the last century.

civilised into an orderly community, but they are not being *welded into a nation*. History should warn us from those paths which will reproduce the travail of the centuries. We should be on the alert to turn down any movements or measures that would disintegrate the social system and lead to corruption and decay. For the country is a valuable link in the Empire; its resources are great, its prospects most alluring, and its people proud of their connection with Britain. Under the tutelage of Britain therefore, the inhabitants hope to realise their dreams of a nation within the Commonwealth; they wish to be not only "civilised into an orderly community," but "welded into a Nation." \* Will Britain give them a sporting chance?

"POLITICAL freedom is, or ought to be, the best guaranty for the safety and continuance of spiritual, mental, and civil freedom. It is the combination of numbers to secure the liberty to each one."

BULWER-LYTTON.

There are three elements in the Gold Coast to be seriously considered in any scheme for administrative, legislative, and judicial reforms, namely, the Government, at present exercising sovereignty, the Chiefs who form the aristocracy, † and the people. It may be observed here that unlike the Dominions, which in the absence of a natural real element to constitute the nucleus of a second chamber, have resorted to imitations of the British House of Lords by the creation of Senates by statutes, we have on the Gold Coast and generally in West Africa, the

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\* The French system of Colonial Rule does not allow of this development. It aims at creating one political unity—the French Empire.

† Aristocracy here does not mean a privileged class, a class distinct in social status from the rest of their people. Their aristocracy receives the sanction of the people in the same way as the British Cabinet receives the sanction of the public.

Amanhin (Chiefs) whose offices are hereditary and elective. In one respect the House of Chiefs would have an advantage over its British prototype in that the principle of Elective or rather Selective Representation is inherent in the system.\* For some years until the status of Responsible Government is attained, the House of Chiefs would act in an advisory capacity in matters of legislation. It should be restricted to the Paramount Chiefs who would take seat thereon or appoint representatives thereto, as by right. For the deliberations to be properly regulated it would be necessary to appoint a Government whip to introduce discussions, as well as a People's whip, who should be elected from among the African unofficial element on the Legislative Council. The responsibility for the election should remain with the unofficial members themselves. This would provide for a second chamber in an embryonic stage, but possessing all the essential characteristics of a really effective House. The president of the assembly should be elected by the House for a definite period of time. Eventually, when the principle of Total Elective Representation is introduced, the House would be empowered to appoint representatives on the Cabinet or Executive Committee that would be set up. The Executive Council of the Government would remain constituted as at present, but in the advanced state of provisional self-government, addition may be made to its membership by election from the House of Chiefs. In process of time, the House would be a *defacto* Upper Chamber with somewhat more real power than the House of Lords.

This indicates the line of development along which lies the hope for an African Government.

The title of "Nana" which denotes reverence,

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\* A more fundamental difference is to be found in the fact that while the House of Lords as such is for peers of the realm who hold certain hereditary offices, the House of Chiefs will be for peers and lords of the country who are themselves elected by the people to fill those positions.



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should be restricted in usage to the Paramount Chief (Omanhin) who should, properly speaking, be addressed as His Serene Highness.\* For purposes of euphony and public policy, the House of Chiefs might be termed the Chamber (or Council) of Nanamu, that is the assembly of the venerable fathers of the State.

The independence of each component state in this federation—it is a *de facto* federation—would be guaranteed, and each Nana would be sovereign in his own sphere with his Oman Council as his privy or advisory Council. The Oman Council should be maintained on its present basis, for there is no other constitution to surpass it in point of true representation of the people and effectiveness.

“ To break up a public council (*i.e.* the Oman Council) is to strike at the root of what supports the liberty of the subject, and to give a death blow to the free institutions of the people. The public Council occupies the most prominent position in the constitution of the body politic; to suppress it is to destroy the best, safest, and surest means for ascertaining the views of the public as well as for influencing and

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\* This is the most apt and appropriate designation, fully in consonance with the African conception of Chief. Thus His Serene Highness Nana Ofori Atta, or His Serene Highness the Ga Manche or His Serene Highness Nana Essandoh of Nkusukum. The nearest approach to the position of the Omanhin in European thought is that of the German Archduke. The title of Omanhin is not territorial; we think of the reverence, sacredness and serenity of the Ohin, the majesty of the law and the sovereignty of the Oman (people).

The term Nana is comprehensive; any other additional designation detracts from its value and might cause an inferiority complex in the minds of the uninitiated. In furthering the conservation of aboriginal institutions emphasis should be laid by Government on the maintenance of all those qualities and attributes in the system that make for decency, respect and veneration. According to the provisions of the Ordinance of 1927, there are sixty-one such Chiefs, but strictly speaking many of these have not the status of *real* paramouncy. The title “Chief” like the English title “Lord” has been made to do duty for many things; a Viscount is a Lord and a Baron is also a Lord, but there are still degrees in dignity; the same applies to the title “Chief” or Nana.



**THE NOON-DAY OF AFRICA'S GLORY**

**And the waves of the sea dash up their spray in the soft and tender brilliance of the morning sun**

instructing them in matters relating to their welfare and good government. The Ohene is the head, but the Council is the heart of the people."\*

Sarbah further makes the timely and valuable suggestion that this Council with its gradation of authority should be recognised by the Government and that Town Councils and other municipal bodies by law established should be subordinated to it. Government has already acted on the first suggestion† and it is to be hoped that the second also will receive attention in due time. His appeal to the educated or literate African to serve on this Council has been referred to and is hereby commended as the best available means‡ of evolving a government of a truly African character.

" Properly looked after and gradually made to meet the needs of modern times, this will be found to be the means best suited and adapted for municipal or local self-government, thus becoming in due course the constituency upon whom the right shall be conferred to nominate as Unofficial Members of the Legislative Council, men who by their good character, influence, capacity, acquirements and the confidence they inspire in their fellow countrymen are worthy of honour."§

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\* Sarbah in F.N.C.

† Native Administration Ordinance 1927.

‡ Governor Slater has appealed to educated Africans for free and full participation in the working of the Oman Council.

§ Sarbah in F.N.C. By this suggestion Sarbah frankly submits that the Chief is not a legislator, and therefore should not have any seat on the Legislative Council. The Oman Council of each state should elect from among the members of the division—not necessarily members of the Begwa itself, any one capable of representing their interests on the Legislature.

## CHAPTER XVI.

### RECONSTRUCTION—C.

#### A LEGISLATIVE ASSEMBLY.

It is the knowledge residing in its smallest class or section that is to say, in the predominant and ruling body, which entitles a state, organised agreeably to nature, to be called wise as a whole.

PLATO.

So far we have been considering the line of development of the Upper House. It is time to turn to a consideration of the Lower House. From the lucid and clear exposition of the principles of Native Polity herein discussed, it is easy to infer that the creation of the Chiefs into an Electoral Body,\* for the election of some of *their members* to the Legislature is unconstitutional and detrimental to progress. The Legislative Council should be regarded as the people's assembly and rightly so, for it is the machinery that legislates for the country. At present its character is official† and bureaucratic but it

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\* Provided for by the New Constitution.

† The New Constitution was granted by Order in Council, April 8th, 1925, under Letters Patent, May 23rd, 1925. It provided for a Legislative Council of thirty including the Governor (as President). Of this number only nine are Africans, of whom six are Provincial Members (Chiefs) and three Municipal Members. There are fifteen Official Members (excluding the Governor) and five White Unofficial Members representing various interests. Considering that the entire revenue of the Colony is provided for by some form of taxation *which is paid by the Natives*, the officials and to some extent the white mercantile community being exempt therefrom, the representation of the people by only nine members is wholly inadequate and unreasonable, apart from the fact that the official majority can at all times be resorted to when necessary. He who pays the fiddler is generally accorded the right to call for a tune, but the Gold Coast African is asked only to pay and pay, while others call the tunes and enjoy them! There is a Finance Committee charged with the duty of examining estimates and expenditure, but what influence Native Members of Council can have on such a committee requires no great stretch of the imagination to conjecture.

cannot remain so for long. The Government should be prepared to move with the spirit of the times so that at the psychological moment, the change may be effected by a mere gliding from one stage to another. For the present however, in order to fall in line with the New Constitution until it shall please His Majesty to grant further concessions of political freedom, the seats of the six Provincial Members (who are Paramount Chiefs) should be vacated and filled up from elections by the state councils on the lines previously suggested.\*

Mr. J. Martin, giving evidence before the Select Committee of 1865, in respect of the complaint of the people of Cape Coast against the imposition of Spirit Licences without their previous consent, said with reference to the part African Unofficial Members play at the Legislative Council:—

“ Although those Natives may be of your Council, they are members who hold their commission from the Crown; they are not people elected by us; we have no suffrage in this place to elect members of the Council to protect the interests of the country; and when you choose to employ anyone you like, we do not recognise that individual as a person whom we have elected.”

In reply to the Chairman's question whether the Natives wished to enjoy the suffrage, Mr. Martin replied:—

“ I believe, if it is not asking too much, that *they are entitled to the suffrage.* (Italics mine.)

This was in 1865.† Yet in 1925, what more than half

\* It should be easy to effect this since the New Constitution provides for representation of the Chief to be made in certain cases.

† As far back as that period there were African Mayors and Justices of the Peace. Later they also became Commissioners and Judges. In the middle of the century there were even African administrators and governors. This was in the nineteenth century. At the present time there are no Africans holding such positions. The service is divided by a sharp line into European and African sections and where the African ends after many years of hard toil is in most cases the commencement point of the newly appointed white service man.

a century ago was considered by the people their due and proper right, namely, the right to elect their own representatives to the Legislative Council, was made to seem to them as the conferment of a favour, a concession from Government. It is difficult to follow the process of ratiocination that created this anomaly. But that the people were conscious of it *as a right* may be further supported by the fact that they petitioned for it at the Colonial Office (London) in 1898 and again in 1912.

Governor Brandforth Griffith writing to the Secretary of State in 1893\* described the qualification for a seat on the Legislature in these terms:—

“Natives to be eligible for such representation should speak English, possess some culture, with a substantial and respectable position in the country, and should be free from any circumstances calculated to affect their integrity and independence of character.”

The Provincial Councils set up by the New Constitution would naturally function as provincial sections of the Chamber of Nanamu, and no Councillors, excepting the State Linguists† who would act as Advisers, should have the right to attend.

An equal number of Councillors (about 4, but not less than 2) elected by each state council should in each province compose a second Provincial Council which for purposes of contradistinction might be properly termed the Provincial Assembly of *Begwafu*.‡ Each such

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\* June 12th, 1893. Parliamentary Paper, C.7225.

† Necessary under prevailing conditions. In later stages even these should be dropped.

‡ Councillors or Representatives. It would be good principle to retain the African title names. In applying to the British Government to be admitted into the protection of the Empire, Moshesh, Chief of the Basutos used remarkable words to describe the sort of relationship that he and his people desired to subsist between them and their protectors.

“I will be under the Queen as her subject, and my people will be her subjects but under me. . . . I wish to govern my own

Assembly would thus be the constituency to nominate or elect two Provincial Representatives (instead of Provincial Members) to the Legislature.

The question as to who shall be eligible for nomination or election ought to be decided properly by leaving the choice in the hands of the Councillors to submit the names of their people, whether Councillors or not, in whom as Sarbah specifically points out, they have confidence. This would be simply granting the people their liberty of choice in the same way as the voters in England exercise their right of vote. The matter of the party or parties in the Begwafu assembly to put up names\* is one of detail and does not affect the principle. Probably such a state of internal adjustment is what was conceived by Governor Guggisberg in the Native Administration Ordinance; if that is so, he would appear to have missed the issue by confusing the status of the Chief (administrator) with that of the Begwafu (legislators). Herein is the opportunity for the literate African to serve his country's cause.

Africans from the sister colonies who elect to be domiciled in the country can discern in this the true nature of their position in the body politic. They are not regarded as "strangers and interlopers"† for as far back as 1872 they were favourably regarded. A little understanding of the biological structure of the Gold Coast tribal system, would dispel any doubts about the causes

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people by native law, by our own laws; but if the Queen wish after this to introduce other laws into my country, I would be willing; but I should wish such laws to be submitted to the Council of the Basuto; and when they are accepted by my Council, I will send to the Queen and inform her that they have become law."—"The Basutos" by Sir Godfrey Lagden, quoted by E. W. Smith in "The Golden Stool.")

\* The introduction of party politics before such councils are fully established would be premature.

† *Gold Coast Leader*, January 7th, 1928. Petition of persons of African descent.

why they have been urged to *naturalise* themselves. It is possible to live for and among the members of a clan, but you can only be *in* it and not *of* it. The stranger who desires to cast in his lot with the people of the country would be required to attach himself to one or other of the clans. Such a bond or union is created in the case of children by their mothers being women of the country; in the case of grown-ups by their performing the formal ceremony of *Commendation*.† This is a simple, plain, and straightforward ceremony, not in any way barbarous or repugnant, but it presumes the complete mersion of the person's interests in those of the clan of his adoption—interests, not in the sense of community holding in his personal property, but that of his moral support at all times and pecuniary aid when occasion arises. The practice is similar to the Roman custom of *adrogatio*, with its old time character translated into modern form. It must be added that the British Naturalisation Act of 1914-1922 recognises this distinction in colonial nationhood, so that unless the Dominion concerned has adopted it, the British Act does not operate. Hence in South Africa which has not adopted it, a German-born but naturalised Australian (by the Australian Naturalisation Act), though a loyal subject of His Majesty of England, becomes a "foreigner" while he still possesses his rights and liberties of British Citizenship. It is no argument to contend that this does not apply to natural-born British subjects. That aspect of the question does not arise since such naturalised persons do not in any way, loose any civil and political rights. But the Gold Coast family system regards such possessions as incidental to British citizenship. What is essential to the family is the *nexus* of kinship and mutual *adoye* (brotherhood), the resultant of owning a common *paterfamilias*; for though by virtue of their British citizenship, our friends possess the *ius*

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† Sarbah's "F.C.L.," p. 35, Section 4.



*suffragii*, they have no rights in the *familia*\* until they enter under some potestas.

When the principle of elective representation is wholly conceded, the provincial assemblies of Begwafu would still remain the constituencies to elect the requisite number of Members of the Legislative Council. Or it may be possible with due regard to the progress in education and in the acquisition of economic wealth, to fall upon the alternative method of Proportional Representation, still founded on the liberty of choice of the state councils.

The office and influence of the Linguist would remain and be capable of higher respect and honour as the Native Government develops. From his unique position,† he would continue to be the Principal Adviser of his sovereign, the Omanhin, and would retain his contact with the Begwa (State Council) as the actual working head of the Executive.

There is one more point to draw attention to. The New Constitution provides for the election of Municipal Members by the three Town Councils in existence.‡ It has been put forward that such institutions should be made subordinate in jurisdiction to the state council. This can be effected in one of two ways. Either by the state council appointing representatives thereon,§ which

\* The family, not the individual, is the unit of African life, but it is more extensive and comprehensive than its acceptation in the West. It is based on the Mother, and the members must own a common ancestress.

† Similar to that of the British Premier.

‡ Accra, Cape Coast, Secondee.

§ Cape Coast, it would appear, has already adopted this method; though it is the right thing to do, it must be mentioned that Town Councils are governed by the Town Council's Ordinance and should therefore function under its provisions, giving the choice of the representation to the electors, the ratepayers, and not to the State Council. There is no valid reason for the refusal of Cape Coast to elect a Municipal Member to the Legislative Council. The representation is of the Municipality, not of the Oman.

will preserve their present character, or by the Government appointing representatives to the state council when sitting with municipal jurisdiction. In either case, the Omanhin should be ex-officio; the responsibility and authority should be vested in the Chief Government representative and the Linguist. It should seem clear enough that in the course of time, the character of the Linguist will gradually undergo a change, and assume more and more the rôle of a chancellor.

There is also another fact that stands out clear. The establishment of the two Houses, the upper Council of Nanamu and the lower Assembly of Begwafu, with full recognition by the Government, will automatically relieve the Aborigines Society of political duties and make room for the furtherance of its social objects. But it will have a much greater effect on the sub-conscious psychology of the African. It will respond to the inner craving of the Native for self-evolution and will go a long way to consolidate the opinions held by the aborigines of West Africa, of Great Britain as the best "trustees for peoples and nations not yet able to stand by themselves."

To move a step further. The state councils would gradually assume the dignity and importance of State Parliaments, the Omanhin being the sovereign and the Chancellor, the First Minister of the State. When the moment arrives for a readjustment of the legislative machinery which would be no sooner than the time when agitation in the right spirit rouses the Government to suitable action, no better provision could be found than that provided by the Barbados Constitution.

The little Colony of Barbados in the West Indies received the praise of the late Sir Harry Johnston, G.C.M.G. Writing in the *Nineteenth Century and*

*After\** on the "Liberian Problem," the famous statesman declared that—

"the ideal Negro State is in Barbados where conditions of life and opportunities for social and *political* advancement are precisely the same for black as for white."

The legislative functions in that colony are discharged by a House of Assembly; it is the Lower House and is composed of 24 members, two from each of the twelve electoral divisions, who are elected annually on a low franchise. The Upper House is the Legislative Council, composed of the Members of the Executive and nine (9) others appointed by the Sovereign. The government is vested in an Executive Committee, of which the members are the Governor, the Colonial Secretary, the Attorney-General and such other persons as may be nominated by His Majesty the King; one (1) member of the Legislative Council (Upper House) and four (4) members of the House of Assembly (Lower House) nominated by the Governor. It is a form of cabinet; on it devolves the responsibility of introducing all money votes, preparing the estimates, and initiating Government measures.

Translating this into the terms of our provisional constitution for an African State Government, we shall have:

1. The Governor and Commander-in-Chief.
2. The Executive Council in a private and advisory capacity to the Governor; with one or two elected from the House of Nanamu.
3. The Legislative Council or Assembly, composed of the representatives of the state councils and other groups with the members of the Executive Council—excepting the Governor; the President to be appointed by him.
4. The Council of Nanamu, forming an effective second Chamber; the President to be elected by the House.

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\* September, 1910.

5. The Executive Committee composed of the Members of the Executive Council, 4 members from the Legislative Council and 2 from the Nanamu.

To the superficial observer this might seem an unwieldy machinery for proper and effective Government, but closer inspection will reveal the fact that it really resolves itself into three distinct and separate bodies:—

1. The Executive Committee which will be the Cabinet and be responsible for the initiation of policy and official legislative measures.
2. The House of Nanamu with advisory, amending and delaying powers.
3. The Legislative Council with the rights and privileges of a Lower House, where all legislation should be initiated.

This is exactly parallel with the English Constitution.

1. His Majesty the King.
2. His Majesty's Privy Council.
3. The House of Commons.
4. The House of Lords.
5. The Ministry or Cabinet.

On the question of franchise, it is interesting to learn that in Barbados some of the qualifications for the exercise of the vote are:—

- (a) Any Agricultural Attorney, Manager, Book-keeper, Clerk, Agent or Upper Servant in receipt of salary of £4 3s. 4d. per month.
- (b) Payment of Taxes of over £2 (in rural districts £1).
- (c) Any University Graduate or Professional man or Person holding the *testamur* of Codrington College.

The qualification for election to the House of Assembly is an income of not less than £200 per annum. (On the Gold Coast property qualification of £250.)

It may be instructive to review conditions in Barbados a little more fully in order to appreciate exactly why favourable opportunities for political progress exist in that

country. A table would indicate the differences more clearly.

BARBADOS.			GOLD COAST.		
1921.			1921.		
Population—			Population (Colony only)		
Whites	..	10,429	Whites	..	1,530
Blacks	..	111,677	Blacks	..	1,171,913
Mixed	..	34,216	Mixed	..	—
		156,322			1,173,443
1926-7.			1926-27.		
Revenue	..	£387,462	Revenue	..	£4,365,320
Expenditure	..	£418,711	Expenditure	..	£4,328,159
Imports	..	£2,153,167	Imports	..	£10,285,878
Exports	..	£1,287,161	Exports	..	£11,849,145
Public Debt	..	£591,000	Public Debt	..	£10,861,024
Sinking Fund	..	£286,780	Sinking Fund	..	£29,976
Schools :			Schools :		
Elementary	..	133	Elementary	..	400c
Second Grade	..	6	(On assisted List only).		
First Grade (including Codrington College)	..	4	Secondary	..	6
No. of Pupils	..	22,595	Training Colleges (including Achimota)	..	6
Average Attendance	..	14,610	No. of Pupils	..	33,353
			Average Attendance	..	28,045

It will be readily understood that except in point of White population, there is on the Gold Coast a preponderating range of circumstances making for greater stability. Whether the different political positions of these Colonies is due to the influence of the White population is left to the judgment of the reader.

There is still the problem of the representation of Minority Groups. These bodies fall within the protection partly of the Government, and partly of the people. All persons of *alien* status (using this term in respect of nationality in the provisional state) could safeguard the free exercise of their vote as British citizens by *naturalising* themselves as hereinbefore commended. Others who for personal reasons *e.g.* Europeans, Indians, etc., have

no intention of being permanently domiciled in the country, would thus constitute minority groups whose interests on the Legislative Council and the Executive Committee would be served by the exercise of their vote in electing representatives to seats. This representation should be proportional to the influence of the groups and the amount and value of vested interests in the country. By the New Constitution, provision is made for the representation of three minority groups, namely Commerce, Banking and Mines. The method can be improved with the progress of time.

At this stage, the Caucus of the Crown Colony System with its obviously unprogressive hold on the natural talent of the country should have yielded to the more rational system of local administration. The Crown would still exercise the royal prerogatives. The Secretary of State would have altered somewhat the character of his functions and become the connecting link between the King and the budding republic of the Gold Coast. The Governor as at present, would have the power to appoint and dismiss civil servants below the Executive grade, by, with, or on, the advice of the Governor's council, assuming for this purpose that the Nanamu have some representatives thereon. All officers however, excepting the Governor, should be removable by address from the Upper and Lower Houses to His Majesty in Council. In the case of the Governor, which it is inconceivable should occur since he would be under those conditions a "constitutional monarch" and no more an autocrat, the proper course would be by Petition by both Houses to the King. The functions of officers would be expanded\* and there is every probability that new departments of specialised work would be introduced as progress makes them necessary.

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\* Probably these offices would then be held by Ministers who would be responsible for their department on the floor of the Parliament.

## CHAPTER XVII.

### RECONSTRUCTION—D.

#### THE TRIBUNALS.

THERE is no way to know of any man  
The spirit and the wisdom and the will,  
Till he stands proved, ruler and law-giver.

SOPHOOCLES.

THE period of development would be spread over a number of years, but the time would arrive for Britain to be put through the crucible of the supreme test. Has England any faith in the African? That is the most burning question of the moment, for with it is associated the idea of trusteeship which Britain has assumed in relation to African peoples. That faith would be severely tested in the years to come, and the world will learn whether or no these protestations and professions of guardianship have been offered in sincerity of heart and honesty of purpose. On the results of that experience hangs the destiny of Britain, for when awakened Africa begins to groan under the burden of the West, then shall she sing a song that will crumble down the walls of her social Jericho.

There should not be the slightest hesitation on the part of England if she had been discharging her duties of guardianship conscientiously and faithfully,\* to take the final step in the emancipation of Africa by assisting to realise in the great continent, a Negro Government that would dazzle the sight of the world and put to confusion those who ridicule Negro character.

This last stage would be the Dominion status, but not with a Governor-General appointed by the Crown. The

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\* Disregarding unconscious mistakes which are incidental to human nature and human organisations.

Head of the Republic, which is what it would be, should be a President nominated for a term of years from the Council of Nanamu by the federal state councils. The Crown would be represented by a High Commissioner who would advise the Government and watch inter-imperial interests. The affairs of the Republic should have reached a stage at which contact with the Central Government could best be maintained by the Department of Dominion Affairs or the Foreign Office.

Thus would be accomplished the dream of the ages, a modern African Empire with its new civilisation and culture, a wonder to the world, a surprise in contemporary history, and a credit to the genius and statesmanship of Britain. It might seem absurd and fantastic, but it is not impossible of materialisation if England realises the nature of her responsibility and obligation to the African race, and her place and destiny in the scheme of life!

There is yet a third function to describe in order to complete the political aspect of this picture of the future. This relates to the judicial organisations, for—

“ it is only in a state where men are jealous for the maintenance of justice that the freedom of the individual can permanently be secured.”\*

When Solon found himself faced with the duty of reforming Athenian law, he did not find a clean slate ready for the masterly display of his supreme genius. Our position is not unlike that of the illustrious lawgiver; it is difficult but not unpleasant to readjust our perspective in regard to our Customary Laws, Usages, and Institutions in the light of International Law. When the proper development in Native Law takes place, it should be accepted by the world in accordance with the principle of the comity of nations.

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\* Zimmern in *Greek Commonwealth*.



The task is much lightened by the fact that there is near at hand a wet sponge with which to clean and wipe the slate if there happens to be indistinctness and vagueness in any part of the picture. That wet sponge is the law of England which is to serve as the pattern on which the Native Law should be fashioned. With the evolution of the law itself we are not here concerned; that is within the province of education. As the character of the people develops by the spread of education so will the character of their laws be equally affected. Much of the existing law has been reduced to writing by Sarbah,\* Casely Hayford† and latterly Dr. Danquah.‡ There is still room for research. The more these are collected, examined and preserved, the more we shall have the rudiments of African philosophy brought to the surface for scientific investigation. In the primitive stages of national history, law, religion, and medicine are intermixed to form the basis of the concept of life; hence by further discoveries in Native politics and law, we shall gain a deeper insight into the psychology of African mentality.

But what concerns us at the moment is the question of the administration of justice.

Sir Benjamin Pine and Sir David Chalmers both recommended the re-introduction of the Maclean policy in the jurisdiction of the Native Courts. That suggestion can still be acted upon with immediate and immense success and satisfaction. Herein however, falls the valuable suggestion of Sarbah, that the educated or literate African should be allowed to participate fully and freely in the work of reconstruction. The employment of such

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\* *Fanti Customary Laws; Fanti Law Reports; Fanti National Constitution.*

† *Gold Coast Native Institutions; The Truth about the West African Land Question.*

‡ *The Akan Constitution; Cases in Akan Law (in the Press).*

Africans in responsible positions in the Government is one way of meeting the situation; the use of their services as members of the Oman Council is another way, and would contribute largely to the education of the general public. A third way is by correlating the work of such Africans, in this instance professional barristers, with the re-organisation of the tribunals with a view thereby gradually to model them on English principles. Judicial Assessors would have to be appointed, and such positions could be safely entrusted to experienced African barristers; in the early stages the work would be part time occupation and should not interfere too largely with the barrister's ordinary routine of service. A knowledge of the Customary Laws should be a necessary prerequisite. For the time being the Omanhin should still retain his position as dispenser of justice, the Judicial Assessor sitting with him as President of the Court. The jurisdiction of these establishments is under present conditions limited but will be extended with time and progress. Counsel should be allowed to appear to watch the interest of clients, but take no active part in argument.\* The question of fat briefs does not enter into the consideration of Counsel under such circumstances; it is the opportunity and privilege of serving the cause of the client and the country that really does matter.

With more extended jurisdiction, the more complicated aspects of English judicial administration may be introduced such as the jury system. At this advanced stage of political enfranchisement when the Omanhin truly regains sovereignty in his state, as ruler and administrator, it would be expedient for efficiency and progress to appoint Judges of the Court, the Nana relinquishing his seat as President. The office of Commissioner should then be commuted to that of Resident.

The almost immediate reformation much to be desired

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\* That is in the early stages of the transition.

in these Courts\* is the appointment of Registrars, who not only should have received a sound secondary education—one of the purposes for which Mfantsipim School (or College) was instituted—but should also possess a fair command of the important languages, Twi-Fanti, Ga and Ewe and possibly Hausa as well. It would be possible to second junior registrars in Divisional Courts for such appointments provided care is taken to ensure and protect their interests. This could be effected by still retaining their names on the " Establishment List " of the Government.

The intention of the reformer should be to develop the tribunals on the lines of the British Courts.† By the time the evolution of the body politic reaches the stage of Dominion status, these tribunals should have become the acknowledged and recognised Courts of full jurisdiction for all in the land. They should then automatically fall into their rightful place of State Divisional Courts of the Federal Supreme Court.

One of the grounds on which Chief Justice Griffith based his objection‡ to the passage of the Native Jurisdiction Ordinance was the custom of the pocketing of Court fees and fines by the board of judges. The practice is an anachronism. It must be explained however, that it had its genesis in the fact that the Chiefs never levied regular poll-taxes on the people, though occasionally such taxes were levied for specific charges. The Chiefs were not looked upon as apart from their people, but as of them, and were therefore within the confraternity of the tribal system. Hence there was no necessity for stipends or other emoluments to be specially provided for them. The maintenance of their lives, respect, and dignity was the care of the whole tribe and

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\* Some progress has been made by the Tribunal Registrars' Association.

† The jurisdiction of the Police Magistrate would of course remain as it is.

‡ *Vide* Appendix I.

the partition of the returns from the courts among the judges was considered only as a return in kind for the valuable time which otherwise would have been usefully employed on their farms and other occupations. Such conditions still exist to some extent\* but the practice should be superseded by the establishment of a system of well paid court officials.

No account in this review has been taken of the jurisdiction of Chiefs† subordinate to the Omanhin. Their sphere should be primarily that of Justices of the Peace, with appeal to the state court. In the course of transition from limited to free and unlimited jurisdiction appeals from the state courts should lie to the British Supreme Court, not to the Commissioner's Court, from which all such jurisdiction should be transferred to the state courts by the necessary amendments in the Supreme Court and Native Administration Ordinances. The Commissioner should act in an advisory capacity to the Omanhin and the

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\* Some of the Stools are in an impoverished condition. (The "Stool" symbolises the office of the Chief.)

† Of these there are several grades, each being the head and administrator of his division of the state. Such Chiefs are *ex-officio* members of the divisional council of which their jurisdiction forms part, and hence exercise legislative power in the assembly of that Council, while in respect of their own districts they are administrators and not legislators. The most important of such Sub-Chiefs is the Divisional Chief, who ranks next to the Omanhin. It is thus clearly evident that of all Chiefs, the only one having no legislative right is the Omanhin, but it is to him that appellate jurisdiction is granted by the customary law. To make the Omanhin a member of the Colonial Legislature and thereby assume in respect of his position thereon that he stands in the same relationship to it that the Divisional Chief stands in relation to his State Council—that is the Oman Council, and therefore becomes a legislator, is to consider that Legislature synonymous with the national assembly of the people, the Pitsa of the Basutos or the Agora of the early peoples of Europe. The Colonial Legislature from its very nature and composition cannot be interpreted in such a light and hence the Omanhin having a seat thereon should not in any sense be empowered to legislate or aid in legislation. He can advise and suggest and be an onlooker but merely that and no more. He still has his reserved right of appeal even though he may have been present at the passage of the particular legislation. This is why it is not good policy to have the Omanhin on the Legislative Council.

state and Provincial Councils in the rôle of Resident. It would probably be found advisable to set up a Court of Arbitration—that is the Provincial Council exercising judicial powers—to deal with the principal matters now dealt with by the Commissioner's Court, in order to allow time for the necessary adjustment in the enlargement of the jurisdiction of the state court.

Finally, the Court and other fees should be paid into the Government Exchequer, in return for which there should be Appropriation Allowances for each state voted annually. These allowances should include the personal allowance of the Chief and the salaries of all officers connected with his administration; these officers\* will at the beginning be:—

1. The Omanhin's Private Secretary.
2. The Chief State Linguist (later Chancellor).
3. The Judicial Assessor (later Judge).
4. Court Registrar.
5. Oman Secretary and Treasurer.

Other officers to be appointed as the system develops, and their several functions dovetailed into each other accordingly.

On the matter of personal allowance for the Chief, it may be pointed out that as far back as 1872, Governor Pope Hennessey made a declaration on June 7th:—

“ With respect to the stipends for Chiefs and heads of Companies, I shall appropriate such sum for this object as the revenues of the Settlement can bear.”†

The need and propriety of granting allowances to the Chiefs had been recognised long before then at the imposition of the Poll Tax in 1852. In section 11 of that Ordinance (Poll Tax Ordinance 1852) it was expressly stated:—

“ the revenue derived from this tax, *after the payments of the stipends of the Chiefs* and other

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\* This excludes the Chief's household establishment.

† Parliamentary Papers.

expenses attending its collection . . . . .”  
*(Italics mine.)*

The principle having been rightly accepted, it is best in the interests of justice and fairplay, to act upon it and restore to Cæsar the things that are Cæsar's. It cannot be argued that the poll tax failed to materialise and that with its failure, the promise could not be fulfilled. The fact is that—

“ all grounds for protest by the aboriginal rulers were removed by the provision for their stipends.”

One of the main reasons for the ultimate failure of the tax was the non-fulfilment of the promise given to the natural rulers. Sir Benjamin Pine pointed this out in his evidence before the Select Committee.

In place of the poll tax however, the Government by assuming all the power and authority of the Omanhin, has contrived by various means to levy a number of taxes, direct and indirect, and it is but common justice and equity to reconsider the grant of such allowances to the Chief\* and incidentally, to his establishment for efficiency and progress. It is interesting to recall in this connection the attitude of the Fanti Confederation to the question of stipends for the Chiefs. Special provision was made in the constitution for the prompt payment of such allowances from the funds of the Confederacy.

Sir David Chalmers also submitted in his report on Native Jurisdiction† that—

“ he (that is, the Chief) should receive a certain stipend, which need not be large, but of substantial amount, the payment of which would be strictly conditional on his exercising his power with uprightness and adequately complying with the instructions he shall receive.”‡

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\* Such a grant does not in any way affect the prestige of the Stoolholder (His Majesty receives a similar allowance) nor necessarily imply the submersion of his interests in those of the Government.

† Parliamentary Papers, 1872.

‡ The two conditions attached are irrelevant; they are directed one against his character and the other against his authority.

The sceptic reading these tracings of the growth of an African State, would probably be inclined to reject them as the ravings of a maniac, the nightmare of surfeited appetite. To him, the development of any African colony on such a scale—and he will most likely be of foreign origin—would mean the usurpation of the privileges and rights of Englishmen. He would seek in such development a cause for protesting against the political emancipation of such colonies. England made this grievous mistake in India when Lord Ripon urged the grant of better political privileges to Indians. The English element foamed, fumed, and threatened. The argument was put forward by them that to concede such favours would lead to loss of efficiency in the administration. Lord Ripon maintained that good government was no substitute for self-government. That unresponsive and domineering attitude of the English element has culminated in the present crisis in India.

There is no reason why conditions should force themselves on our white friends before they realise that they are behind the spirit of the times. This is the hour of Africa's forward march to freedom and the world's salvation, and statesmen, politicians, and commercial magnates cannot circumvent it. Any acts calculated to set off this advance and hinder progress will but react on the perpetrators thereof with gathered momentum in due time, for it would be against the line of destiny.

All these things tend still upward,  
Progress is the law of life,  
Man is not man as yet.\*

Gladstone, in reply to Lord Palmerston's *Civis Romanus sum*† over the Greek question of 1850, said—

What, Sir, was a Roman citizen? He was the member of a privileged class; he belonged to a conquering race, to a nation that held all others bound

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\* Browning.

† "I am a Roman citizen!"

down by the strong arm of power. For him there was to be an exceptional system of law, for him principles were to be asserted, and by him rights were to be enjoyed that were denied to the rest of the world. Is such the view of the noble Lord as to the relation which is to subsist between England and other countries?\*

Continuing, Gladstone, in the heat of fiery eloquence, declared that the words Imperium and Libertas—Empire and Liberty†—meant in the mouth of a Roman, liberty for himself and empire over the rest of mankind, and that that pretension in the mouth of an Englishman he emphatically condemned. The great statesman pleaded for a sympathetic colonial policy. At Chester in 1855 he said—

“ Experience has proved that if you want to strengthen the connection between the colonies and this country—if you want to see British law held in respect and British institutions adopted and beloved in the colonies, never associate with them the hated name of force and coercion, exercised by us, at a distance, over their rising fortunes. Govern them upon a principle of freedom . . . . . Make the name of England yet more and more an object of desire to the colonies. Their natural disposition is to love and revere the name of England, and their reverence is by far the best security you can have for continuing, not only to be subjects of the Crown, not only to render it allegiance, but to render it that

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\* “Life of Gladstone” by Morley.

† The writer has often wondered whether of the many thousands of spectators who flocked to the Tivoli to see the film “Ben Hur”, any were struck at all by the moral of the story when Ben Hur, approaching his old time companion and friend of his boyhood days was received with a rebuff by the Roman Messala. Rome ruled the world, cried Messala, and the Jews must lose their stiff-neckedness and understand her—it was not her place to understand them. In the Empire the story is being repeated and the play re-enacted. “Israel has lived to see kingdoms rise and fall and will do so again,” was the inward comment of Ben Hur, and his wish has come true with surprising accuracy for while the Jews still live and thrive, all that are left of the Romans are the relics of their pristine glory.



allegiance which is the most precious of all the allegiance which proceeds from the heart of man."

It is up to England to take the lead in moving with the spirit of the people and we are persuaded she will receive full and free, that allegiance which proceeds from the depths of human sentiment.

The critic would be full of points and arguments why this and the other cannot be done. To all such arguments we would reply in the language of Lord Ripon that good government is no substitute for self-government. There is room for both white and black, but there is a time "wherein one man ruleth another to his own hurt."\*

There is one point however worthy of examination. It would appear that the election of the future president of the republic would be bureaucratic and autocratic in character on the ground that it would not be conducted on a wide franchise basis, but on a basis confined to the State Councils. It must be borne in mind that the essential feature of these councils is their representative character which should be preserved. That implies that the biological foundation of the African family system is to be retained, considering the family, and not the individual, the unit in society. The family unit has the support of science, for it leads to the conservation of all that is good in the race. Nor will the country, with such a system.

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\* "If nothing is done to alleviate existing conditions one can foresee the inevitable end as clearly as if it were visible to the eye. The struggle will go on increasing in intensity as the Negroes advance in intellectual capacity and material resource; the passions of both races, now fitfully venting themselves in lawless action, will rise beyond control, and a catastrophe will ensue which will startle the world."—W. P. Livingstone.

"What then, is this dark world thinking? It is thinking that wild and awful as this shameful war was, it is nothing to compare with that fight for freedom which black and brown and yellow men must and will make unless their oppression and humiliation and insult at the hands of the white world cease."—Du Bois.

"Where the race-differentiation formula is held to, it will doubtless in time bring about civil war."—Lord Olivier.

be afflicted with the ills of ochlocracy. African democracy is founded on the ideal of Clemenceau—

“ Individualistic democracy which takes liberty for its watchword.”

The whole vehicle of expression would lie in the Omani Council as representing the people who could then usefully employ their time in the humdrum toil of daily life and leave political speculations and the unravelling of the complexities of modern public business to those in whom they have the greatest confidence. Class government as represented in the Crown Colony System may be good, but it is static. Self-government may start from bad beginnings as Stuart Mill avers; but it is dynamic and progressive. It brings development to a standard which the static cannot reach. To deny self-government therefore on the principle that in Africa\* it would result in confusion and conservatism is to discount human intelligence and betray lack of confidence in the peoples of Africa. “ Let a person have nothing to do for his country,” says Stuart Mill, “ and he will not care for it.” To counteract such an effect can best be achieved successfully by adopting the sentiment of Milton in placing everyone “ his private welfare and happiness in the public peace, liberty and safety.”

The position of President would be held by a Nana who in his own person would convey more to the people than does the President of Western Republics.

To the cynic who would throw in the bombshell of indifference and apathy by asking “ What’s the good? Where’s the money coming from, anyway? ” we should reply with Sir George Cornwall Lewis “ that the duty of the cabinet minister is not to work his department but to see that it is worked.”

A word on Ashanti. All that has been written applies

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\* More particularly British West Africa which appears to be the cynosure of the public at this moment.

with equal force to the loyal and great souled citizens of that ancient Kingdom. Ashanti, at the height of its military glory and national consciousness, indeed reached a stage higher in political government than her neighbour, the colony, for the whole country then was welded and bound together to the King of Ashanti by their common reverence and adherence to the traditions of the Golden Stool. The present federal nature of the states therein is the outcome of British intervention.

The day is approaching when Government will realise the practical advantage to the Empire of the amalgamation of the administrations of the countries. When that auspicious moment arrives, Ashantees, Akims, Akwapims, Fantees, Gas, Ewes, Ahantas, and all, would be drawn together in one great Akan organisation, such as would have naturally evolved if Britain had not intervened too early in the history of the Gold Coast and Ashanti. The president would be the head of this wide stretching Republic and the state councils the medium of popular representation.

In due time the Northern Territories may stretch out their hands and join the group.

And where does British West Africa come in? Her place is sure and reserved. With progress in Native constitutions, Education, and Wealth\*, the citizens of these territories, the land of radiant energy and sunshine, would be welded into one federal unit, each colony retaining its individual local autonomy but joining together in one unbroken chain to glory!

“ What we seek is the Reign of Law based upon the consent of the Governed and sustained by the organised opinions of mankind.”†

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\* Education and wealth very much depend upon the political concept, for whatever this is interpreted to be will naturally be reflected in the system adopted for the mass and special education of the people and the development of their economic resources.

† Certificate of Enrolment, League of Nations Union.

## CHAPTER XVIII.

### YOUNG AFRICA—A REMINDER.\*

If we mean to support the liberty and independence which has cost us so much blood and treasure to establish, we must drive far away the demon of party spirit and local reproach.

WASHINGTON.

THINK !

This is a time for serious reflection and silent contemplation. Think till you exhaust the enduring powers of mental strain and you are rewarded for your pains by an ache that knaws through the ligaments of your joints !

In these stray musings of one of yourselves, much has been said about the duty of each of us to his country and race. Let us take up the task that lies nearest to hand ; serve on the Oman Council and prepare the way for the future enfranchisement of Africa.

What is your vision of the future Africa ? What is the height of your ambition and the goal of your aspiration ?

In the hour of crisis, Sarbah was laid low by the hand of death. In the faithful discharge of his great mission, Kwegyir Aggrey was translated when he was most needed. Both have left messages for young Africa. Sarbah's message we have discussed ; Kwegyir Aggrey's is contained in his letter † received shortly before his death, probably one of the last he ever wrote.

Unhaunted by the impending doom that was to deprive the world of a great soul and Africa of a race leader ; undaunted by the many difficulties that beset his

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\* This appeal was originally made to Fanti youths at a public meeting held at Cape Coast in October, 1920, under the chairmanship of Mr. Henry Van Hein, now President of the Aborigines Society.

† Read to the West African Students Union in August, 1927. Aggrey died in New York in the previous July after leaving London in June.

chosen path of duty for his country and race; in the earnest hope and sure conviction that the salvation of Africa was to be effected not by the application of force and coercion, but by persuasion and the impelling magnetism of a powerful mind and character, Kwegyir Aggrey communed with the shades of the past and sent us this message\*—

“ Tell all of them to study hard. We have no time to lose. Emphasise knowledge, let the degree be secondary if not tertiary. Nobody is asking what university Lindberg graduated from, or how many degrees he has. But everyone is acclaiming him the hero who first crossed the Atlantic in a non-stop flight . . . . .

. . . . . I put the moral reputation of my country first; information, mental acumen, critical and scientific knowledge, second; degree or degrees third . . . . .”

Paul in his eloquent defence of his rights and privileges before the Chief Captain in Jerusalem claimed that he was a Roman and a Jew of the Jews. He was proud of his citizenship of a great Empire, but prouder of his race and nationality. That sentiment has been re-echoed in

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\* This is addressed as much to the clergy as to the laity. For some reason or other our clergymen seem to shun public affairs. With the notable exception of those of the Zion Methodist persuasion, they appear to consider that their province is bounded by the church. This is an erroneous and very narrow conception of the duty we owe to our motherland. “*Oman si ho nna posuban sim!*”, it is only because the nation exists that the clergy exist and it is their prime duty to do all in their power to assist the promotion and continuation of that existence. In England, there are lords spiritual (that is Bishops) in the House of Lords, and clergymen of various nonconformist denominations, members of the House of Commons. Our ministerial friends therefore should expand and accept a broad view. Religion, education—all is nought if the nation ceases to exist. Moreover their assistance is specially necessary for their spiritual help, for as Napoleon is reported to have said God is on the side of the winning camp. It may perhaps be of interest to note that one of those responsible for the New Constitution which has caused us so many misgivings is the Archbishop of Canterbury!

the hearts of many who have lived to bless the land of their birth and the nation to which they belonged; and who, dying, have left behind them golden deeds written on the sands of time, a lasting monument to their pride of race.

To-day, we re-echo that sentiment—we are citizens of no mean Empire, members of no mean race!

The task is done. We have travelled with you as in a dream over this dear land of ours. We have brushed shoulders with men of the past and gained inspiration from them; we have lived over again events now belonging to tradition and history, and have gleaned knowledge from them. We have sensed the pulse of the political aspiration of our people and their struggles towards the materialisation of their hopes.

But the battle is not done yet. Much has been done; much also remains to be done. Our fathers have bequeathed to us a rich legacy in the direction of the affairs of the motherland. Let us accept the trust in all humility and sincerity and prepare to discharge the obligations attaching thereto.\*

“ Oh, not for the sake of a ribboned coat,  
Nor the selfish hope of a season's fame,  
The Captain's hand on his shoulder smote  
Play up! play up! and play the game.”

Play up and play the game, keeping ever in mind that the great secret in playing the game is in learning to pass the ball.

It is true that as a people we have not yet shaken off the shackles of political thralldom; that we have not yet attained the zenith of national development. But what then? Rome was not built in a day, and patience has a

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\* There is a tendency to narrow down the great ideals of the Aborigines Society and make it subserve the interests of a part. This must be at once checked. The Society is intended to serve the interests of all. A drastic re-organisation of its machinery is above all else essential, and the older members should be given their due right of control.

place in the ambitious schemes of life. Nothing worth having was ever obtained except by dogged persistence and unswerving courage. Wherefore let the thought remain with us to move forward in unison with the assembled forces of justice, truth and equity, steadfastly looking forward to the goal that the African too has a destiny to fulfil, an allotted part to play in life.

It is one of you speaking. One who has lived and moved among you; eaten and drunk with you. One who has taught, and has been taught by, some of you. One who has shared in the sorrows and pleasures of our common life. He appeals to you to divest yourself of suspicion and doubt of England; suspicion is a parasite that will stifle the growth of the best of intentions. We have the open and frank countenance of our Prince to assure you of England's goodwill towards Africa. We saw him in the Easter of 1925,\* and felt our hearts thrill with the magic of his presence. His charming personality magnetised our mothers, his fellow feeling made us render our homage and allegiance most freely and unreservedly. His condescension to visit those shores and be photographed with Prince Ofori of Larteh surely proclaim his faith in us. Let us reciprocate these feelings by working in harmony with our friends for the common good. We must assiduously strive to maintain our rights and privileges in all things by calling attention to the infringement of any of them; but let us do so, not in the attitude of hostility and unfriendliness, not in a mood of disgust and distrust. Rather should we approach each other and submit our claims respectfully and dutifully, but none the less insistently.†

“ Two principles have to be kept in view, what is

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\* The writer was a Press Representative for the occasion and had opportunities for a close study of the Prince.

† “ The rights and interests of every or any person are only secure from being disregarded, when that person interested is himself able, and habitually disposed to stand up for them.”—Stuart Mill.

possible, what is becoming; at these every man ought to aim."\*

But we must not fail to see the possible in the pursuit of the becoming, for that would forbid accomplishment.

"On the other hand, to fail to see the becoming in clutching at the possible, is to fall into the habit of opportunism, of shifting compromise which can only end by reducing principle to interest."

Would it were possible to stir up your imagination, arouse your passion, fire you up with the martial spirit of the music of the Nanamu, and crash into you their diapason tones calling upon their children to reconstruct the holy edifice of Africa's glory!

In those literary and social organisations you have set up—and we remember many pleasant hours spent in your associations—you have the elements to mix up and produce the refined article; they are the laboratory wherein the chemist finishes his product. In the hands of God these products will be applied with startling therapeutic effects on the ills and cares of our people.

"Let us therefore frankly acknowledge our own limitations, not with an intention to rest and be thankful but to make good our defects and press on to a higher level of usefulness. Let everyone cultivate self respect and have faith in his or her capabilities. Let us leave the gloomy shades of the lowly tamarisks, and beneath the warm rays of the noonday sun learn to sing somewhat higher strains befitting the children of the Tropics."†

To both British and African youth there is a warning from history, from the unknown depths of Biblical prophecy.

"And he said unto Abram, know of a surety that thy seed shall be a stranger in a land that is not theirs and shall serve them, and they shall afflict them 400 years."‡

\* Aristotle in *Politics*.

† Sarbah.

‡ *Genesis* xv. 13.



Under the auspices of Prince John of Portugal, the Navigator, the Portuguese visited the West Coast in 1465. They brought away with them twelve African boys to train up and educate—twelve also went from Canaan to Egypt. The boys were never returned to their country and thus the slave traffic had its inception. Some of them like Joseph found favour in the land to which they were carried; they became professors in the Universities of Europe.\* For 400 years Africa's children were oppressed till they sang songs† to lighten their burden of woe. But in 1865, the North, inspired by Abraham Lincoln, won the South, and America, the market of the slave trade, washed its hands of that defilement. That same year witnessed the beginnings of the Fanti Confederation which became properly organised two years later. But Israel suffered thirty years longer than the predicted time. Thirty years after 1865, agitation over proposed Government legislation affecting land interests created a furore, reaching its climax in 1897. The people gained their cause. Within that same period Booker T. Washington in the States captured the citadel of American philanthropy to support the founding and maintenance of Tuskegee. Yet the struggle for emancipation, true and free, still goes on, and if Pharaoh will not let the people go, why, the Nile is still the Nile!

In the swift-moving eventful days of the agitation of 1897, Attoh Ahuma sounded a trumpet call to the youth of the country.‡ Methinks this is a time for another blare from the trump, but the hand is nerveless that once did hold it. The Nanamu seem to tax Africa heavily for her desertion of the sacred groves, due to the wrongful introduction of *European Christianity*.§ Ahuma

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\* Attoh Ahuma's *Memoirs of West African Celebrities*.

† This is the origin of the Negro Spiritual.

‡ *Vide Preface to Memoirs*.

§ This does not imply that Christianity belongs to the Western world. It belongs to every section of the human race for it is the

is not, Sarbah is not, and they have taken Aggrey away. Oh, for the touch of a vanished hand and the thrill of a vanished voice! \*

But who will step into the breach? Who will catch up a firebrand and flame up the dying embers of national feeling, rouse up the drooping spirits of our people, and wake them up to the necessities of the moment? Many of us are wandering far afield in search of adventure, yet near us lies a great adventure, the task of the watchman on the tower—

“Stand then my countrymen, shoulder to shoulder; let unity of thought and unanimity of purpose prevail. Strain every nerve to remain loyal to the King, our Protector. Quit you like men, standing square to the great work before you, and with a pull, a long pull, and a pull together, depend upon it there is nothing that will ever be impossible to our beloved country, the Gold Coast! ”†

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noblest embodiment of religious teaching known to man. But European imperialism has carried Christianity to Africa with all the trammels of Western civilisation. Socially, the missionaries produced or attempted to produce, a weakening of tribal organisations such as the Asarfu and such like. Morally, they forced upon the people certain standards of right and wrong, thereby shattering the Native's belief in retribution and Karma; politically, they taught obedience and submission to white authorities because of their “superiority.” Perhaps the most striking examples of this promiscuous introduction of Western manners and customs are to be found in the following instances: (1) In the eastern districts, settlements some distance away from the villages were created for converts to differentiate them from those still under the wrath to come (?) (2) The Native marriage ceremonies were superseded and the use of “Mrs.” instead of “Mami” substituted with unwholesome effect upon the Native idea of marriage. (3) In the Central districts, converts were encouraged to wear European attire and there is a story told of how one missionary became so obsessed with the notion that he went to the extent of providing such dresses at baptism at the expense of the Mission—the bill for which the Home Mission declined to meet. A more ludicrous mistake it is hard to imagine, but out of that arose the eager rush to coat and trousers, “the hall mark of admission to heaven” which has brought so much woe!

\* *Vide* Appendix II.

† Attoh Ahuma in *Colony or Protectorate, Which?* Read the same author's *Gold Coast Nation and National Consciousness*.

## CHAPTER XIX.

### THE COLOUR QUESTION.\*

OH, my dear friends—you who are letting miserable misunderstandings run on from year to year, meaning to clear them up someday,—if you only could know and see and feel that the time is short, how it would break the spell! How would you go instantly and do the thing which you might never have another chance to do!

PHILLIPS BROOKS.

THOUGHTS on the colour question flit through the mind. That saying of Socrates keeps running through my reflections. We are in the same state as if the two hands, which the gods have made to assist each other, should neglect their duty, and begin to impede each other. Would it not be great folly and misfortune to use for our hurt what was intended for our benefit?

It seems a great pity that man is not disposed to consider the opinions and feelings of the other man. As many men as many minds, mused the Greek Philemon and truly, varieties of opinion exist as to who is a man and who is not. The Jew considers the Gentile an accursed dog; the Westerner considers the Coloured East inferior, while the Black considers the White an after-thought of creation † to which fact is due his white tegument! What a farce it all is!

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\* It is a problem to the white only, created by his own imagination and conduct.

† One of the many legends connected with the creation represents the Creator as a baker who discovered at the last moment that he had more room to fill in his oven. By the time he finished mixing up the ingredients and placed the dough in the remaining space, he noticed that those which had been placed in the oven were getting overdone, so he opened it and raked out the bread. The result was that there appeared three forms of bread, the well done and almost burnt (The Blackman), the just done (the Brown or Yellow man), and the half done (the White man). The moral of the story shows

Methinks in a dream I stood at early morn upon the edge of a plateau with extensive fields of green. I beheld, and lo, the sun came up and with its radiant brilliance scattered and dispersed the dewy mists that shrouded the vast expansive fields. And then there stood revealed to my astonished gaze, nature's fairest flowers freshly blooming. Their sweet scent and aroma was wafted towards me by the early breezes, and I inhaled it with delicious delight.

There were in that natural garden, flowers of all kinds, colours and hues with lovely petals; it seemed as though all nature was engrossed in creating their beauty and fragrance. All was order and peace; the

that the Black man is an evolution of the White man (since all had a white origin) and this is supported by the physiological fact that the Black man is born with a reddish white skin which gradually darkens with age and exposure. Another inference from the story is that the Black man can stand both the heat of the Tropics and the cold of the Frigid, to a degree which the Whiteman cannot. A third inference is that sun heat is medicinal and the African is able thus to live through the heat of the tropics, while the white man is beginning to realise the virtues of sun bathing. The plain simple clothing now used by the modern girl in England is going to make a tremendous difference in her physique; she will grow to be stronger than the man who still muffles himself up in thick woollens. On the other hand, the modern girl in Africa and for that matter the modern young man as well, is too apt to follow European methods of dress which are largely unsuitable to the climate and this unless checked, may lead to deterioration in the physique.

The hidden meaning of the myth explains the natural endowments of the three types of man. The white, touched lightly by the burning warmth of the divine essence is passionate and materialistic; the brown combines materialism with spiritualism, with more inclination towards spiritual emotion, while the black under the revivifying influence of the creative essence (the god whose spirit—fire—moved upon the face of the waters at the beginning) attains a state of ecstatic intoxication wherein he sees God in all things and man therefore as his brother. Herein lies the truth of the African's deep rooted sense of humanity, of the oneness of all life. "When a man does not realise his kinship with the world, he lives in a prison-house whose walls are alien to him. When he meets the eternal spirit in all objects, then is he emancipated, for then he discovers the fullest significance of the world into which he is born; then he finds himself in perfect truth, and his harmony with the all is established."—Sādhanā (Tagore).

odour of sweet contentment and happiness was diffused in the surrounding atmosphere—no bickerings, no discords, no strife. Nature's own sweet peace seemed to repose on all.

On the further side I could see flocks of the feathered creation, from the bright plumaged peacock to the colourless insignificant sparrow. In the bright sunlight was the mellifluous canary whose songs were ringing down the vale. There was the graceful swan sailing majestically on the waters of the pond; the cock-a-doodle doos, the quacking of the ducks, the hurrying hither and thither of the young ones—all these denoted peace and satisfaction in the camp; no disputes between the duck and the pheasant, no jealousy between the sparrow and the peacock because of the colour of his plumage!

Next to these in the same field but in a different section were the animals of creation, from the lordly lion and the gay-striped zebra to the humble mouse. The tough skin of the elephant accorded with his great strength and achievement and was of no concern to the light-skinned mole. I cast my eye around and looked for signs of discord, but looked in vain! Each lived his life without any thought of the colour of the other.

In the third division of the field I beheld man in various stations of life. The Viking, the Caucasian, the Hindu and the African—thrown together by force of circumstances and by nature, to help each other's burdens. But no! there were sounds of discord and discontent, of turmoil and confusion, of civil war and strife.

“ There every prospect pleases  
And only man is vile.”

Man could not live in brotherly love with his neighbour. Up went the cry from one to the other—am I my brother's keeper?

I swept my eyes across the fields slowly and in pain. The beauty of the flowers, the rich diversity of colouring

of the birds and fowls and plants had appealed most strongly to my æsthetic sense. Peace seemed to reign over them all and I wondered if there could be peace in the field of man also.

Suddenly the light began to fade; I must have lost count of the time. In despair I cried out—was there a solution to this problem?

The words had hardly left my mouth when with a last lurid glow the sun went down and the mists of evening descended on the fields hiding them from view. I strained my ears and listened—not a sound from the flowers, not a sound from the fowls, not a sound from the animals; but from the field of man there proceeded even from the impenetrable darkness sounds of clash and conflict between black and white, and white and yellow!

God! could there be peace among men? was there a solution to this inextricable mystery?

The shadows answered not; the echoes returned me my words, and in despair I turned away from those sad and harrowing scenes and—awoke!

I felt myself under the seductive and impelling influence of the dream and unconsciously I began to muse again.

Arthur of the fabled Knights of the Round Table interpreted the vision aright when he thus spoke of evolution:—

“ The old order changeth, giving place to new,  
And God fulfils Himself in many ways  
Lest one good custom should corrupt the world.”

There can obviously be no racial discrimination because of any supposed inferiority inherent in coloured peoples. How often man forgets that in the last analysis he is but a blind instrument in the hands of some intelligent power!

Vested with such brief authority  
He plays such fantastic tricks before high heavens  
As make the Angels weep!

The clash of colour appears to a number of the Caucasian element as a menace to the peace of the world. Rightly or wrongly they are apprehensive that with the awakening of coloured peoples from the position of subject races to national consciousness, white domination is everywhere to be assailed in the future. Some have started preaching that civilisation\* is threatened, that the permanent stability of white institutions is being undermined, and that white peoples should undertake a crusade, co-operate with each other in devising ways and means to forestall and circumvent the interpenetration of all such malicious and pernicious influences.

To the seers among them this era in world history is the twilight† of their race and they have sounded a warning to their people. The heralds‡ of the gospel of continued white civilisation urge with all their force and authority, the need for cordial racial co-operation as the condition to a lasting international peace. They see through the mists that surround the future that life is worth living, that man should love man,

“ That nation with nation, land with land  
Inarmed shall live as comrades free.”

In the scenes from the Song of Hiawatha, Longfellow vividly pictures the arrival of the first white missionaries in Hiawatha's country, and their message of goodwill and peace to the Chieftains of the land.

One could almost hear the terrific shriek of these worthy old Indians if “ in the land of the hereafter, in the islands of the blest.” they could look down with wondering eyes to see those whom in their ignorance and natural simplicity, they called “ brothers,” driving their posterity at the point of the bayonet to the wall, almost to the limit of extermination! To see Cortez

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\* *The Rising Tide of Colour* (Stoddard).

† *The Twilight of the White Races* (Maurice Muret).

‡ Adherents of the Stoddard philosophy.

and his myrmidons of the Western World sweeping through the land, carrying fire and sword, and this as the sequel to the message of peace and goodwill!

But thus have the peoples of the West thriven on the fat of the earth in the past. It is in order to preserve this disequilibrium in human destinies that the white race is faced with the tremendous problem and difficulty of the rising racial awareness of coloured peoples. White writers on the subject refer to vital statistics as an index of the rapidly advancing numbers of the subject races. They point to business successes, mental and moral achievements, of coloured peoples, as an indication of the growing power of so-called inferior nations. And they opine that the way to stem the tide of Coloured ingress is to plead for inter-racial harmony and peace. But how can peace result in a world dizzied in the whirlpool of selfishness, hypocrisy and cant; in a world that reckons not the justice of a good cause, but believes in the policy of what I have I hold, even though held wrongly? Can this tilted balance long be held in place by force of arms and oppression?

This world is essentially a world of surprises, for God moves in a mysterious way riding upon the storms to perform His wonders, and the greatest surprise of modern times was the sudden conflagration in the political arena which led to the armageddon of 1914.

Herbert Spencer says that the Absolute is unknowable. Some scientists claim that the universe was created by chance as the result of a blind and fortuitous concourse of atoms. Some philosophers explain that the world exists by the action of blind necessity and unconscious reason!

But to the African, this formation of worlds and men; of countless myriads of clusters of stars thrown out in the firmament of heaven; of the beauties of nature and blessedness of human love—all but exhibit the wonderful



resourcefulness and creative skill of a presiding genius. All religions acknowledge the leadership and guardianship of a supreme deity, and though religion is often foolishness to the scientist and the philosopher, the truth remains that there was a beginning, and that this beginning had its birth with the gradual enfoldment of the mighty workings of that great author and architect of our lives.

The great consolation of our lives therefore is this earnest and sincere hope that dwells in the breast of every human being, expressed or unexpressed, that there is a God above all gods; that there is a world of spirits from which we are recruited and sent on to this terrestrial existence for experience and spiritual growth, and that we return thither again upon completing our cycle here on earth. -

Basing his religious view of life upon this cosmic conception, the African inevitably believes in the doctrine of re-incarnation,\* and a continuance of this life in the spiritual world. The foreigner who saw in olden Africa, the burial of people with jewelry and foodstuffs on the grave, seemed to see the African in the lowest depths of depravity and degradation, seethed in dense ignorant superstition and heathenism.† He looked down upon him as one who gloried in the number of his gods and took joy and pride in his cruelties and atrocities.

Did missionaries realise exactly what it was they set out to accomplish in Africa? Did they possess the faculty of spiritual perception to comprehend the truth that the unknown God to whom the African built his groves and

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\* Used in a somewhat restricted sense.

† The writer has been much struck by the ceremonies associated with the celebration of Armistice Day, and the veneration paid to the Cenotaph. It is curiously reminiscent of the old practice in Africa when the people used to place foodstuffs, etc. (equivalent to the Westerner's flowers) on the graves of the beloved departed as a mark of their affection and to show that they kept their memory green.

reared his altars; to whom he bowed in silent acquiescence for all the blessings and ills of life; to whom in the anguish of his soul he offered sacrifices and oblations for the propitiation of his sins; to whom in the hour of victory and happiness he sang praises and gave thanks—that this unknown God was the God of all religions, even of Christianity—the God who is the be-all and end-all of life?

The monotheistic conception of the origin of things held by the Jews, through their contact with Persian mythology in their exile, brought about the idea of Zoroastrian Judaism. Moses proclaimed the first three commandments of the decalogue because Yahveh crowned his work in Egypt with success. The African's natural religion which some have termed fetishism and paganism,\* made him accept the remaining seven as the ordinary rules of daily conduct, the basic principles of human life, the relations that should exist between man and man. This system of ethics has always been the code of morality underlying the tenets of the Christian faith, and hence by the missionary upsetting the Native's notions of life by replacing him with a set of morals which in essence was the same as his own but possessed the thin veneer of refinement, he has succeeded in producing confusion in religious thought and faith; for in

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\* Spiritualism would be more correct and nearer the truth. It is not blind Animism as Captain Rattray seems to think in his writings on Ashanti and by interpreting *Nyami* as God of the sky he misses the esoteric significance of the religious concept of the African. The same mistake is repeated by the Rev. E. W. Smith in *The Golden Stool*. *Nyami* (or *Onyame*) means the Ever-satisfying, and is but another name for the Nyankupon. This error is probably due to interpretation. *Nyami Owo Sur* rightly interpreted means "God, the Ever-Satisfying, who resideth above the clouds." *Sur* which Captain Rattray and Rev. Mr. Smith translate by *sky* is the same word used in the Fanti version of "Our Father who art in heaven," *Hen egya owo sur*—Heaven, not meaning a definite place of abode, but a state of abode. Hence *Nyami Owo Sur* means *Nyami* (The God) *Owo* (who is) *Sur* (above), the *Sur* denoting a state and not a place of abode; *Sur* implies light, excellence, away from darkness and filth and evil.

his earnest effort to grasp and understand these new-fangled ideas, the Native has stumbled across duplications and misrepresentations!

God is the great spirit of life. His servants are the elements of nature; the animals of the forests, the fishes of the sea, the fairies of the woods, the genii of the air, they carry out his decrees. Remember O man, that thou too art a spirit; yea, the spirits of thy ancestors look upon thee. Conduct thyself worthily so to be received in their company at the end of life. Tremble O man, lest thou stumble against the decrees of the Great One for with lightning and thunder He scatters His enemies and they are like chaff before the wind. Lift not thy hand against thy kinsman, nor against the hand that eateth salt with thee nor goeth into the battle with thee. But curse, curse him that defileth thy gods, and the ashes of thy fathers for the Great One \* is with thee and He shall reward thy care!

This is a simple statement of the original belief of the

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\* Nyankupon, literally the Rain Giver, that is Life Sustainer. The idea of a three-fold personality in the God-head is embraced in the religion by the mystic expression *Busum enyim woko mpre nsa*, that is "the adoration of a God is completed in a cycle of three." A strange coincidence in the assignation of this Nyankupon with that of the Hebrew Yahveh is the attribute of sabbatic masculinity, for He is known as Kwame, clearly indicating that His day of rest is Saturday. Another ascription is Twirempon, the unfailing friend. The idea of a God who is the source and sustainer of all life is therefore no new thought in African theology and Europe's contribution to that subject has been the introduction of the second personality in the God-head, the Christ. Similarly the doctrine of the Atonement is nothing new—upon some such foundation is built the principle of matriarchal succession—so that the conception of a world of sin relieved by a suffering Jesus comes easily and naturally to the Native. It must be pointed out however that there is material difference in thought between the orthodox view of a crucified Jesus and the African view of the Atonement—in the latter, sacrifice and oblation are but the outward expression of a soul grieving for his sins or grateful to his God for success and victory; it never meant a propitiation, a satisfaction made to an angry God; it was a propitiation in the sense that it was a satisfaction made to the God for the wrongs committed against a brother man. The doctrine of original or Adamic sin has no place in African thought.

African. Turn upon it the searching analysis of science; the close scrutiny of philosophy, the crucial test of the long and varied experiences of human nature, and this declaration of faith will not fall short of the highest conceptions of life that ever were formulated by man.

But the preacher and the evangelist\* do not understand the African; they do not perceive the cause of their success in African missionary fields. It is because the aboriginal African's philosophy of life is the same as Christ's. He believes that a good measure well pressed down and running over, is the reward of motherly love and care for all, particularly the stranger that is within his gates†; that with what measure ye mete, it shall be measured back to you again.

Has it never occurred to the foreigner to ask himself the question—why the great God Himself (the Nyankupon) was never represented by any sculpture or work of art, but that such images and carvings as the African had, represented lesser gods (Abusum), messengers of the Great One! To him it was a great sacrilege, an attack on the dignity of the mighty spirit!

The African's theory of life included, if it did not even anticipate, the orthodox view of paradise. It holds out the hope that the dead actually live out their lives in the world of spirits, and that this existence is a direct continuation of the life here, conditioned by ourselves on the earthplane. This belief finds some expression in the Romish doctrine of purgatory. Dante's *Inferno* affords another striking analogy. The same thought pulsates in

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\* His attitude has been that of the fabled Chinese.

“I have heard of Chinese converting barbarians;

I have not heard of any being converted by barbarians.”—

Mencius.

† This explains the *raison d'être* of the proverbial hospitality and generosity of the African particularly to missionaries, from the days of Bosman onwards.

the philosophy of Swedenborg, and in his apperception of the daily routine of life lived beyond the ken of mortal eye! In the natural religion of the African therefore was material that could be woven into the very texture of Christianity. "How shall we sing the Lord's song in a strange land," the ancient Hebrews complained in tones of anguish and sadness. But the African in a strange land, thousands of miles away from his home, under the cruel wrongs of generations of masters, sang and sang—Sang songs that have shaken the world by their sweetness and pathos, songs that have thrilled and appealed to thousands. Throughout the ages, in the jungles and swamps of Africa, the Negro has existed. The unhealthy surroundings and the burning heat \* have not crushed him out of existence; he has persisted to live, urged on by a higher force than himself. His abundant vitality and vigour; his keen sense of humour, and right and wrong; his boundless energy and irresistible smile and good nature, render him a fit instrument for the regeneration of man. He is bringing to bear upon life the right standards of humanity.

The nations of this dispensation have feasted long and are surfeited. The world groans under the weight of false values and oppression, and the time is coming when the African will be a medium to teach a new righteousness to man, to make real the common gospel of the prophets and leaders of the past, the common humanity of man. It is because of his implicit faith in the great and everflowing spirit of life that the African is going to be a vehicle for expression; his notions of life and conduct are deeply rooted in his nature and these make it easy for him to triumph over thoughts of revenge for past wrongs, to curb his righteous anger against those who transgressed the laws of God and man, and made of him

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\* What such environments failed to do, however, may be done by the evils introduced by the white invasion—liquor, "Christian marriage," tinned meat, etc.

a chattel. In the world of to-morrow, he will be a leader. With him stalks the mighty spirit of the past; a new era, a new cycle, a new dispensation, a new commandment, though the same old one, will he be the means of setting up in the world!

Africa, grieved and pained, presses forward her grievances and complaints; she seeks redress and reconciliation because she desires peace and harmony. She pleads at the bar of human sympathy and love for due recognition and respect.

Choose you this day, youth of Britain, the rule for the guidance of the future. Along the road of illwill and antipathy there is suspicion and distrust, there is friction and chaos. Bismarck evolved an empire out of scattered Germany. Alexander the Great founded a wide flung empire with the might of his sword, so also did the Medes and Persians. Rome with the iron heel of militarism stamped out the last sparks of Grecian independence; but Greece continued to live in her arts and Rome was pleased to learn and to copy. The irony of it all!

Why repeat history? Why not achieve a more glorious and lasting consummation of ideals by treading the paths of peace and goodwill, towards others of the human family \*? Along that road there is forbearance, opportunity, and co-operation, leading to national progress and national entity. To you, youth of Britain, who to-morrow will wield the sceptre of this great Empire, is committed the serious charge of choosing the way for future direction.

It is sad to feel this travail of the world, but it is the travail of a new birth. There are sighs and wails, disabilities and difficulties even within this Commonwealth. Japan awoke from her long lethargy of the centuries and adopted the methods and tactics of the West. She

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\* "The brotherhood of man must no longer be a fine phrase without meaning; we must give it a strong and genuine form."—President Wilson.

proved an apt pupil, learnt how the West worshipped gold and power. She followed the teaching religiously, and the West shakes its head and nods. China is in the throes of evolution, and presently she will emerge from the dark past with a new vision and a new hope. The world is rife with conjecture about the probable tendencies of the African, of African resurrection and new life. But the African believes in the common brotherhood (Ebusia) of man, and in the principle of live and let live. On that pedestal he stands and asks for equal privileges and equal opportunity to make good.

It seems to take a long time to sound this tocsin into the ears of man. Truly hath Tacitus said—

“ Truth grows slowly by thought and reflection while falsehood springs up through hustle and fuss.”

How hard it is to make the truth known about Africa and the African! The constant habit of thinking that he is not human has made it difficult to convince the world of the falsity of that assumption. “ The inertia of habit and stupidity,” says Dr. Canning Schiller of Oxford, “ is always slow to move, and the opposition of those whose interests or prejudices are affected is always bitter.” How appallingly true this is in regard to the African. Yet the world needs the potency and force of habit to maintain a cosmic order; “ it is the static principle, conservative of the existing order. But by itself it would be the acme of dullness and incurable fatality.”

It is this inertia of the centuries that stands in the way of progress. But Africa must not be fainthearted; she will plead till the prayer is heard, even though she has to engage the services of the Lord Jesus Himself as counsel, to appeal to the common cause of brotherhood and humanity!

Take the first step now and roll back the curtain of racial prejudice and national antagonisms, for the inertia of the ages cannot be undone in the day of reckoning.

## 148 TOWARDS NATIONHOOD IN WEST AFRICA

Young scions of England, learn to understand and appreciate, be true to the blue blood of your Victorian sires.

Mothers and daughters of England, to you Africa appeals. Women are women the world over \*; their sympathy, devotion, and love are sacred—consecrated to the service of humanity. They hold in every corner of the globe the destiny of the race in the palm of their hands. In them resides the fountain of justice and sympathy. Let it well up in your heart. Transcend the sacred precincts of the temple of patriotism and beyond the veil of the holy of holies, catch a momentary glimpse of the beatific vision of MAN sitting on the right hand of Power. Then translate that vision into reality; to you God has given His choicest blessing; teach the little ones to know the truth about Africa and the African, for a "little child" shall lead them in the days to come!

And the mountains shall bow down their heads and the waves of the sea dash up their spray to the sky and in mid-air they will meet and kiss each other in the soft and tender brilliance of the morning sun!

"Lord God of Hosts, be with us yet,  
Lest we forget—lest we forget!"

THE END

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\* The whole fabric of African institutions is built upon woman as the corner stone; she plays a most important part in the affairs of her people.



## APPENDIX I

Dear Sir,

I beg to acknowledge your letter \* of the 30th inst., with respect to legislation on the Gold Coast as to native jurisdiction.

I was strongly opposed to the Ordinance of 1910 for three reasons.

*Firstly.* At the date of the bringing in of the Bill there was already a number of Chiefs who had jurisdiction under the Native Jurisdiction Ordinance†. The system of Native jurisdiction as then existing was intensely bad, as it could not be right for the judges to pocket the fees and fines imposed; however, the system was there, a product of the soil, and could not be done away with; but there was no need to extend it, and I thought it a grave Error of Policy to extend such jurisdiction in the indiscriminate manner proposed in the Bill.

*Secondly.* It was a retrograde step. When the British came to the Gold Coast the only courts were those of the Native Chiefs. The courts could not properly decide cases between Europeans, and would have had difficulty in deciding cases between Europeans and Natives of the country. As a consequence the British set up tribunals of their own. Gradually Native litigants repaired to these tribunals, and the respect for these was so great that there was no difficulty in enforcing their decisions. These tribunals in time were so much frequented by Native litigants that the courts of the

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\* My letter was to the effect that while preparing the character sketch of the late Hon. J. M. Sarbah, I discovered the strange fact that Sir Brandforth had opposed the passage of the 1910 Ordinance, and that I should be glad if he would enlighten me about the grounds of his opposition.

† That is of 1883.

Chiefs became deserted and (I am speaking from recollection) the Chief of Cape Coast complained to Governor Maclean that he (Capt. Maclean) had by some imperceptible means taken away all his jurisdiction. It was on this foundation viz: the preference of the Natives of the Country for the British tribunals over the Native Courts that the present Supreme Court of the Colony is based; and it was by means of the jurisdiction that these tribunals exercised, that the British got a permanent footing on the Gold Coast. History showed that the Native litigant preferred the British Court to his own Native Court, and for the Government deliberately to go against the confirmed predilection of the Native litigant and to force him to repair to the Native Court instead of the British Court, was not only a retrograde step but unfair to the Native litigant. The Government considered the Chiefs only, and not the people.

*Thirdly.* The Bill left much to be desired in form and method. Assuming that the Government's intention was to be carried out, the Bill was susceptible of much improvement; as it was passed it was not fit for the Statute Book. I did my utmost to improve it, and to some extent succeeded, but many suggestions which from my experience as a judge warranted the making, were put on one side.

I did not vacate\* my seat on the Legislation Council. In early days it was an advantage for the Chief Justice to be a Member of the Legislative Council, but as the Colony advanced it became an anomaly, and when I

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\* In my letter I mentioned that it was understood locally that he vacated his seat on the Council as a result of this Ordinance (1910). According to the records (*Gold Coast Gazette*, 1910) what appears to have happened was that Sir Brandforth was very much opposed to the rush with which Government wanted to pass the measure through; and when the Bill came up for the Second Reading, he moved that it should not be proceeded with at that rate; he was however ruled out and in order to avoid recording an adverse vote, he left the Council Chamber temporarily and resumed his seat later for the further discussion on the Bill.

retired, the opportunity was taken to make an alteration in the constitution of the Legislation Council, and the Chief Justice ceased to be a member of that body.

The minutes as reported in the records (Gold Coast Gazettes for 1910) are only approximately correct. All the points made and arguments adduced by the Governor and the Attorney-General are to be found there, but that does not apply to points made and arguments put forward by me. When the minutes came up for confirmation, I pointed out numerous omissions, but was only able to get some of them inserted in the minutes, with the consequence that I dissented from their confirmation. It was at the conclusion of the meeting, the last meeting at which Sir John Rodger presided, that I had the privilege of moving a Resolution of Farewell to Sir John and Lady Rodger.

You will note that I rarely, if ever, opposed the Government by voting against it. The Chief Justice was absolutely independent of the Legislation Council, but whenever I gravely disagreed with the Government I withdrew temporarily instead of recording an adverse vote.

Yours truly,

W. BRANDFORTH GRIFFITH.

*London*

6.1.1928.

## APPENDIX II

### THE LATE MR. J. W. DE GRAFT JOHNSON

THE one remains, the many change and pass,  
Heaven's light for ever shines, Earth's shadows fly ;  
Life like a dome of many-coloured glass  
Stains the white radiance of Eternity  
Until death tramples it to fragments.

SHELLEY.

Thus in the glow and warmth of a tropical morning, while nature shone in resplendent colours over the broad expansive field and the flowers shed their sweet fragrance scenting the gentle breezes that travelled from the riverside ; while the birds sang and the sounds of refreshing music stole gently on the ear from the forests near ; while the bustle and hustle of everyday life was gathering itself together for the daily round of motion ; while all the world seemed bright and fair with hopes renewed, with the joy of life coursing through the blood, even so in the very summit of expectation and contentment, the unerring thunderbolt of death struck his little dome of many-coloured glass and trampled it to fragments !

He was a man who loved his country and his race. He served the cause of his fatherland at all times, and held aloft the banner of national honour and prestige entrusted to him by the traditions of his ancestors. He acted from a high sense of duty on the principle that because right is right, it were wisdom to scorn the fear of consequence. So he preached and so he practised and those who came within the circle of his influence went away with their hopes brightened, their faith in Africa strengthened and their trust in God deepened.

Kwesie Johnson as he was popularly known at Cape Coast, was born on August 5th, 1860. His mother was



Betsey de Graft, daughter of that Joseph de Graft who figures so prominently in Gold Coast history. His maternal uncle was William de Graft whose request for a supply of Bibles addressed to Captain Potter, led ultimately to the happy result of the Wesleyan Methodist Society sending missionaries to the Gold Coast in 1834. His father was Joseph Benjamin Johnson, son of Robert Swain Johnson, sometime Colonial Secretary to Her Majesty's Government on the Gold Coast and Sierra Leone.

He received his education at the Colonial School in the town of his birth and under the care and supervision of another maternal uncle, John Coleman de Graft, a well-known political figure in those days.

From School, young de Graft Johnson entered serious life by serving his apprenticeship in the employment of Messrs. F. and A. Swanzy, becoming their factor at Elmina in the early eighties. It was in the course of this service that he developed that quality of truthfulness and plain speaking which later characterised all his actions and gave a decided bent to his love of the truth, and the truth only, at all times. In addition, the family trait of not stooping to eat humble pie began to assert itself and two incidents belonging to this period of his life clearly indicate that his character had been well formed. One was in connection with the revolt of the shipping and landing clerks at Cape Coast in the eighties, when new regulations were put into operation permitting and legalising port labour on Sundays. Mr. de Graft Johnson headed this strike on the principle that the Lord's day was the Lord's day and should be observed as the Lord's day. The merchant companies were aware of this resolution but did not for a moment suspect that the young Africans had any grit and determination to adhere to it. But after events proved that not only did the young men possess sufficient stamina and the courage of their convictions, but that the leader was as cool and collected as

a cucumber under the raging torrent of indignation aroused by their action in actually refusing to attend to a ship which came into port on Sunday. Unperturbed by the promises of reward if they served the ship or threats of dismissal if they persisted in their opposition, young de Graft Johnson attended divine service as usual in the evening, came back, had a good dinner and a sound rest. But he was not dismissed, he was promoted instead.

The second incident was of a more serious nature. It occurred on board a Man-of-War where on being assaulted by an officer, Mr. de Graft Johnson returned the battery with satisfactory interest. A hue and cry was raised but Johnson slipped off the ship's side into his boat and made for the shore. He was chased by the ship's launch but the Nanamu were in his favour and he arrived on shore safe in wind and limb. His truthful and outspoken nature made him relate the story of his experiences to his chief, Mr Lyall, who had great faith and confidence in him. The next day by an official communication to Mr. Lyall, the supposed miscreant was ordered to be extradited for a trial by court martial on board the Man-of-War. Mr. de Graft Johnson won the case but was cautioned by his chief against taking such risks in the future.

After some years of experience in mercantile work in various capacities and in various parts of the country, Mr. de Graft Johnson set up for himself in business, specialising in the silk trade. Success crowned his ambition and made it possible for him to devote a great deal of time, money, and energy to the cause that lay nearest his heart—Education and Agriculture.

The story of his interest in the affairs of his country and the stimulating example he set to others in the discharge of their duties in the service of the fatherland is briefly told in the many eloquent tributes paid to him by the press on the occasion of his sad and sudden translation to the higher service. "He was a man of fire and of

action. He was all bustle and hustle and rustle. He was the one man who stood on four square and told the demagogue to the face. Neither position nor wealth ever bought his judgment. Truth never flinched with him. He was ever active dealing with falsehood red in tooth and claw. He believed in a righteous cause. He was the first man to bring to the notice of Mr. J. P. Brown, Chief J. D. Abraham, Hon. J. M. Sarbah and others, the abominable Lands Bill of 1897. He provoked an agitation, and as a result, the Gold Coast Aborigines Rights Protection Society was founded, himself being a member. His executive ability was most pronounced. He was full of constructive suggestions and wise counsel. He was an excellent man—a man who left the world better than he met it.\*\*

In private life, Mr. de Graft Johnson was the head of the Twidan clan, whose symbol is the figure of a Tiger. To the clan as to the nation, he suffered no personal feelings, no matter how great the sacrifice, to stand between him and what he conceived to be his duty.

Within the family circle he was an affectionate father, deeply devoted to his children and spared no pains to secure for them the best legacy of a parent, a sound education. He had the satisfaction of knowing that whatever sacrifice he had made in their behalf was well worth it for the children returned his love and devotion by personal service and by trying to carry out in their own lives the ideals that he had striven so earnestly and sincerely to hold up before them.

In a letter to his eldest surviving son, Mr. J. C. de Graft Johnson, Assistant Secretary for Native Affairs, Mr. J. T. Furley, C.M.G., O.B.E., late Colonial Secretary of Sierra Leone and formerly Secretary for Native affairs on the Gold Coast, writes as follows:—

“ I was extremely sorry to read in the Gold Coast papers the news of your father's death and the tragic

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\* *Gold Coast Leader*. Feb. 25—March 3, 1928.



circumstances attending it; and I am writing you a line to express my deep sense of sympathy with you and your family in your great loss.

I remember your father quite well, and knew him at the time I was living in Cape Coast.

I remember him there as a member of the Cape Coast Town Council, and always respected him; and he, although an elected and independent member was always ready to act with and assist the official President of the Council at the time. He was a prominent member of the community at that time and from all the accounts he continued to be so up to the time of his sudden death."

He died on Monday, February 27th, 1928, as the result of an accident. A falling tree caught him while working on his farm, and ere medical science could come to his aid, he was no more. Speaking of the deceased, the *Gold Coast Times* in its issue of March 3rd, 1928, says:—

"The tragic episode of the passing of Mr. Joseph William de Graft Johnson has sent a shock throughout the country, and the suddenness of the event and the circumstances surrounding it have deepened the sorrow of those intimately connected with the deceased. But the larger public, beyond the family circle and the range of personal acquaintances will regard the loss more from the national point of view, for Mr. Johnson was undoubtedly a race leader whom the country can ill spare at this particular juncture when it needs the services of a man of his character and capacity for work. But this is neither the time nor the place to deal fully with the life-work of the deceased; and we shall, for the moment, pass in review certain traits in the character of the man for the benefit of the rising generation. He had no doubt his failings like all of us, but he possessed in a marked degree certain qualities which fitted him for the position of leadership that he held with such success as testified by the popular homage paid him at his funeral last Tuesday. He had a deep sense of duty and with it great courage and firmness in purpose. We are all pretty familiar with his

readiness to respond to the call of duty wherever it proceeded and the diligence he applied to all good causes having in view the intellectual, economic, and political advance of the people. There had scarcely been any public movement of importance in the last forty years with which he was not associated; but though he took an active part in nearly every racial movement of importance he never put himself forward, for Mr. de Graft Johnson was not a placeman. And his sense of duty was so deep that he could rise above mere party considerations as can be judged from the embarrassing circumstances in which he accepted the position as vice-president of the Aborigines Society. He was a statesman, not a politician, and as a statesman he worked consistently for the welfare and safety of the race without looking for a return in one shape or the other, and his public life was all along above suspicion. But in our view the greatest of his qualities was his steadfast fidelity to his country. As a statesman he was steadfast unto death, for though others lagged behind or got defected; though some fell by the wayside and were absorbed by the cares of life to neglect their duty to their country, he plodded along up to an age at which some elderly people would think that they had done enough work and needed a rest. He was steadfast unto death, and because he was true and sincere to the cause of his people he retained to the last their confidence which is the greatest reward of a statesman. And the measure of our loss is that one of our elderly statesmen, whom we could trust implicitly not to betray the interests of his people for place or honour, has been suddenly snatched from us when we can ill spare him. To-day Britain is lamenting the loss of Lord Oxford and Earl Haig; but Britain's range of the people of the sterling qualities of these men is by no means exhausted by the removal of the two illustrious Britons. But what of us? How many people of the cast of de Graft Johnson have we still with us? When we cast our eyes around we shall find that since the death of Jacob Sey the ranks of our prominent people, both in the sphere of commerce and letters, have been thinning rapidly and that we have not been filling the gaps, and this is a very serious position

for the future of the country. The only consolation, perhaps, is that we have a number of young people who could with some effort make themselves competent to fill the places rendered vacant by removals through death. And it is to them we appeal with the hope that the lives of our great men will inspire them with a lofty ambition to qualify themselves to fill their places."

He lived and died a true African at heart. He was a firm believer in the Empire and in British Statesmanship, and a devoted and loyal son of the race. He professed and practised Christianity and possessed in an excellent degree, an unbounded faith and trust in Providence.

He is "dead" but beyond the veil, in the soft shades of paradise he meets again old faces and old friends; with them during life—

Far from the madding crowds ignoble strife  
 Their sober wishes never learned to stray;  
 Beneath the cool sequester'd vale of life  
 They kept the noiseless tenor of their way.,

Awhile they commune with each other but beckon to Afric's sons to buckle up the sword and continue the fight for Africa's freedom.

Who follows in their train?