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Tamale 1907-1957 : between colonial trade and colonial chieftainship

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‘The whole of Tamale within the town boundaries is the property of the crown’: Urbanism, land and authority

Introduction

The previous chapter argued that the colonial administration failed to create an effective traditional political structure in Tamale under the Gulkpe-Na as indirect rule had intended. This failure had a number of practical implications, perhaps the most visible of which was in terms of land. As a result, this chapter is concerned with Tamale’s land. The chapter intends to show how Tamale’s complex political matrix worked. It also employs Tamale’s land as an informative and analytical tool in order to unpack broader implications of Tamale’s lack of traditional focus. The use of land in this way is not wholly novel.¹ However, as Andreas Eckert points out,

¹ See, for examples, works by Sara Berry, Carola Lentz, Michael Crowder, Mahmood Mamdani, Richard Rathbone & Inez Sutton.

‘the literature on issues such as control over land, land conflicts and land law has almost exclusively dealt with rural areas ... only a very few scholars have used land issues as a tool to explore broader questions of urban development during the colonial and post-colonial periods’.² The chapter focuses specifically on the plans to redevelop Ward D, the heart of Tamale Township. Ward D was the oldest (original) settlement in Tamale. It was also located on the road as one enters Tamale from Kumasi and adjacent to the Lorry Park and the market, making it commercially desirable land. Ward D was thus the intersection between ‘traditional’ values and commercial ambitions. As a result, the political and economic colonial aspirations were, in Tamale, nowhere else as profoundly contradicted. The redevelopment of Ward D exposes both Tamale’s lack of traditional focus and the resulting institutional multiplicity. The chapter argues that the exploitation of Tamale’s institutional anatomy by traditional elites, the colonial administration, businessmen, and religious leaders consolidated and maintained Tamale’s institutional multiplicity.

Legislating land in the Northern Territories

There were fundamentally two dimensions to the administration of land in the Northern Territories. The first was land as a source of power in order to legitimise chieftaincy. As it emerged from colonial investigations into what constituted ‘the customary’, the political dimensions of land came to be regarded as central. In short, obligations and benefits were to flow in large part from control over, and access to, land. Kojo Sebastiaan Amanor states:

‘chiefs had powers ... to regulate and allocate land ... Land rights were acquired through citizenship and citizenship created a series of “customary” obligations, which were determined by the chiefs. These involved obligations to provide the polity with various forms of revenues and taxes as well as the obligation to perform communal labour’.³

² Eckert, A., ‘Urbanisation in colonial & post-colonial West Africa’. In: Acheampong, E.K., ed., *Themes in West Africa’s history* (2006), 208.

³ Amanor, K.S., ‘Conflicts and the reinterpretation of customary Tenure in Ghana’. In: Derman, B., R. Odgaard & E. Sjaastad, eds, *Conflicts over water and land in Africa*. (2007), 36.

Thus, in recognising the authority of any given chief, subjects accrued certain benefits such as access to land and other forms of both economic and social security. In return, subjects had certain obligations: They were required to pay taxes, sometimes in the form of labour, and they were obliged to recognise laws as they had been defined by 'custom'. From the perspective of the colonial administration, that chiefs controlled land was necessary in order to underpin their authority, which, amongst other things, might be employed for the procurement of labour for road-building, mining in the south, or the military.

The second dimension concentrated on the intersection between land and the cost of development. Governor A. R. Slater noted that the 'protection of the natives from exploitation is only one of the objects at which we are aiming, namely ... to secure for legitimate outside enterprises sound titles to any land that they wish to take up in the Northern Territories'.⁴ Land for commercial purposes, as well as transport infrastructure such as roads and railways, it was feared, would be prohibitively expensive if the colonial government, or private enterprises such as the UAC, needed to pay compensation for land commercially desired. Lund points out: 'One philosophy ... was that the government should seize control over all lands in the North to keep costs of development down and eliminate speculation in its wake'.⁵ And as Amanor states: 'Its (the colonial administration's) main concern was to prevent the evolution of land markets which it could not control'. Thus, the colonial administration desired a mechanism within land legislation which allowed for the appropriation of land by the colonial administration for the sake of development and commercial initiatives.

Together, these dimensions of land posed a conundrum for the colonial administration. On the one hand, indirect-rule policies employed land as a primary source of power for chieftaincy (and thus the possession of authority to procure labour), and on the other hand, the colonial administration wanted to maintain

⁴ PRAAD, Tamale, NRG 8/1/6, (Land and Native Rights Ordinance), 'Minute by Governor A.R. Slater, unknown date (July 1927 to April 1932)'.

⁵ Lund, *Local*, 26.

control over land so as to be able to initiate development initiatives without requiring large capital investments in the form of land acquisitions or compensation. This contradiction has been summed by Sara Berry. She notes, 'it was not enough for Europeans to claim exclusive ownership of land and natural resources: They also needed to mobilise African labour to work them'.⁶

The rhetoric employed to resolve this contradiction focussed on the 'alienation' of land. It was suggested that 'natives' needed to be protected against the affects of the imminent development of the Northern Territories and that the colonial administration was to provide such protection. Acting Governor J. Maxwell noted in 1927: 'the development of the resources of the Northern Territories will begin at an early date and will be rapid once it is begun',⁷ and as a result, 'it is necessary to provide for ... the influx of non-natives of the Northern Territories. This influx will introduce factors which the natives themselves are not competent to deal with so as to safeguard their own interests ... government must be able to control these factors'.⁸ In reality, the concern was the same as the concern surrounding colonial appropriation of land: if chiefs were to sell off land to non-natives (including the colonial administration), they would undermine their own authority, which meant they would be less effective as tools of colonial administration. In other words, the purpose of land legislation in the Northern Territories would be aimed at addressing the ill-effects of potential speculation, and yet, it was itself a speculation. The negative experiences faced by the colonial administration in Ashanti and the Colony, where land markets had developed before the government legislated land in order to control it, served to heighten the importance of effective land legislation in the Northern Territories. Thus, in terms of land legislation, what the colonial government sought was a legal apparatus which would make the acquisition of land cheap in instances when and where roads, railways, and other land-intensive initiatives needed to be built in order to encourage and facilitate economic

⁶ Berry, S., 'Debating the land question in Africa', *Comparative Studies in Society and History*, 44: 4(2002), 642.

⁷ PRAAD, Tamale, NRG 8/1/6, (Land and Native Rights Ordinance), 'Confidential Memorandum, Acting Governor Maxwell, 7th April, 1927'.

⁸ Ibid.

development, while not undermining chiefly authority in order to, amongst other things, provide labour and collect rent.

The first of a series of elaborate land ordinances were passed, beginning in 1922. Thereafter, amended ordinances were gazetted in 1927, 1928, 1930, and 1934. The ordinances differed from one another in detail, but all offered the same basic framework: in order to solve the above contradiction, all lands in the Northern Territories were to be entrusted in the Governor, who would exercise his powers ‘with due regard to native customary law existing in the locality in which such lands are situated’.⁹ The ordinances prevented ‘the alienation of native lands to any person not a native of the Protectorate without the approval of Governor’.¹⁰ The Governor would be entitled to appropriate land if he could illustrate he had ‘good cause’, and ‘good cause’ included, amongst other things, ‘requirement of the land for public purposes’ and ‘requirement of the land for mining purposes or any purpose connected therewith’.¹¹ The colonial administration thus retained all powers to allocate land, with very little real power left to chiefs. The previous chapter has noted the safeguards and restrictions within colonial legislation (relating especially to native tribunals and the meagre state of the native treasuries), which inhibited the devolution of any real power to chiefs in order for indirect rule to function. In terms of land allocation (another pillar of indirect rule in terms of establishing chiefly legitimacy), such restrictions and safeguards clearly also applied. However, in practice, much of the land of the Northern Territories was allocated by chiefs without colonial interference, and when the colonial administration required land, there was no need to resort to legal disclaimers because land appropriations by the colonial government were rarely contested. The CCNT noted in 1938: ‘Since we first arrived in the Northern Territories the people have allowed the seizure of

⁹ PRAAD, Tamale, NRG 8/1/6, (Land and Native Rights Ordinance), ‘Note in ‘The Northern Territories Land and Native Rights Ordinance, 1930’.

¹⁰ Ibid.

¹¹ PRAAD, Tamale, NRG 8/1/6, (Land and Native Rights Ordinance), ‘Note in ‘The Northern Territories Land and Native Rights Ordinance, 1930’.

thousands of acres without ever demanding compensation or making a complaint'.¹² Because the anticipated development of the north largely did not occur, the land legislation was hardly relevant.

In the few instances in which colonial acquisition of land was contested, the legal frameworks confronted moral reservations. Once such instance was the rebuilding of a 13-mile stretch of road between Bolgatanga and Pwalugu (NT2) in the late 1930s. The Commissioner of Lands responded to the suggestion that compensation was to be paid for the land on which the road was to be built by stating: 'I think there must be some misunderstanding, in the first place, as no compensation is of course payable in connection with an acquisition in the Northern Territories'.¹³ He went on: 'I am informed that the crops upon the land which it is proposed to take have been harvested already and there would therefore appear to be nothing payable in respect of such crops ... the word "improvements" ... must be taken to be ... in the nature of buildings or works and would not extend to compensation for improvements to the "soil"'.¹⁴ The CCNT responded, stating that the issue of the new road '... is certainly not a case in which Government should rely on its legal rights'. He reminded those against the payment of compensation that 'in Great Britain compensation for arable land is generally assessed at a higher rate than that for pasture land, presumably on the ground that some improvement to the former has been affected'.¹⁵ This tension, between legal and moral frameworks, was a constant theme in the colonial administration of land in the Northern Territories.

The land legislation implemented in the Northern Territories was designed to resolve tensions between controlling land and indirect rule. The colonial desire to control land markets contradicted the colonial desire to endow chieftaincy with a legitimate source of authority. Because the north remained in most places a land-

¹² PRAAD, Tamale, NRG 8/1/6, (Land and Native Rights Ordinance), 'Note in 'The Northern Territories Land and Native Rights Ordinance, 1930'

¹³ PRAAD, Tamale, NRG 19/5/9, (Acquisition of Land for Road Sites), 'Senior Executive Engineer to CCNT, Jones 3rd October, 1938'.

¹⁴ Ibid.

¹⁵ PRAAD, Tamale, NRG 19/5/9, (Acquisition of Land for Road Sites), 'Senior Executive Engineer to CCNT, Jones 3rd October, 1938'.

abundant region, land ordinances very rarely came into question. There were, however, exceptions, one of which was Tamale, where a changing urban climate pitted political and economic aspirations against each other in a more pronounced way than elsewhere in the Northern Territories. The following section is concerned with land legislation and land practice in Tamale.

Legislating land in Tamale

Land legislation in the Northern Territories was designed to reconcile two seemingly contradictory objectives, namely to provide chieftaincy with a solid foundation (as indirect rule argued that land was a primary source of traditional legitimacy), on the one hand, and controlling (and enabling) economic development on the other. In Tamale, where arguably both the desire to induce an indirect rule framework and the desire for economic development were most concentrated, this contradiction was perhaps most apparent, and as result, the legislation was most extreme. The result was that Tamale's traditional focus was profoundly undermined.

The rapid growth of Tamale's population during the 1920s led to an increase in the competition for land, whilst the (re)introduction of the Gulkpe-Na prioritised the need to uphold and strengthen his public legitimacy. Despite increasing competition for land in Tamale, the land market in Tamale was subject to the same strict, non-market controls as the rest of the Northern Territories. The Attorney-General, R. W. H. Wilkinson, noted that 'the only distinction now appearing in the draft Ordinance between urban and rural lands is that contained in section 16; namely with respect to the appropriation of rents'.¹⁶ As Tamale's land became increasingly a commercial asset, questions about rights to allocate land became more complex. Within colonial circles, the fear – that by appearing to be controlling land, they undermined the authority of the chiefs – was genuine. This was especially the case in Tamale, where the authority of the newly-introduced Gulkpe-Na still needed to gather momentum.

Owing to such fears, the ultimate control by the colonial administration over Tamale's land came about as a result of an administrative error, rather than by

¹⁶ PRAAD, Tamale, NRG 8/1/6. (Land and Native Rights Ordinance), 'Minute by attorney-General R.W.H Wilkinson.'

design. In April 1930, it was noted by the DC for Tamale in a note to the Chief Commissioner that:

The following is the position regarding Tamale Town Land. In 1922 ... In preparing the schedule for Tamale, the Chief Commissioner asked for a plan of Tamale shewing the land occupied by Government. What he got, so it seems, was a plan of Tamale accompanied by a schedule of Government buildings. This was sent to the Surveyor General, who, not unnaturally in ignorance of Tamale, took it for what it purported to be, a plan of Government land. The whole of Tamale was thus certified as being Government land.¹⁷

The revelation set off a series of objections within colonial circles. The Chief Commissioner wrote: 'As there is no moral right for claiming more land than was in use for public service we now have to rectify the mistake'.¹⁸ He noted further: 'It will be observed that the whole of the Township has been acquired and I venture to think such an acquisition is not in accordance with Government policy'.¹⁹ Half a year later in November 1930, with the matter still not settled, the Chief Commissioner dispatched a letter to the Acting Commissioner for Land, Mr. Stacpoole, in Accra stating: 'I feel sure you will see how ridiculous the present situation is, and give early instructions permitting your representative to act on my requests without reference to the Provincial Surveyor'.²⁰

Although it was initially felt imperative on moral grounds – and of course, on account of the policy of indirect rule – to rectify the administrative error, and plans were made to do so, the initiative began to stagnate when Mr Stacpoole, the Acting Commissioner of Lands, replied:

whilst not entirely disagreeing that such an enquiry as suggested by the Solicitor-General is desirable, I suggest the undesirability of throwing a doubt upon the appreciation by the Chief Commissioner of his special responsibility, a doubt which might I anticipate conceivably be exploited to such a degree as would

¹⁷ PRAAD, Tamale, NRG 19/1/4, (Lease of Government Lands), 'Note by Chief Commissioner, 1930'.

¹⁸ Ibid.

¹⁹ PRAAD, Tamale, NRG 19/13/14, (Estates Crown Land Tamale), 'Correspondence, Chief Commissioner, 1930.'

²⁰ Ibid.

embarrass Government in its reliance upon the titles evidenced in a similar manner.²¹

Stacpoole advised further that, at least for the time being, no action should be taken. He suggested that any measures to rescind the legislation that entitled the 'Crown' to the ownership of all of Tamale should wait until the Land Ordinance of 1934 was gazetted. However, the condition that Tamale in fact belonged to the Crown turned out to be convenient, especially as Tamale was growing rapidly and claims to land were increasingly contested. By 1933, one year prior to the publication of the Land Ordinance of 1934, the government's legal possession of all of Tamale's land had become a matter of policy. The Commissioner of Lands wrote to the treasurer, stating as a matter of policy: 'The whole of Tamale within the town boundaries is the property of the Crown'.²²

That the colonial government thus controlled Tamale's land was not only an academic matter. On the contrary, the colonial government exercised its control over land in Tamale, even if it did so (at times) reluctantly. In the previous chapter, two such examples were highlighted. But there were many. Yakubu Dagomba, a resident of Tamale, who claimed to be the owner of house 46 in Ward D,²³ wrote to the District Commissioner for Tamale, claiming that 'my late father (Mahama) was the owner of the above house. He built the said house with his own money without anybody's assistance'. He requested that the colonial administration evict Derimann Gangbaraga, who was residing in the house. He wrote: '(I) humbly beg to appeal you to quit the said Derimann Gangbaraga because I inherited the said house after the death of my father'.²⁴ The colonial administration immediately agreed and set about evicting the tenant. The Dakpema, on hearing the settlement of the case in favour of Yakubu Dagomba, wrote an exhaustive appeal to the District Commissioner on behalf of Derimann, stating that, 'The above house was not

²¹ PRAAD, Tamale, NRG 19/13/14, (Estates Crown Land Tamale), 'Dispatch to Chief Commissioner by Acting Commissioner of Lands, Stacpoole, 1932'.

²² PRAAD, Tamale, NRG 8/1/58, (Tamale Commercial Area), 'Acting Commissioner of Lands, Stacpoole, 1933'.

²³ Although these letters were written in 1949, this dispute spans the entire period, 1909-49.

²⁴ PRAAD, Tamale, NRG 19/1/17 (Ward D), 'Letter to District Commissioner, Tamale by Yakubu Dagomba, 4th July, 1949'.

belonged to the late Mahama as according to the explanation given to you by those people who came to your office'.²⁵ The Dakpema claimed:

The house was built by my grandfather and handed over to one Afa Imoru for him to stay in and live there ... after his death the house was inherited by one Afa Yakubu Gangbaraga being the younger brother, but Afa Yakubu was having his own which he cannot leave it to stay in another house. For this reason Afa Yakubu has promised the house to one of his nephews Derimann Gangbaraga. Derimann was trader and does not stay at home at all. To keep the house in good order, Yakubu has allowed strangers to occupy the house and keep it clean. At last the late Mahama arrived from Salaga and preparing to build house and stay in Tamale. He was in search of a good site when he was told by some people that he shouldn't bothered to build a new house but could try to approach Dakpema Nsungna and beg a house which belonged to Afa Yakubu Gangbaraga as at present there is no permanent man staying there except strangers. He did so according to their advice by sending a small present consisted of 12/- cash, 100 kola nuts and one pair of sandals according to custom. Dakpema told him that the house does not belong to him but Afa Yakubu. He (Dakpema Nsungna) sent one of his boys with the present in accompany with Mahama to Afa Yakubu to beg the house. Afa Yakubu could not refused the Dakpema's orders accepted the present ... Mahama to stay in with the understanding that the house can be restored to him at any time he asks for it. The terms were accepted. Yakubu Gangbaraga died 6 years ago. Derimann was all this time stay abroad until in 1948, he came home. He did not forget to mention about the restoration of his house to him. During this time Mahama was seriously ill and fortunately he died few days after. Derimann waited until after the performance of Mahamas funeral when he reported the matter.²⁶

In the end, the Lands Commissioner, Mr Barker, settled the issue. He wrote a report, which stated that

There are no records in this office to show that the house and the land in question now marked D46 belongs to the Dakpema, nor Mermani, nor Afa Imoru. I am informed that Afa Imora Dagomba stayed in Tamale for a couple of years and that he possessed a small house of 4 rooms on the land in question ... after Imrou's death the whole house became dilapidated and the later Mahama Gbanzaba asked Dekpema Nsungna for the dilapidated house and the land. Mahama began building during this time the present Dakpema and Derimann were all in Tamale but they neither came to see Mahama nor showed any interest in the house and land, and Derimann stayed elsewhere in Tamale.²⁷

²⁵ PRAAD, Tamale, NRG 19/1/17 (Ward D), 'Letter to Dakpema, Derimann Gangbaraga, House No. 44, Ward D, 12th July, 1949'.

²⁶ Ibid.

²⁷ PRAAD, Tamale, NRG 19/1/17, (Ward D) 'Report of House No. 46, Ward D, written by Commissioner of lands, Barker. 13th July, 1949'.

Barker finally suggested that ‘neither the Dakpema, nor Dermani has claim to the house and the land i.e. if the house really belongs to the grandfather of the Dakpema or Afa Imoru, or Derimani, I think that they would not have neglected it for such a long period 1909-1949’.²⁸

With that the matter was closed, and the land was officially leased to Yakubu Dagbomba. These were not simply disagreements about land. They were discussions about authority: Who was in charge, why, and how. The power of the colonial administration to settle such claims within a judicial system in which the colonial administration possessed the legal right to make such decisions (albeit enshrined in a land policy which was the result of an administrative error) had consequences for the constitution of traditional authority in Tamale. Certainly, it undermined Tamale’s traditional focus.

The redevelopment of Ward D

‘Rethinking colonial power requires a more imaginative anthropological approach – shifting in a sense, from the plan itself to planning as social process’.²⁹ The plans to redevelop Ward D and the manner in which the initiative was undertaken reveal much about the practice and constitution of authority in Tamale during the period of indirect rule. This analysis of the redevelopment of Ward D exposes contradictions in ‘the colonial rhetoric between preserving the past, promoting economic development and protecting Africans from the traumas of modernity’.³⁰ The case of Ward D exposes Tamale’s lack of traditional focus, institutional multiplicity, and the resulting legal plurality. Lund suggests that in analysing land-tenure conflicts, it is useful to distinguish between three types of confrontation: A confrontation between different land users over access to land; a confrontation between different political authorities over the jurisdiction to allocate land access rights; and a confrontation between land users and the politico-legal authorities over the extent of the

²⁸ Ibid.

²⁹ Bissell, W.C., *Urban design, chaos and colonial power in Zanzibar* (Indiana, 2011), 219.

³⁰ Speaar, ‘Neo-Traditionalism’, 4.

jurisdiction of authorities to allocate land.³¹ In analysing the redevelopment of Ward D, these three confrontation levels are taken into account.

The land on which Ward D was situated was unique in many respects. In addition to being adjacent to the Lorry Park and in close proximity to the central market, Ward D was conveniently situated on the north–south road through Tamale, providing thus, in commercial terms, an ideal location. ‘If there should be any facilities afforded for such extensions they should be within the vicinity of the main market and the lorry park and this in my view is the Ward D new layout’.³² Furthermore, by being situated adjacent to the north–south road, Ward D provided a ‘shop front’ for Tamale. However, despite its undoubted commercial value, Ward D was also the oldest settlement in Tamale. It was to the Dagomba residents of Tamale what the ‘Zongo’ was to the Hausa community and the ‘Moshi Zongo’ was to the Moshi community. Of the 43 plots affected by the redevelopment programme, 40 were leased to Dagombas, and only 3 were leased to non-Dagombas.³³ There were other Dagomba-dominated wards in Tamale, but Ward D, being the original settlement, was the most overwhelmingly so. Ward D appears on the 1912 map of Tamale as the only occupied land in Tamale, prior to the founding of an administrative headquarters in 1907. The Central Mosque was also located within Ward D, and the both the palace of the Gulkpe-Na and the palace of the Dakpema lie adjacent to Ward D (but not in it, and thus not subjected to threats of eviction as a result of the redevelopment). Ward D thus emerged as a site where traditional claims to land (as formulated by the colonial administration) were challenged by the commercial interests of the colonial state.

In the 1940s a scheme to redevelop Ward D had been put before the Northern Territories Health Board (NTHB). The redevelopment of Ward D was born largely

³¹ Lund, C., ‘Struggles for land tenure and political power: On the politicisation of land tenure and disputes in Niger’, *Journal of Legal Pluralism and Unofficial Law*, 40 (1998) 1-2.

³² PRAAD, Tamale, NRG 8/1/240, (Tamale New Layout Ward D), ‘Note by District Engineer, Mr. Cuppy, to C.C.N.T., September 23rd, 1948’

³³ See Annex for ethnic breakdown of Wards in Tamale.

out of a lack of commercial facilities within Tamale. In September 1948, one official noted:

The town of Tamale is growing rapidly and will continue to do so in the foreseeable future, both as regards population and trade – as a result of development in all directions both government and commercial ... At present there are no more plots available in the main commercial area for leasing to big trading firms who wish to expand their business e.g. the C.F.A.C., or who desire to extend their activities to the Northern Territories, such as the S.C.O.A. and some reputable Syrian or Lebanese Traders of Accra and Kumasi.³⁴

By the 1940s, Ward D was densely populated and had become rather dilapidated. Dickson notes that by the end of the 1930s, ‘Tamale had assumed the drabness of a single-storeyed ironed-roofed township’.³⁵ The scheme involved first the relocation of residents to a new ward which was to be built especially for the purpose, Ward J, and the building of six new commercial plots, D1 to D6. On 25 May 1946, the NTHB passed the scheme, and ten days later, on 5 June 1946, the Acting Chief Commissioner, O. C. Butler, wrote to the District Engineer at the Public Works Department, regarding the ‘redevelopment’ of Ward D, that ‘the new layout of the above mentioned Ward (Ward D) ... (has been) approved by the N.T.H. (Northern Territories Health) Board at its meeting 25th May last’.³⁶ Once the layout was superimposed onto existing copies of the Tamale Town sheets, he said quite simply, ‘(t)he scheme will ... be explained to the Chief and the owners of buildings now standing on the plots’.³⁷

Several foreign firms applied for the new plots. Some southerners also applied for the plots (notably two businessmen, Kwaku Atakra and Kwabina Tufuor), and from the north, R. B. Braimah, a Gonja transport owner and later a prominent CPP member, and Nassam Dagomba, a tailor who owned the leases for plots D12 and D13 (which would be affected by the redevelopment scheme) applied for one of the new commercial plots to be built. The selection process was not particularly

³⁴ PRAAD, Tamale, NRG 8/1/240, (Tamale New Layout Ward D), ‘Note by District Engineer, Mr. Cuppy, to C.C.N.T., September 23rd, 1948’.

³⁵ Dickson, K.B., *A historical geography of Ghana* (Cambridge, 1969), 301.

³⁶ PRAAD (Tamale) NRG 8/1/240, (Tamale New Layout Ward D), ‘Letter from C.C.N.T to District Engineer, Tamale, 5th June, 1946.’

³⁷ Ibid.

transparent, and archival sources shed little light on the selection criteria. But it may be deduced that ‘grandeur’ was at least one of the criteria. The redevelopment of Ward D was not merely a redevelopment project; it was a vision for Tamale and for the Northern Territories generally. The project emphasised obsessively the requirement for the erection of ‘high-quality’ buildings. The CCNT wrote to the DC for Tamale: ‘It is hardly necessary to remind you that the new plots ... should be allocated with great care i.e. to only Commercial Firms or traders with reputable financial resources who will be able to erect substantial buildings’.³⁸ As a result, Braimah, Nassam Dagomba, Kwaku Atakra, and Kwabina Tufuor were not allocated plots. All plots were allocated to foreigners (Lebanese traders and colonial trading firms). The only correspondence archived is that of Nassam Dagomba. He wrote to the colonial administration, stating that he would, instead of vacating his premises, ‘erect a better house according to a design which ... will meet with the approval of Government’.³⁹ He wrote further that he ‘shall pay with a willing heart the necessary rent that shall be imposed in respect of the said plots ... and maintain the said piece of land together with the buildings thereon ... to the satisfaction of the Government’.⁴⁰ Nassam Dagomba wrote two letters without reply. After his third letter, he received a reply that stated simply that he would not be permitted to remain on the leased land in Ward D. But Nassam Dagomba, the southerners, and R. B. Braimah probably did not form a part of the ‘vision’ which the redevelopment of Ward D was intended to encapsulate: large foreign-owned firms, occupying grand buildings, located at the entrance to Tamale.

It was decided finally that Mr Kassardian, a Lebanese businessman, would be allocated D1 in order to build an underground petrol tank and petrol pump; the Compagnie Francaise de L’Afrique Occidentale (CFAO) would occupy D2 for the purpose of a motor and fitting shop; Paterson Zachonis, a Scottish-Greek entity, would be allocated D3; a Syrian trader, Abudu Ghanem, would be allocated D4; and

³⁸ PRAAD, Tamale, NRG8/1/240, (Tamale New Layout Ward D), ‘Letter by C.C.N.T. to District Commissioner, Tamale, 21st June, 1946’

³⁹ PRAAD, Tamale, NRG 19/1/17 (Ward D) ‘Letter by Nassam Dagomba, tailor, Plots D12 and D13 to Ass. DC, Tamale, through the Gulkpe Na, 23rd August, 1949’

⁴⁰ Ibid.

the Societe Commerciale L'Quest Africain (SCOA) would occupy D5 and D6. In time, some would fall away and be replaced by others, but the character of the allocations would stay the same: All those allocated plots were 'strangers'.

5.1. Ward D, Tamale, 1931 (circle marks the location of palace of the Gulkpe-Na)



Scale⁴¹ 1:5000

⁴¹ This is an approximation made using Google Earth.

5.2. Ward D, Tamale, 1964



Scale⁴² 1:5000

⁴² This is an approximation made using Google Earth.

The politics of urban space in Tamale: The case of Ward D

The redevelopment of Ward D really exposes the manner in which Tamale's complex political matrix functioned. The role of chieftaincy in the plans to redevelop Ward D is peculiar, largely owing to its silent character.

5.3. Applications for sites, Ward D

Date	Applicant	Plots Applied For	Purpose	Plot Allocated
18-10-1946	CFAO	D1, D2	Stores, Wholesale Dept, Motor Shop & Fitting Shop	Yes
29-10-1946	Kwaku Atakra	D4	Petty Trader	No
29-10-1946	Kwabina Tufuor	D3	Applying for Stores Petty Trader	No
11-2-1947	R. B. Braimah	D4	Applying for Stores Stores in Leiu of UAC Stores	No
3-3-1947	Mobarek's Motor Transport	D5, D6	Office, Garage and Stores	No
3-3-1947	Nassar Transport and Trading co.	D1, D2, D3	Office, Garage and Stores	No
7-5-1947	SCOA	D5, D6	Store	Yes
13-1-1949	Abudu Ghanem	D1, D2	Store, Cold Storage and Garage	Yes
13-3-1949	Paterson Zachonis	Any Plot	Store	Yes
9-4-1949	Public Relations Dept, Tamale	D1	Public Relations Information Room	No
22-6-1949	P. Kassardjian	D1	For store with underground petrol tank, petrol pump and air pump.	Yes

Source: PRAAD, Tamale, NRG 8/1/240 'Tamale, New Layout, Ward D'.

Indirectly, Tamale's chiefs played a slightly sinister role. That the authority of the Gulkpe-Na was legitimised largely by Yendi and the colonial administration, meant

that he was inclined to tow the line, as long the Ya Na and the colonial administration did not disagree with one another. That aside, that the colonial administration would have their way with Ward D served as a tremendous financial advantage to the Gulkpe-Na. To lease large commercial plots to foreigners (instead of Dagombas who paid only peppercorn rents) had advantages that can hardly be ignored. The building of valuable commercial properties would increase the rents paid to the native treasury substantially. To openly declare this desire, however, would have meant further weakening the Gulkpe-Na's already fragile standing amongst Tamale's Dagombas. However, through the Tamale Town Board, he could exert some implicit influence over the outcome of the dispute. Indeed, after passing through the NTHB, the plan was ratified by the Tamale Town Board, of which the Gulkpe-Na was a prominent member. A letter to the CCNT noted: 'I feel that they (Tamale Town Board) have been influenced by vested interests ... you will see from the plan ... the Gulkpena and all the homes in his neighbourhood are not affected'.⁴³ Indeed, the residence of the Gulkpe-Na lay just outside of the area which was to be redeveloped.⁴⁴ The Dakpema did not involve himself directly in the plans to redevelop Ward D, although he appears to have given his support to the Limam of Tamale's Central Mosque, who in turn represented the leaseholders who were to be affected by the redevelopment plans. Of course, everything that strengthened the position of the Gulkpe-Na was a disadvantage to the Dakpema. But the Dakpema was also required to be strategic, for fear of the wrath of the colonial administration. The positions of both the Gulkpe-Na and the Dakpema were so tenuous within changing colonial methods (see Chapter 6) that they conducted a kind of *cold war*, siding indirectly with various parties but not directly confronting one another. The Limam, on the other hand, stepped into the void left by chieftaincy in the discussion about Ward D. On being informed of the plans to redevelop Ward D and move residents to a new ward, Ward J, the Limam wrote a letter, through the Dakpema, to the DC for Tamale. He noted:

⁴³ PRAAD, Tamale, NRG 8/1/240, (Tamale New Layout Ward D), 'Letter to C.C.N.T, 19th October, 1948, Not possible to make out author'

⁴⁴ See maps above. The red circles indicate the site of the Gulkpe-Na's palace.

... we were called by your Worship and you informed us that most of our houses on Ward D would soon be demolished; and our plots would be given to aliens to build stores. We beg to state that most of our homes on that Ward D were built by our forefathers, before the white man. He came as a friend but not as a conqueror. He came to build and not to destroy ... if plots would be used by Government to build Post Office, Treasury, Hospital, or School which would be beneficial to our country would be welcomed. But as it is Government is driving us away from our forefathers' soil and giving it to aliens to build stores. This is unpleasant to us. And we hope that the District Commissioner would reconsider it.⁴⁵

The legal status of Tamale's land as 'Crown lands' provided a considerable measure of legal security. It was noted for instance that '... feeling against eviction is considerable though legally the applicants ... have no case'.⁴⁶ Attempts were made to appease traditional leaders. If only for reasons of public relations, it was better to have the consent of the Limam and other residents of Ward D, rather than relying on legalities. The DC for Tamale wrote in a letter to the CCNT that 'I would like to meet the 43 lessees concerned at Tamale, in a final attempt to persuade them to agree voluntarily to move from their present plots'.⁴⁷ He went on to state, however, that '(i)f they cannot be so persuaded it seems that they must be evicted'.⁴⁸

As the Limam had voiced, on behalf of the residents of Ward D, objections to the plans to redevelop Ward D, the colonial administration sought a compromise with the Limam. In return for the Limam's public approval of the redevelopment scheme, he was offered a residence adjacent to the Central Mosque in Ward D.⁴⁹ On 12 May 1949, the Acting Chief Commissioner of the Northern Territories wrote to the DC for Dagomba, stating that '(i)t is gratifying to learn ... that by compromising with the Limam we shall have no serious opposition ... The Limam is to be offered one of the two plots immediately behind the mosque for his own dwelling'.⁵⁰ With the

⁴⁵ PRAAD, Tamale, NRG 8/1/240, (Tamale New Layout Ward D) 'Letter through Dakpema to District Commissioner, Tamale, 26th February, 1947'.

⁴⁶ PRAAD (Tamale) NRG 8/1/240, (Tamale New Layout) 'Letter by Acting Senior District Commissioner, Dagomba to C.C.N.T'. 12th December. 1948'

⁴⁷ Ibid.

⁴⁸ Ibid.

⁴⁹ See map above.

⁵⁰ PRAAD, Tamale NRG 8/1/240 (Tamale New layout Ward D) 'Letter by C.C.N.T. to District Commissioner Dagomba, 12th May, 1949'.

approval of the NTHB in May 1946 and the approval of the Limam three years later in May 1949, the colonial administration felt the project could commence without further opposition. The Chief Commissioner wrote: 'I now feel that this matter should drift no longer and that definite steps should be taken to put the scheme into operation ... I therefore have to ask that all lease holders in Ward D may be advised that they will be required to vacate their plots by March 31st 1950'.⁵¹

Compensation

The administration of land in the Northern Territories was designed so as to limit the amount of compensation to be paid by the colonial administration. Compensations were effectively intended as public relations tools, but public relations tool should not incur too great a cost. The compensation payable for the redevelopment of Ward D represents perhaps the biggest lump compensation with which the colonial administration was faced. Interestingly, the Native Authority offered to pay the compensation, which raised questions within colonial circles about what socio-legal ramifications the payment of compensation might have. Again, employing Lund's theorisation that 'the process whereby rights over land ... are settled and contested, are fundamental to how public authority is established and challenged ...',⁵² this subsection employs the matter of compensation in order to highlight the importance which the colonial administration placed on controlling land in Tamale.

The initial line taken by government was that the legal framework regarding land in the Northern Territories did not require the payment of compensation within Tamale, as it was 'Crown lands'. On the matter of compensation, the Chief Commissioner noted: 'The Government would be acting within its legal rights if it were to disclaim liability to pay compensation ...'.⁵³ This position (to rest on legal rights, and thus pay no compensation) was challenged from within the colonial administration itself.

⁵¹ Ibid.

⁵² Lund, *Local*, 3.

⁵³ PRAAD, Tamale, NRG 8/1/240, (Tamale New layout Ward D) 'Letter from C.C.N.T to Colonial Secretary, 30th January, 1950'

espite the legal framework, for the sake of sentiment it was felt to be strategically desirable to pay at least some compensation. Regarding the resistance offered by the residents of Ward D, the District Engineer wrote simply and unproblematically to the CCNT:

In my experience these objections are invariably raised at the initial stage of any scheme that involve moving of a portion of the population ... But immediately (after) adequate compensations were paid for houses that had to be demolished and in addition new (plots) were granted to all dispossessed persons free of any rents, these oppositions melted away with great rapidity.⁵⁴

The government finally agreed that it would pay a total compensation of £1,838 to the 43 leaseholders affected by the redevelopment plans. However, in May 1949 the CCNT wrote to the Commissioner of Lands, telling him that '(i)n this respect (of the compensation) the situation has now altered. The Native Authority has decided to pay the compensation and cost of demolition in full and to recoup itself from the in-going tenants'.⁵⁵ By paying the compensation and recouping the rents, the Gulkpe-Na, through the Native Authority, laid claim to the land, the most commercially attractive and financially desirable land in Tamale. Initially, the Chief Commissioner supported the idea that the Native Authority pay the compensation, as it appeared to him that 'this seems to simplify matters as it will not now be necessary to approach Government for the necessary funds'.⁵⁶ Stacpoole, the Commissioner of Lands based in Accra, however, did not agree with the view of the CCNT. He wrote in a letter to the Colonial Secretary:

The Native Authority has no locus standi. To permit the Native Authority to participate in the Scheme in any way would be a dangerous precedent ... this project concerns Government primarily in its capacity as landlord and as such the cost of the re-development must of course fall upon Government in the first instance.⁵⁷

⁵⁴ PRAAD, Tamale, NRG 8/1/240 (Tamale New Layout Ward D) 'Note by District Engineer, Mr. Cuppy to C.C.N.T', September 23rd, 1948'.

⁵⁵ PRAAD, Tamale NRG 8/1/240 (Tamale New layout Ward D) 'Letter by C.C.N.T. to District Commissioner Dagomba, 12th May, 1949'.

⁵⁶ Ibid.

⁵⁷ PRAAD, Tamale, NRG 8/1/240 (Tamale New Layout Ward D), 'Letter from Commissioner of Lands to CCNT. 25th May, 1949'

The acting CCNT wrote back: 'I have to thank you for your advice ... which I propose to follow'.⁵⁸ The colonial administration and the Native Authority were not the only ones who wanted to claim the right to pay compensation and the rights that flowed there from. On 2 August 1949, the DC for Tamale wrote to the CCNT: 'Mr Kassardjian called regarding his plot in Ward D. He is prepared to pay compensation himself to the evicted tenants, as he is in a hurry to enter the plot he has applied for'.⁵⁹ The CCNT wrote back stating that he should not allow Kassardjian to pay compensation. He wrote that Mr Kassardjian 'was 4th applicant for Plot 1 and unlikely to get it even if he could persuade present owners to sell buildings directly with a view to transferring leases'.⁶⁰ Mr Kassardjian did secure plot D1, but was not permitted to privately pay compensation for it.

The discussions about who would pay the compensation (and who would not) were also essentially discussions not only about the control of land, but also about authority in Tamale. The institution which 'won' the right to pay compensation to the outgoing residents of Ward D gained control over perhaps Tamale's most valuable asset: The piece of land running along the Great North Road. Furthermore, the compensation was to be recouped through the rents paid by the businesses which were to occupy the new commercial lands. Thus, whoever gained control of Ward D, would also, as landlord, not only derive direct financial benefits but also gain at least some leverage within the commercial domain. The colonial administration heeded Stacpoole's advice and applied for funding from Accra (the sum of £1,838) under the heading 'slum clearance'.

Although it had been proposed, on receiving monies for compensation, that residents could be evacuated by March 1951, by September 1950 almost nothing had been done to prepare Ward J for the resettlement. 'Ablutions', for instance, were not yet complete, and as the clearance of Ward D had been financed under slum clearance,

⁵⁸ PRAAD, Tamale, NRG 8/1/240 (Tamale New Layout Ward D), 'Letter from CCNT to Commissioner of Lands. 15th June, 1949'.

⁵⁹ PRAAD, Tamale, NRG 19/1/17 (Ward D), 'Letter from DC Tamale to CCNT. 2nd August, 1949'.

⁶⁰ PRAAD, Tamale, NRG 19/1/17 (Ward D) 'Letter from CCNT to DC Tamale. 2nd August, 1949'.

it was counter-productive to create a new slum elsewhere in Tamale. The Assistant District Commissioner wrote to the CCNT stating that, 'I am disturbed by the possibility of forced evictions ... only when roads, surface water drains, latrines and water are available in Ward J, should the people of Ward D be evacuated'.⁶¹ Almost a year later, the DC for Tamale wrote a scathing letter to the CCNT, stating that 'Government has sponsored the scheme as a measure of slum clearance, which makes the provision of alternative services of even greater necessity ... the development of Ward D depends very much upon the development of Ward J'.⁶² On 7 October 1951, a Health Board meeting decided to suspend the relocation of people from Ward D. It suggested that 'the future expansion and development in Tamale Town cannot be contemplated until an improvement in the water supply system is achieved'.⁶³ The redevelopment of Ward D was thus once again suspended. Writing to the manager of the SCOA, the DC notified him that '(o)wing to unforeseen circumstances, no clearance of Ward D is contemplated until the early part of 1952'.⁶⁴

In October 1952, the scheme to redevelop Ward D was again taken up by the colonial administration. On 14 November 1952, the residents of Ward D, almost five years after the initial protest, were once again told that they were to vacate their premises within six months. The Limam of the Central Mosque, Malam Abdulai, again represented the residents of Ward D. He wrote to the relevant authorities, including the Chairman of the Town Sanitary Board, the Chief Regional Officer, Northern Territories, the Gulkpe-Na, and the Ya Na in Yendi:

Much we appreciate the improvement of Tamale town, but we feel that it is not just for Government to ask its people to leave their homes to where we know not, for another group of people to come to occupy the very spot ... I must point out that the land is traditionally owned by the people, and that any action that is

⁶¹ PRAAD, Tamale, NRG 8/1/240 (Tamale New layout Ward D), 'Letter from Assistant District Commissioner Dagomba to C.C.N.T, 30th December, 1949'.

⁶² PRAAD, Tamale, NRG 8/1/240, (Tamale New Layout Ward D), 'Letter from Assistant District Commissioner Dagomba to C.C.N.T, 8th September, 1950'.

⁶³ PRAAD, Tamale, NRG 8/1/240, (Tamale new Layout Ward D), 'Minute from N.T.H.B Meeting, October 7th, 1951'.

⁶⁴ PRAAD, Tamale, NRG 8/1/240, (Tamale New layout Ward D), 'Letter from Assistant District Commissioner Dagomba to S.C.O.A. Manager, Kumasi, 10th November 1951'.

taken to deprive them of the land will be taken seriously ... the Northerner ... finds it a disgrace to leave his Father's house to go to ruins. We will be committing ourselves to this very charge if we are to allow ourselves to be driven out from the homes of our Ancestors'.⁶⁵

He concluded: 'On behalf of my people, I ask that the whole question affecting this Ward be reconsidered'.⁶⁶ Once again, administrators referred to the legal position of Tamale. The Permanent Secretary wrote to the Chief Regional Officer of the Northern Territories, reminding him that '(t)he land is in fact Crown land and the occupants are only holding on yearly tenancy agreements'.⁶⁷ Finally, on 10 August 1954, the Chief Commissioner for Lands wrote to the District Valuer at Tamale, requesting, on account of resettlement difficulties, that 'The proposed new layout can be removed from the records'.⁶⁸ During the 1960s, when Nkrumah's policies had even less regard for 'traditional' authority than the colonial administration at least pretended to have, Ward D was cleared, and new, commercial plots were built.

The complexions of the redevelopment of Ward D in its entirety reveal a convoluted power matrix within colonial Tamale under indirect rule. The colonial administration sat relatively at apex of Tamale's power structure, and their primary ambition was economic development. However, the desire to be seen as respecting 'custom' forced the colonial administration to create continually a veneer of respect for 'indigenous' authorities. The importance the colonial administration placed on having the Gulkpe-Na and the Limam 'on-board' should not be underestimated, even if it was well known that having such institutions 'on-board' said very little about the sentiments of the people they represented. As Thomas Spear notes, '... administrative transgressions risked undermining the legitimacy of colonial and

⁶⁵ PRAAD, Tamale, NRG 8/1/240, (Tamale New Layout Ward D), 'Letter from Malam Abdulai, Limam (Chief Moslem Priest) to Chairman of Tamale Town Sanitary Board, 19th November, 1952'.

⁶⁶ Ibid.

⁶⁷ PRAAD, Tamale, NRG 8/1/240, (Tamale New Layout Ward D), 'Letter from Permanent Secretary to the Chief Regional Officer, Northern Territories', 12th April, 1954'.

⁶⁸ PRAAD, Tamale, NRG 8/1/240 (Tamale New Layout Ward D), 'Letter by Chief Commissioner for Lands wrote to the District Valuer at Tamale', August 10th, 1954'.

local authorities alike, and so colonial administrators were often reluctant to assert their will heedlessly'.⁶⁹

The upward accountability of local elites is another feature of Tamale's power matrix. The institutions which existed to protect the interests of the residents of Ward D, the Gulkpe-Na and the Limam, both sided rather unsympathetically with the colonial administration. Both institutions evidently felt they had more to gain by siding with the colonial administration than with the interests of the residents of Ward D.

Conclusion

The implication of the 'Dual Mandate' was problematic in Tamale. On the one hand, the colonial administration in Tamale, especially after the 'Battle of Watherston Road', desired to create a 'customary' domain in which colonial participation would be as 'indirect' as possible in order not to undermine the authority of chiefs. On the other hand, there existed also the desire to control the commercialisation of Tamale, including Tamale's land. Indeed, the tension between the political priority of introducing indirect rule on the one hand, and the economic priority of controlling Tamale's growing economy on the other, is seen in Tamale most profoundly in the manner in which land was legislated and controlled. The desire to control land (in order to encourage commercial initiatives, amongst other things), contradicted the desire to uphold the authority of the Gulkpe-Na. Nowhere was this more apparent than in Ward D. This chapter attempted to illustrate Tamale's power structures by unpacking the redevelopment of Ward D. The chapter exposed a number of characteristics of Tamale's authority matrix. There was an alliance between local traditional elites and the colonial administration. This largely undermined the legitimacy of the Gulkpe-Na. In instances in which the authority of the Gulkpe-Na was compromised, the colonial administration sought other concentrations of authority – in the instance of Ward D, the Limam, thereby undermining further traditional authority. The matter of compensation reveals the extent to which the colonial administration prioritised control over land and land markets. Foreign

⁶⁹ Spear, 'Neo-Traditionalism', 9.

businessmen also attempted to make claims to certain plots of land. In the end, the colonial administration failed at both its objectives: The redevelopment of Ward D was not achieved during the colonial period, and chiefly authority was undermined (the Limam had to represent the residents of Ward D, as the Gulkpe-Na had sanctioned the redevelopment scheme through the Tamale Town Board). The case of Ward D shows that the ramifications created by contradictory objectives – and confused ‘traditional’ and ‘non-traditional’ authority – resulted in precisely the kind of alienation which the land ordinances in the Northern Territories had been designed to prevent, and consequently resulted in a weak native authority in Tamale, one which relied much more on colonial sanction than public legitimacy.