

BOOK REVIEW

Christine Okali. Cocoa and Kinship in Ghana: the Matrilineal Akan of Ghana. London, Boston and Melbourne: Kegan Paul International for the International African Institute, 1983.

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The development of cocoa farming among the Akan of West Africa is of great interest to the student of kinship relations and social change in rural areas. The predominance of matrilineal relationships in Akan social activity and norms has long interested observers. Issues of social change arise from the rapid growth of cocoa farming. The possibility of growing this crop commercially first emerged in Ghana in the 1880s (Hill, 1963: 170-176). By 1923 the country was exporting over 200,000 tons annually, more than 40% of world production (FAO 1955: Table I), all grown on land cleared of dense forest for the purpose. The expansion of area has continued, although at a lower rate and subject to the impediments of crop disease and declining economic incentives. The land clearance and cultivation has been done by small-scale farmers, activated by the prospect of returns which could never be expected immediately and which might take ten years to become substantial. The investment has been directed to the purest type of cash crop, for all cocoa produced is sold for cash for export. It must be of theoretical, and may be of practical use both to discover the types of social organisation which enabled so vigorous a response to the market, and to estimate the extent to which the response has affected the social organisation.

Dr. Okali's objective is to analyse the social change which has accompanied cocoa farming among some of the Akan, and in particular to investigate the interaction between "customary property relations" and cocoa development. She builds upon the knowledge provided by earlier work, especially that of Hill (1956 and 1963) who studied the development among a number of peoples including the Akan. It is now possible to focus on issues such as the economic relations between cocoa-farming spouses which earlier were passed over. (But see Fortes, 1950; also Hill, 1975.)

Such study requires a critical consideration of several hypotheses which are so commonly accepted that they have almost become dogma, although they are not always supported by the most knowledgeable writers. These can be summarised as follows. Those

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who became cocoa farmers lived previously in "traditional" conditions, engaged in subsistence farming. In so far as they were Akan their customary matrilineal scheme of norms and practice was inimical to any move to individual cash-crop farming. Nevertheless, the prospect of substantial material reward produced that move. It often entailed migration from cultivated areas into areas with unused land. The usual unit of cocoa production has been the conjugal family, which was thereby strengthened. There has been a concomitant weakening of matrilineal relationships. The ensuing social tensions have begun to produce changes in social norms. Many of these propositions are based upon limited evidence, some on little more than speculation. More knowledgeable writers have emphasized the heterogeneity of cocoa farming social organisation.

Okali focuses on the process of cocoa-farm making and maintenance, and, within that frame, on relations between matrikin, between spouses, and between parents and offspring. She excludes consideration of wage-labour relations between parties not related by kinship or marriage. Her account is based primarily on quantitative analysis of surveys made between 1971 and 1974 of farmers in two communities. One community had been first settled in the late nineteenth century, and cocoa developed from about 1900 without further migration by expanding the area of cultivation of the settlement. By the 1970s its cocoa farms were old, and most of the population had been born there. The other had been first settled in 1959 for the purpose of cocoa farming, two-thirds of its residents were male, mainly of working age, and they regarded themselves as temporary residents. Okali's account also makes some use of a survey of Ashanti farmers, apparently also made in the early 1970s.

She also studied court records to discover not legal doctrine, but the types of arguments presented by parties. She suggests that these "demonstrate how people see their own situations, and the basis for their demands and expectations" (p.23). One may question whether statements in court, especially in state courts, are necessarily indicative of the speaker's beliefs. Okali finds, for example, that offspring who claim shares of their deceased fathers' farms are more likely to allege that their father made a formal gift to them, than to base their claims on assistance they gave in making the farm, or on the law of inheritance. Matrikin she finds likely to counter by alleging that the farm was already family property at the time of the alleged gift (pp. 110-118). But this does not show that offspring do not expect rewards for assistance given, or do not feel themselves entitled to shares of their fathers' estates on death, or that people do not believe farmers should be restrained from giving away their individually

owned farms to offspring without reference to matrikin. It may show only that litigating offspring and matrikin, or their professional legal advisers, are aware that the courts refuse to acknowledge the validity of such claims.

The findings on investment in cocoa farms (Chapter 4) show that it is substantial. Most of the original acquirers in the older community had the local citizen's privilege of the free use of land, but almost all those in the newer community had to pay for it. The land had to be cleared, planted and regularly weeded until the cocoa trees began to bear three to five years later. For these tasks the acquirer needed assistance with labour. There was no return until the cocoa trees bore, except that food crops could be cultivated on the land for the first two years. All acquirers received assistance. The price of the land was sometimes paid from the acquirer's own savings, but frequently it was partly or wholly provided by matrikin or wives. Most farmers hired some labour, but all benefited also from non-wage labour, generally that of wives, offspring or matrikin. a

Thus matrilineal relationships, far from being an impediment to individual initiative, were frequently an essential element in the investment. Consequently Okali questions previous findings by herself and others that lineage inheritance and the subsequent lineage management of cocoa farms was inefficient (Lanfranchi, 1962; Okali and Kotey, 1971). But is this doubt justified? It would not be inconsistent to conclude that matrilineal obligations of assistance aided the creation of cocoa farms, but that corporate matrilineal inheritance was detrimental to the management of established farms. On the assistance given by wives and offspring Okali concludes that it was greater than would have been given in customary circumstances, and she relates this to the common, non-customary practice among migrants of conjugal co-residence. (On the continuing Akan practice of duolocal marriage in other circumstances see Fortes, 1948; Abu, 1983: 158-160; Vercrujisse, 1983: 182.) On all types of assistance she finds that, despite the group nature of the investment, it was recognised that the farm was individual property. Those who assisted expected a return, but did not believe themselves to be engaged in a joint enterprise.

The distribution of the proceeds (examined in Chapter 5) was related to the sources of assistance, but also took account of obligations unconnected with the farms. In so far as it constituted reciprocation for assistance, acquirers tended to give priority to matrikin who had assisted them, since the receipt of this assistance imposed a relationship of subordination until it was repaid. However, reciprocation was often to individual matri- a

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kin other than those who had assisted. Kinship obligations were owed to the corporate lineage rather than to individual matrikin. When the acquirer had met these obligations, he would often propose (if he lived long enough) to make a formal gift of part of the farm or other property to a wife who had assisted. In this way a woman could hope to obtain her own cocoa farm or the means to start making her own. She was likely to reduce her assistance as the husband's farm developed, and eventually to divorce him if she was not rewarded. Offspring also expected a return for their assistance, but while fathers frequently paid their school fees, they rarely gave more. Neither wives nor offspring could expect to inherit from the acquirer, for the rule of matrilineal inheritance seems invariably to have been followed.

Okali argues that it is necessary to view a person's changing role over the span of a working lifetime. From this viewpoint she finds that both men and women could aspire to cocoa farm ownership. However, while men could start acquiring on attaining adulthood, women normally remained food farmers and assistants to their husbands' cocoa farming until they were older.

Of particular legal interest is a conclusion demonstrated by the form of extra-judicial claims by matrikin. The distinction between family (lineage) property and the property of an individual member, insisted upon by lawyers with a battery of rules devised to maintain a clear-cut separation, is blurred in popular practice, which observes a presumption in favour of corporate rights and denies the individual member unlimited autonomy in dealing with "his" property. (See also Hill, 1963: 125-133.) One may wonder why the courts have failed to accommodate the popular view in their version of "customary law". Is it essential to the nature of official legal rules to distinguish clearly between different ownerships? Or are the shades of variation in the popular view concerned with procedures, such as that to be followed in selling property, rather than substantive rules, and so incapable of "enforcement" in state courts? (Cf. K. von Benda-Beckmann, 1984: 11.) Or were the judges unable to adopt a view so opposed to Western legal categorisation? Or were they, as I would argue, imbued with a preference for the development of a commodity market and the belief that individual titles were essential to that objective?

Nevertheless, the individualism of the acquisition process is notable. Akan cocoa farmers found it necessary to seek assistance from both matrikin and spouses. The farmer found it advantageous to preserve his individual entitlement by limiting them to the roles of assistants with no title in the investment, but only claims to reciprocation. In Okali's view the receipt of assis-

tance from these different sources placed acquirers in a position which conflicted both with the customary norm which required a separation between ties of marriage, parenthood and kinship, and with the customary position of women in matrilineal societies.

The analysis is expressly developed within a "conceptual framework" according to which all forms of human interaction are viewed as forms of exchange (pp. 24-25, relying for this purpose on: Ekeh, 1974; Mauss, 1974; Schneider, 1974). Hence it is supposed that all contributions to farm development are envisaged by the contributors as creating obligations to reciprocate. No doubt the classifications and analyses of forms of exchange in the literature, and especially that of Ekeh, are helpful. However, as Okali notes, they are difficult to apply when there is a long interval between the initial benefit and the return, when the initial benefit is provided by one member of a matrilineage and the return conferred on a different member, or where the parties have other ties not related to the property in question. A less prejudicial framework of interpretation might have been to regard assistance given and benefits distributed simply as gifts. Enquiry might then have been directed to the various types of motivation for these gifts, and past or expected reciprocation would have been two among other factors. (Cf. Schwartz, 1967; Titmuss, 1970, especially 214-216, 224). This would have avoided the assumption, for example, that assistance given by matrikin is always viewed by the parties as part of an exchange, which seems to this casual observer of Ghanaian life unlikely.

Okali does not provide an analytical account of the events which placed many of the cocoa farmers in the starting position of newly arrived migrants prepared to purchase land and invest in making farms, and which led to other farmers expanding into cocoa production. We do not know by what factors they, and not others, were selected or selected themselves to establish cocoa farms. Her emphasis on the change from "customary property relations" could imply that the process was a move from subsistence to cash crop farming, with the economic baseline of subsistence farming corresponding to customary property relations, the baseline of social normative change. However, if subsistence farming means production exclusively and wholly of the consumption needs of the production unit, it is unlikely that it prevailed for any significant period in the nineteenth century. Economic change was a prominent feature of that age. (See e.g. Wilks, 1977.) Moreover, Okali collected and here reports on the prior activities of migrant cocoa farmers, which shows that they were often cocoa farmers elsewhere, or "sold tomatoes", or worked as a bricklayer, a mason's labourer, or a carpenter. Someone engaged in "subsistence farming" tout court could not have accumulated investment

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capital. Furthermore, those who migrated may well have been atypical members of their former communities. All this may throw doubt on the existence of a prior, apparently well-established and longstanding system of customary property relations. Perhaps we should rather suppose a constantly changing body of social norms, which already provided for the acquisition, holding and transfer of individual land titles, and for transactions employing currency, and which recognised obligations between matrilineally related individuals, between spouses, and between fathers and offspring. It is in the preceding period of change that we need to seek an explanation for the initial unavailability to women of the investment capital and of the kin and conjugal assistance which men enjoyed. Okali does not answer this question. But she provides a convincing, fascinating account of the process of cocoa farm establishment and enjoyment, and of many of the socially observed norms existing during that process.

Perhaps Okali's most interesting conclusion concerns the relationship between economic and normative change. In the migrant community conjugal co-residence and co-production was common, and there were expectations, sometimes fulfilled, that men's property would pass to their wives and offspring in return for assistance in production. Seen in terms of Okali's baseline of prior "custom", these practices might appear to reflect discontinuity in customary values. But she argues that the practices are not unknown in custom. Of conjugal co-residence she writes: "This is not, however, a new form of residence and therefore it is the changing distribution of certain residential forms that provides one of the main contrasts..." (pp. 61-62, emphasis added). Moreover, matrilineal co-operation in production remained important: "The most successful farmers at [the newer settlement] had each retained economic ties with matrikin. However, farmers and their assistants used all their resources to advantage, which at times even involved them in situations that contrasted sharply with custom [by using the assistance of wives and affines]. Nevertheless, all these relationships were explicable in terms of the alternatives available at the time in particular settings It is not necessary therefore to hypothesize a changed categorization of values to explain a changing pattern of activities ... " (p.146. The lawyer will recall the thesis presented in Renner, 1949.) Even if we question the assumptions about a prior "custom", we may regard this as a finding that the folk laws (social norms) of the migrant cocoa community did not differ markedly from those of other contemporary Akan communities. This unsettles the common assumptions that migration and cash-crop farming tend to produce variations in folk law.

This argument illustrates the character of law as consisting not so much of imperatives as of rules defining available facilities. Variations in social relations can exist within one scheme of such rules, which does not so much mirror a prevailing mode of production as provide interpretations of different forms of conduct and their consequences. However, useful though this is, the student of folk law may need to move beyond this insight. The customary "relations" and "values" referred to by Okali are those elements of folk law which she regards as central or basic in Akan non-cocoa-growing communities. They largely correspond to those recognised by the state courts of Ghana as Akan "customary law". But if folk law is viewed as the entire range of rules for social life, any selection of "basic" rules must be problematic. While the selected rules may be correctly stated, their meaning is changed by extracting them from their context among other, related rules. The value of Okali's work for the legal anthropologist lies in its demonstration that part of folk law, thought to be incompatible with cash-crop production by migrant farmers, has continued to exist.[1] We need next an account of any changes which have occurred in other parts of folk law and an explanation of the continuity of part in the context of legal and social change elsewhere.

This work should be read by all those interested in the processes of economic and normative change, especially in matrilineal societies. Its style is perhaps such that it is not always easy to follow the logical sequence of arguments, but persistence is rewarded. It contains much information and many perceptions which cannot be summarised here. Okali has added significantly to the already impressive literature on Akan society, and we must be grateful to the International African Institute for enabling her work to be made accessible through an established publishing house which has produced a sensibly presented and reasonably priced volume.

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1. Cf. Snyder (1981: especially at 8, 263) referring to Renner's view of conceptual continuity in law as compatible with the transformation of social functions. Snyder rejects Renner's "narrowly positivist" conception, arguing that it is inadequate for the understanding of legal change. Snyder distinguishes between "a simple concept of law" and "concrete legal forms". The latter, he argues, are either specific to particular historical forms of production or are combined in specific ways in particular historical forms of production. See also Snyder, 1985. Cf. F. von Benda-Beckmann, 1985, arguing that refinement is necessary in these different conceptualisations.

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