

The Balsa Land Relations and Political Structure in the Colonial and Postcolonial Eras

by

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## **ABSTRACT**

This research answers critical questions about belonging among the Balsa people of Northern Ghana in the context of colonial mapping of their land governance systems and political structure. To belong is to remember our collective governance that concerns our cultural, social, and political systems about the land. Throughout this study, I used critical cartographic procedures to evaluate and assess the colonial spatializing of the Balsa systems, body, and minds and also as a refusal of this project by highlighting the Balsa ways of mapping. My aim is to inspire hope and an imagined future that honours our ancestors and the Balsa people yet unborn. I used data from colonial records and archives and my personal memory and understanding of our Balsa history (memories), customs, traditions, and folktales to share knowledge about our land. Out of respect for the Balsa land and customs, I am motivated to share my fragmented pieces and invite all into a conversation on the future of our land relations.

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## GLOSSARY OF BULI WORDS

Baba	(Title for father, uncle, grandfather, or male elder)
Ko	(Father)
Mma	(Title for mother, aunty, grandmother, or female elder)
Ma	(Mother)
Yeri-nyono (plural, Yie-nyaam)	(literally owner of house, compound owner or family head)
Teng-nyono (plural, Teng-nyam)	(lit. owner of land, earth-priest)
Nab, Naab, (Plural, Naalima)	(Chief)
Nyiak-tiirim	(An ancestral gift)
Teng	(Land)
Sa-tengsa	(Village lands or towns)
Tan-gban (plural, Tan-gbanna)	(the Earth god)
Buluk	(Bulsa land, land of the Bulsa people)
Dok (Plural, Diina)	(lit. rooms, clan sections or communities)
Kaasika	(To spoil or destroy something)
Nong	(Friend, not gender specific and could mean girlfriend or boyfriend)
Pok-Nong	(lit. wife friend, a married woman in a platonic friendship with a man)
Ma-biik	(Mother's child)
Biisa	(Children)

## LIST OF ABBREVIATIONS

CC	Chief Commissioner
DC	District Commissioner
ADC	Assistant District Commissioner
NT	Northern Territories
ARNT	Annual Report of the Northern Territories
PC	Provincial Commissioner
SW	Southwest
DCE	District Chief Executive
MP	Member of Parliament

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## **DEDICATION**

I dedicate this thesis to Naawon(God) and my ancestors for their protection and guidance throughout this journey.

## STEP ONE – THE BULSA LAND TENURE: TOWARDS A REIMAGINED FUTURE

The commons have been dangerously neglected in agrarian reform and with greatest ill effect upon the poor. Neglect stems from analytical failures as to the ownership of commons, exacerbated by the dominance of collateralization as the rationale for rights registration and built around individually owned properties. Agrarian reform in the 21<sup>st</sup> century needs to change focus, making security of the commons a primary objective. For it is these properties—not farms and houses—which are most vulnerable to wrongful appropriation and other involuntary losses. (Alden Wily, 2008, p. 43)

Land tenure connotes the socio-legal framework and arrangements under which land rights and interests are exercised (Kasanga, 1995). In this research, I study the historiographies of the land tenure and political structure for land governance of the Balsa people of Northern Ghana. I contextualize land tenure within a broader political structure under which land relations are formed, owned, used, and disposed (Firmin-Sellers, 1995; Payne, 1997). Land tenure in *Buluk* (Balsa Land) is connected to the *teng-nyam* (singular: *teng-nyono*), which literally means “owners of the land or earth” or earth priests (Cardinall, 1920) who administer and pacify the land for the benefit of the whole community. The Balsa worldview posits that land is *nyiak-tiirim*—a gift from the ancestors (or an ancestral gift). Land custodians—*teng-nyam*—are supported by the elders and heads of the various clans, compounds/communities, and families and are thus caretakers; they administer the land for the economic, social, and spiritual wellbeing of the whole group (Apentiik, 2002; Konings, 1984). Accordingly, “no one [Balsa] can claim absolute ownership of land, for it is a living being and the gift of and part of the ancestors and earth gods.<sup>1</sup> The land can only be successfully and fruitfully cultivated with the blessing of the ancestors and the earth gods” (Apentiik, 2002, pp. 172–173). These Balsa teachings inspire me

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<sup>1</sup> The earth gods (*tan-gbanna*, singular. *tan-gban*) are shrines that are believed to house the spirits of the land. Sacrifices are made to them by the Earth-priest for the protection of the people and the land.

to contextualize land as a cultural asset through which intra- and intergenerational relations correlate on a communal basis of societal formation.

Colonial contact brought twists and turns to the Ghanaian political ecology: agrarian land use and labour relations (Yaro et al., 2018). Both in substance and form, precolonial models of land ownership and governance have been restructured and redefined through construction by colonial officials, anthropologists, surveyors, chiefs, and the educated elite (Lentz, 2000; Lund, 2008). In other words, maps, travel logs, engravings, and other forms of colonial writing have systematically concealed the indigenous social, economic, cultural, and political aspects of the Balsa land relations. I study the Balsa land tenure by seeking to lay bare the concealed systems of colonialism and unbury its roots of spatialization (Goeman, 2008). British colonialism mapped our<sup>2</sup> social, political, and cultural systems into confined systems that were used to propagate its policy. For instance, chiefs were appointed and their powers defined and increased to perpetuate the colonial policy (Bening, 1975; Brukum, 1997, 1999; Iliasu, 1975). At the same time, power systems of governance were reordered between the chiefs and the earth priests (*teng-nyam*) by the colonial administration. Thus, the powers of the chiefs were increased and projected above those of the *teng-nyam* in land governance (Konings, 1984). In some ways, the *teng-nyam* remained active in land matters, but in private and invisible to the colonial law (Lund, 2008). In the postcolonial era, these colonial legacies are perpetuated and in ways in which history, power, and geography are contested and debated. In other words, these political arrangements became welded in the Balsa land tenure conversations in ways that power and property rights in land are redefined, ordered, and negotiated.

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<sup>2</sup> In this thesis I use *our* and *we* to refer to the Balsa people, myself included.

There is evidence of tensions and disputes between chiefs in different communities, families, and teng-nyam over land ownership and management of its resources in the Balsa communities. Class formation and land struggles became common following the introduction of capitalist and mechanized rice farming in the valleys of the Balsa communities (Goody, 1980; Konings, 1984). Land allocation for capitalist rice production resulted in social class differentiation. This resulted in nested and contested claims of societal formation and land ownership among peasant community farmers, capitalists' stranger farmers, teng-nyam, chiefs and, the state. Through this process, customary land law was reinvented and modified thereby resulting in changes in tenure and land relations. Some scholars have argued that customary law was fictionally invented and potently gave African officeholders, who worked in the interest of the colonizers, enhanced and entrenched powers (Roberts & Worger, 1997). In the colonial times, local customs were codified into "customary law," which was not devoid of manipulation, to perpetuate the colonial rule. After independence, few or no efforts were made to correct these colonial legacies. This means contemporary land ownership systems are reflections of past societal formations, customary land law, and the colonial past (Yeboah & Shaw, 2013), it is important to examine the role of the latter in shaping societal formations and practices.

I speak of the peculiarities of the history and geography of our land relations because there is a misconception that land is capital and should be traded as a commodity. This misconception about our land relations is rooted in the imperial subjectivity of colonialism. Colonial thinkers, through their insidious writings and neoliberal policies, argued that Africa is sitting on "dead capital" and to fully unlock this, land rights need to be formalized and titles administered. In *The Mystery of Capital*, Hernando De Soto, (2000) noted that land formalization is the sure way to tap land for investment through collateralization. We became so engrossed in it

that land registration became a means through which traditional authorities legitimize claims over land ownership (Abubakari et al., 2018; Ubink & Quan, 2008). We no longer see the beauty in our conceptions of land ownership and governance systems because

we [have] therefore become separated from our true selves. Then even beauty can seem repugnant. Then, we no longer recognize who we are, and we forget what we used to be, what states we sometimes inhabited, what extended moments of awareness. It is those who are scared of reality, of their own truths, of their own histories, those who are secretly sickened by what they have become, who are alarmed by the strange mask-like faces that peer back at them from the mirrors of time, it is they who resist the poetic. (Okri, 1997, p. 9)

The above quote inspires me to actively search for knowledge about our land governance systems with an invitation to all, so we can seek regenerative steps towards resisting the poetic narratives of colonialism and its attendant words of capitalism, imperialism, and patriarchy. My argument is that our communal land relations are traded for property in which territorial and social tensions are manifested. Hence, to contextualize my motivation for this study, I will revisit the words of Ben Okri (1997), who asks:

What would hold [our] inner frames together then? [We] have to suppress the poetic, or accept it only on blurred terms, or promote its cruder imitations, for the simple reason that [we] have long ago begun suppressing eruptive life and all its irreconcilable shadings, its natural paradoxes. (p. 9)

Therefore, I desire to understand the colonial constructions of the Bursa political and social systems for land governance with an intent to harness my imagination of the Bursa territorial and kinship relationships as an expression of hope for the future and to regenerate the Bursa shared values that concerns our political, social, and economic lives. At least in this way I can speak within and to myself while asking our ancestors questions about my relationship with family and community. I do not speak for anybody but for myself; land marginalization is manifested in how I feel my body has been separated from land and place of home in which culture, spirituality, and belonging are supposed to be exercised. In the same way, I will argue

that capitalism produces human alienation through which the body factions of the Balsa political formation are disintegrated. This is because we have become part of these assertive narratives of colonial legacies in ways that land marginalization and expropriation are bound, and our inner selves and territorial relationships no longer hold together.

This study's questions aim to unveil how colonial contact fostered and encouraged stories of egotism and self-interest in Balsa land tenure. These questions are framed to understand the Balsa conceptions of land, which defy the imperial model of subjectivity (i.e., I think because I am) and the notion of land as property with the aim to highlight the Balsa genealogical historical context under which land rights existed and are exercised. Therefore, the overarching research questions are:

- 1) What is the genealogical context of the Balsa land tenure?
- 2) How has (post)colonial geopolitical construction impacted the Balsa political structure for land governance?
- 3) How has the defence of colonial construction of boundary demarcation by the Balsa native authorities become part of current land tenure claims?

I seek to understand the Balsa political structure for land ownership before colonial contact, and from there I can trace the changes by clearly delineating the impacts of colonial and postcolonial socioeconomic and geopolitical policies. I contextualize the narrative stories of change within the appropriate historic layers as a way to unfold, explore, and analyze the geography and the political and social formation of the Balsa communities. I highlight the Balsa land tenure and the impact of colonialism in ways that illustrate the causative transformative factors and the spatial metaphors that exert marginalization and land dispossession. My intent is

to analyze the past and present of the Balsa land tenure with the aim of inspiring a decolonizing future.

### **The Researcher's Position**

My roots are traceable to Atuga, the founder of the Balsa lineage. Though my memory is short, and I am unable to provide a full genealogy of my family lineage, I am inspired to speak about the things that limit my memory of space and place. I speak of what I know that I might open an ending journey in search of knowledge and collage the fragments that seek to disintegrate the Balsa formation and family. I am the fourth born of Ajabuin Aparik (my Baba) and the second born of Amawulie Anang-kpieng (my Mma), both of Wiaga, Sinyangsa. I share the pride of being the first male child of my family, but I also bear the shame of being a *gaung* (a speech-impaired person). Being labelled as “stupid” and taking my rightful place and responsibility as the first son (as required by custom) requires me to respectfully use formal education and knowledge about custom as a means of challenging normative beliefs concerning my identity and belonging while liberating myself from these boundary confinements and delimitations. As these feelings are intrinsic, my view of land marginalization, as described above, is a motivation for me to confront all forms of injustice but, more importantly, those relating to land and resource ownership. I have been confined and “mapped” within boundaries that limited my relationship with space and place in my family, community, culture, and spirituality. I am motivated to better understand the Balsa land tenure system because the colonial ruptures continue to trigger tensions and contested views about citizenship and belonging in Buluk. This thesis offers me an opportunity to assert my position and that of my family within the larger Balsa community.

My story is connected to colonial mapping that separates land from bodies through the mass destruction of our indigenous social and political systems. Therefore, to borrow the words of Thomas King (2003), I tell my story “not to play on your sympathies but to suggest how stories can control our lives, for there is a part of me that has never been able to move past these stories, a part of me that will be chained to these stories as long as I live” (pp. 10–11). Thus, I highlight my view of land as an expression of the collective that we might see how the imperial models of subjectivity (e.g., Descartes’ “I think, because therefore I am”) affect our kinship and territorial relationships. Capitalism “produces a human alienation from land and from the elementary forms that constitute a foundational loss” by mapping cultural abundance into colonial scarcity (Fujikane, 2021, p. 5). To say it in another way, capital dispossesses the human body from the land by creating individualized vested interest in land, thereby ignoring our shared values of community and relationality. I therefore engage the stories of our land tenure to highlight my imaginative view of the future of the Balsa land relations. I view this research as a journey for me to understand my cultural identity with a focus on our territorial relationships and sense of belonging. I seek to confront my ignorance by asking “important questions [that] put [me] in the awkward position of being ignorant” (Schwartz, 2008, p. 1771). Thus, my view of land marginalization inspires me to ask questions about our land relations that I might end up speaking to all about our territorial and kinship ties, of which the land is the binding factor. This is because our kinship relationships are constantly fractured and remapped onto contested histories of belonging. I therefore use my position to rethink colonial, imperialist, and patriarchal norms and practices that sought to overshadow our indigenous land governance. With this study, I intend to ignite conversations and remind us of our collective responsibility of eliminating injustice and social, economic, and cultural marginalization.

I became interested in the subject area during my study of land economy (undergraduate degree). My study of land economy with attention to the social, cultural, and economic aspects of land and how (customary) law is/was a means of defining community relationships elicited my desire to understand the ethnic historiographies relating to the Balsa land tenure. Further, my study in North America on Indigenous people's lands continue to be sources of motivation, though with a cultural shock, for me to think through the European colonial project in *Buluk*. Till date, Indigenous people of North America continue to face various forms of land and cultural dispossession because of settler colonialism. These manifestations help me to think through the colonial and postcolonial geopolitical construction of *Buluk* and how they relate to land tenure transformation. Indigenous peoples' experience of settler colonialism reminds me of our wise saying that *mwaruk a kan kuri nipok yeng biik-ga* (loosely translated as "rain does not befall one woman's child"), which is deeply rooted in the knowledge that there are many others across the world who face similar problems to those we face. Yet, the strategies we adopt to overcome these problems remain a vital component of this rich cultural teaching. Accordingly, studying our governance systems and the impact of colonialism reinvigorates my spirit so that I can imagine a future of Balsa land tenure that honours our ancestors and the future yet unborn. In addition, understanding the contradictions and ruptures that define ethnicity and power relations in land governance is important for us, Balsas, to chart a decolonial path on land ownership.

### **Research Methodology**

I use a reflexive approach to critically identify, construct, and articulate the Balsa land tenure and how colonial geopolitical (re)structuring has become part of land tenure claims and contests. These thoughts enable me to contextualize the Balsa people and land formations and relationships within the context of community, culture, and society. As suggested by Nana Afua

Yeboah, (2022), the aim is to “situate these formations and relationships within the histories, politics, economies, cultures of space and place” (para. 3). These ontological perspectives allow me to analyze land tenure conversations and transformations in the context of colonial and patriarchal notions of capitalism and how those notions manifest in land claims.

This qualitative research relies solely on written sources. Archival records and anthropological writings are the key documents informing this research. These documents contain colonial historiographies, texts, and other material artefacts that relate to the Balsa people and land tenure. I engage these documents in a textual analysis process to contextualize the past narrations and illustrate how they manifest in current land ownership discourse in Buluk. I use these texts and systematically interrogate them by putting them in a discourse. I depart from using “archive-as-source” and move to “archive-as-subject,” by treating the texts as sites of “knowledge production” rather than “knowledge retrieval” (Stoler, 2002, p. 87). It is important for me to analyze these historical textual documents and relate them to how narrations of the past manifest in current contested claims of land ownership.

To gather these archival documents, I conducted a field work in Ghana between August 4 and September 13, 2022. Unfortunately, local archives were not readily available due to the colonial policy of centralizing administrative processes: Regional archives are in Tamale, Accra, and Ho, which were respectively the headquarters of the British Colony of the Gold Coast, British Protectorate (later Northern Territories), and the British Togoland (Eweland). I was unable to consult the Accra and Ho archives due to time and resource limitations. As a result, I focused mainly on the regional archives of Ghana located in Tamale. This allowed me to narrow my search to specific documents and exchanges that relate to the Balsa people and our political systems. However, to supplement the Tamale archives, I utilized the British online library project

by the Endangered Archives Programme (<https://eap.bl.uk/>), which contains scanned colonial documents from all the regional archives offices in Ghana. This proved to be a valuable resource for my research on the colonial and early postcolonial construction of the Balsa political economy.

The archives at the Tamale office are well catalogued and provide useful information on Buluk relating to land tenure, native authorities, political structures, appeals, reports, minutes, and settlements. These documents accompanied exchanges of memos and letters between the colonial administrators and local actors which covered topics on the Balsa native authority, chieftaincy, native affairs, agriculture, markets, local and district councils. A critical look at the scanned documents from Accra by the Endangered Archives Programme suggest that they are copies of the Tamale documents that were communicated between the regional and district commissioners and the governor of the colony. There were also letters of exchange between the governor and the British queen in England. The Endangered Archives Programme also captured colonial reports on the colony and northern territories that provided information useful to understanding the colonial policy concerning communities of the northern territories.

The scope of this study is limited in that the people's voices in the narration of historiographies of the Balsa land tenure are not represented because I did not conduct interviews due to limited resources to fund my education. In addition, the program of my study is two years in length, and I have already spent one year on course work. I therefore had only a year to execute this research. I know that our histories and knowledge systems about the land are vast and cannot be studied even in an entire life of a person. Yet, this study is important to highlight the colonial and native interactive processes and how they manifest in current land tenure transformation. This is because the ways in which the Colonizers constructed our societies are

outlined in their policy documents. Therefore, analyzing the political change process of the Balsa communities for land governance is a key step and a foundation for further studies in the subject area. In this study, I engage these colonial documents on the appropriate historical layer by showing the power representative scales in the narrations that concern the Balsa land tenure. Because of the unequal power representation in the colonial documents, I also relied on anthropological writings on Buluk to highlight the point of marginality. In addition, I grew up in Buluk and I have a considerable amount of knowledge about our customs and traditions through oral history. I therefore amalgamated pieces and subjected them to critical discourse to address the research questions. Where necessary, I drew from anthropological studies on neighbouring communities that exhibited similar political systems, highlighting commonalities and points of divergence. Community documents, reports, deeds, records, and case law were also used to provide useful insights on current land tenure conversations. These documents are discussed as a discourse to explain how land tenure has transformed. I used a discourse perspective, not just as a critique of traditional methodologies or the realist notion of neutral language for describing the world, but as an avenue to ask new questions and reformulate old ones (Gill, 2000) that concern the Balsa land tenure. This method allowed me to engage texts and archival data in an ethnographic process.

### **Navigating This Study**

I moved through this thesis in five steps. These steps helped me to systematically answer the questions on the why, how and what of this study. Because this research is a journey for me to understand my cultural identity, I prefer to use steps instead of chapters to organize this study. I also used steps, as I explain further, in line with the idea of mapping to highlight how I sketch this study.

In the first step, I introduced and provided a context under which this study is executed. I provided a scope of the study as well as my positionality. The second step focuses on the theoretical framework and background for this study. I use political ecology as a historical and scalar analytic tool to examine how power and history are contested in the Balsa land relations. Mapping is also theorized as means to examine colonial spatializing and boundary demarcations in ways that reveal their impact on the Balsa social, cultural, economic, and political land relations. I argue further that mapping and banna (land boundaries) are not new to us, and the Balsa way of making banna is inclusive rather than exclusionary.

Step three examines the political and administrative structure under which Balsa land relations existed and were exercised. The history of the Balsa settlement pattern is analyzed in a manner that reveals our social, economic, and political orientation for land governance. In doing so, I pay attention to traditions and customs of the Bulsas that underpin land ownership and governance. Largely, step three provides a context for understanding how the colonial policy responded to the Balsa political structure and its subsequent impacts on land governance. I highlight the Balsa political formation before colonialism by articulating the historical antecedents that led to the defeat of the Zambarima slave raiders, Baabatu and Samori. I show through our songs, dirges, and sacred traditions that slave raids and slavery produced territorial disintegration and fractured kinships. At the same time, the Balsa political formation emerged under the institution of chieftaincy, through which colonial legacies are discussed in the postcolonial state.

In step four, I examine the impacts of colonialism on the Balsa political economy and land tenure transformation. I highlight how the colonial policy, with much emphasis on boundary demarcation, led to the redefinition of citizenship and how the defence of the same by native

authorities became part of land claims narrations. I show in this step that while rejecting and subverting colonial subordination, the Balsa defence created paradoxical appropriations that entrenched native authorities' position in land governance and later translated into the postcolonial state in ways that manifested land tenure claims and contestation. I argue that the formation of the Balsa political structure between 1911 and 1933 was a colonial legacy, but more importantly, was successful because of genealogical histories and settlement patterns. I further discuss the political costs of the broader transformative structure and the influence of the policy of the modern Ghanaian state.

The last step, which is titled "Towards a Decolonial Land Tenure: Doing it the Balsa Way," I theorize and propose an act of resistance to all forms of colonially imposed land governance structures by using the popular statement "doing it the Balsa way." Meaning that we take all needed actions to regenerate collective Balsa governance to eliminate all forms of injustice in our communities.

## **STEP TWO – MAKING A WAY HOME: USING MAPPING AND POLITICAL ECOLOGY AS A BLUEPRINT**

In this step, I reflect on the research approaches that I used to unearth the historical, political, and economic change process of the Balsa land tenure. This step breaches the gap between the previous step (the reason for conducting this study) and subsequent steps (the research outcomes) by providing a blueprint to understanding the research questions. Critical methodological questions are centred on how power and history are interpreted and contested to define land relations among the Balsa people. The interactive processes are also relevant, and this step therefore covers the analytical framework through which we can understand how concealed systems of thought and philosophies about our land relations are manifested through power, history, and class formation. This step involves two phases: mapping is used as a research method to interpret the Balsa land tenure systems, and political ecology is applied as an analytical framework to highlight how land relations in Buluk are interacted, defined, and transformed in scale, power, and history. Thus, I use mapping and political ecology respectively to create a cognitive imagination and to understand the interactive nature of the actors of the Balsa land tenure.

First, I engage mapping as an imperial project in my cognitive reasoning while highlighting the Balsa way of mapping by relying on our language, legal systems, customs, and traditions. Second, I use political ecology, without dismissing mapping either as a methodology or as style writing, to situate the Balsa land tenure in history, looking at the actors involved and the power scales that operate in the governance process. While I recognize that the idea of research is informed by Western theories and ways of knowing and seeks to dehumanize and invalidate the thought systems of African societies, I am motivated to know theory and apply it

for my own purpose. I take this inspiration from Smith (2021): that the decolonial project does not mean a total rejection of theory or Western knowledge; it relates to how we come “to know and understand theory from our own perspectives and for our own purposes” (p. 43). I therefore reflect on mapping and political ecology and how this underpins the Balsa social, economic, and political realities. Within this project, I treat the Balsa land tenure as an ecology that is undermined and concealed by colonial systems, while applying mapping as a colonial spatializing that continues to operate in ways that underpin both the lived experiences of the Balsa people and their political systems.

*Banna* (mapping boundaries) is not new to the Balsa people; however, its function and form is different from the colonial work of mapping. For example, the colonial mapping project sought to dispossess and exacerbate tensions in our land relations, while the Balsa way of mapping is more inclusive and centred on shared responsibility, love, and relationality. Therefore, I use mapping as a tool to foreground and contextualize the impact of colonial boundary demarcations on Balsa land relations, and as a refusal of the colonial legacies and policies that sought to commodify land based on their imaginary plenitudes. To this end, the task is to show how we can rethink colonial spatializing and invoke a new reality through our lived experiences on issues that are related to our social, economic, cultural, and political lives. Therefore, I offer a perspective on colonial spatializing as “nationalist discourses that ensconce a social and cultural sphere, stake a claim to people, and territorialize the physical landscape by manufacturing categories and separating land from people” (Goeman, 2008, p. 296). In doing so, I seek to reimagine colonial spatial mapping with an intent to neutralize its language of space, place, and power and to (re)create new stories that branch the past and present into a new future.

I have used a political ecology framework in this study to situate history, power, and class structures and to understand how they mediate to produce land marginalization and exclusion. This is contextually important because political ecology is applied in research on former colonized nations to examine precolonial models of ownership and production systems, changing social relations, and social differentiation and class structure (Peet & Watts, 2004; Robbins, 2012). The goal of this current study is to position the power interactions and narrations of the Balsa land tenure within the appropriate historical past to understand how power is/was exercised. The analysis of power is critical to understand the dynamics of land marginalization and expropriation, especially in former colonized nations and in the context of the capitalist notion of resource ownership (Campbell, 2013). Therefore, I highlight how power discourses are produced, asserted, and managed to influence other groups and systems to adopt and contribute to the reproduction of these discourses. Further, because local systems and actors are constantly interacting with the larger global economy and policies, I explain how the integration of colonial constructions of native societies into contemporary tenure systems and to highlight the current manifestations of power narratives in land ownership, and the associated land tenure transformation process. A feminist political ecology (a variation of the political ecology approach) is also applied as an intellectual engagement and interrogation to highlight the consequences of these complex interactions of class and gender within the broader spectrum of rights, responsibilities, and knowledges in relation to the land (Rocheleau & Nirmal, 2015).

### **Mapping and Political Ecology as a Blueprint**

This study makes an epistemological turn by providing a new perspective on questions of belonging and territorial integrity. Theorizing mapping, I first use it as a critical cartographic tool to establish the relationships among place, lived experience, and community (Powell, 2010)

during the time periods in the Balsa land relations. In this thesis, I describe the Balsa land tenure in three periods: before colonization; during the colonial period; and in the postcolonial era (after independence) to illustrate how it changed over time. I rely on sacred traditions, folktale, stories, and language of the Balsa people and on colonial documents to highlight the Balsa political, social, cultural, and economic realities during these periods.

Centring this approach, I theorize mapping as a colonial spatializing of body, mind, and political and social systems of the colonized in ways that invoke an imagined new life. In addition, I posit that mapping and boundary demarcations were used as everyday tools of governance by the colonial administration. To date, these colonial systems have become mediums through which power and authority are contested and negotiated. At the heart of these tensions, history is interpreted, or, if you like, reinvented in ways that trigger social and political disintegration. Therefore, as we will see later in this thesis, the ecology of the Balsa land tenure exacerbates “unequal power relations, conflict and cultural ‘modernization’ under a global capitalist political economy as key forces in reshaping and destabilizing human interactions with the physical environment” (Walker, 2005, p. 74). Consequently, among the multiple implications of negotiated power lie the impacts of how secular and historical imbalances are translated into resource access and control in the postcolonial era. This process leads me to the second circumstance that I sought to theorize and apply mapping and political ecology to in this study.

In what I describe as mapping the Balsa history, I use mapping as a social and political tool to delineate the change processes of the power relations that existed among the actors of the Balsa land tenure. I describe the Balsa history and land relations to illustrate the political and ritual contexts under which land is owned, used, and administered. At the core of these actors is the institution of chieftaincy, the teng-nyono and the families of the clan settlements. Richard

Roberts and William Worger (1997) argue that the chieftaincy institution is a colonial invention. They are of the view that chiefs were potent and invented by the colonial administration. Therefore, the powers of chiefs were also created, defined, increased, and entrenched using what the British colonial administration described as customary law, which was subsequently handed down to the postcolonial times. In contrast, Thomas Spear, who is a major critic of Roberts and Worger's argument, posits that there are limits to these colonial inventions. Spear (2003) argues, in relation to the institution of chieftaincy and customary law, that "none of these institutions were easily fabricated or manipulated, and colonial dependence on them often limited colonial power as much as facilitating it" (p. 3).

Notwithstanding and without dismissing any of these claims, I map and delineate these colonial inventions and their limits on the Bulsa land relations to understand how local power scales manifest in the current land tenure transformation. My argument is that local institutions were co-created by the colonial administrators and local actors which, to date, continue to define our social and economic land relations. Yet, actors continue to rely on these histories to negotiate claims over land in postcolonial period. At the same time and with unequal power representations, some actors are able to influence changes in land tenure to present new marginalization and dispossession. Thus, unequal power at the centre of social and economic conditions is reflected when one actor is able to control the environment of another (Bryant, 1998). In the same way, local systems are marginalized by colonial and postcolonial rules to project some actors above others. For example, the teng-nyam role in land matters was subdued while chiefs became prominent in land governance. Further, some candidates were disqualified from contesting the chieftaincy position in Sandema because they were disabled (Kröger, 2012b). To conclude, the colonial government, through their insidious policies and use of threats

and violence, subdued our political and social systems to their liking while eschewing the Balsa thought systems and philosophies. Accordingly, “changes in the equilibrium of society [led] to the formation of new groupings or to the strengthening of existing groupings that set themselves the goal of overcoming resistance of vested interests through conflict [and] changes in structural relations” (Coser, 1957, p. 205).

In addition to the above, power and history are inseparable as they are both conditioned in the past and handed down to the present times to perpetuate the colonial design. Reflecting this complexity, the conception of power is itself socially constructed but not in a vacuum; as Karl Marx (1852) said, “Men make their own history, but they do not make it as they please; they do not make it under self-selected circumstances, but under circumstances existing already, given and transmitted from the past” (p. 5). In this respect, I posit that the disruptive legacies of colonialism created a history of the political structure of the Balsa land governance system and internal systems that led to class formation and strata for land ownership. Thus, colonial mapping (including boundary demarcation) was used to dispossess people of the land in the Balsa area and redistribute them. At the same time, class strata were created through such instruments as gender-specific policies to promulgate colonial dominance, which has been handed down to posterity. Therefore, I map the Balsa land relations as a reimagined social reality of love and shared responsibility to inspire a new hope of envisioning our political, social, and cultural identities. I am not engaged in fantasy or romancing of our gendered land relations as a colonial outcome; rather, I seek to highlight the aspects of political and social lives in which class strata existed and describe the context for their existence. In this way, I view our land governance system as one of collective responsibility and analyze it with an anticolonial lens with an intent

to engage all the colonial and patriarchal norms that are foundational for injustice, inequalities, and marginalization in resource ownership and territorial belonging.

To add to the above, colonial subdivisions, layouts, plots, and many other mapping methods are used to facilitate land marginalization and exclusion both in the form and substance of land deeds. These colonial mapping procedures and subjectivity are embedded in imperial modes of ownership such that customary land possession and care are reduced into property (Aputiik, 2020, 2021). In other words, the substance of land is reduced to property such that land expropriation and exclusion are manifested. Indeed, these forms of mapping institutionalized and internalized land ownership in ways that excluded the vast majority. Yet, only a few chief actors were able to adapt and manoeuvre these capitalists and institutional structures to the disadvantage of the vast majority. As shown by authors like Aputiik (2020, 2021), Abubakari et al. (2018), and Fujikane (2021), the imperial modes and procedures of mapping, including the so-called land formalization agenda, excluded peoples' land rights, and in ways that denigrated our traditional ownership systems and governance structures. While I view mapping as both an object and a substance of exclusion in the imperial modes of ownership, I am arguing that land in possession or as a property in the Balsa worldview is centred on inclusivity. Thus, the spirit and letter of the Balsa land boundaries and layouts are hinged on communality—a repute of belonging and territorial integrity. Baba Akumgela always said, “Each of the lands (farmlands) has spirits and we must always ensure that their banna (boundaries) are clear” (personal communication, 2001–2002). He made this remark when it was time for us to farm in the rainy season. He talked about land boundaries and stressed the importance of their interconnectedness in their distinctiveness, illustrating the beauty of the Balsa banna, which is deeply rooted in their genealogical connections and relationalities rather than in separations. Sketching these

relationalities becomes a method for understanding the territorial integrity of the Bulsa geopolitical structure, the social systems of thoughts about the land, and the elementary forms of colonial mapping that shape our kinship relationships.

Further, in the visual aesthetic of mapping, the tensions in colonial land demarcation provide us with a new reality to contextualize our lived experiences in relation to our social, political, cultural, and political orientation. We can therefore interpret the Bulsa land relations and situate our collective land governance systems as an ecological system that is impacted by the duopoly of modern property rights and political systems vis-à-vis geographies of separation by colonial and postcolonial administrative systems. These structures and systems only create tensions in our social relations and result in economic and political marginalization. In this conceptualization, two historical events triggered territorial tensions and led to the separation of people from land and from the Bulsa social and political structure. First, the British indirect rule and imaginative creation of social boundaries led to the separation of Kunkua, Kategra, and Jaadem, who speak Buli, from the Bulsa societal formation. While the Bulsa native authority, under the leadership of Azantilow, defended this tension in the colonial courts on grounds of belonging and land ownership, in the postcolonial present, history is appropriated by chief actors and raised under the authority of chieftainship. While I present this story in detail in step four of this thesis, what is important is that the court case between Azantilow (Sandemnaab) and the Nanyiri (Mumprusi headchief) created invested interests and hatred that led to the separation of these communities from the broader Bulsa political formation. Second, in the postcolonial state formation, the Bulsa social and political contexts are constantly contested, negotiated, and asserted in the narrative of colonial spatializing and history using this case law whenever it comes to power, control, and governance of the Bulsa land.

Therefore, I envisage the Balsa land relations as an ecology in history to locate contemporary politico-ecological formations in past processes, transformations, and dynamics of social systems (Mathevet et al., 2015). The colonial legacy is still alive and is perpetuated by elites and chiefly actors to accumulate wealth and power by relying on and manipulating tenure systems that were transferred from the colonial authorities (Bryant et al., 1993). I assert that whether in terms of power scale or history, these local actors are constantly in a discourse of power struggles and resource ownership. I agree with Karl Offen (2004) that “the transfer of political economies and their attendant ideologies from the metropole to the colonies shaped patterns of resource use, access and control” (p. 28). Moreover, these patterns of change affect the livelihood strategies of local peoples and how they adapt to social and political change. Hence, a historical politico-ecological analysis brings to bear the rationale in contested histories and perspectives on conflicting claims (Mathevet et al., 2015). This is because the societies of the colonized and how they were perceived are colonial histories that continue to shape debates on policies even in postcolonial periods. Therefore, the resultant manifestations of the current (re)interpretation of custom by the chief actors is nonetheless void of or different from the colonial misrepresentation that sought to serve the colonialists’ selfish and exploitive needs.

The next recognition is that these politico-economic outcomes are not distributed equally among the various actors in the Balsa land tenure. Accordingly, power is eminent in the way the societal systems interact with how resources are owned, controlled, and used. In fact, the concept of power in political ecology is associated with how powerful actors seek to legitimize and impose new political and ecological orders with the aim of overriding existing local human-environmental patterns (Bryant & Bailey, 2005). Ultimately, the goal is to subvert local systems for their personal benefit, and weaker grassroots actors are quite limited in their ability to resist.

Therefore, I believe that power plays an important role in the political and economic inequalities that are manifested in the Bursa land tenure, especially in situations where communal land tenure systems are transformed into properties. This is the case because discursive power, which used to be exercised through cooperation and shared responsibility, is (re)constructed through multiple layers of discourses and narratives about land ownership. Yet discourse that is socially shared on a topic expressed by various actors, including individuals, corporations, government agencies, and multinationals, among others (Svarstad et al., 2018), is not void of manipulation.

I also pay particular attention to three colonial legacies (as a broader power scale): the transformation of local governance systems, the deterministic economic structure that promotes capital accumulation, and the disproportionate representation of power at the individual level. The trajectories of these concerns are related to colonial power and colonial invention of tradition, the making of customary law, and the creation of tribalism in ways that sought to legitimize and perpetuate colonial hegemony (Spear, 2003). In the postcolonial era, facilitated by neoliberal policies, tradition is reinvented and interpreted in ways that give rights to powerful actors to expropriate land from the vast majority (Yaro, 2012). Thus, power interaction and the change process of land ownership do not operate in a vacuum but also relate to broader national and global policies.

Undoubtedly, the complex and fragmented power systems and global policies did not only contribute to changes in local production systems but also changed the broader political and institutional arrangement for land ownership. It is here that I posit that the political ecology itself is undergoing a change process. As the society is destabilized, existing formations are strengthened and new formations emerge, both with vested interests and sustained by the state's structural systems (Coser, 1957). In this thesis, I use political ecology to illustrate the history of

the Balsa societal formation and the intersectionality of the colonial policies, to understand the context of current land governance. In conclusion, I use the historical dimension of political ecology to emphasize historical contexts with the intent to understand “social-ecological dynamics in the present and contribute a critical perspective to ways of knowing and interpreting these dynamics” (Mathevet et al., 2015, p. 3).

In step three, I will highlight the genealogy of the Balsa people to reveal our settlement patterns and our social, cultural, and political contexts under which land relations are formed and governed. The Balsa history reveals shared governance, communality, and sense of belonging through which the land is a unifying factor.

### STEP THREE – BULSA HISTORY AND LAND RELATIONS

*Our history needs to be written as history of our society, not as the story of European adventures. African society must be treated as enjoying its own integrity; history must be a mirror of that society, and the European contact must find its place in this history only as an African experience, even if as a crucial one. That is to say, the European contact needs to be assessed and judged from the point of view of the principles animating African society, and from the point of view of the harmony and progress of this society (Kwame Nkrumah, 1970 p. 63).*

If we take the teachings of Kwame Nkrumah seriously, the Balsa land relations should not be defined by colonial notions of land tenure, even if we use our contact with colonialism as a reference point to understand how our communal land relations have been forced to transform and survive. I can still assert that, at the community level, the Indigenous governance structures of our Balsa land tenure still offers the best meaningful solutions for our people because these structures are grounded in past knowledges and successes. As Balsa land tenure is part of our Indigenous governance structure, it is our collective responsibility to regenerate in whole or in part the aspects of Balsa land tenure that undermine our current needs or pose a threat to foreseeable needs in the future. To support the direction that I am offering in this thesis, I have engaged writings from missionaries, colonial administrators, and anthropologists while at the same time using my understanding of folktales, proverbs, and customs to illustrate the Balsa land relations. In this way, we are not just repeating what the Europeans said about us but highlighting our Indigenous land governance systems with an intention of inspiring a future that honours our ancestors and the Bulsas yet unborn. This step examines Balsa land relations and history to understand how land rights were formed, governed, and administered. I highlight the Balsa settlement patterns in a manner that shows our social, economic, and political orientation for land governance. To do this, I looked for evidence from our language, stories, teachings from elders, poetry, and folktales to understand the legal systems, customs, and traditions that define the

Bulsa land relations. In summary, the step highlights the social, ritual, and religious context under which land is owned and governed among the Bulsa people by outlining the genealogical historical context for the Bulsa social and political systems to depict our collective land governance and tenure arrangements.

### **The Bulsa Origin and Worldview of Land**

There is little or no written evidence of the precolonial social and economic reality of the Bulsa social system beyond scanty notes on the Bulsa history by colonial administrators and missionaries (e.g., Armitage, 1924; Cardinall, 1920; Rattray, 1932). In an attempt to depict the origins of the Bulsa people, Allen Wolsey Cardinall, a British colonial official, wrote: “The whole of the Builsa<sup>3</sup> country is inhabited by families which have migrated from far to the west, to the north—in fact, from all points of the compass” (Cardinall, 1920, p. 11). Also, Captain Robert Sutherland Rattray, in *The Tribes of the Ashanti Hinterlands* (1932), dedicated five pages to describing the Bulsa history and in a sentence described our origins: “The so-called Builsa tribe are, I think, a hotch-potch people created by local migrations and counter-migrations and intermarriages of clans belonging to both the Moshi-speaking group and to the Kasen'-Isal-speaking group” (p. 398). Yet, current linguistic studies suggest that the Buli language of the Bulsas is part of the nomenclature of the central Gur of the Mabilia<sup>4</sup> languages of Gur-speaking groups of the Oti-Volta basin (Bodomo, 1993, 1994). Contrary to the views of the colonial administration, this latter proposal established a linguistic deduction that show the relationship of the Bulsas and their neighbours (see Figure 1 for details of the geographic distribution of these

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<sup>3</sup> Builsa is a common alternative spelling to Bulsa. In this thesis, Bulsa is used throughout unless it is a direct quote.

<sup>4</sup> Mabilia contains two lexical items—*ma* = mother and *bia* (*bie* or *biiga* or *biik*) = child—in which sisterhood fraternal relationships are established. Bodomo (1993) first theorized the Mabilia languages in 1993 and subsequently described the geographical distribution of the tribal groupings of these languages in 1994.

groups). Thus, as I will describe further, the political categorization of these groups as centralized or acephalous societies, which is based on the chieftaincy institution, remained an important exhibit in defining both normative and material cultural relationships of these peoples. Moreover, the system of inheritance, traditional political organizations, belief systems, migratory histories and settlement legends, stories, folktales, (praise) songs, and the general periodical and everyday activities of the people show that these peoples share a common origin (Bodomo, 1994).

Generally, the origin of the Balsa ancestors is uncertain, just like many other ethnic groupings of Northern Ghana. The Balsa origin is more difficult to ascertain because we do not recognize a single ancestor. Our social and cultural relations emerged from genealogical, historical, and folklore on migration stories and legends about the Bulsas' settlements on the land, and its ownership and cultivation provide a relationality for these genealogical ties. One of the popular mythical stories points to Atuga<sup>5</sup>, who is described as the founder of the Balsa nation. Oral history maintains that Atuga was a Mamprusi prince who migrated from Nalerigu and married into the Balsa community. Baba Akumgela said: "Our ancestors came from Mamprung. They moved to Buluk because there was a fight between our fathers and the Mamprusi people and so they decided to move here" (personal communication, 2001-2002).

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<sup>5</sup> The Atuga story outlines the historical relationship of the Balsa formation to the Mumprusi Kingdom of Northern Ghana. Yet the Atuga clan is mostly defined to be limited to Sandema, Wiaga, Siniesa, and Kadema communities of the Balsa formation (Aparentiik, 1997, 2002; Kröger, 2013).

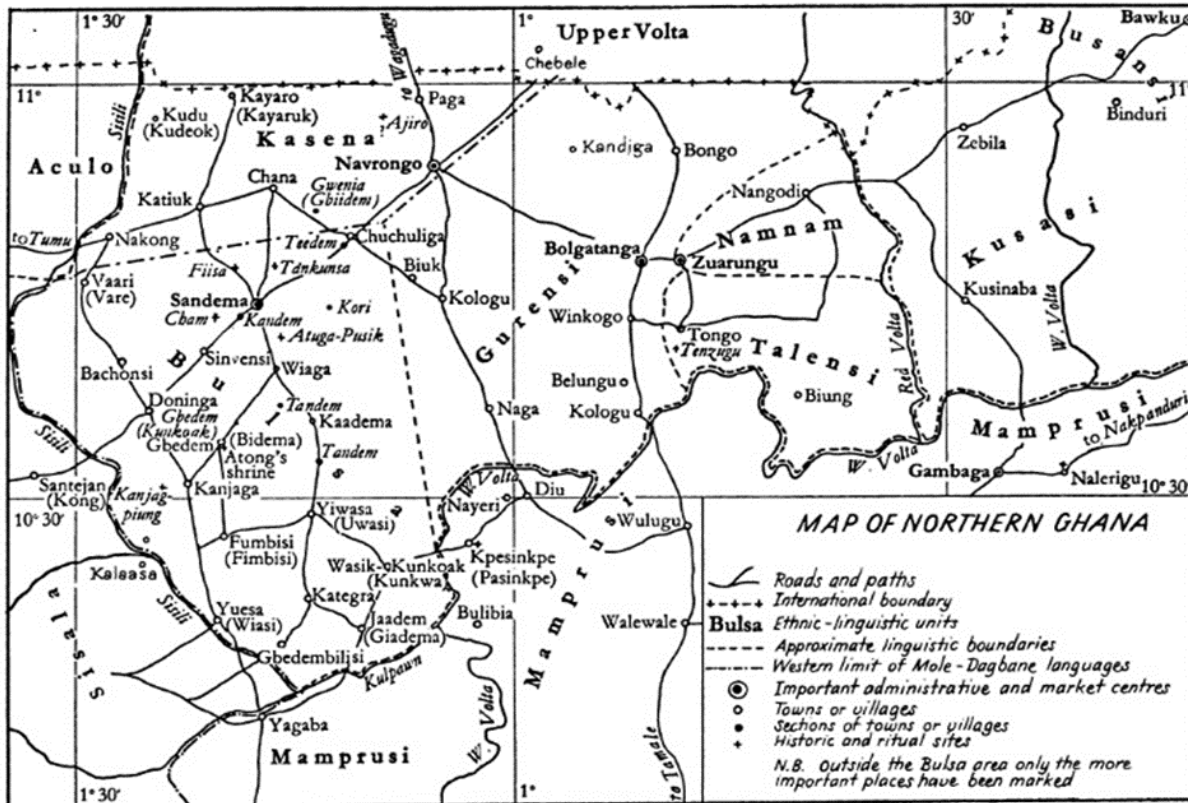


Figure 1: The Balsas and their neighbours.

Source: Schott (1977)

The teachings of Baba Akumgela align with Bodomo's (1994) argument that the acephalous societies and centralized states were of the same origin but migrated due to chieftaincy disputes, family quarrels, and their search for better farmland. Details of the Balsa migratory and settlement patterns are documented by German ethnologists like (see Apentiik, 1997; Kröger, 2013; Schott, 1977). They illustrated that the Balsa settlements are made of different migratory legends describing how they established genealogical relationships with different groups of people and are connected to one another through nested kinships ties to the *sa-tengsa* (village lands or towns) and *diina* (literally rooms, singular *dok*, clan sections). In this way, the Balsa society is described to be a mixture of heterogeneous peoples who migrated and settled at different periods independently of each other (Apentiik, 1997). These stories also captured intercultural marriages between newcomers and native families, highlighting the

importance of Balsa women in solidifying social and political cohesion. Moreover, the migratory stories are devoid of fighting or conquest between Atuga and his community and the local people (see Kröger, 2013), suggesting that their relationship was built on mutual respect, solidarity, coexistence, and shared community values by which the land united them. Overall, the stories suggest that land in Buluk remains the focus and symbol for promoting social and cultural belonging among the inhabitants.

The Balsa communities are believed to have had no social cohesion in governance structure prior to colonial contact because they lacked a centralized political figure (in this case chiefs) through which power was centred and administered (Cardinal, 1920). For this reason, the Balsa societal formation fits into the typologies of Fortes and Evans-Pritchard's (1987) classification of African societies as an acephalous society. Within this typology, the Bulas were incorrectly described as acephalous for exhibiting no centralized governance structures like other northern ethnic groups such as the Mamprusis, Dagombas, and Mossis, who had chiefs and exhibited a state system (Brukum, 1999). Yet the Balsa political formation was not without rulers; we evolved around kinship and politico-ritual organizational structures. Under this politico-ritual system, the Bulas existed and were organized for land governance through representation of the *yeri-nyono* (compound owner) and *teng-nyono* (literally, landowner)<sup>6</sup>. Yet these nested units are understood within the context of family structure, the clan, patriclan, and village-level organization of the Balsa communities. The concept of land ownership evolved around community, clan, and family levels. For instance, the highest administrative structure rests with the clan sections, with the *yie-nyaam* (plural of *yeri-nyono*) who exercise legal

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<sup>6</sup> Yet, as we will see, the Balsa land governance cannot be talked about in contemporary terms without the *naalima* (chiefs) under the chieftaincy institution. Details of this development will be presented in the next step. The chieftaincy institution is a contested subject in the Balsa history.

authority (Schott, 1985). On the other hand, the teng-nyono executed religious and spiritual functions by pacifying the land for the wellbeing of the communities. In this case, the teng-nyono is seen as a custodian and serves as a principal mediator between the earth gods and the ancestral spirits (Brukum, 1999; Konings, 1984; Kröger, 2017b; Schott, 1987; Tonah, 2008). The rudiments of belonging and the foundation of land relations existed in a system of political allegiance, lineage clusters of clans, kinship relationships, and coexistence. Also, the reinforcement of the clan system focuses on the family unit as an important component of land ownership. James Eyre-Smith (1933) made astonishing remarks about our conception of land and the position of the family in our land governance systems when he wrote:

The conception of land as property in the sense we understand it was unknown. The family rights to land were spiritual rather than material, that is to say it was a spiritual inheritance rather than a material possession, as the land was still looked upon as the property of the gods. . . It was the ancestral spirits rather than the living who possessed the knowledge and rights of the land, as they alone held and were able to hand on the knowledge of how to cultivate the area on which they had lived. (p. 23).

Within both oral histories and sacred traditions, the Balsa genealogical ties to the land illuminate the political, social, economic, and spiritual aspirations of the Balsa people. Baba Akumgela said: “Our ancestors were farmers, healers, and hunters. So, they were always looking for forest land for their farming and hunting activities. They settled strategically so they could have the protection of the land and its spirits” (personal communication, 2001-2002). The Balsa settlements, just like most of the movement across the West African Sahel, consisted of “groups of pioneer migrants [who] founded communities through the establishment of an earth shrine in a new location—typically a prominent feature of the landscape such as a rock escarpment, a large baobab tree or a crocodile pond” (Dawson, 2014, p. 64). It is believed that these prominent landscape features housed the spirits of the land, and from them, the people received protection.

The land offers spiritual protection to the whole-body formation, and from it, the economic, social, and political life of the Balsa people is expressed.

Legal scholarship on land ownership in Ghana suggests that land rights emerged out of discovery or conquest and subsequent settlement (Da Rocha & Lodoh, 1999; Woodman, 1971). In the case of *Ohimen v Adjei* (1957), the sitting judge, Ollennu J.—a respected customary land law expert—set out four cardinal factors through which community interest in land could emerge: “conquest and subsequent settlement thereon and cultivation by subjects of the stool<sup>7</sup>; discovery, by hunters or pioneers of the stool, of unoccupied land and subsequent settlement thereon and use thereof by the stool and its subjects; gift to the stool; purchase by the stool” (pp. 279–280). Though the above case is associated with the Akan people of the Agona Swedru community where the political system of land governance is more centralized, the mode of land rights acquisition in “acephalous societies” is similar. In any of these cases, family and individual land rights are neither remote nor absolute. The clan heads, earth-priests, and chiefs exercised de jure ownership over their family lands while individuals had the right to alienate, succeed, and inherit (Kasanga & Kotey, 2001). To summarize, individual or family land ownership correlates with the clan, patriclan, and community levels, in which ancestral ownership is reduced to possession and control. Hence, either at the family or community level, land relations are exercised under ritual-political contexts.

The question of land governance is for the wellbeing of community members. We know this because any attempt or activity that “spoils the land” (*tengka kaasika*) by violating its commands brings punishment in the form of sickness or death. On the other hand, when such

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<sup>7</sup> A stool is a symbol of authority or designation of the title of a chief in Southern Ghana while in the North it is a skin.

instances happen, the teng-nyono performs purification rites to the land and the earth-gods (*tangbanna*) to seek forgiveness from the ancestors on behalf of the victim. This is notable at the clan level. Yet such initiation comes from the yeri-nyono to the teng-nyono. This is done in recognition that the land is a being and connects the living and the dead. Of this relationality, sacred tradition and the land are sources of authority for elders although the elders, the living, and the dead (ancestors) are inseparable (Schott, 1985). Governance of land and access to its resources was a matter of survival for the community, with focus on spiritual cleansing as an act of craving life and well being of community members.

### **Bulsa Worldview and Gender Land Relations**

I want to draw attention to the Bulsa worldview regarding how power and authority are exercised in the context of gendered land relations. This is in line with the major themes of this research that the interactive processes of actors, thus men and women, are embedded in the historical context in which land marginalization existed. Moreover, it is important to engage the conversation about globalized genderization of land ownership and to highlight the Bulsa worldview on how land rights are exercised in tandem with, and in the context of gendered land relations. As I stated earlier, I am not romanticizing the realities of our land relations as a colonial adventure; my objective is a broader emancipation project that engages our indigenous and customary practices that projected land marginalization. In most circumstances, we are quick to historize our land ownership system and define it in masculine and patriarchal terms. For instance, Kröger, (2017b) wrote: “For the Bulsa, the land belongs to the (male) person who first occupied and cleared the hitherto ownerless bushland and started to cultivate field crops” (p. 33). Thus, the Bulsa woman is sidelined or, in the words of Joseph Auedem (2021), is considered a stranger in her own land.

Indeed, this observation is true only if we view land ownership through a patriarchal and colonial lens. Holding conversations this way creates tensions in our territorial relationship and fortifies power and class structures that define who has the right to belong. Moreover, when such structures exist, we not only exhibit patriarchal norms but reinforce colonial notions of capitalism and property. Our Balsa feminist teachings and traditions say that a man's *ko yeri* (father's house) is in his uncle's house, where his mother first belonged. This idea is highlighted in a well-known saying that "when a father beats his child, it seeks sympathy in its mother's hut. A man belongs to his fatherland when things are good and life is sweet. But when there is sorrow and bitterness he finds refuge in his motherland" (Achebe, 1994, p. 134). This wisdom again reinforces the importance of the Balsa woman in our politico-ritual arrangement and articulate how our social relationships and concerns about belonging are exercised through the mother. These sacred traditions and feminist teachings were conveyed to me by Baba Akumgela and Mma Ajogsi. They laid down instances where the Balsa land relations were established through women. For example, to explain the folktale *Ba kan pa gala-niisa adak nyigsi-yeri ya* (we do not use our left hand to point at an uncle's house), Baba Akumgela said:

Avurinyinbiisa (referring to the descendants of Avurinyin, my grandfather's nickname) do not point their left hands at their uncle's house, where their mother comes from. This is because it was through our uncles that we have land to farm. That large land at naam-beli that we farm was given to us by our uncles because our fathers married their daughters. They gave our fathers the land to farm so they can take care of their wives and children. (personal communication, 2001-2002)

Further, Mma Ajogsi explained to me that the Kubelinsa and Mutiensa subclans of Sinyanga clan emerged from a brother (Akubelig) and a sister (Amutien) respectively. She said: "The latter, being a woman, returned home with her children and has since stayed in her father's house. Her descendants today have become part of the broader Sinyangsa family. That is why we, Kubelinsa, and Mutiensa, do not marry each other" (personal communication, May 2010).

Extrapolating from this story suggests that the descendants of Amutien had their land through their mother. This example also illustrates the concept of a *yeri-lie*, a woman who stays in her father's house without marrying or a woman who returns home after a divorce and does not remarry. A *yeri-lie* assumes a male figure function and is entitled to land. All rituals related to *yeri-lie*, including funeral rites and status, are performed and upheld as if she were male, in accordance with custom (Aduedem, 2021). Therefore, land relations can subsequently be established when her children exercise their rights of inheritance. Otherwise, the land returns to the *yeri-nyono* who is the genealogical head of the family.

At a woman's marital home, every woman has a *nang-gang* (literally, the farm plots closest to the back of her room). Yet this *nang-gang* is not just limited to the backyard farm but can be a large tract of family land that may not even be close to the house. My primary school teacher said: "My grandmother had land which she farmed on, and the men even offered their labour to her. This land has been transferred to my mother and no man dare claim ownership" (personal communication with Madame Pauline, Queen mother of Wiaga, August 2022). Similarly, women's land rights can also be manifested through *pog-nongtiri*<sup>8</sup>. *Pok-nongtiri* is a platonic friendship between a married woman and a married or unmarried man of the same clan as the woman's husband. The *nong* (man) can offer farmland and render labour services in cultivating the land for the *pok-nong* (woman). When good relationships are established between the two families, the *pok-nong* can own the land even after the *nong* dies. Beyond land relations, the *pok-nongtiri* solidifies the kinship relationship among clan members and the marriage itself

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<sup>8</sup> Kröger (1980) in "The Friend of the Family or the Pok Nong Relation of the Balsa in Northern Ghana" highlighted the *pok-nong* relationship, its emergence and practice in the Balsa context.

(Kröger, 1980). Though the pok-nongtiri is dialectic, it remains an integral part of our social and political systems through which territorial belonging and kinship ties continue to revolve.

I am not insinuating that there are no tensions in these arrangements, rather that these sacred teachings and traditions open new and unending dialectical discourses on the Bulsa philosophy and worldview on gendered land relations. Additionally, as a decolonial turn regarding the complex political and economic systems of land ownership, these discourses offer endless opportunities to engage the market forces of exclusion and land marginalization. We can therefore harness these lived experiences, traditions, and sacred teachings to critically reevaluate and reassess our gendered land relations beyond our limited views and confined imaginations that are defined by the structures of patriarchy and capitalism. In what follows, I sketch the activities of slavery and slave raids and the Bulsa political formation in the 1890s. Of relevance to this study, slavery and slave raids created a paradox: first, they created land dispossession and territorial disorientation; and second, they triggered political cohesion among the Bulsas for their defeat, which subsequently served as the basis for the colonial policy response towards the Bulsa social and political systems.

### **The Great Defeat**

Bulsas were objectified, dehumanized, and commodified through slavery and slave raids by the Zambarima horsemen Babatu and Samori and their armies. Evidence from Sir Harry Johnston in *The Negro in the New World* (1910) shows that slaves from the Bulsa land were shipped to the Americans and the Caribbean as early as 1674 (see Figure 2). While they were alienated from the land and our customs and practices, legislation was enacted to objectify them and turn them into chattels and property. To date, our relations continue to suffer the systemic effects of colonialism in various forms like racism, black incarceration, and other injustices.

Paradoxically, in North America, Black peoples are considered arrivants and are blamed for contributing to Indigenous (America) land dispossession (Petillo, 2020), but they also suffer continuous state expropriation, land displacement, violence, imperialism, sexism, and systemic racism (Amadahy & Lawrence, 2009). Moreover, they are also not devoid of the cultural trauma and alienation that colonialism brought and perpetuates in various forms even today.

I recognize that I cannot confidently speak to or for the experiences of our relations who were forcibly shipped to the Americas, but the point I am driving at is that the colonial project was designed to annihilate our being—our social, culture and governance systems—and to commodify our bodies and minds. Moreover, I know that these slavery activities also caused territorial disorientation and human alienation in the native communities in Ghana. Baba Akumgela always talked about the state of despair my great-grandfather was in when he lost his sons (one was killed and the other went missing) during the time of slavery. Following successful raids, family and kinship ties were broken, which undermined the social cohesion of which the land is a binding factor. Yet the experiences of men and women were monolithic and inseparable. Dirges are usually performed by women, and they confirm their experiences of the devastating effects of slave raids; these effects are reflected in their memories and transferred from generation to generation. The song *Kanbonka le jam taayie la* (when the slave raider entered our land), which has been recorded and translated by Saboro (2017, pp. 45–46), highlights the devastating toll of slavery and slave raids in human enslavement and cultural and land dispossession to the Bulsas. The dirge says:

Kanbong jam tong peemayariyari  
Kanbong kai le jam tatenglaka tong  
peemayariyari  
yayeeyee!!

The slave raider who entered our land  
Shot arrows indiscriminately  
Yes, yes

Kanbong ka le jam tateng laka tong peema  
yariyari  
ayaayaa aba bababa  
Kanbong kai le jam Doning laa te tong  
peema yariyari  
Yayeeyee kanbong kai le jam tatengleka taka  
peema

The slave raider who entered our land Shot  
arrows indiscriminately  
The slave raider who entered Donning  
Shot arrows indiscriminately  
Yes, yes, the slave raider who entered our  
land Shot arrows  
The slave raider who entered our land,  
Look no arrows were left  
The fierce raider who appeared on our land,  
Look, no arrows were left in the land

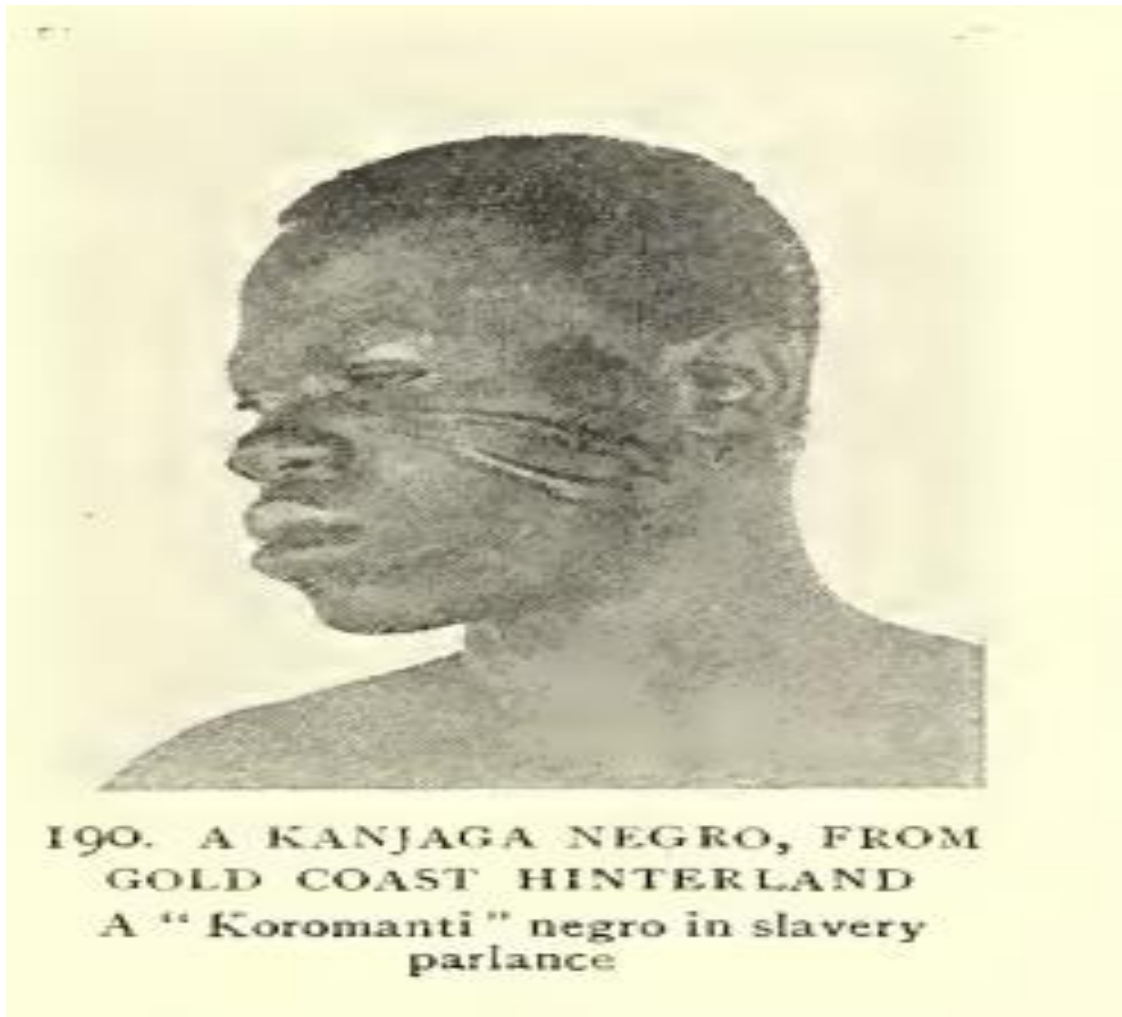
Kanbong kai le jam taa teng la nya peema  
mwan kaa  
Aye yeee  
Kanbongdek le nyini ta teng la nya peema  
mwan ka teng po  
Ayaayaa aba bababa

He came to our land and no arrows were left  
in the land  
Yes, yes, the slave raider who entered our  
land, Look, no arrows were left  
And he said they should know how to shoot  
arrows  
When he appeared, look, no one was left in  
the land

Kadek jam teteng ka la nya peema mwan ka  
tengpo  
Aye yeekanbong le jam tateng la nya peema  
mwa nkaa  
A yeekabali ween yee a tebasebi peema  
tongk ajaa de  
Ka ning nyeenya ba waim wan katen gpo  
Kanbongk ai ale jam ta teng la tama koma  
nuer gbelingbelim  
A yeeyee  
Me yen kanbong le jue ta jig la nya nura  
mwan ka tengpo  
wayaayaa aba bababa  
Kanbong le jue ta jig la nya nura mwan ka  
tengpo  
Aye yeekanbongkai le jam ta teng lenya  
peema mwan ka  
Ayen te koma le weenyee, ate basebi peema  
tong kalaa  
Dege le ning-nyeeba waim wan kai tengyoo

The slave raider who entered our land,  
Our fathers are dead and finished  
I say the slave raider who came to capture,  
Look, no one was left in the land  
The slave raider who came to capture,  
Look, no one was left in the land  
Yes, yes the slave raider who entered our  
land  
Look, no arrows were left  
Our fathers have told us to learn how to shoot  
arrows  
Look, nobody was left in the land

(recorded and translated by Saboro, 2017, pp. 45–46)



*Figure 2: A Bulsa (Kanjaga) in the Caribbean (Barbados). Source: Johnston, (1910, p. 213)*

The concept of land as communal property is expressed in the dirge in phrases like “our land” and “our community.” Also, the land is expressed as a spatial and territorial space of belonging in which a common identity and values are shared. In contrast, the slave raider is used in the metaphorical sense to symbolize death. Therefore, the activities of slavery “murdered” cultural and social systems for both the victims and their relatives. More importantly, slave raiding was a symbol of social disorientation in which cultural trauma (at both the individual and community levels) and despair over territorial integration were illustrated (Saboro, 2017). In this way, slavery was not only a form of capitalism which commodified the human body, but it also transformed local systems culturally and economically with prevailing political ramifications.

Without hope that anyone would be left in our land, community mobilization for resisting slavery and slave raids became eminent. There was the need to form community alliances to defeat slave raids in the Balsa region. Baba Akumgela said to me: “Your great-grandfather cried out loudly in despair when his son, one of your fathers, was killed by a slave raider. The whole community came out, and by using bows and arrows, they killed the slave raider and his horse” (personal communication, 2002). Also, the words “Our fathers have told us to learn how to shoot arrows” in the song above confirm the words of Baba Akumgela on the need for our communities to mobilize themselves and to conquer slavery. Accordingly, slave raids and subsequent resistance of the same marked a beginning for and a circumstance under which the Balsa societal norms and practices, legitimacy of political leadership, gendered land relations, and social classes emerged and are discussed.

The activities of slave raids and slavery, especially in the 1890s, epitomized a period of political consolidation for the Balsa people. As of 1897, at least seven battles had been fought against Babatu and his army across eight different Balsa communities (Kröger, 2017a). Oral history speaks to the battle of Sandema as one of the popular battles in which Babatu and his armies were defeated, and his wife killed at Akum-cham. The defeat brought liberation, yet to this day it remains a critical component in conversations about the Balsa political formation. For instance, a colonial official, Capt. E. O. Warden, said that the Wiaga, Kandema, and Senniesi chiefs voted for Sandema nab in the first election of head chiefs and “political paramountcy” in the Balsa area because they remembered the protection he gave them during these wars (Iliasu, 1975). While this assertion is incongruous with other oral histories, what is important is that the Balsa formation emerged out of this period as a political, economic, spiritual, and ritual consolidation. Thus, resistance of slave raids promoted human belonging and territorial

integration. There was an allegiance of “strong men” to defeat Babatu and his army, yet at the same time this allegiance was eminent and served as the basis for understanding the institution of *naalima* (chiefship) and the colonial legacies.

Carola Lentz (2000b) reports that local chiefs were appointed from among strong men (in the local context, this term translates to the affluent or most travelled men) who led their settlements to defeat Babatu and later had their positions entrenched by the colonial government. Other persons elevated to this position included local rich farmers who helped the poor and needy with food and offered protection for their neighbours during the slave raiders’ attacks. The *Bulsa* folk adage that *nyangta-nyono ni naab* (literally, the person with possessions is a chief) confirms Lentz’s view on the emergence of chiefs in these “acephalous societies”. Similarly, Capt. Rattray, an anthropologist and adviser to the colonial administration, noted that the modern chief among the *Bulsa* and *Gruinshis* emerged from the *Zambrima* slavery times (Rattray, 1932). He believed that the growth of ethnic and political identities occurred under the kinship and clan system of governance, with the only known “chief” as the earth-priest. He said the word *chief*, from the *Isalan* language (*Isla* people, who are neighbours to the *Bulsas*),

tells its own story. *Koro* . . . meant originally any man of wealth or substance in a clan . . . A *Koro* had not, however, any administrative, executive, or religious power. All such powers were invested in the hands of the *Tinteintina*. . . [teng-yono] The jumbling up of clans, and the germ of conception of territorial, as opposed to clan groupings, had no doubt begun to manifest itself before the advent of the Europeans. Men of wealth and understanding ability had already risen in some of the clan settlements and in the turmoil and chaos resulting from the depredations of *Zabarima*, mixed clans had sometimes relied on such leaders for protection. (Rattray, 1932, p. 486)

Hence the activities of slavery and the slave trade created an atmosphere that transformed the *Bulsa* social, economic, and political structures towards a “centralized” system (Apentiik, 1997; Saboro, 2017). Moreover, the end of slavery and slave raids in the late 1890s and early 1900s marked the time when the *Bulsa* land and the broader Northern Territories of the British

protectorate were integrated into the colonial administration. Details of this integration are presented in the next step, where I discuss the Bulsa political formation and land relations in tandem with the colonial policy towards the Northern Territories of the British protectorate. Before that, let us summarize the salient points that emerged from this step.

### **Initial Observations**

*The centuries have indeed been brutal. All the great systems have failed, or are failing. The fractured view of history is not even a tragic one, for it has no grandeur. At best it is pathetic, small, ironic, and glancing. It must be remembered, however, that history may be fractured, that certainties have been crumbling, but that the human mystery remains. It is probably just as well that certainties are being broken. Certainty has always been the enemy of art and creativity; more than that it has been the enemy of humanity. (Okri, 1997, p. 25)*

I am inspired by the words of Kwame Nkrumah (1970) to view, judge, and assess our history from “principles animating [our] African society, and from the point of view of the harmony and progress of [our] society” (p. 63). One critical observation from this initial evaluation of our land relations speaks to the importance of the Bulsa woman in the formation of our families, clans, and patrilineal clans. Cultural intermarriages are essential elements of solidifying our social and land relations, a rudiment for cultural and political belonging that correlates with the land. Land relations emerged from these social relations to form our *diina* (clan sections) and communities, which are organized under the governance of clan elders and leaders, families, *yie-nyam*, and *teng-nyam*. While the roles of men and women are inseparable in the Bulsa governance, land relations represent the aspirations of the people, with the family being the unit through which individual land rights are exercised.

Reflecting on oral history and memories of the teachings of Baba Akumgela and Mma Ajogsi, I observed that the Bulsas developed structures and evolved to form a political consolidation and allegiance to defeat slavery, a yoke of colonialism that objectified and

commodified our families, systems, and culture. While navigating this colonial savagery, the leadership of the cluster clans featured a near-state political system that later formed the basis for discussions on the institution of *naalima* (chiefship) and how the colonial administration responded to the *Bulsa* formation within the broader colonial project in the Northern Territories in the late 1890s and early 1900s. I will present this history shortly in the next step, but what is important for now is that the experiences of women and men were monolithic in this cultural and land alienation. Though there are debates on the certainties of the institution of chieftaincy in the *Bulsa* political system, what is evident in custom is that a chief's role in administering his family land is only present if he happens to be the genealogical head of the family (Apentiiik, 2002). At the same time, the religious responsibilities of the *teng-nyam* or administrative roles of elders of the clan sections cannot take away the position of the *Bulsa* family and individual land ownership rights.

I have always been told that the descendants of *Asipkak*—*Aparik* (*Avurinyin*), *Amoaning*, and *Akanbong*—call on the ancestral name of *Atuga* anytime they worship. *Baba Akumgela* said: “Our ancestors came from *Mamprung*. They had a fight with the *Mamprusi* and decided to move to *Buluk*, the land of *Bulsas*. We are now *Bulsas*, and we shall not step back to *Mamprung* again” (personal communication, 2002). Like *Baba Akumgela*, *Bodomo* (1993, 1994) is of the view that the people of savannah Sahel of present-day Ghana are of the same origin but migrated away from the centre of authorities because of intertribal and family wars and their search for fertile land. Today, due to the colonial imaginative creation of social and political boundaries that resulted in factions between the *Bulsas* and the *Mamprusi*, it has become difficult to mention this origin story confidently (see Schott, 1977). Of course, the certainty of the *Bulsa* origin is debatable as we do not recognize one ancestor. But that is the beauty of

history: “there is an understanding that we are all related but are also limited by our historical context which shows that place determines cultural experience. If there is no disagreement, then there is no history to discuss” (Mucina, 2006, p. 85).

According to sacred histories and written sources, the Balsa communities consolidated to subvert raids and activities of slavery in the 1880s. The Balsa political formation and social cohesion aimed at defeating the Zambarima slave raiders, Baabatu and Samori, laid the foundation for the development of the institution of chieftaincy. This claim is supported by scholars like Rowland Apentiik (1997), Emmanuel Saboro (2017) and A. A. Iliasu (1975), who share the belief that the activities of slavery and the slave trade shaped the “acephalous societies” towards centralization before the establishment of colonial rule in the Northern Territories. At the same time, this political development explains how the colonial policy responded to the Balsa political formation within the broader Northern Territories of the British protectorate. Thus, the institution of chieftaincy was revolutionized, from being what Cardinall (1920) described as “sergeant-majors” to becoming powerful actors in the Balsa traditional land governance system.

In the next step, I continue to examine the histories of the Balsa people in the colonial administration of the Gold Coast (now Ghana). The focus of step four is to provide details of the colonial misrepresentation of the Balsa political systems in the (colonialists’) administrative structures and the political changes in Balsa land relations in the postcolonial regime. In this illustration, history and power are complicated by colonial and postcolonial law, administrative structures, and boundary demarcations, while colonial-appointed chiefs continue to rely on these systems to define, negotiate, and entrench their role in the Balsa land governance.

## STEP FOUR – THE BULSA FORMATION AND LAND RELATIONS IN THE COLONIAL AND POSTCOLONIAL STATE

*One of the most powerful myths of the twentieth century was the notion that the elimination of colonial administrations amounted to the decolonization of the world. This led to the myth of a “postcolonial” world. The heterogeneous and multiple global structures put in place over a period of 450 years did not evaporate with the juridical-political decolonization of the periphery over the past 50 years. We continue to live under the same colonial power matrix.*

(Grosfoguel, 2008, p. 219)

In this chapter, I reflect on the colonial legacies and the Balsa political structure for land governance in present-day Ghana. Colonial contact and the Balsa native authorities' defence of boundary demarcations as they manoeuvred colonial tyranny emerged as a history through which authority over land and political administration have been contested. In particular, the authority of Azantilow in defending the territorial integrity of the Balsa formation in the colonial court serves as a reference point for us to understand the current role of the chieftaincy institution in the Balsa land governance system. It must be noted that Azantilow's legacy was to promote territorial belonging rather than gain control over land as property. But, as I will show, the colonial structures created an environment that confused territorial and social polity with the idea of land as property. Therefore, the Balsa political, social, and economic conceptions of land ownership were/are manipulated by colonial and postcolonial legal systems. The question of land as a customary possession is undermined in the substance and form of land title documents and deeds through which property rights are administered. At the same time, legal scholars interpret and problematize the question of land ownership by relying on the Azantilow case to project the institution of chieftaincy over the institution of teng-nyono. The political cost of this transformation, in the postcolonial state, Ghana, is economic and cultural marginalization of individuals and families.

As stated earlier, and to reinforce the concept of belonging and territorial control, the legacy of Azantilow and his defence of boundary demarcations was a united Balsa communities rather than an expressed claim of trusteeship of communal lands as proclaimed by postcolonial legal scholars. Specifically, what John Ayoade (1988) describes as “states without citizens” or, if you like, “citizens without a local state” in the words of Wale Adebani (2009), can best be analyzed to understand the colonial policy and definition of citizenship, belonging, and territorial relationships in the Balsa formation, and our relationship with our Mamprusi neighbours. The British indirect rule and the imaginative creation of social boundaries that led to the separation of Kunkua, Kategra, and Gadem—who speak Buli—from the Balsa societal formation is evidence of our fragmented kinship ties. Accordingly, having conversations about these tensions will help us to remember our collective memories of the efforts of native authorities to maintain our communal and kinship ties. My argument is that land should be seen as a symbol of unity and a tool for our collective economic and social sustenance rather than an asset to be appropriated or expropriated.

The last part of the step four will focus on how the colonial legacies and conceptions of land continue to exacerbate legal and economic complexities and marginalization in the Balsa land relations through the policies of the modern state of Ghana. Relying on deeds, we will see that imperial models of ownership are translated in land titling and registration. Colonial thinkers like Hernando De Soto (2000) and Garrett Hardin (1968) propagated these imperial models of ownership, which were later implemented by the nation of Ghana in ways that give rise to land marginalization. I will therefore show how the institution of chiefship emerged as a legacy of colonialism in which political legitimacy and claims of land ownership both in form and substance are expressed. We can therefore discuss these neocolonial and imperial policies as old-

fashioned colonial powers that are exercised without responsibility, and how those who suffer from them are exploited without redress (Nkrumah, 1965). In summary, in this step, I examine the history of the Balsa geopolitical structure and land relations as “an analytical category of how historical legacies of colonial rule, power struggles, legislative changes after independence, and the like impinge on local dynamics of property and politics” (Lund, 2008, p. 3).

### **The Bulsas on the Eve of Colonialism**

Following the conclusion of the 1898 Anglo-French Convention, the British gained protection of the Northern Territories of the Gold Coast. The first commissioner and commandant of the Northern Territories, Lt. Col. H. P. Northcott, was appointed by Governor Hodgson to lead the administration of the area. The primary task of Northcott’s administration was to familiarize itself with the nature of the region, its people, culture, laws, customs, and resources to implement a scheme of government that was simplest in terms of both economics and adaptability in response to the colonial policy. Northcott observed that it was impracticable for the administration to levy taxes because of the conditions of the region. For the colonial administration to not confine itself because of limited human and financial resources, Northcott recommended a simple governance system that would rely on local actors to expedite the colonial administrative policy. He made this clear in 1898 when he said, “The agency employed will be that of the native chiefs, and their power will, during good behaviour, be uniformly supported, except in matters of their relationship with neighbouring chiefs and of offences of a capital nature, which will be reserved for decision by a member of the administration” (p. 9). He remarked, however, that this strategy would be constrained by the absence of “big chiefs” in the region when he noted:

The farm surrounds the compound, and each head of the family is a law unto himself. It is true that the families of certain districts group themselves into tribal

organisations, but the bond is very loose and appears to be operative only in defense or in aggression. A head man or chief is elected to represent the tribe in palavers, but his power is nominal, and does not confer on him any rights over the property of his subjects. (Northcott, 1898, p. 27)

Northcott's successor, A. E. G. Watherston, made similar observations that the only organized tribes in the region were the Mamprusi, the Gonja, the Wala, and the Dagomba (Annual Report of the Northern Territories, 1907; Watherston, 1908). With the belief that the "unorganized" groups were part of these four organized tribes, Watherston added that the activities of the Samory and Babatu broke up some of these kingdoms, and consequently small communities emerged to become independent. To put it in another way, in their minds, large kingdoms in the protectorate had been disintegrated by intertribal and clan wars, slave raids, and slavery activities. Therefore, Northcott and Watherston's observations were translated into the British colonial policy to perpetuate colonial expansion through native segmentation, territorialization, and consolidation. In other words, with the intent to consolidate power, Northcott first finalized treaties with claimed independent "chiefs" who ruled over considerable territory (Bening, 1975). In this respect, political integration and native consolidation were seen in subsequent colonial policies. Watherston took steps to reorganize the Northern Territories into three main provinces: Southern, Northwestern and Northeastern (see Figure 3). Little or no attention was given to ethnic considerations in defining these boundaries (Bening, 2001); hence, geopolitical arrangements were strategically executed to ensure social consolidation with the aim of promoting geographic polity and social cohesion by integrating the "acephalous societies" into the centralized kingdoms. Thus, efforts were made by the colonial administration to reconstitute, in their mind, the "collapsed" kingdoms. Therefore, the hitherto independent settlements were welded together to form cohesive, governable communities while chiefs were created for the

“stateless societies” of the territory (Bening, 1975). These “stateless societies” were popularly known in colonial literature as the Grunshi<sup>9</sup> (see Figure 4 for a map of this region).

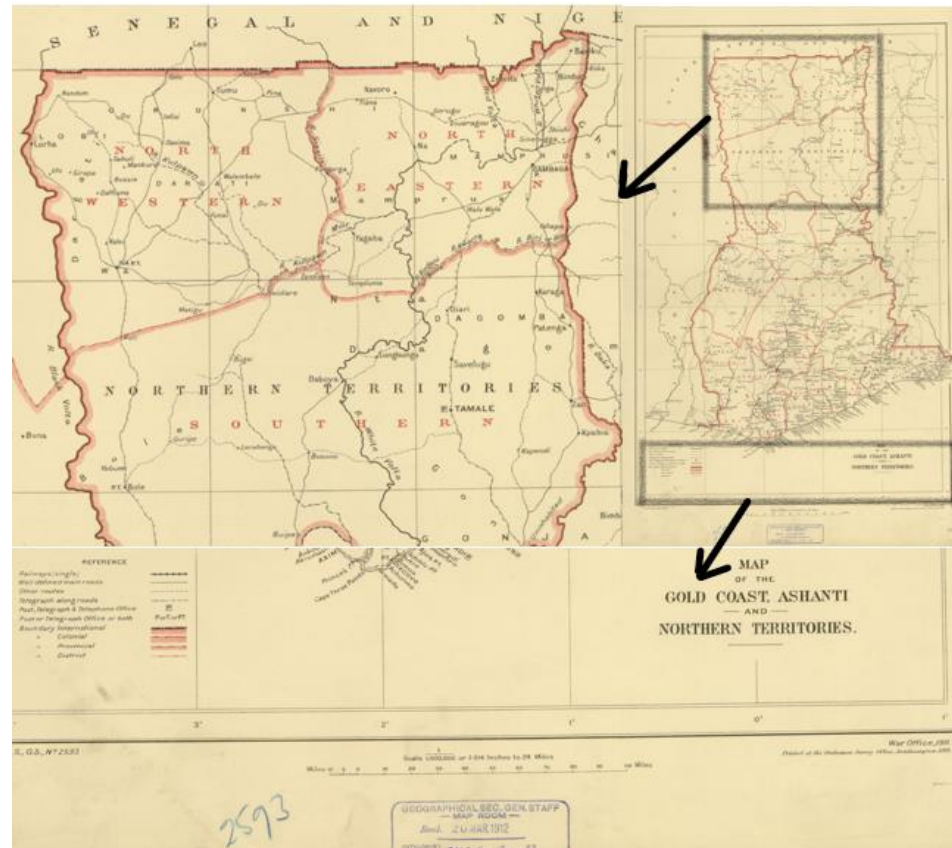


Figure 3: Provincial boundaries as at 1912.

Alongside this ethnic and political boundary (re)structuring, the colonial strategy was also to ensure that power networks of head chiefs and hierarchy of power were designed both in accordance with geographic polity and to ensure administrative convenience (Lentz, 2006).

Chiefs were first appointed to lead independent settlements and were later subjected under the

<sup>9</sup> Northcott (1898) earlier on noticed the Grunshi region (in which the Bulsas and other tribal groups like the Frafra, Dargitis, Nankans, Kansenas and many others are located) did not have polity in terms of political structure and common law on land matters and governance. The Bulsa tribe (Kanjargah) was first mentioned differently from the so-called Grunshi nation Watherson’s report of 1908 on The Northern Territories of the Gold Coast which is also published in the Journal of the Royal African Society. Kanjargah (Kanjarga) is just one of the numerous communities of the Bulsa formation. In providing naysaying praise, Watherson said: “South of Navoro live a tribe called Kanjargah, in an enormous town covering 48 square miles. Some of our best troops are enlisted among these people” (Watherson, 1908, p.351).

authority of the Na-yiri (King of the Mamprusi) as their head chief. With a stroke of a pen in 1911 when the plan was fully implemented, Armitage, Watherson's successor, subjected the Bulsas together with Frafras, Kasenas, Tallensi, Kusasi, and Mamprusi under the authority of the Na-yiri as the paramount chief to constitute the Mamprugu Kingdom of the Northeastern Province. These political developments were captured in the Annual Report of the Northern Territories (ARNT) of 1911 as follows:

In the Navarro District, chiefs have also been appointed over the Kanjarga (Bulsa) and Grunshi Tribes. The Na of Mamprusi has been taken by a Commissioner for an extended tour in the North-Eastern Province, and has been everywhere acclaimed as overlord of the chiefs of all the towns he visited. It is interesting to note that this has been the first occasion on which a Na of Mamprusi has ever left the neighbourhood of Gambaga and Nalerigu. This chief has now been appointed the paramount chief of the North-Eastern Province. (p. 21)

Further, except for the Mamprisi, who were directly under the authority of the Na-yiri, each of these independent settlements, including the Bulsa communities, were consolidated under the authority of a head chief. Thus, the different tribal groupings had an elected "head chief" who was accountable to the Na-yiri. For example, in the Bulsa case, Capt. E. O. Warden reported in the same year that the Bulsa head chiefship was won by the Sandema nab after it had been contested by the Sandema and Kanjarga nabs<sup>10</sup> (Iliasu, 1975).

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<sup>10</sup> This was the first ever recorded election in the Bulsa region. Referring to Capt. E. O. Warden, Iliasu (1975) stated that the Sandema nab had won with three votes from Wiaga, Kandema, and Senniesi chiefs against the Kanjarga nab's single vote from Fumbisi. Bachongsa, Doninga, and Uwasi remained neutral and abstained from voting as they were willing to serve under any chief who won the election. Also, though the Kanjarga nab had traditional rights over the Sandema nab, the Wiaga, Kadema, and Seniesi chiefs voted for the Sandema nab because they remembered the protection they had from him during the times of Babatu.

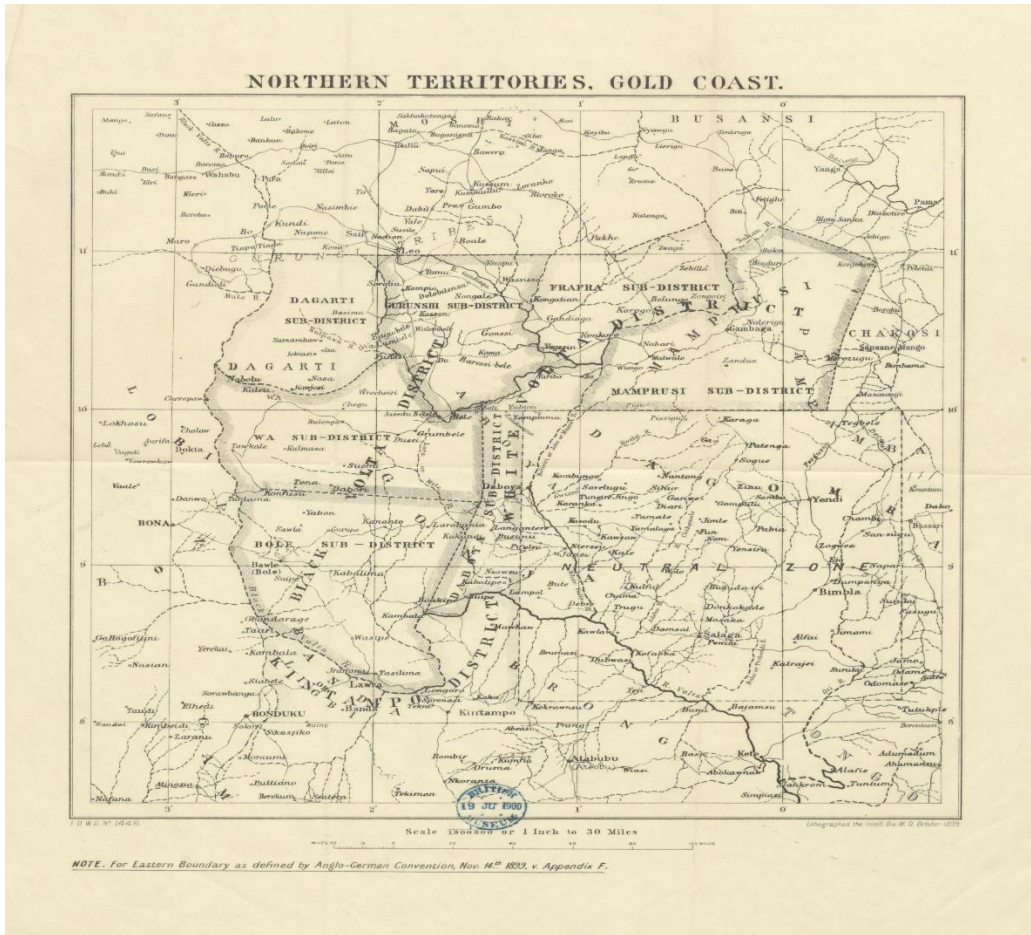


Figure 4: District boundaries as at 1900.

Yet prior to a successful implementation of this political consolidation, numerous resistances were recorded. First, the appointed chiefs of the Balsa region rejected the authority of the Na-yiri as their paramount chief. It was revealed in the Northwestern region that the Balsa and other groups like the Kasenas were not willing to come under the colonial administration.

The ARNT (1905) corroborated:

During last year the Southern Province and the Northwestern Province were put in proper working order; but for several reasons it was found impossible to organise the Northeastern Province, the main one being that a great number of towns in the district showed no intention of coming under our control, and it was considered advisable to place the Provincial Commissioner at Navoro in a position to get in touch with the surrounding country, whilst the Chief Commissioner undertook the local work at Gambaga, as had been the custom under the old system. (p. 7)

Later, in July 1911, the commissioner for the Northeastern Province, Major Festing, laid down the conditions for these disturbances and expressed concern about the authority of the Na-yiri in the Bulsa area when he wrote:

My experience in the workings among these pagan communities such as we have to deal with in this Province is that one has to be guided to a considerable extent by the feelings of the people and that it is very difficult to force them. Around Navarro (Navrongo) there are, I believe, so-called Grunshis who have never accepted Mamprusi (Na-yiri). Also in Kanjargah (Bulsa) I gather the Mamprusi influence is small. We would have to think seriously as to whether we can force them to acknowledge Mamprusi (Na-yiri) or failing this whether there is any one among them who can take the lead (as cited in Brukum, 1999, p. 106).

E. A. Irvine, the Provincial Commissioner also remarked that “the subjugation of these people has had a great moral effect not only on the surrounding country, but also on the whole of the North-Eastern Province (ARNT, 1911, p. 20).

Second, power relations were created in favour of the appointed chiefs over their people which were resisted by the latter. Watherston noted earlier:

Each compound was more or less a law unto itself. The people obey no man really, though they have nominal chiefs, selected as a rule for their incapacity to make anyone obey them. Partial blindness, paralysis, and often idiocy appear to have been the qualification in many parts of the country, the only *sine qua non* being that the chief should have cattle, as on him falls the privilege of paying any fines that the Commissioner might impose on them. (ARNT, 1907, p. 8)

Most of the appointed chiefs lacked political power because they could not command authority and have the people obey them. E. A. Irvine, the provincial commissioner, added:

[The] majority of the natives have been passive resisters as far as obeying the chiefs was concerned. Heads of families, if sufficiently powerful, were, formerly, a law unto themselves. . . . Considering the difficulties which have had to be dealt with, very favourable progress has been made in getting the people to realize that their chiefs are no longer to be considered figure heads, and that in consequence all their lawful orders must be obeyed. (ARNT, 1911, pp. 20–21)

Due to their inability to command authority, some headmen or chiefs were full of resentment and at most times felt reluctant to implement the colonial policies, which they (the appointed chiefs)

considered hostile and barbaric. For this reason, actions were taken against both the local people and their appointed chiefs for refusing to obey the colonial orders. For example, Franz Kröger (2012), in quoting Pauline Akankyalabey, noted: “The first British who visited the town [Wiaga] called on the chief (Awuumi)<sup>11</sup> to provide him with carriers. Awuumi, however, refused to do this and a young man<sup>12</sup> from the Yisobsa section came forward and organized members of his household to help the Whiteman” (p. 51). This historical development is much still alive in the community since elections of chiefs of Wiaga normally have representatives from these two dynasties. Also, a 1902 historical account referred to a

punitive expedition of the British against the Tiansi (Bulsa) by Lieutenant-Colonel A. Morris; from Navrongo via Paga, Chana to Sandema (21st and 22nd March). All residents of Sandema disappear in[to] the bush. The British destroy the “King's house” and move on to the “King” of Chuchuliga who welcomes the British. (Kröger, 2018, para. 37)

Though no reason was given for this expedition, all evidence points to the refusal of our people and their leaders to obey the colonial administration. Further, in 1909, “the chief of Sandema or Siniensi(?) was ordered to pay seven cows for disobedience” (Kröger, 2018, para. 55). For this hostile attitude of the colonial administration towards the Bulsa formation, it can be inferred that disobedience of the colonial orders also meant a refusal to recognize the authority of the Na-yiri as their paramount chief. For these reasons, conscious efforts were made to replace “disobedient”

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<sup>11</sup> The definition of a chief is not as it is in modern times. As stated earlier in the previous step, they were rather leaders in war or described as big men or wealthy men or ‘strong or brave men’. For instance, Pauline Akankyalabey in Kröger (2012) stated that the first chief of Wiaga was Anankasa (Anankansa). But, Abachingsa, (2020, p.44) described Anankansa as “nuriba nyorna” (the people’s man) for he provided for the poor and needed. After he led the people against the Zambrima slave raiders, he was crowned with the title “Ngiank Naab” (the chief in charge of welfare).

<sup>12</sup> To continue the story, “When the ‘Whiteman’ got to his destination [Gambaga?] he gave instructions that any official who visits Wiaga should contact Ateng [the young man] as a chief. In this way, the chieftainship was transferred from the Yimonsa section to the Yisobsa section of Wiaga” (Akankyalabey, 1984, p. 51, as cited in Kröger, 2012).

chiefs with chiefs who acted in the interest of the colonial administration. For instance, the provincial commissioner reported:

It was found necessary to destool three chiefs, namely Adichuro, of Kanjarga; Azuziri, of Tiana and Attechi, of Chuchilliga (Chuchuliga). These Chiefs had neither the confidence nor respect of their people, not so much on account of their own failings, but because of their inability to control the predatory habits of their sons and near relatives. Their removal has had a beneficial effect in each case. (ARNT, 1913, p. 23)

Similar actions were taken earlier by Watherston, though he was still skeptical about the power of the chiefs. He noted:

Due to constant travelling, constant speeches, and care taken to replace each impotent Chief by the best selection that can be made whenever occasion arises; but it will be two generations at least before we get Chiefs who will approach anything like the standard required for general progress and administration in the country, as far as native assistance is concerned. (Watherston, 1908, p. 357)

Accordingly, and for obvious reasons as discussed above, Major Festing's December quarterly report for 1911 attributed the trouble in the Balsa region to be "chiefly to our [the colonial administrators] not having hitherto been able to visit the district sufficiently" (ARNT, 1910, p. 15).

In general, the pronouncement of chiefs in the Northern Territories became an avenue through which political, social and cultural identities were exercised. Yet "weaker" nations were subjugated to rulers of powerful kingdoms while the relationship between the people and their rulers and political systems was reordered or recreated. However, the Balsa formation resisted the colonial policy of political consolidation in the initial stages until it was fully implemented in 1911. Thus, a discourse on history, ethnicity, chieftaincy, and institutions of land governance was fully imaginative and exercised along social and ethnic boundaries. As Lentz (2000a) argued, the idea of ethnic identities was historically oversimplified and continually redefined by the colonial administration, yet the labels of ethnic groups proved in time to be in multiple

different forms community creations. The discourses on the Bulsas and their neighbours, the Mamprusis, remained residual and contributed to the stability and consolidation of the colonial administration in the Northern Territories of the Gold Coast. Yet, the geopolitical structuring and categorization of the Bulsas under the subordination of the Mamprusis became questionable in later years. In sum, independent settlements were amalgamated into ethnic units with a combination of persuasion and coercion by the colonial administration. Power was consolidated into the hands of head chiefs, while any attempt at resistance or disobedience from the people and their chiefs was met with punishment and destoolment.

Further, the colonial policies between 1899 and 1920 created a fragmented political and social system that resulted in feuds between the Bulsas and Mamprusis, and based on that, land and belonging were questioned in later years. For instance,

in 1919 the chief of Passankwia (Kpasenkpe) made a claim to the overlordship of the greater part of the Builsa division, and it was finally decided by Captain C. H. Armitage, Chief Commissioner of the Northern Territories, after careful investigation by Mr. A.W. Cardinall (the District Commissioner, Navrongo) noted that his claims were groundless. The chief of Passankwia was summoned to Gambaga with the Chief of Sandema and after telling his story was destooled for making those false claims. (History of the Buli," 1933, p. 6)

Captain C. H. Armitage also designated the White Volta as the boundary between the Bulsas and Mamprusis and said that any person who did not wish to follow Sandema should move. But no permanent boundaries, either on the ground or on paper, were made to this effect until the case was reopened in later years. As I discuss in detail later in this step, the Bulsa native authority's defence of boundary demarcation against the Mamprusi nation raises critical questions about land as territory or property. Thus, the British imaginative creation of political and social boundaries first resulted in debates about belonging and later became a point of contention in relation to property rights. In addition, complex power relations were weaved with social and

cultural systems, which created enduring tensions between the Bulsas and Mamprusis that have redefined power, belonging, and ethnicity.

The definition of a Buleo (a person of Bulsa origin) was also problematized by the colonial administration as territorial boundaries and belonging were confused with land ownership in the Bulsa native authority's defence of political boundaries against the Mamprusis. Azantilow as head chief of the Bulsas in the landmark case against the Na-yiri of the Mamprusis conveys a message of hope for protecting the territorial integrity of the Bulsas, yet it also generated concerns on questions of belonging and citizenship to which territorial control is problematized with proprietary ownership. Some villages of a Bulsa origin and custom denounce their status in favor of the Mamprusis which continue define local belonging and land ownership. Accordingly, mapping was used as an everyday tool of governance by the colonial administration, but it also generated negotiated claims on the social relationships between the Bulsas and Mamprusis. Thus, colonial imagination and creation of social and political boundaries confused land as territory to be governed with land as property to be owned, which resulted in ambiguities between the two ethnic groups and between the Bulsa teng-nyaam and chiefs. While navigating these tensions and defending these boundary demarcations, local (Bulsa) chiefs empowered themselves to assert claims of authority over land —beyond land as a territory to include proprietary ownership.

Colonial mapping created invested interests and created new power layers in the Bulsa land governance arrangements. As Lund (2008) puts it beautifully, “the ambiguity between territory and property becomes poignant when actors slide between categories—when governors claim to own, or owners pretend to govern” (p. 69). While the Bulsa chief was projected above the teng-nyam in matters of land as a territory and property, the teng-nyam role, especially in

relation to land as a property, remained private and invisible to the colonial administration. But it must be known that no one should be deceived to confuse the role of the teng-nyam and the naalima as far as trusteeship of land is concerned. Moreover, the doctrine of trusteeship, especially regarding how it is applied in modern land tenure systems of Ghanaian society, is problematic and continually erodes the position of families in land matters. In addition, a recent court case upheld the earth priests as trustees of land over chiefs among the Frafras of Upper East Region of Ghana (see *Awabego v. Akubayela*, 2016). Though there is no decided court case among the Bulsas, the evidence is glaring that the role of the earth priest (teng-nyono) was sidelined, with little or no attention to its existence, by the colonial administration.

After years of contact with the Ashanti nations and Fanti groups of the coastal towns of the Gold Coast (now Ghana), the idea of earth priests was strange to the colonial administration as they were used to chiefs. Moreover, teng-nyam were seen to be unfit to be chiefs because colonial administrators such as Nash, who worked in the Navrongo district, “often described [teng-nyam] as ‘blind, naked and decrepit’” (Iliasu, 1975, p. 8). Therefore, in their aim of resolving the political complexities in the region, the colonial administration made every effort to ignore the teng-nyam. In addition, the idea of linking the native “political structure” with native “land rights” was problematic for the colonial administration, who had difficulty reconciling the role of the chiefs as a colonial instrument on one hand and the role of the earth priests in land matters on the other hand (Lund, 2008). Therefore, it was prudent to ignore the earth priests and adhere to the idea of the chiefs as custodians of land. Chiefs were encouraged and supported in numerous ways to exercise authority over their people and in land matters. C. H. Armitage wrote:

Every encouragement has been given to the Chiefs to exercise their authority; to hear and determine cases relating to native property, marriage, and other Civil

actions and to uphold native laws and customs so long as they are not opposed to our ideas of justice and equity. Few appeals from decisions of the Chiefs are made to the Commissioners' Courts, and, as a rule, local authority is exercised with the greatest moderation. (ARNT, 1916, p. 10).

Further, the function of the earth priest was also prejudiced following the introduction of Christianity in the region as part of propagating the colonial project. Sacred groves and shrines of some communities, which were usually under the custodianship of the teng-nyam, were destroyed by missionaries who were supported by local converts (Der, 1974). In this way, the ritual and religious functions of earth priests regarding land matters became silent and remained invisible to the colonial administration. Thus, the political system produced a fragmented customary authority where chiefs were projected above the earth priests. Accordingly, the local systems were transformed and reordered by colonial constructions and later were executed to perpetuate colonial homogeneity of power and control. In addition, a capitalist epistemic project was also introduced through which the power and authority of the appointed chiefs were exercised to ensure law and order. Watherston (1908) wrote:

As a result of our (British) efforts he (the native) now becomes restless, he wants better clothes, he becomes insubordinate to his parents, to his Chief. If he goes to work, in this early stage his heart is not in his work, he wants all the time to get back to his country and loaf, and in his heart of hearts longs for the time to return when there was no hustling white Sahib to disturb his peaceful existence. (p. 360)

### **The Bulas in Colonial Development and Expansion**

With constant trial and error of political expediency, tribes of the Northern Territories became model states and settled governable entities in the 1920s. At a stage of implementing modern forms of government and public administration, native polity was modelled by the colonial administration that continues to unfold an evolutionary system in the political, social, economic, and cultural structures of the region. The projection of social and political boundaries together with government developmental policies in the region renewed debates on questions of

belonging and political arrangements for land governance. First and foremost, there was an intense debate on land ownership and in what capacity the government could acquire land for development. Two opposing philosophies on land tenure in the protectorate emerged as a result of Governor F. G. Guggisberg's plan to construct a railway connecting the Northern Territories with the British colony (Bening, 1995). The governor and his secretary of state maintained that the chief commissioners were ill-advised to obtain deeds of land as gifts from the chiefs. They argued that such deeds constitute a de facto recognition of chiefs as land rights holders, and it was undesirable to encourage the idea that chiefs had the authority to make such grants (Bening, 1995). They also argued that the chiefs' authority was limited in land matters; because the concept of land as property was alien to the locals it must not be allowed to interfere with the traditional land tenure system. On the contrary, Arthur J. Philbrick, the secretary for native affairs, who later assumed the title of chief commissioner of the protectorate, was of the view that the Northern Territories were a protectorate and not a colony. He, therefore, felt it was inappropriate for the colonial governor to acquire land for public purposes without paying compensation. He also argued that the signing of friendship and freedom treaties and treaties of protection by the northern chiefs did not include surrender of land (Bening, 1995). The secretary for native affairs cautioned the commissioner against granting leases and argued that such leases should be considered *ultra vires* and void.

In this regard, the question of land ownership was taken and upheld by the colonial government through legislation. Thus, old laws were amended and later supported by new enactments to uphold the authority of the colonial administration in land matters. For example, the Northern Territories Administration Ordinance (Cap. 111) of 1902 was amended to define the land relations of the chiefs and natives with the colonial government and non-natives. Section

2(7)(a) of the Northern Territories Administration Amendment Ordinance, 1923, declared all land, buildings, and premises in the protectorate as property of the government “to be vested absolutely in His Majesty the King, free from all competing estates, encumbrances, titles, interests, liens, charges, and claims, of whatever nature and by whomsoever is alleged to be held or claimed.” To this effect, a legal context was established for the governor to exercise power in land acquisition. In addition, restrictions were imposed on both natives’ and strangers’ access rights to land under Cap. 111. The ordinance defined a native to exclude people of the Gold Coast colony and the Ashanti. Thus, the people of adjoining territories

would not be precluded from occupying land under native customary forms of tenure provided they had the consent of the chiefs and their people, but they would be prevented from acquiring land and at a later date setting up claims which could not be reconciled with the customs of the people in the Northern Territories among whom they had settled. (as cited in Bening, 1995, p. 238).

The Northern Territories Administration Ordinance of 1902, therefore, remained the sole legislative piece that regulated land tenure in the region until 1927 when the Land and Native Rights Ordinance (Cap. 143) was enacted. With public opinion and especially with the stand of the secretary for native affairs, intense pressure was brought on the governor to rescind the amendment on the grounds that it was not right to vest lands in the King since the region was not a colony. Yet, for Governor Guggisberg’s determination of the railway project, expedient actions were taken to legislate the Land and Native Rights Ordinance (Cap. 143) in 1927. The Land and Native Rights Ordinance declared all lands, whether occupied or not, to be public lands. This gave the governor powers to grant leases to both natives and non-natives under the same ordinance. Section 4(1) of the ordinance stipulated:

All public lands and all rights over the same shall as from the commencement of this ordinance be under the control and subject to the disposition of the Governor, and shall be held and administered for the use and common benefit, direct or indirect, of the natives, and no title to the occupation and use of any such lands shall be valid without the consent of the Governor.

Another political transformation that ignited debates on land tenure was the colonial desire to maintain native polity for the implementation of indirect rule in 1932. Inspired by the success of similar policies in Uganda, Tanganyika (Tanzania), and northern Nigeria, chiefs were modelled to become native authorities through which modern governance would be exercised. Prior to the formal introduction of indirect rule in 1932, chiefs acted on and implemented the instructions and ideas of the district commissioners. Therefore, the idea to solidify the authority of chiefs in the colonial administration, especially in land matters, remained rhetoric in two ways. First, native lands were technically vested in the colonial government and no land could be disposed of without the approval of the colonial administrators. Second, the powers of the chiefs were considerably increased and supported to project the colonial policies while the colonial administration reserved rights of control of land, at least on paper. In this way, the colonial administrators had sweeping powers in land disposal while chiefs were empowered to execute judiciary functions under an established native tribunal. Earlier, the Northern Territories Administration Ordinance (Cap. 111) of 1902 stated:

It shall be lawful for the Chief Commissioner or any persons appointed by him with all necessary workmen and other servants to enter upon any land required for public service, he shall cause such land to be marked out, and a notice to be posted in some conspicuous part thereof, which notice shall be in these words, viz.: Taken for the Government. (as cited in Lund, 2008, pp. 30–31)

Further, “Native Tribunals shall exercise the jurisdiction heretofore exercised by them in the same manner as such jurisdiction has been heretofore exercised” (as cited in Bening, 1995, p. 228).

However, chiefs could not implement most of these policies without the support of the provincial commissioners. C. H. Armitage noted that the chiefs’ authority was openly flouted and if the provincial commissioners withdrew, the natives would resort to lawlessness (ARNT, 1916). He expressed worry about the level of resentment by the old men and compound heads,

who inflamed the passion of the youth towards the authority of chiefs. The chiefs' authority and functions were hitherto considered trivial, savagery, and hostile to aboriginal practices. In fact, the chiefs did not have any real power until 1932 when indirect rule was introduced. Thus, indirect rule gave real power and control to the chiefs and their native councils to rule considerably over their people.

Preceding the indirect rule of the 1930s, substantial geopolitical structuring took place to (re)define and (re)order ethnic identities and social systems. On December 23 and 24, 1929, a northern provincial political conference was organized in Navrongo to discuss the political development and the implementation of the indirect rule. Native authorities and administrative districts, for which the legal basis had been established by the Native Administration Ordinance (Northern Territories), which set the legal basis for establishing native authorities and administrative districts were also considered. An administrative area was defined as "the area controlled by one tribal Chief's Council, or a combination of Tribes who have agreed to form one administration under a combined Council" (Report on Northern Province Political, 1929, p. 8). The native authorities replaced native tribunals following the enactment of the Native Administration Ordinance. A native authority was defined to be constituted by a chief or other native or group of natives who were appointed under the Native Administration Ordinance (Report on Northern Province Political, 1929). The Native Administration Ordinance (Northern Territories) was itself adapted from the Asanti (Asante) Native Jurisdiction Ordinance that was applied among the Asantes, who practiced a feudal land tenure system where land was held by the Stool. Therefore, the concept of Stool land was also transformed in accordance with the predominant symbol of authority in the region, which was the Skin. Skin property was defined to

include “the skin itself and any other insignia or other property usually held by the chief” (Report on Northern Province Political, 1929, p.8).

It was unanimously agreed at the northern provincial political conference that district boundaries should be recast in accordance with tribal boundaries. In this way, a tribe or two tribes could be brought under one district in a contiguous manner, meaning, one or two tribes could be in a district, but no tribe could be divided between two districts. Therefore, provincial and district boundaries were projected that continued to engender ethnic, social, and cultural tensions between the Bulsas and the Mamprusis. The Navrongo, Bawku, and Zuarungu districts were consolidated to form the North Mamprusi district, which aimed to preserve and strengthen Na-yiri’s authority in the Mamprusi Native State (Bening, 2001). Subsequently, internal boundaries of the protectorate were to be recast in conformity with the limits of the proposed native authorities, which formed units of administration in an administrative district following discussions at the conference. Hence, the Bulsas and Kasenas as tribal groups were to form the Navrongo District. Figure 5 shows the proposed districts of the Northern Territories in 1929.

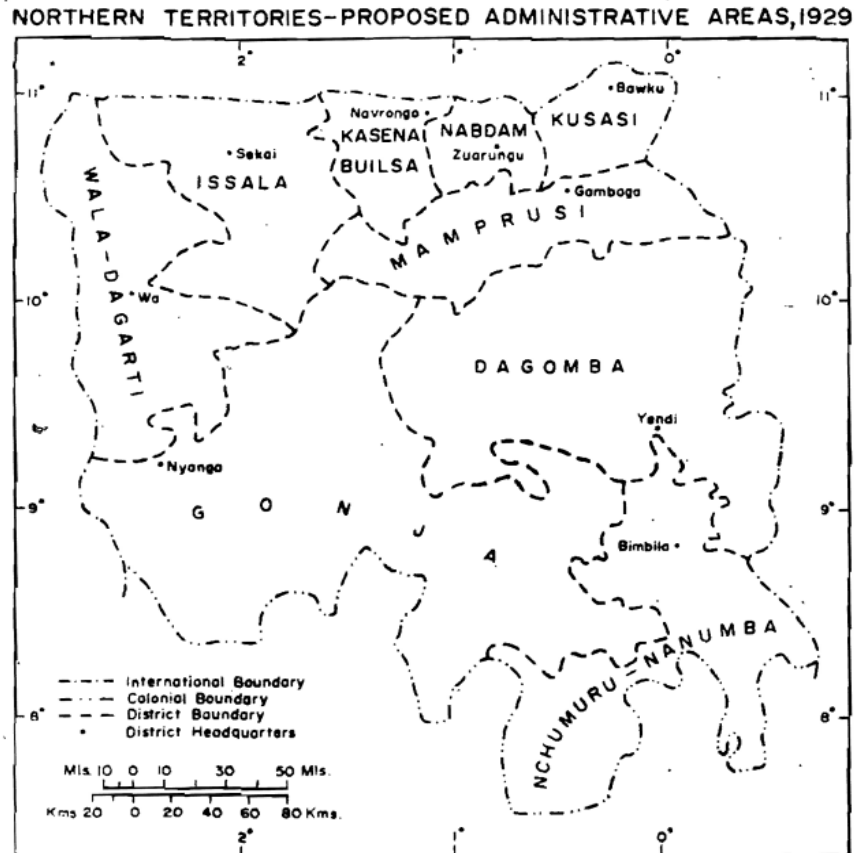


Figure 5: Proposed administrative areas of the Northern Territories as at 1929. Source: Bening (1975).

However, these proposed boundaries of 1929 were abandoned due to the administration's high hopes of forming larger states. This was not surprising, as Governor Guggisberg, earlier in 1921, had underscored the need to form larger, more cohesive, and stronger native states as the basis of the administrative provinces. He noted "a tendency for the bigger states to break up to the detriment of development and trade" (as cited in Bening, 1975, p. 121) and stated:

Our policy must be to maintain any paramount chiefs that exist and gradually absorb under these any small communities scattered about. What we should aim at is that someday the Dagombas, Gonjas and Mamprusis should become strong native states. Each will have its own little Public Works Department and carry on its own business, with the Political Officer as a Resident and Advisor. Each state will be more or less self-contained. (cited in Bening, 1975, p. 121)

Therefore, a new set of political boundaries was implemented in 1932, as shown in Figure 6. The Mamprusi district was formed, and once again the Bulsas continued to be under the

subordination of the Na-yiri's authority. At the same time, a major research project was launched to document the institutions, customs, and histories of the northern peoples. The government specialist and anthropologist R. S. Rattray researched the whole Northern Territories and produced *The Tribes of the Ashanti Hinterland*.<sup>13</sup> Also, a provincial report by the district commissioner in 1933 titled *History of the Buli, Nankani, and Kassina People in Navrongo Area of the Mamprusi District* was also produced. These research reports affirmed the Bulsas as a tribe independent from the Mamprusis and maintained that the only relationship between the Bulsas and Mamprusis was through a fetish priest. The district commissioner noted that the Bulsas were subjected to the authority of the Na-yiri following the Armitage administrative system and policy of 1912. Therefore, the Bulsas and Kasenas were granted an independent native authority but not an administrative unit. For instance, in dismissing the pleas of the Bulsas and Kasenas, the governor noted:

As a district is merely an administrative area, the refusal of the Builsa, Kasena and Nankani tribes to acknowledge their subordination to the Na of Mamprusi is not affected by the inclusion of their territories in the same district as that within which the Mamprusi State lies. Whether these small tribes can at a later date be attracted or guided to enter the Mamprusi State must be left to the future: it will be all to the good if they do and the process of absorption will be facilitated by all parties being in the same administrative area. (as cited in Bening, 1975, p. 130)

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<sup>13</sup> Other major research outcomes included A. Duncan Johnstone and H. Blair's *Enquiry into the Constitution and Social Organisation of the Dagbon Kingdom* (1932); St.-J. Eyre-Smith's *A Brief Review of the History and Social Organisation of the Peoples of the Northern Territories of the Gold Coast* (1933); and E. F. Tamakloe's *Brief History of the Dagbamba People* (1932).

ADMINISTRATIVE AREAS OF THE NORTHERN TERRITORIES, 1932



Figure 6: Administrative districts of the Northern Territories as at 1932. Source: Bening (1975).

In 1946, the Bulsas and Kasenas gained the sympathy of the colonial administration and were granted an independent district from the Mamprusis (see Figure 7 for the new boundaries following this development). The Balsa native authority was also created independently of and separate from the Kasena-Nankana native authority. Yet the belief that the Na-yiri's authority north of the White Volta river was repudiated following these boundary demarcations (Bening, 1975) remained a myth. Earlier, before the implementation of the 1946 boundaries, the acting chief commissioner G. H. Gibbs requested Olivier, the district commissioner, to ascertain if any of the Balsa villages wished to follow Passankwia (Kpasenkpe). Without insinuating any prejudice of forcing these communities to follow the Mamprusis, Olivier noted: "My idea was to

find out if these villages had any relations with Passankwia or any other Mamprusi Chief before our (British) arrival in the country and if so to give them the opportunity of renewing these relations, should they desire to do so” (Bazukwe Vrs. Naga and Sandema Claim, 1932–1951, p.126).

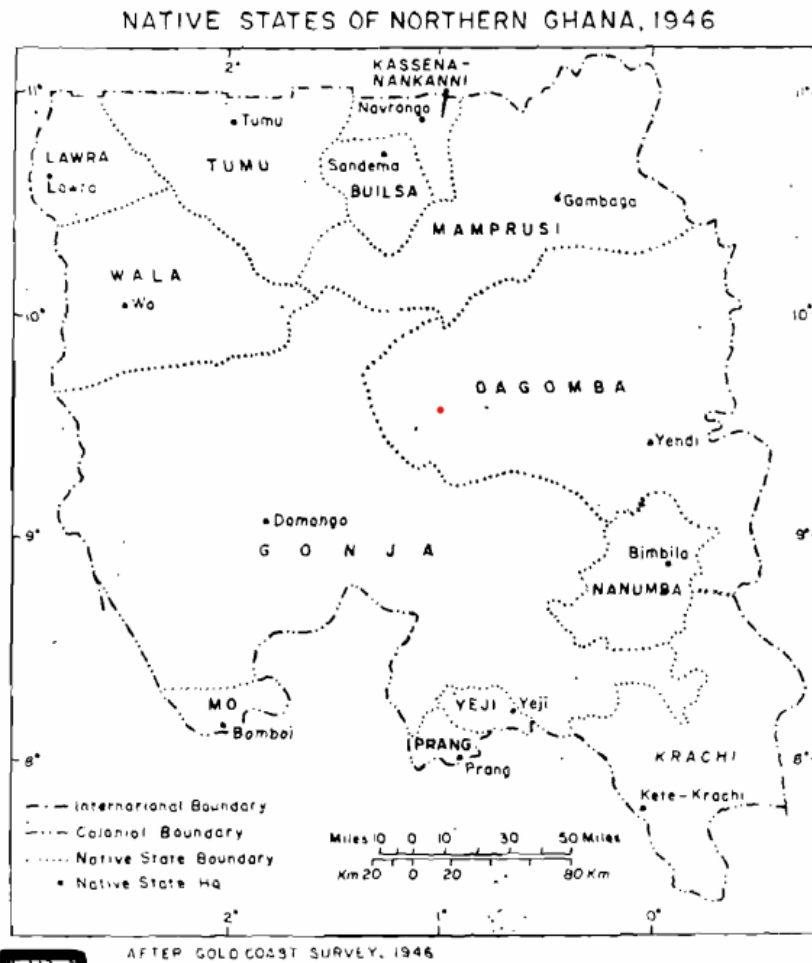


Figure 7: Native boundaries of the Northern Territories as at 1946. Source: Bening (1975).

Earlier, in 1932, Olivier reported that villages such as Kunkwa, Kategra and Jaadema, Fumbisi, Wiassi, Yuwassi (Uwassi), Gbedembilisi and Kanjarga were of Bulsa origin yet had expressed their willingness to follow the Mamprusi through Kpasenkpe, Yagaba, and Mungu. Olivier insinuated that the boundaries should be based on land ownership. He therefore recommended that Kunkwa, Kategra, and Jaadema should be put under the Mamprusi Authority

because “they expressed their wish to do so and their land is Passankwie land” (Bazukwe Vrs. Naga and Sandema Claim, pp.123), while the other communities should remain under the Bulsa state “since the land of these villages is not Passankwvia’s land, and their only reason for wishing to follow him is that they make sacrifices at his fetish for the good of their crops” (Bazukwe Villagers, pp.123–124). These recommendations were also made on grounds that the lands of Kunkwa, Kategra, and Jaadema belonged to a Tindana who was of Mamprusi origin. Yet further investigation by the commissioner of lands suggested that “it may well appear under closer scrutiny that the Mamprusi Tindana is himself of Kanjaga (Bulsa) origin, although for a very long time politically subject to Passinkpe-Na” (Bazukwe Villagers, p. 132).

Olivier was aware of A. W Cardinall’s report of 1919, Armitage’s ruling in 1920, and the forced movement of Jaadema people for their refusal to follow Sandema in 1926, yet he believed that these initial developments were politically motivated and for administrative convenience.

Quoting Cardinall’s report, Olivier stated:

The people of Kunkwa are of Kanjaga (Bulsa) origin but the chief has always stoutly maintained his allegiance to Passankwie. However, the people of Kunkwa as stoutly have refused to ever obey him in spite of fines and punishment. The Kanjaga (Bulsa) people loath the Mumprusi, whom they despise as cowards, for their behavior during the time of Babatu [the slave raider], when they used to capture fugitive Kanjagas (Bulsa) and sell them as slaves. Eventually, the Kanjagas (Bulsa) with the people of Kunkwa met the Mamprusi in battle and drove them away wounding the Chief of Passankwia. . . . The people of Giadima [Jaadema] all come from Kaigri. The original inhabitants of Giadima were driven over the river in 1926 by the government owing to their refusal to follow Sandema, and Katigri people occupied their compounds leaving Katigri deserted. These people now in Giadima always followed Kunkwa before Government interference, and now wish to do so again if Kunkwa is allowed to follow Passankwia (Bazukwe Vrs. Naga and Sandema Claim, p. 125).

In addition, the chief commissioner noted, “In 1920 Captain C. H. Armitage then Chief Commissioner of the Northern Territories, gave a judgment in the Chief Commissioner’s Court that “The boundary between the Passenkwia Lands and those under the Chief of Sandema is the

White Volta River, with equal fishing rights and other rights to the inhabitants of both districts” Bazukwe Villagers, p. 74). Yet, when the 1946 native boundaries were completed, these three communities were demarcated and included in the Mamprusi Native Authority. Therefore, in the following year, the Balsa Native Authority, under the leadership of Azantilow (Sandema nab), claimed suzerainty over these villages based on concerns of ethnicity and land. A full version of the story will be illustrated shortly in this step, but it is important to note that the political expediency by Azantilow in the colonial courts laid the foundation for discussing questions of belonging and land marginalization as a central argument in the defence of the boundary demarcations between 1933 and 1946. Accordingly, I do not merely argue for the defence of land or people by Azantilow as territorial or proprietary ownership but rather consider it to be a complex weaving of colonial boundary demarcations that continues to define Balsa kinship relationships and our sense of belonging even today.

### **The Great Lost**

On July 21, 1947, in a letter to the Na-yiri through the offices of the district commissioner and the senior district commissioner, Azantilow complained:

Since some years ago, three villages of the Builsas; Kunkuaga (Kunkua), Kategara (Katigira) and Jaadema are being serving under the Mamprusi N.A. but really they are Builsa, as regards their customs and language is the same way done as the Builsas, and moreover they are settling on the Builsa Land (Bazukwe Vrs. Naga and Sandema Claim, p. 59).

No reply was received from the Na-yiri; instead, the district commissioner replied, noting that the boundaries had been settled and he had no intention of reopening them. He referred to the triangular boundary dispute between the Bulsas, Kessena-Nankanni, and Mamprusis at Naga, which concerned land and fishing rights, in arriving at his conclusion. Regarding this dispute, the Asebilika river at the confluence of the White Volta was ruled to be the boundary between the

Bulsa and Naga (a sketch map is shown in Figure 8). Also, in the following exchanges, details of the Kunkwa, Kategra, and Jaadema boundaries were also recorded:

- Asst. DC: Now as to the Passankwia-Bulsa boundary: it has been ruled that following towns should follow Passankwia, and that the jurisdiction of the latter should extend to the land boundaries of the tindanas of these places: Kunkwa, Aba, Zanlio, Buguyinga, Giaidema [Jaadema] and Katigri [Kategra].
- Passankwia-na: Gunua should also be included.
- Asst. DC to Ayirigbe (Azantilow's representative): Do you oppose that?
- Ayirigbe: No, but I do not know these boundaries: the chiefs of Yuwasi [Uwasi] and Gwidinblesi [Gbedembilisi] should be consulted.
- Asst. DC I will move to Kunkwa in about three days' time and define this boundary on the ground. I want the Sandema and Passankwia to send representatives to point out the boundaries to me (Bazukwe Vrs. Naga and Sandema Claim p. 50).

The assistant district commissioner, J. A. Prendergast, concluded by remarking:

The last of these boundaries of course presents the most difficulty; and it is quite likely that Passankwia-na may, in the course of the demarcation, expand his claim so as to include places like Gwedemblessi (Gbedembilisi) and Wiassi. Any of such claim should in my view be discouraged (Bazukwe Vrs. Naga and Sandema Claim, p. 53).

In further letters of exchange between the district and chief commissioners, it was agreed that expedient actions should be taken to implement Prendergast's recommendations and demarcate the boundaries in the dry season to prevent any future disturbances. But no action was taken until Azantilow claimed suzerainty over the disputed villages in July 1947. Azantilow argued that his representative rejected the Passankwia-Bulsa boundary on grounds that

before white man came our boundary with the Mamprusi was the Moge [river] which is marked as No 7 "Moge" and when my Representative gave such question the Passankwia Na has no proves at that time to ensure the said Commissioner. (Bazukwe Vrs. Naga and Sandema Claim, p. 60; Figure 9 is a GIS map of the disputed areas included for clarity and detailed explanations)

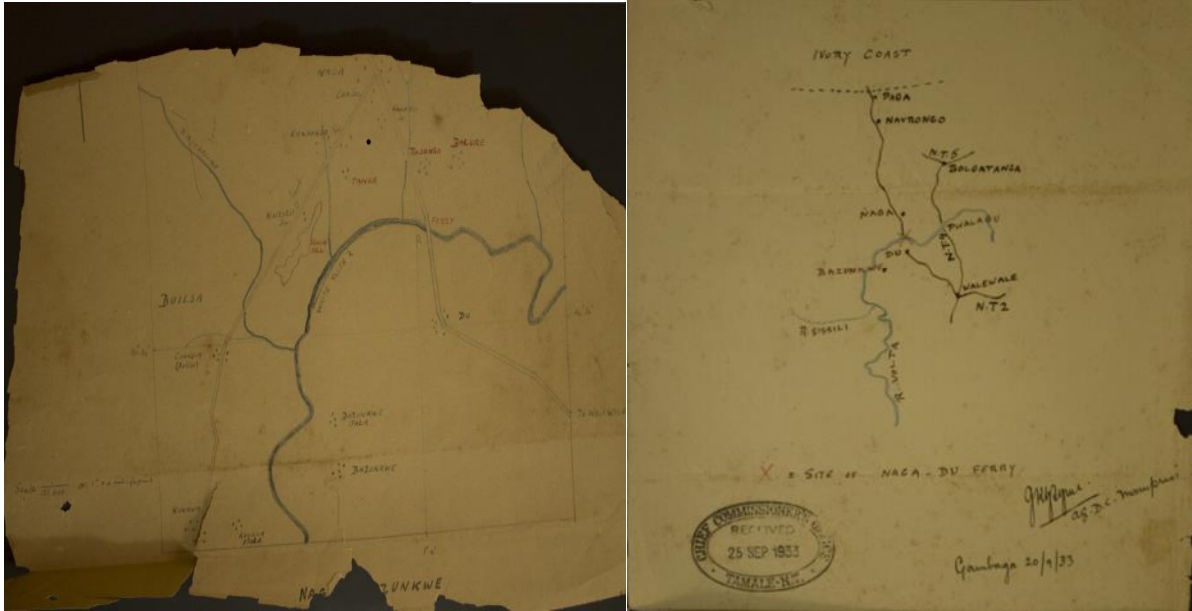


Figure 8<sup>14</sup>: A Sketch Map of the Boundary Dispute Among the Bulsas, Kessena-Nankanni, and Mamprusis.

Source: (Bazukwe Villagers, pp. 4, 29)

He also referred to Cardinall’s report of 1919, Armitage’s 1920 ruling, and the forced movement of Jaadema people for their refusal to follow Sandema in 1926 to back his claim. While enclosing Azantilow’s letter, the senior district commissioner wrote to the chief commissioner and outlined the basis of and the incidents that led to Azantilow’s claims. He believed that Armitage’s judgment in 1920 that the White Volta was the boundary between the Mamprusis and the Bulsas was solely for administrative purposes and convenience. Also, relying on the recommendations of Olivier and Prendergast, he believed that the boundaries had been settled. He concluded: “The sandemnab is, in my view, raising this claim again in the hope that as all the administrative officers concerned are comparatively new to the District, the former decisions

<sup>14</sup> The sketch map depicts a triangular dispute between the Bulsas, Kessena-Nankani and Mamprusis. The dispute originally involved the Kessena-Nankani and Mamprusis but Bulsas were invited since the boundary concerns the three ethnic groups along the White Volta. The Bulsa and Kessena-Nankani, and Kesena-Nankani and Mamprusi boundaries were settled but no agreement was reached on the boundary between the Bulsa and Mamprusi boundary.

may be reversed” (Bazukwe Vrs. Naga and Sandema Claim p. 61). Therefore, on October 3, 1947, the chief commissioner directed that Azantilow be told: “The question of boundaries legally established in the past under the Administration Ordinance of 1928 cannot be re-opened now . . . and it is important that the boundary should be demarcated on the ground as soon as possible” (Bazukwe Vrs. Naga and Sandema Claim, p. 58).

It must be noted that at this time and as a vibrant young chief, Azantilow’s position had been cemented in the colonial administration, in part because he had learnt the English language and contributed massively to organizing military recruitment, forced labour, and other developmental projects (Thomas, 1974; Wiemers, 2017). Also, unlike his predecessor, Ayieta, whom the Kanjaga nab had contested in 1911, Azantilow had the endorsement of the Balsa chiefs to be their head chief. Therefore, on February 12, 1948, Azantilow petitioned the governor for permission to have his case heard in the colonial court. In his petition, Azantilow stated, “Since our mentioned villages made up their minds to serve under the Mamprusi N.A., if they leave our land, then we are bound not to allege any complaint” (Bazukwe Vrs. Naga and Sandema Claim, p. 69). He also requested to meet the governor in person, but neither of the requests were granted.

The chief commissioner, in transmitting Azantilow’s letter to the colonial secretary for the opinion of the Governor’s legal advisers, noted:

I may perhaps add that the Sandema Nab is one of the most able and progressive of the Chiefs in the Northern Territories and it may be that prestige he has enjoyed on this account has encouraged him to persist in his present action. (Bazukwe Vrs. Naga and Sandema Claim, p. 72)

The colonial secretary in a reply through the chief commissioner, said:

I am directed by the Governor to request you to inform the petitioner that His Excellency has considered his petition and, as a result, does not advise him to pursue his claim in the courts, since the matter has been formally decided against him. (Bazukwe Villagers, p. 71)

Azantilow persisted, however, and managed to convince the chief commissioner of the Northern Territories to have his case heard and was granted an interview on June 26, 1950.

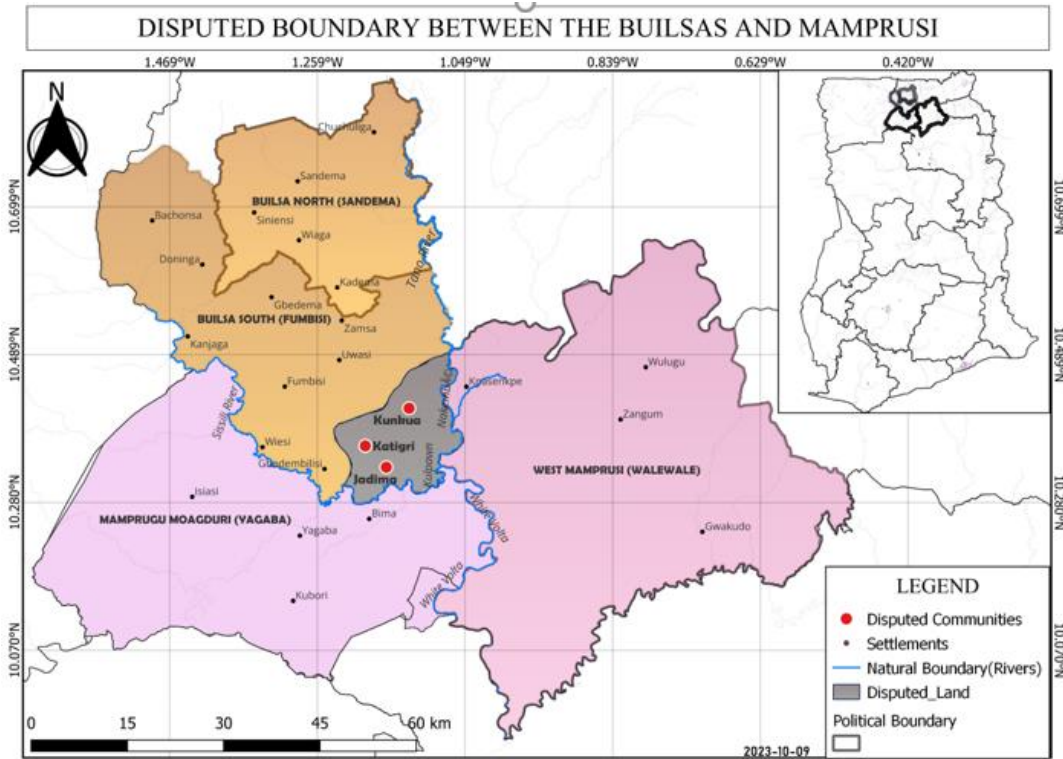


Figure 9: A GIS map of disputed boundaries and communities.

In the meeting, Azantilow conveyed:

The men from there (the disputed areas) marry from here (the Balsa region); the language and custom is Builsa language and custom. Many of them try to say they are Builsas but they are punished if they visit Sandema. Before the Whiteman came the river was the boundary. There is no dispute between the Sissala and ourselves on our other (S.W) boundary (Bazukwe Vrs. Naga and Sandema Claim, p. 130).

When the chief commissioner asked him about the ownership of the land, Azantilow continued: “During Babatu’s raid the chiefs fought for the land; the land belongs to the Bulsas; the Mumprusis did not fight for the land nor did they defend it. . . . In Babatu’s raid, we fought for all the land up to the river” (Bazukwe Vrs. Naga and Sandema Claim, p. 129). It was clear that Azantilow’s claim was both of land ownership and political belonging. Azantilow also claimed in his petition that it was the wish of the people that they follow the Bulsas. He also

referred to Armitage's 1920 ruling and stated that the only reason the people said they were not Bulsas was the bad treatment they had received from his predecessors, Afoko and Agaasa. To defend himself, Azantilow said:

Before the whiteman came these communities belonged to Builsa, and [my] predecessors [Ayieta]<sup>15</sup>, Afoko and Agasa ruled over the people. Because they did not like Afoko they said they would separate from them and they were told to leave the land. They agreed to stay under Builsa. Then when I made a great effort to get forced labour (from them) they said they were Mamprusis because they did not like forced labour, and they stayed in the area. . . . First, the people speak Builsa, secondly when Katigiri, because of Afoko, said they would not stay in Builsa, Capt. Armitage (C.C.N.T.) told them to stay off the land (Bazukwe Vrs. Naga and Sandema Claim, pp. 129–130)

Azantilow's petition concerned three things: ownership of the land; the land boundary; and the people's desire to follow the Bulsas. However, the first claim was flawed as Eyre-Smith, the Assistant Secretary of Native Affairs, had said, "In no instance did the land belong to the chiefs in the Northern Territories" (Bazukwe Vrs. Naga and Sandema Claim, p. 163).<sup>16</sup> In addition, the Commissioner of Lands, Mr. Pogucki, who had done considerable research about land tenure in the Northern Territories, made similar remarks:

In any investigation aiming at a settlement of the land boundary dispute would be first to establish which group owns the allodial title rights in land and hence, whether land matters are dealt with (quite possibly via the local headman or chief) by a Builsa, or rather Kanjaga, Tenganyono or by a Mamprusi Tindana; but it may well appear under closer scrutiny that the Mamprusi Tindana is himself of Kanjaga origin, although for a very long time politically subject to the Passinkpe-Na. . . . As to the collection of dawadawa fruits, which right used to be vested in a Tindana (Tenganyono) who represents the group owning allodial rights, it may well be that now headmen or chiefs allege that they are holding such rights; should this be the case, then the point would be to enquire who used to collect dawadawa fruits previously, as the person or persons who used to do it would be

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<sup>15</sup> The quote captured the name as Ayatu.

<sup>16</sup> This extract was captured in a report by Sgt. J. R. Eyre-Smith, the assistant secretary for Native affairs, who did extensive research on the social systems of tribes in the Northern Territories.

owners of the allodial rights in the land or their representatives (Bazukwe Vrs. Naga and Sandema Claim, p. 132).

Though all evidence showed the disputed communities were of Bulsa origin, the second claim was also dismissed because the colonial administration believed Armitage’s rule was for administrative purposes and could not be binding. For the third claim, all evidence suggested that the people wished to follow Kpassankpe instead of Sandema. For instance, Olivier, the assistant chief commissioner, noted in a preliminary inquiry:

The people living in the three villages appear to me to be BUILSAS. Their language is principally BUILSA although MAMPRUSI is also heard. In KATIGARI and KUNKUA the compounds look just like those in the BUILSA area with at least one room flat roofed for sitting out of the evening and early morning—something one does not normally see in SOUTH MAMPRUSI. The compounds are also scattered—as in the NAVRONGO district—and surrounded by quite large farms and not huddled into villages of bush farms outside which is usually a noticeable feature of SOUTH MAMPRUSI. It would appear that is on these points and on the 1922 settlement that the SANDEMNAB hopes to prove his case. Ethnically, the SANDEMNAB is probably right. But just as this is true, it is also true to say that the people do not want to return to the BUILSA administration. . . . I found myself sympathetic to the SANDEMNAB’s claim. I admired his persistence based, as I thought, upon an earnest desire to right a grave wrong. I still do not doubt his sincerity. But if he thinks these people want their villages to return to him, then he is misinformed. (Bazukwe Vrs. Naga and Sandema Claim, pp. 116–118)

These conclusions were arrived at after various interviews were held to decide whom the villages wanted to follow—the Wulugunaba (Mamprusi) at Kpassankpe or the Sandemnab (Bulsa) at Sandema. As shown in Table 1, almost all the compounds of the disputed areas cast their votes to choose Kpassankpe over Sandema.

*Table 1: Votes Cast by Katigiri, Jaadema, and Kunkua Communities*

Communities	Continue to follow Kpassankpe	Switch to Sandema
Katigiri	38	NIL
Giadem(Jaadema)	28	NIL
Kunkua	152	6

Source: Compiled from Bazukwe Vrs. Naga and Sandema Claim to Village

Without Azantilow's knowledge, a confidential letter dated November 23, 1950, was transmitted by the chief commissioner to the district commissioner of Mamprusi and the assistant district commissioner of Navrongo instructing that the final decision would formally close the case. The letter reads:

I have now had an opportunity of studying papers, maps, and records which exist in this office regarding this long drawn-out dispute and I have reached the conclusion that it will be necessary to inform the Sandemanab in due course that I have nothing to add to the advice given to him by the late Governor, Sir Gerald Creasy, in 1948 to the effect that a formal and proper decision against his claim to include the villages of Kunkwa, Giadima, and Katigiri in Builsa had been made and that he was not advised to dispute this claim in the Supreme Court. . . . Unless this matter is specifically raised by the Sandemanab I do not wish this decision be communicated to him until early in 1951 when arrangements for demarcation of the boundary should have been completed. (Bazukwe Vrs. Naga and Sandema Claim, p. 134)

Azantilow then wrote directly to the chief commissioner insisting to have the case heard in the high court. He lamented:

I beg to say that I have understood your advice. But it is not easy for me to leave this case, I therefore wish to take the case before the High Court. Because I do not see the reason why, one to owned a land and another to ruled over the people on that particular land. And according to the British Government laws, which we have a bit experience, it pained me a great deal, for the way the Mamprusi N.A. have cheated the Builsas three villages, Kunkuaga, Katgera, and Jaadema. If such a case had been for one else to face it, I beg to say that it would pain that particular one the same way as it do pained me. But if there is law binding some one not to claim his right, then I would be grateful to hear such views, before taking the action to the High Court (Bazukwe Vrs. Naga and Sandema Claim, p. 78).

At this time, Azantilow's expediency angered some of the colonial administrators and was seen as disrespect for failing to adhere to the earlier advice that was given him. All steps and structures were designed to frustrate his action. For instance, the chief commissioner wrote: "I regret that he [Azantilow] thought fit to depart from his usual courtesy and pass correspondence to me direct. . . . Government would never sanction the cost of an action coming from the Native Authority funds" (Bazukwe Vrs. Naga and Sandema Claim, p. 161). Despite all the warnings,

Azantilow proceeded and instituted a legal action against the Na-yiri of the Mamprusis, with the chiefs of Jaadema, Katigiri, and Kunkua as co-defendants, in the chief commissioner's court of the Northern Territories. However, the case was dismissed on grounds of insufficient evidence to support his claims. He appealed the case in the West African Court of Appeal, but it dismissed in an unreported judgment delivered on April 9, 1953.

Yet the facts of this case became critical and contributed to revolving debates on land ownership in Northern Ghana. For example, Nii Amaa Ollenu (1985, p. 9) relied on the case of *Azantilow v. Na-yiri and three others* to generalize that the allodial title to land in Northern Ghana is vested in the Skin. Though this assertion may be the case elsewhere, especially among the centralized groups like the Mamprusis and Dagombas, Ollenu's generalization has been refuted by other scholars and by justices of the Supreme Court of Ghana. It must be noted that the primary focus of the ruling in the Azantilow case, as Ollenu himself acknowledged, was on the *locus standi* and capacity of the parties to sue. The Court held: "The plaintiff is a person capable of suing in his capacity as tribal head and . . . the defendants are the proper persons to be sued" (*Azantilow v. Nayiri and three others*). Contrary to the impression created by Ollenu as if the case involved a Bulsa chief against a Bulsa teng-nyono, the court, before making its judgment, summarized the evidence as follows:

The evidence of the plaintiff and the first defendant both showed that each could hold a title to land in his capacity as tribal head. On the defendants' side support for this came from the first witness who said that as a sub chief he held land under the Head Chief of the Mamprusi people, the Nayeri, who is the first defendant. Further support came from the defendants' second and third witnesses who were Tindanena. Both made it clear in their evidence-in-chief that their position is one of fetish priest and not one which carries title to land with it, although elsewhere in the Northern Territories this may be the case (*Azantilow v. Nayiri and three others*).

In the court proceedings, the Mamprusi Tindinas relinquished their rights, in support of the Na-yiri, that they do not hold title to the land. This is consistent with the Mamprusi system,

which is historically known to have been centralized, exhibiting a feudal land tenure system. The chief holds the land on behalf of the community in this kind of system, unlike the case of the Bulsas as illustrated previously. Moreover, as revealed by the writings of colonial administrators and anthropologists who had knowledge about the land tenure arrangements in the area, it was evident that Azantilow would not win on basis of claiming title to land as a tribal chief. Indeed, Azantilow lost the case for his claim of land ownership by asserting himself as the allodial title holder without any support from the Balsa teng-nyam. As E. N. A. Kotey (1993) puts it more succinctly:

The present Sandemanab (who has been on the skin for a very long time and was the plaintiff) in *Azantilow v. Nayeri* has judiciously asserted his authority over the whole of the Builsa. His claim to allodial ownership as opposed to sovereignty (in a jurisdictional nonproprietary sense) of all Builsa land however has no basis in the indigenous law (p.115).

Moreover, according to Woodman (1996), “the court there [in *Azantilow v. Na-yiri*] spoke of chiefs having title to sue but the evidence merely showed that the Tindanena claimed no title themselves. Otherwise the chiefs’ right to sue was simply taken for granted” (p. 56).

### **Bulsa Land Relations in Postcolonial Ghana**

A resolution letter, dated June 29, 2020, conveyed that the members of the Bulsa Traditional Council had resolved to name the Sandem nab as Bulsa nab. In a reply to this resolution letter<sup>17</sup>, Basko Kante and Mathias Apen, who were purported to be leaders of a group named Concerned Bulsa Citizens, wrote: “The Sandem Nab’s ultimate objective is to make all Bulsa Chiefs subservient to himself and to bring all the remaining twelve villages under his control in Sandema and ultimately take or assume control of all Bulsa lands” (as cited in Kröger, 2020, p. 19). To understand the graveness of the letter, the registrars of the Bulsa Traditional

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<sup>17</sup> The details of the exchanges and letters are captured in Kröger (2020), pp. 17–24.

Council, National House of Chiefs, and Upper East Traditional Council, all the other 12 chiefs of the Balsa Traditional Council, the Balsa Member of Parliament, the District Chief Executives, elders, and opinion leaders were copied. The Sandem nab, in response, wrote:

I Sandem-Nab do not go round grabbing people's lands, so to say that [referring to Kante and Apen's words] is a glaring display of ignorance about the relationship between the 12 chiefs and the Sandem-Nab, and land administration in the Balsa, both of which cannot, by stretch of any imagination, under any threat from a letter about change of name [the resolution letter]. Finally, I want to emphasize that I, Sandem-Nab, am not seeking to possess the land of Balsa as has been suggested by Mr. Kante and Mr. Apen. (as cited in Kröger, 2020, pp. 23–24)

Before I return to the current manifestations of the Balsa land relations and to contextualize them, accordingly, let me first refer to the early postcolonial history on statutory law and land administration of the bigger nation of Ghana. Upon independence in 1957, lands were still held in trust by the governor-general in accordance with the ordinance of 1927. However, when the country attained a republican status in 1960, the State Property and Contract Act of 1960 (Act 6) was enacted to transfer all property of the state, including lands vested during the colonial period, to the trusteeship of the president. Also, in 1962, the Administration of Lands Act (Act 123) and the State Lands Act (Act 125) were also passed to respectively distinguish between “state-owned” and “vested” lands. While the former gave power to the president to vest Stool and Skin lands (including the northern lands, which were already vested under Act 6) in the interest of the public, the latter allowed for compulsory acquisition of land for state ownership. Thus, Act 123 merely vested the land in the state while ownership of the allodial title rested with the original owners. This arrangement was consistent with the ruling in the case of *Azantilow v. Na-yiri and three others* in that the Land and Native Lands Ordinance (Cap 121) of 1927 did not invalidate the ownership of land or affect title and the positions of the parties. In practice, the administration of vested lands and state lands is not different except in the case where, in the former, revenue administration serves as the basis for clashes in private and public

ownership, at least in contemporary times (Lund, 2008). Besides, the splitting of legal and beneficiary rights respectively between the state and private individuals (in the case of vested lands) made it difficult to substantiate the allodial title holders—the skins or chiefs on one hand and the earth priests (teng-nyam) or families on the other hand.

Fast forward into the 1970s, numerous pressures were mounted on the government to divest the northern lands and return ownership to the original owners (see Bening, 1996; Kunbour, 1996; Lentz, 2008; Lund 2008). So, the Roland Issifu Alhassan committee was commissioned in 1978 to investigate and report on the nature of land ownership in the Northern and Upper Regions. In relation to the Bulsas, the report reads:

The Committee was satisfied from the evidence adduced on the above subject that the paramount title of Builsa Land is vested absolutely in the Paramount chief, the Sandema-Nab and is held in the trust for the benefit of the Builsas. The day-to-day administration of the land is taken care of by the Divisional chiefs, the Sub-chiefs, and the Tindanas/Tinyam for and behalf of the Paramount Skin. (Government of Ghana, 1978, p. 38)

Alhassan’s committee report has been criticized on various occasions and by different scholars for its anomalies and inconsistencies regarding the history and practices of the people concerned. First, Alhassan, who is a Dagomba (a brotherly tribe with the Mamprusis) and a legal practitioner, may have been aware of and influenced by the Azantilow case to have made such instinctive suggestions in his report. Also, though no source was provided as to how that evidence was adduced, the wording of the report itself is akin or consequential to it being the true reflection of the Bulsa land tenure arrangement. For example, in one part, it states: “Only the Sandema-Nab can authorize a grant of a piece of land to a stranger” (Government of Ghana, 1978, pp. 38–40). And another part says: “The tindana/tinyono has only a priestly role in the grant of land. He . . . performs sacrifices when new grants are made before the grantee is put into possession” (pp. 38–40). The separate roles, as the report sought to differentiate, were

problematic on two grounds: first, the report did not specify whether the findings were in accordance with custom or modern land governance among the Bulsas; and second, all forms of historical evidence of the Bulsa land relations and how they were established were disregarded, as the report merely states: “The Bulsas migrated from elsewhere and came to occupy the present area as first settlers” (p. 38). As discussed earlier, even if there were chiefs in the Bulsa formation before the advent of colonialism, the hierarchy of these chiefs, of which the Sandema nab is a beneficiary, has no roots in custom or traditional law of the Bulsas. Also, scholars like Kitinkawa and Badak (n.d.) have criticized Alhassan’s report for its lack of broader consultation as it was politically motivated. In addition, the Konkomba Youth Association (KOYA) and other groups like the Bassaris petitioned the Alhassan committee regarding its “biased” presentation of the Konkomba and the Bassari ethnic groups under the subordination of the Nanumbas and the Dagombas both in terms of land ownership and political orientation (Digbun, 2020; Kachim, 2018; KOYA, 1979). Arguably, the Alhassan committee’s report is known to be non-statutory, therefore making its legality doubtful as it is considered to have no locus when it comes to its enforceability.

The overall recommendations of the committee were incorporated into the 1979 national constitution, which was the major law for the divestiture of the lands in the Northern and Upper Regions. Without further specifications, the lands were divested from the state to the original owners. Yet the constitution, although it attempted clarity, assumed the skins or chiefs as the natural institution with authority and responsibility for administering land in the region, per Article 18(3–4). It reads:

For the avoidance of doubt it is hereby declared that all lands in the Northern and Upper Regions of Ghana which immediately before the coming into force of this Constitution were vested in the Government of Ghana are not public lands . . . all lands referred to in clause (3) of this article shall vest in any such person who was

the owner of any such land before any such vesting or in the appropriate skin without further assurance than this clause.

The institution of chieftaincy was also established under Article 177 of the same constitution and had representation on the Lands Commission, an institution that was supposed to be responsible for administering state lands, including the development of policies and strategies for private land management in the country (see Article 189 of the 1979 Constitution of Ghana). However, the clauses of this constitution left a lacuna regarding which persons or institutions were responsible for making legal decisions concerning the disposal of land in the regions. For this reason, authors like K. A. Ninsin (1989) have criticized the 1979 constitution for peddling a “restoration of communal lands in the North to those authorities through whom the leading classes could more easily appropriate communal lands for private commercial purposes” (p. 176). Indeed, the same pronouncement under Article 18 (3–4) of the 1979 constitution was made under Article 257 (3–4) of the 1992 republican constitution with no word change.<sup>18</sup> Though the 1992 constitution and other statutes have made provisions for the skins and district assemblies to benefit from revenue accruing from lands in their area of jurisdiction, the legal question as to who has the rights to administer such revenues in the context of the Balsa communities remains problematic as far as the institutions of the skin or chieftaincy and tengnyam or families are concerned.<sup>19</sup> This is because the form and substance of land ownership as

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<sup>18</sup> The Office of the Administrator of Stool Lands was established under Article 267 of the constitution and the Office of the Administrator of Stool Lands Act, Act 481, for the purpose of administering revenue accruing from Stool and Skin lands. For example, Article 267 (6) of the 1992 constitution stated, “Ten percent of the revenue accruing from stool lands shall be paid to the office of the Administrator of Stool Lands to cover administrative expenses; and the remaining revenue shall be disbursed in the following proportions: (a) twenty-five percent to the stool through the traditional authority for the maintenance of the stool in keeping with its status; (b) twenty percent to the traditional authority; and (c) fifty-five percent to the District Assembly within the area of authority of which the stool lands are situated.”

<sup>19</sup> This is an area of interest to me and it will be part of my commitment to understanding the Balsa land relations and the current institutional arrangements for land administration in Ghana.

defined in these legal frameworks have only just replicated the colonial design, thereby undermining the indigenous Balsa practices and normative beliefs of tenure systems. In other words, land as property or territory to be owned or governed was confused in the colonial past but became a matter of legality in the postcolonial present in which land ownership is complicated both in substance and form. While the chiefs were elevated over the teng-nyam in the colonial administration, the postcolonial state continued to entrench the role of chiefs in land administration through state policies, laws, and legislation.

Paradoxically, in the current legal framework, the colonial law and English ways of legislation are considered the general applicable law, while custom and indigenous practices require further proof before their legality is accepted (Kunbuor, 2002). The confines of customary law are defined within the limits of colonial law or the postcolonial state law, neither of which fully acknowledged the Balsa custom, no matter how contested it has been. For instance, evidence from deeds and title documents suggest that custodianship of Balsa land, both in substance and form, lies with the Balsa chiefs. Records from the Title and Registry Division of the Lands Commission provide the following format for land titling (the lease document) in the Balsa communities (at least for Sandema, Fumbisi, and Wiaga):

THIS LEASE is made the [Date of Transaction] BETWEEN Nab [Name of the chief], Chief of name of [Community of which the land is located] in the Builsa District the Upper East Region of the Republic of Ghana (hereinafter called the "LESSOR" which expression shall where the context so admits or requires include his successors in office and assigns) with the consent and concurrence of the Principal Elders of [Community Name ] Skin are evidenced by the signing of these presents at least two of the aforementioned Principal Elders of the one part and [Name and address of the Lessee] of the Republic of Ghana (hereinafter called the "LESSEE" which expression shall where the context so admits or requires include heirs and assigns) of the other part.

The above description is found in Form A of the lease document; it contains other particulars of the land parcel and the covenants of the transaction thereof. The deed or lease is sealed with signatories of the chief (lessor), an elder, the farm owner, and the lessee.

The form of this document is problematic in two ways. First, the text description of Form A creates ambiguity in understanding the role of the elders in these land transactions and the meaning of the term farm owner. There is no clarity on the land interests that are held by the farm owner. Therefore, it is necessary to understand the concept of farm owner in the Balsa land relations and customs. Arguably, the concept of farm owner has no root in Balsa customs. The point is that the Balsa land tenure system is reduced into properties in this titling process, while the institutions of land governance are redefined to project a legal marginality concerning the substance of land. Second, legal and institutional complexity are created by the Lands Commission to marginalize the teng-nyam and Balsa families in the substance of these deeds. Thus, even if the farm owner is a representative of the Balsa family or teng-nyam, the idea of transferring legal ownership to the chiefs and their successors as lessors has a potential of creating future tensions in the reversionary interests of these leases. In a personal communication with an official of the Lands Commission in 2017, I was told: “The Lands Commission normally identifies chiefs to act as principal witnesses to land transactions in the Balsa areas” (Official of the Bolgatanga Lands Commission, personal communication, July 2016). Kunbuor (2002) made similar revelations concerning the Dagara communities of the Upper West Region when he noted:

The legal effect of chiefs endorsing land transactions among the Dagara remains problematic. Does it give validity to the transaction or is it only a testimony that the transaction did take place? While there is no decided case on this issue, data from our field study reveal that land administration institutions in the Upper West Region would not accord validity to a land transaction that is not endorsed by the paramount chief of the area in which the land is situated. The legal basis for such

an administrative practice remains mysterious as chieftaincy among the Dagara is not a corporate land holding entity. (pp. 10–11)

For the Bursa land relations, the evidence suggests that the chiefs' endorsement of these transactions not only gives validity or serves as a testament to the transactions but indeed accords the Bursa chiefs legal owners and custodians of the land. This development is of immediate concern in the Bursa context, and whether or not it is healthy for our land relations is a question that needs to be answered. It remains critical because much depends on the contingencies that exist in a particular community since the current laws, legislation, and administrative processes of state institutions have shown contradictory results in relation to Bursa customs. Moreover, these structures exist as a perpetuation of the colonial fragmentation of our land relations, with no clarity in the current context.

### **Summary of the Step**

*The advent of the Western Culture has changed our outlook almost drastically. No more could we run our own affairs. We were required to fit in as people tolerated with great restraint in a western type society. We were tolerated simply because our cheap labour is needed. Hence we are judged in terms of standards we are not responsible for. Whenever colonisation sets in with its dominant culture it devours the native culture and leaves behind a bastardised culture that can only thrive at the rate and pace allowed it by the dominant culture. This is what has happened to the African culture. It is called a sub-culture purely because the African people in the urban complexes are mimicking the white man rather unashamedly. (Biko, 1987, p. 47)*

The colonial strategy for geographical polity complicated the African ideologies of space, society, and territorial belonging with property regimes. Contrary to the idea that territoriality connects space and society to undermine competing jurisdictional claims (Adebanwi, 2009), the colonial government redefined African communities and territories in ways that resurrected old conflicts and generated newer and greater conflicts. The colonial administration used boundary demarcations, both discursively and practically, to promote governable states which later

generated debates on land as territory (where belonging is exercised) and land as property (where “ownership” rights exist). In other words, colonial construction of boundaries and institutions resulted in discourses on land and ethnic identities that continue to redefine the Bulsa land relations and our relationship with the Mamprusis. Ethnicity was oversimplified to create strict ethnic identities and rigid social and political systems without paying attention to overlapping territory and flexible social boundaries of our communities (Lentz, 2000a).

The political, economic, social, and religious systems of the Bulsa communities were transformed to perpetuate the colonial rule. The colonial administration implemented a nomenclature of ethnic categorization that resulted in political and social consolidation of the Bulsa communities with the Mamprusis. The intent was to form stronger nation-states that could be ruled considerably by chiefs (see Bening, 1975). In doing so, independent settlements were welded together and ruled by elected chiefs who were subjected to the approval of the colonial administration. A hierarchy of chiefs was also created among the Bulsa communities while the whole Bulsa nation was subjected under the authority of the Na-yiri, the head chief of the Mamprusi nation. These colonial tactics were executed with a combination of persuasion, coercion, punishments, and forced labour. At the same time, these acts resulted in tensions between the Bulsas and Mamprusis which continue to redefine power, belonging and ethnicity, even today.

While navigating the colonial institutions and resisting the Na-yiri’s authority, the Bulsa chiefs, especially under the authority of Azantilow, gained control and power in land governance. The idea of land ownership was confused with Eurocentric beliefs and transformed through law. Azantilow extended debates on land as territory where belonging and governmentality were exercised to include land as property that is to be owned when he claimed

suzerainty over three Bulsa communities that preferred to follow the Mamprusis. To date, this confusion over land as property continues to exacerbate tensions in our land relations as far as the Bulsa chiefs or teng-nyam are concerned. Both in the form and substance of land deeds, the notion of land as property is vested in the Bulsa chiefs while the teng-nyam remain invisible. Whether or not this is the stance of the whole Bulsa family, posterity will be the best judge. But the transformative nature of this development is important for us to think about our family land relations. The reduction of family land to property under the trusteeship of the Bulsa chiefs is not only officious but raises critical questions about the legitimacy of Bulsa customs and belief systems.

Of course, that is the paradox of the colonial matrices; they make us feel not enough and want to embrace their tricks. The colonial law and its creations (including our current legislation) are considered the accepted law while our indigenous practices and customs are subjected to further interrogation before their legality is accepted. The point has been made clear; the colonial fragmentation of Bulsa land relations is not void of past and present manipulation of state laws and institutions that continue to be a testament of our social and political systems without due recourse to the Bulsa history and customs.

In the next and final step, I will highlight the current political and economic manifestations of our land relations and the need for us to embrace a decolonial land tenure. My argument is that a revived and regenerated Bulsa traditional governance is the way forward for us to deal with the colonial yoke that continues to breed tensions in our land relations.

## **STEP FIVE – TOWARDS A DECOLONIAL LAND TENURE: DOING IT THE BULSA WAY**

*If there is something in these utterances more than youthful inexperience, more than a lack of factual knowledge, what is it? Quite simply it is the desire—one might indeed say the need—in Western psychology to set Africa up as a foil to Europe, a place of negations at once remote and vaguely familiar in comparison with which Europe's own state of spiritual grace will be manifest.*

Achebe (1978, p. 3)

The previous steps have highlighted the political and social realities of the Bulsa land relations in the colonial past and the postcolonial present. As we have seen, none of these is separable from each other but are weaved together in the colonial complexity and misrepresentation. These colonial mysteries have been translated into the modern Ghana's institutional and legal arrangements for land governance. The outcomes of the colonizers' ignorance and deliberate attempts to disrupt African orthodoxies and land governance systems have consequences for our agrarian livelihoods and egalitarian ownership systems. The colonizers replace their property rights norms over our collective ownership systems. For us, land is not just owned by individuals or families but by various interest groups, clans, tribes, villages, and village clusters through which the past and present correlate with the future (Alden Wily, 2008). Yet, capitalist thinkers like De Soto (2000) and Hardin (1968) talked about a potential tragedy in our land ownership arrangements and argued that a mystery of capital for development can only be unlocked through land titling. As we have seen, our legislators, politicians, elites, and traditional leaders have problematized and used this argument to transform our land tenure system through the idea of land titling. In all of these, it is the aspirations of the people that matter. I write as a reminder that “the dreams of the people are beyond them and would trouble them. The hard realities of the people would alarm them” (Okri, 1997, p. 8). It is

my hope the Balsa people will see the ramifications of our land tenure transformation and inspire a decolonial future.

As I finalize this journey, I seek to invite us to rethink our land governance systems bearing in mind the outcomes of the Balsa land relations in the current state, Ghana. While I share our past for us to regenerate our Balsa governance systems, I also reflect on the reasons we should embrace our traditional governance structures and land tenure arrangements. My point is that the yoke of colonialism and its capitalist project have not done us good. The commodification of our land relations is causing social and livelihood transformations (Cobbinah et al., 2015) and customary land rights disputes (Ansah & Chigbu, 2020), and the resulting social differentiation and capital formation are negatively impacting family ties and creating rifts between families and hired and migrant farmers (Amanor, 2010). Kröger (2017b) captured these transformations specifically in relation to Balsa land tenure when he said: “In the past, land transfer was generally carried out without conflicts. After the economic upswing of the 1990s, and administrative regulations for a land transfer became common, conflicts become more frequent” (p. 41). I therefore argued that we can unify our present land governance system by reflecting on the Balsa history and experiences in a way that inspires a healthy future for our Balsa communities and people. The task in this step is to reflect on events, incidents, and occurrences and to highlight both changes in the political and economic systems of the Balsa land relations and the need for us to embrace a decolonial turn—doing it the Balsa way is the answer for a decolonial land tenure. Doing it the Balsa way is a call for us to revive our governance systems and embrace our customs, rituals, practices, traditions, and collective and egalitarian possession systems. I am confident that doing so will open endless opportunities for our future in ways that will honour our ancestors and the future generations.

## **A Reflection on History in the Present**

The curating factor of the African land tenure rests on acts of humanity and communality. To speak of these acts of humanism requires us to raise critical questions about our existence without and not in comparison with or to the West or Europe. It requires us to reflect on our existence with focus on a cultural, psychological, economic, and political revolution that seeks to awaken Africans from the rooted impacts of enslavement, colonialism, and neocolonialism. To this end, customs need to be refined to forge new definitions and unfold complex thought systems about power, land tenure, and patriarchal orders, alongside the African women. Upon reflection, these pathways are seemingly possible with new foresight that embraces a decolonial turn. A discourse of a decolonial turn is not just emancipatory knowledge or about shifting focus from Europe or America but a bigger epistemic project centred on new African thought systems and actions (Biney, 2013). In this way, the insidious acts of colonialism, patriarchy, imperialism, neocolonialism, elitism, and state capture, among others, are engaged and dismantled.

Grosfoguel (2007) argues that “the mythology about the ‘decolonization of the world’ obscures the continuities between the colonial past and current colonial/racial hierarchies and contributes to the invisibility of ‘coloniality’ today” (p. 220). He explains coloniality as a continuity of colonial structures, administrative systems, and cultures into contemporary forms. Coloniality captures the various colonial continuities (with or without the existence of colonial administrations) in the present day that continue to undermine the cultural, political, epistemic, and economic systems and well-being of the oppressed. The decolonial turn is a tool for confronting the coloniality of today, and “it requires a revolution in praxis that is reflexive, that engages in a constant dialogue with theory and practice that connects with the lives of ordinary Africans and actively conscientises them” (Biney, 2013, p. 78).

To configure theory and practice, we need to delineate each historical peculiarity and situate them to constitute our present discourse for a healthy and regenerative Balsa future. While I think about identity questions and finding place in community and family, I also reflect about how questions of being or belonging impact the intensity of the present in terms of our gendered land relations and political structures for land governance. This study has established the importance of the Balsa woman in the Balsa land relations. The Balsa woman is a unit of the Balsa clan and family system through which belonging is exercised and interests in land are established. Through marriages and the concept of pok-nogtarian, the Balsa woman continue to be the hallmark for solidifying kinship relationship and promoting peaceful coexistence among the various clan sections and village communities.

While I think about these seamless and complex conversations, I also reflect on my positionality that informs my understanding of land marginalization and belonging. The propensity and perpetuation of coloniality is revealed in the contradiction between our belief systems in history and their operation in the present domain. For instance, Balsa ethics admonishes respect and a positive attitude towards kikita or kikiru-ni/kyikyira-sa<sup>20</sup> (a term used in the context of persons with disabilities) and the handicapped (e.g., lepers). James Agalic (1978) wrote:

The ancestors are believed to visit their people, appearing as beggars, lepers and strangers. It is therefore imperative that such unfortunate ones be treated with respect and kindness. A man should not maltreat such people as he cannot be sure whether he is not in fact facing an ancestor or some other supernatural being who is appearing in that form to test him. Either blessings or curses may fall upon the one who treats those unfortunate ones with either respect or contempt. Other social vices like theft, adultery, disobedience, pride and arrogance are condemned and may be punished by the ancestors who intervene in human affairs as

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<sup>20</sup> I use kikita (singular kikiruk) to describe a person with any form of disability in the Balsa philosophy, but it must be known that specific forms of disabilities have specific names. For instance, *gaung* is a speech-impaired person and *yiee* is a blind person. Also, I used kikiru-ni/kyikyira-sa as a term that describes disabled persons (kikita). (Refer to Achuroa, 2019, for a detail conceptualization of disability studies among the Balsa people.)

custodians of the ethics. The ancestors (kpilima, lit. “the dead”) or even Nawen (or wen-naab, God, lit. “Lord of the Sky”) may appear in the form of Kikita (sing. kikiruk, “monster”) to inflict punishment on people who disobey the social norms of the society. (p. 267)

Yet we cannot also be oblivious to the fact that society has created a context to make disability problematic in our everyday life. For instance, Ayieparo was disqualified by the colonial administration from contesting the chieftaincy position in Sandema because he had elephantiasis (Kröger, 2012b). He (Ayieparo) was subsequently thrown into prison at Navrongo for refusing the verdict (Bukari, 2016). Also, rules of declaration described as Bulsa customary law were later promulgated that stated that a person “shall be eligible for election [for a chieftaincy position] unless otherwise incapacitated by blindness or any of such infirmity as the case may be (Chieftaincy, 1963, p. 45).” The same rules were earlier recorded in 1947 (Deaths and Appointments of Chiefs, p. 22) following the request of the chief commissioner of the Northern Territories to codify the practice of chieftaincy succession in the area. In this declaration, colonialism was projected above our indigenous ethics towards other bodies and established itself as the only viable governance institution. The label of disability becomes a point of marginality in which territorial disintegration are bound. At the same time, cultural marginalization is manifested as nominative beliefs of kikiru-ni are silenced in favour of and to protect the colonial requirements.

Further, it is difficult to assimilate a system which, on one hand, is all-encompassing and hinged on respect, and on the other hand, perpetuates coloniality that defines who can rule/govern. My argument is that defining the candidature of a person to a chieftaincy succession based on differentiated body inclinations has no root in custom if we indeed believe that the ancestors communicate with the living through kitita. I assert that such declarations are part of the imperial cognitive mapping strategy that seeks to annihilate the human body, undermines our

territorial belonging, and encourages marginalization in our governance systems. This excluding cognitive thinking by itself orients our complex social and political systems into a discourse of colonial co-optation and normalcy. My reflections on these ethics and teachings are better harnessed by Devi Mucina's, (2010) question: "Why does the category of the other (disability and its intersection with other identities) exist?" For me, the importance of this question is not in the correctness of the answer but in the many plausible and possible answers that exemplify our relationality: how connected we are with one another and with our ancestors through the land. The context and relevance of these cultural contradictions are revelations of our individual subjectivity and cultural differentiation of our collective identity. Yet the important lesson is in our ability to harness our collective identity as a tool that cascades into the future and embraces all other humans in ways that do not perpetuate coloniality. The point is that we try to fit into normalcy, under the colonial construction, which actually is a fallacy and nonexistent in its meaningful sense (Mucina, 2010). We cannot dismiss the fact that kikiru-ni or kyikyira-sa or disability is a critical component of our social knowledge system that links the living (us) and the dead (our ancestors), of which the land is a binding factor. Their (kikita or kyikyirasa) imperfection conveys the nature of the Tan-gbana (earth gods) of the land, which holds life and death (Agalic, 1978). We must therefore understand that the countenance of kikiru-ni in the Balsa body politic reveals a whole value and knowledge system that correlates with the spirit world. This knowledge system is rooted in the land, where our communality, belonging, and economic lives exist. Accordingly, the aspirations of all Bulsas should be centered on creating a land tenure system in which our social, political, and economic lives are maintained and protected.

The Balsa land relations in the political, social, economic, and cultural senses are manifestations of these identities through which our collective memory and governance structures bind our individual prejudgments. We cannot create erasable memories of ourselves by thinking that embracing colonialism/coloniality is the answer. The colonized have been tricked to think about their human existence and subconsciousness as substandard and primitive; as Mucina (2010) writes, “we in contemporary society are so conditioned to the colonial system that its stories have become our stories, its memory is our memory and our indigenous memories have become fragments of a distant worldview which nags our conscious” (p. 83). If the colonizers were quick to judge the teng-nyam as blind, naked, and decrepit, which made them unfit for the position of chiefs (warrant officers; see ARNT, 1907; Iliasu, 1975), then what prevents them (colonizers) from instigating rules of succession to serve their selfish interests? Moreover, whether these rules of engagement were colonial inventions or not, the advocacy for a decolonial turn encapsulates a lineage heritage for governance institutions that does not invalidate other beings. The hallmark of our governance structures should be inclusivity.

The struggle for land and ethnic identity in present-day Ghana is conditioned by the colonial narratives and fragments that continue to fuel chieftaincy conflicts in many ways (Lentz, 2000a, 2005; Lund, 2008). Our traditional rulers continue to rely on and appropriate these colonial fragments to situate conversations that destabilize our communities. One cause of chieftaincy conflicts in the region is centred on narratives and counter narratives between the acephalous ethnic groups and the chiefly groups that they were subordinated during the colonial rule on the desire of the acephalous groups to self-rule after Ghana’s independence (Bukari, 2016; Kachim, 2018). However, because of the consanguinity of our village settlements and the congruence of political boundaries of the Buli-speaking people, it was much easier for the Balsas

to circumvent subordination under Mamprusi rule, their chiefly group in the eyes of the colonial administration. Paradoxically, with the creation of hierarchical chiefs and Sandem nab's elevation to paramountcy, a new form of dominance and negotiations arose, especially, the role of the Sandem nab in the selection of chiefs of the other Balsa communities. For instance, numerous confrontations emerged in the 1950s between the Sandem nab and the Chuchuliga nab following Azantilow's (Sandem nab) interference in the local affairs of Chuchuliga. The reigning Chuchuliga nab was destooled and a new candidate enstooled under the authority of Azantilow. Aggrieved by Azantilow's actions, the Chuchuliga nab led the action to break away from the Balsa council and join Kasena-Nankani council at Navrongo. The committee's report held that:

removal of chiefs and not headmen was practiced by the British when a Chief committed an offence against the laws of the Central Government. By tradition, deposition of Chiefs and Headmen is not a custom in Builsa. Any claim made by the Sandemanab in appointment and dismissal of Chiefs in Chuchillaga is based on recent usage (mostly established by Government) rather than any ancient tradition and should be discouraged. (Builsu Constitutional Affairs, 1956, p. 11)

This issue seemed to have died out and matters resolved, but it appears Azantilow was still aggrieved. The case was resurrected in 1995 when the son of the destooled chief refused to present himself in Sandema to be enstooled as chief under the supervision of Azantilow, the Sandem nab, with the claim that the rightful kingmakers were in Chuchuliga (Awedoba, 2009). Indeed, two different chiefs were installed for the community: one in Chuchuliga by the kingmakers and the other in Sandema by the Sandem nab. Thankfully and fast forward, the case was resolved at the Chuchuliga level in 2007 (Awedoba, 2009) and later with Sandema in 2016 (Asekabta, 2017). Let all be aware that history should serve as guide for us to not repeat the mistakes of our past. Our attention should be drawn to how volatile our social and political relations have been in the colonial narratives and fragments. In the discourse of these changes,

references are made to Azantilow's role in the boundary dispute between Bulsas and Mamprusis (look for details in step four) and the 1934 declaration that:

we, the undermentioned chiefs<sup>21</sup>, being fully cognizant of all that is implied thereby and with the concurrence of our people, agree to serve the chief of Sandema as the Paramount Authority at the head of the Bulsa State of which we and our people shall be members. We have fully considered the question of our constitution in consultation with our elders and people. The alternatives of a Federation with equal status and State under a Paramount Chief have been considered by us, and we have declare that it was our wish and that of our people that a Builsa State be formed in which we shall hold the position of sub-chiefs under the chief of Sandema who shall be Paramount over us. And we do hereby and on behalf of our successors and our people agree to serve the chief of Sandema who shall be Paramount over us. (Builsa Native Affairs, Constitution)

But the Sandem nab's position in jurisdictional matters relating to the other communities within the context of this declaration in postcolonial Ghana is a question for the whole Bulsa people to answer. There remains a plausible, obvious threat to consensus-based succession to the paramountcy (Bukari, 2016). Moreover, the resilience of the other communities in maintaining their independence is a possible venture for each community having their own paramount chief in the near future. Before I left home to study in Canada, the village sections kanbonnalima of Wiaga were upgraded to naalima, while new kanbonnalima were created for the dinna of the clan settlements. This political development was marred by speculations about the possible creation of a new paramountcy. Yet, in at least four clan sections of Wiaga-Sinyangsa, different conflicts and misunderstandings occurred out of this political development.<sup>22</sup> Let it also be known that we cannot rely on colonial history to solve our current development and social problems. If new institutions need to be created for our social, political, and economic growth, then we must do so

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<sup>21</sup> This was marked by the Chiefs of Wiaga, Kanjarga, Kadema, Wiessi, Uwasi, Seniessi, Fumbisi, Gbedema, Chuchuliga, Doninga, Bachungsa, Gbedembilisa, and the headman of Vare (now extinct). Data from the archives, at least for two instances, suggests that the paramountcy was elected. The first was contested with the Kajarga nab as the opposing candidate. In the second instance, Azantilow was unanimously endorsed by all the other Bulsa Chiefs.

<sup>22</sup> At the time of finishing this research, I was happy to hear these cases had been resolved.

in a healthy way to inform our future. We cannot be tricked into thinking of solving a “colonial problem” with coloniality. Moreover, colonialism, neocolonialism, and coloniality are tricky tools that always sought to turn our heads against one another. Therefore, to delineate these colonial continuities in our governance systems, the Balsa family structure provides a reference point for traditional governance systems. We must revitalize and regenerate respect and care for all of our traditions without undermining or disempowering our customs and teachings, and give voice to what is truthful (Mucina, 2006).

In postcolonial Ghana, rights to chieftaincy are linked to both local belonging and land rights. Yet, the chieftaincy institution has become an avenue for negotiating claims in land rights and local belonging (Amanor, 2010; Berry, 2009, 2017; Lund, 2008; Peluso & Lund, 2011; Yaro, 2012, 2013). Institutionalizing land rights under government policies and regulatory regimes has provoked new social and political tensions and struggles over land and authority. The idea of strengthening and clarifying land rights through intensified legal and administrative strategies has hastened reinvention of past history to inform present land use and allocation (Berry, 2009, 2017). Gariba (2024) captured the voice of the Seniesi nab on the paramount chief’s (Sandem nab) message following the dissolution of the committee of the customary land secretariat:

The paramount chief abolished the team and put in place a new team with all members coming from Sandema. [H]e added that henceforth all lands sold in the area must receive his express approval and final endorsement. His “edict” was premised on the assumption that in colonial times his father, Nab Azantilow I, was given sole caretaker responsibility of Balsa lands because of a land case he won between the Mamprusi who wanted to take over Balsa land. (p. 97)

The state, on one hand, exercises jurisdictional powers and sets conduct for land use and disposal and, on the other hand, redefines and empowers local authorities to expropriate their subjects of their customary proprietary rights. Chiefs’ role of endorsing land deeds presents a new form of

land marginalization which has the tendency of eroding the position of the Balsa family and the teng-nyam in the Balsa land relations. Thus, territorial claims by Azantilow in the past are problematized in the present to invoke legal claims regarding the custodianship and ownership of the Balsa land. In other words, chiefs' authority and control over territory, especially in the past, is translated into proprietary ownership. It must be noted that Azantilow's defence of colonial boundary demarcation that concerns Kunkwa, Kategra, and Jaadema communities was a symbol of protecting the territoriality integrity of the Balsa people while seeking to promote their belonging. Yet, the colonial hard labour and for the Kunkwa, Kategra, and Jaadema people to work at the Navrongo district triggered their resistance and desire to work at the Mumprusi district through Kpasenkpe. Indeed, Azantilow made these arguments in the colonial courts (see *Azantilow v. Nayiri and three others*) but could not succeed because he extended his debates to include land ownership.

Therefore, care must be taken not to appropriate this the historical case that sought to protect the dignity of the Balsa family into hastening fears of exclusion and dispossession because it has the potential of awaking a new form of tenurial changes which have intergenerational consequences. Unless clarity is achieved on title deeds (lease) of land transactions in Buluk, the consequential land tenure outcomes between the chieftaincy institutions, the office of the teng-nyam, and the Balsa families are bound when those leases eventually expire. This is because in the form and substance of these deeds, constitutional orders and rules of the state are rooted in colonial law are projected above the Balsa normative behavioral codes—cultural values that define our land relations. Thus, the normative behavioral codes on communal ownership, which are vested in the Balsa families and clan sections, are transformed into property regimes with proprietary rights of ownership vested in the chiefs, at

least in the form of the deeds. To put it another way, the deeds recognize chiefs as the de facto custodians but de jure custodianship rests with the teng-nyam and family heads according to custom.

Further, there are also renewed negotiations between the paramountcy and the other village chiefs in matters relating to land administration. Divisional chiefs remain resolute in rejecting the authority of the paramountcy in land matters of their areas of jurisdiction by asserting themselves in the land management process. The divisional chiefs reject these new social and cultural constellations on the assertive narrative of the paramountcy by (1) linking land-owning families to state institutions for education on state laws concerning land; (2) developing strategies for land revenue mobilization; and (3) developing measures to improve land rights documentation in their jurisdictions (Gariba, 2024). Because of the consanguinity of the Bulsa village settlements, the struggle for land and authority has given rise to limited redefinition of local citizenship and belonging. Rather, these struggles continue to give rise to proliferated competition from individual village chiefs and the paramountcy for power and resource ownership that continues to trigger new forms of disenfranchisement and dispossession at the family and individual levels. Concomitantly, the state's neoliberal efforts to clarify and enforce land rights have heightened these social and political changes (Berry, 2009). In the past, efforts were centred on promoting and validating local citizenship and belonging with a desiring edge to resist colonial boundary demarcations and promote Bulsa independence from the Mamprusis. But in the present, each Bulsa community seeks a paramountcy to validate their independence from the old paramountcy as tradition is substituted with historical precedents to validate claims over land. Although these precedents are anecdotal, their constellations reveal the independence of Bulsa family and clan sections in managing their affairs and land matters.

Moreover, the colonial administration noticed this upon their first contact with us that each of our family heads is more like a law unto themselves (Northcott, 1898). Therefore, we can only save and serve ourselves by recognizing and informing ourselves of our traditional governance systems to empower our well-being (Mucina, 2006). Casting our past into our present should be hinged on developing unifying governance structures that solve our current developmental challenges without compromising a healthy future of our traditional political, social, and economic systems. Our actions should remember our unique identities in our collective communality. Each community, clan, and family are designed uniquely, and leadership in these traditional structures is exercised differently depending on how rites of passage are performed for the kpilima (ancestors). Therefore, a proposed governance system should compel a unifying body of Buluk that pays respect to how ancestral property (land) is held in the Bulsa family and clan governance structures.

### **Conclusion**

*A State in the grip of neo-colonialism is not master of its own destiny. It is this factor which makes neo-colonialism such a serious threat to world peace. The growth of nuclear weapons has made out of date the old-fashioned balance of power which rested upon the ultimate sanction of a major war. (Nkrumah, 1965, pp. 3–4)*

Given the complex challenges of our current land tenure arrangements, Buluk must holistically embrace our traditional governance structures while eschewing all forms of neocolonial governance. These neocolonial structures are self-centred and hinged on exclusivity. I have argued in this work that Bulsa traditional governance fosters inclusion and recognizes all-bodied persons. At the same time, family land relations remain important and correlate with community ownership. In this arrangement, land governance is executed for the interest of community members with a focus on ensuring and fostering shared values and care. I have also

argued that commodifying land will only trigger tensions in the Balsa body formation in which our inner selves will not hold. Our bodies and minds have been commodified such that our whole beings are translated into transactional units. Until we see this matrix and recognize the beauty of the Balsa traditional governance systems—our existence—then nothing can and will hold our inner selves together.

Our youth, in the midst of the growing unemployment, continue to struggle for land for agricultural purposes because of land commodification and changing tenure arrangements (see Aputiik, 2021; Kidido et al., 2017; Kidido & Lengoiboni, 2019). The youth migrate to big cities like Accra and Kumasi in hopes of seeking gainful employment. The Balsa music bands Biu-biisa and Uwasi-biisa, in their songs, highlight the plight of our youth and speak to the unfair treatment they go through. Yet, our vast valleys and fertile lands are commodified and administered under the colonial capitalist project for the benefit of politicians, capitalist stranger farmers, and the educated elite (Goody, 1980; Konings, 1984; Tonah, 2008). The grip of state institutions continues to regulate and enforce property rights to influence changes in our economic relations and power structures that constitute our development processes. In particular, new forms of state class formation emerge in places where productive lands have quasi-government intervention for their development. Thus, the state, chiefs, and capitalist stranger farmers negotiate local rules and customs to facilitate the exclusion of youth and teng-nyam from access to productive resources in those valleys. At the same time, this social class differentiation became an avenue for the youth and local people to burn rice crops and destroy machinery in protest of their marginalization and exclusion (Goody, 1980).

These issues may have died out, but their rudiments remain and have potential for generating future and greater tensions. Therefore, it is important that these histories should

inform us to regenerate and revive strategies that inspire our growth and inclusivity. I further invite us to think about our land relations and how land tenure impacts our food systems and security. This is important because climate change is increasingly affecting our development and food systems. We must therefore reinvigorate steps and strategies for maintaining sustainable food systems and ensure that our families are less impacted by food insecurity.

In these times, the lyrics of the Black American rapper Tupac (2Pac) Shakur's (1990) song "changes" should be our inspiration. While speaking to racism and white supremacy, 2Pac admonished:

I got love for my brother, but we can never  
go nowhere  
Unless we share with each other  
We gotta start makin' changes  
Learn to see me as a brother instead of two  
distant strangers

And that's how it's supposed to be  
How can the devil take a brother, if he's  
close to me?  
I'd love to go back to when we played as  
kids  
But things changed, and that's the way it is

Come on, come on  
That's just the way it is  
Things will never be the same  
That's just the way it is  
Ooh, yeah

We gotta make a change  
It's time for us as a people to start makin'  
some changes  
Let's change the way we eat  
Let's change the way we live  
And let's change the way we treat each other  
You see, the old way wasn't working so it's  
on us to do  
What we gotta do, to survive

To change our ways—the way we eat, live, and treat each other—requires us to share with one another. We must recognize that dok-dem mangsa a de ale-kachaab (loosely translated, a good family eats together) and pay attention to sharing our limited land resources in a way that fosters inclusivity and benefits the vast majority of us rather than a privileged few. Colonialism or neocolonialism does not care about us, and we must know this and treat it as our collective enemy. 2Pac asks: "How can the devil take a brother, if he's close to me?" When we stay together and act positively, then "*changes*" are possible in all positive ways.

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