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DOMESTIC RIGHTS AND DUTIES
IN SOUTHERN GHANA

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FOREWORD

The study of social institutions in contemporary Ghana must concern itself not only with the nature, scope and function of traditional institutions, but also with the new patterns of institutional behaviour emanating from the responses that are continually being made by individuals to the pressures and challenges of their rapidly changing social, economic and cultural environment. These new patterns may take the form of modifications of existing forms or the transfer of institutional functions. While the enduring qualities of traditional institutions must continue to be investigated, it is certainly rewarding to look also at the social processes that lead to such changes and the channels of communication that inspire them, for individual and social behaviour is now influenced by a considerably larger and differentiated number of reference groups.

It must be noted also that there is now a marked change of attitude in official circles to traditional institutions which may accelerate the pace of change. Whereas the period immediately before and after political independence emphasised the symbolic importance of these institutions to the concept of 'African personality', the present era is a little less emotional in its evaluation of the past and indeed somewhat critical of traditional institutions, beliefs and customary practices when they appear to slow down the pace of national development.

In the area of customary law, for example, the Chieftaincy Act, 1971, expressly enjoins the National House of Chiefs to 'undertake the progressive study, interpretation and codification of customary law with a view to evolving, in appropriate cases, a unified system of rules of customary law'. It also enjoins Traditional Councils to make representations to the House of Chiefs where it 'considers the customary law which is in force within its area to be uncertain or considers it desirable that it should be modified or assimilated by the common law'.

Encouragement is similarly now being given to the critical examination of all traditional Ghanaian customs by traditional rulers. To expedite this, research committees have been set up for each regional House of Chiefs. Meanwhile expressions of opinion as to what customs are outmoded and should be abandoned or modified continue to appear in the daily newspapers.

The call for unified systems as well as for nation-wide investigations into institutional problems must not pass unheeded by scholars. There is an urgent need for information, and more especially for comparative studies, a need which does not appear to have been given as much attention by Ghanaian scholars as it deserves because of their traditional preoccupation with the study of societies to which they themselves belong.

It is evident also from the character of many of our traditional institutions that a comprehensive view of social behaviour can only be obtained through multidisciplinary studies. Family units and family ties, for example, are generally multifunctional. In the rural Ghanaian situation, kinship roles often entail complementary roles in the political, economic and legal spheres. Family heads have been administrators of property as well as judges or arbitrators and political representatives in the traditional system. Symbolic expressions of kinship values bring the creative arts into focus as avenues of social interaction and the most ready means of achieving social integration.

It is considerations such as these that inspired the interdisciplinary research seminar at which the papers published in this volume were presented. The family was chosen as the focus of study not just because it is one of the important research areas in the Institute of African Studies, but more especially because the sociology of the family is basic for the understanding of many other institutions.

As Ghanaians state in their proverbs, the home is the well-spring of social action. Any meaningful change or reform must start from the home: yebobɔ nkukuo a, yebobɔ firi fie : when we decide to break pots, we start from the home.

If a person behaves abnormally, you can be sure of the cause, for stress symptoms spring from the home: yɛbɔ dam a, yɛde firi fie.

Injury sustained from sharp pebbles on the compound of a house (ofie mmosea) hurts more than that caused by stones in the yard outside the house or in the street.

It is in the home that we plan or find solutions to problems: adwene, yɛdwene no dan mu. So there is no need to rush out to see a show coming to one's father's house: agorɔ reba wo se fie a, wontutu mmirika nkɔhyia no.

The members of a 'family' must show consideration for one another. The club used for knocking down animals in the bush must not be used on those in the home: abaa a yɛde bɔ wiram aboa no, yɛmfa mmɔ ofie aboa. Nevertheless we must remember that even though the child resembles its father, it belongs to another group: ɔba se ɔse nso ɔwɔ abusua.

I would like to conclude with a note of appreciation first, to Dr. Christine Oppong, Senior Research Fellow in the Institute of African Studies, for organising the seminar; second, to the contributors of the papers published here, and last but not the least, to the participants whose lively interest encouraged us to establish the Family Seminar as an on-going series so that those working in this field can continue to exchange ideas and information on this important area of social change.

P R E F A C E

All except four of the papers collected together in this volume were presented at the first of a series of interdisciplinary family research seminars, which was held at the Institute of African Studies of the University of Ghana, Legon in February 1971. The participants were lecturers and research workers attached currently, or in the past, to one of the three Universities of Ghana.

The general topic of 'the family' among the Akan and Ewe was suggested in 1970 to a number of people currently working in these two regions in the fields of sociology, social anthropology, law, linguistics, geography, literature and history. They were invited to write contributions using the results of their own researches. These two areas were specifically selected from the point of view of their being amenable to the kind of controlled comparison of variables, increasingly used to advantage in contemporary social research, in particular with respect to modes of descent, inheritance and residential patterns. It was felt initially that though there might be relatively few people in Ghana who claimed to be "domestic scientists" there were in fact many whose own researches impinged upon the Ghanaian family, while at the same time concentrating upon problems with a legal, economic or other emphasis. The discussions were attended by graduate students and staff of the Institute of African Studies, as well as by members of other departments in Legon and also Cape Coast University. Because some of the contributors were still involved in the process of data collection and analysis their papers could in some instances not be more than preliminary statements. It was felt however, that this should not deter us from making their contributions available to a wider readership. Thus they were subsequently revised for publication, in some cases after further discussions with colleagues in related disciplines.

The term "family", used both in the initial approaches to potential participants and in the subtitle of this collection, was chosen by virtue of its inclusiveness and ill-defined connotations, qualities which, as was seen during the discussion of specific issues at the seminar, make it too vague, in its colloquial usage at least, for precise discussion of domestic and kin groups and the classification and comparison of data. It was

indicated in the opening address and later reiterated that the use of the terms current in the literature of social anthropology and sociology, such as 'patrilineage', 'matrilineage', 'matriclan', 'patriclan', 'descending kindred' and 'nuclear' 'elementary' or 'conjugal' family would be more useful.

The original idea of holding a seminar would not have been able to develop and produce results but for the enthusiastic support and encouragement of Professor J.H. Nketia, the Director of the Institute of African Studies and Fellow of the Royal Anthropological Institute, who opened the seminar, took the chair during the first session and was present throughout the proceedings, as well as providing the necessary financial and technical assistance and hospitality. Mr. R. Greenfield, then Administrative Secretary of the Institute, also helped from the beginning with the smooth running of affairs, and later in the processing of papers for publication. Professor Nana de Graft Johnson and Dr. E. Ayisi kindly took the chair when invited and helped to steer the course of the discussions.

We were extremely honoured to have with us at the seminar and at subsequent discussions Professor Meyer Fortes, William Wyse Professor of the Faculty of Archaeology and Anthropology Cambridge. Professor Fortes' stimulating opening paper on the revolutionary developments which took place in "family" studies in Ghana between 1920 and 1970 set the tone of the seminar and has become the prologue here. We could have invited no one more fitted to carry out this task, since his own now classic researches, first among the Tallensi of northern Ghana and later among the Ashanti, almost span this period of time and have become landmarks, not only in the field of kinship studies in Ghana but in the continent of Africa as a whole. Moreover they form major contributions to the body of anthropological literature of the world. In addition Professor Fortes also provided an introduction to the first section of papers on the Akan.

At the same time we were also very fortunate to have with us Professor Simon Ottenberg, Chairman of the Department of Anthropology of the University of Washington, Seattle, who was Visiting Professor in the Institute of African Studies Legon during 1970-71. His closing contribution to the seminar has become the epilogue. There in his characteristic manner he draws together some

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of the main threads of the arguments and discussions and outlines some problems for future attention. Using his own Nigeria experience he helps to put some of the materials presented into a wider cross-cultural frame of reference.

Though not present at the seminar himself, Dr. Jack Goody, Smuts Reader and formerly Director of the African Studies Centre, Cambridge and one of the major contemporary contributors to Ghanaian studies of the family (as the frequent references in this volume to his published works indicate), kindly consented to write the introduction to the third comparative section of the work. In addition Dr. D.K. Fiawoo, a specialist in Ewe ethnography and with many years research experience in the field of child development and family studies in Ghana kindly agreed to provide the introduction to the section of Ewe papers. To these and all the contributors in this joint enterprise we are most grateful, for their enthusiastic contributions and patient help.

The ultimate publication of these proceedings has been financed by a most generous grant from the Ford Foundation, to which we are most indebted, in particular for the good offices of Dr. B. Carlson, formerly of the National Family Planning Programme, Accra. It is planned that this volume will be the first of a series of similar publications, each one dealing with aspects of family research in Ghana.

Happily the feeling proved to be true that many more researchers, than those wearing obvious labels of "kinship and marriage," "family studies" or "domestic science", were not merely interested in matters affecting the "family" in general, but were in fact currently engaged in work directly relevant to the family in modern Ghana. Thus the seminar was seen to serve as a vehicle for the expression of interest and enthusiasm by many more people than are listed among the contributors. To them and all research workers interest in furthuring the revolution in the study of the "domestic domain" of social life, which has taken place in this country in the past fifty years these papers are dedicated.

Christine Oppong
Institute of African Studies
Legon
February 1973.



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