

RESEARCH ARTICLE

Prison of the Womb: Gender, Incarceration, and Capitalism on the Gold Coast of West Africa, c. 1500–1957

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Abstract

To date, studies of imprisonment and incarceration have focused on the growth of male-gendered penal institutions. This essay offers a provocative addition to the global study of the prison by tracing the emergence of a carceral system in West Africa in the nineteenth century that was organized around the female body. By examining archival testimonies of female prisoners held in what were called “native prisons” in colonial Gold Coast (southern Ghana), this essay shows how birthing, impregnation, and menstruation shaped West Africa penal practices, including the selection of the captives, the duration of their time in prison, and how the prison factored into the legal infrastructure around tort settlements for debts and crimes. The term “prison of the womb” is used here to describe how the West African prison held bloodlines captive, threatening the impregnation of a female kin member as a ticking clock for tort settlement. Furthermore, it will be shown that this institution was imperative to the spread of mercantile capitalism in nineteenth-century Gold Coast.

Keywords: prison; Ghana; debt; capitalism; colonialism; women; gender; slavery; pawnship; rape

In 1920, an Akan woman named Aduah Nyame was sentenced to three months in the King of Gomoa’s prison for throwing a frying pan at a woman’s head. Nyame was a newcomer to Gomoa and a recent bride. The previous year, she had followed her husband from her natal village of Moree in the British colony of the Gold Coast (southern Ghana) to the upland Gold Coast kingdom of Gomoa. In the new territory, Nyame got into a fight with her neighbor. Coming before the Gomoa Native Court on a charge of “causing bloody harm” to a fellow townswoman, Nyame was marched to the King’s prison in the faraway town of Appam. There she would discover that the prison was little more than a basement room in the King’s house.

When Nyame was next seen four months later, she was “with a womb.” Distressed, her family dispatched a message to the King to demand an explanation for Nyame’s pregnancy. Kojo Nkum, the aged sovereign who had then ruled Gomoa for over forty years, readily admitted that “he had the belly with her.” Inquiring as to “how much

was the head rum” that Nyame’s husband had committed for the matrimony, the King offered the husband £6 “without mentioning his name.” By this ceremony, the bridewealth for Nyame was quietly exchanged between spouse and sovereign. Nyame was now to join the King as a junior wife in the same house where she had served as a prisoner.

In the district records of colonial Ghana, the case of Aduah Nyame is hardly unique. In the Gold Coast Colony, two different carceral systems existed. Penitentiaries run by the British colonial state primarily detained male inmates sentenced on criminal charges. By contrast, the prisons attached to the Gold Coast customary courts, run by rulers like Nkum, retained a majority of female prisoners who were held on debt charges or for petty misdemeanors. In the latter sites, women were subject to a wide range of abuses that blurred the lines between wife and prisoner, and convict and concubine. This was an indigenous carceral system that held women for ransom due to a regional history of female hostage-holding.

This article studies the relationship between incarceration, gender, and capitalism on the Gold Coast in the period between 1500 and 1957, an era that witnessed the rise and fall of the Atlantic slave trade followed by the growth of what British officers called the “native prison.” It aims to show how a gendered history of captivity in the region gave birth to a carceral system that specifically targeted female captives because of their role in kinship networks as vessels of social and sexual reproduction. It further shows how these confining institutions were instrumental to the development of mercantile capitalism in the nineteenth and twentieth centuries.

Despite recent appeals in the field of carceral studies to expand the study of the prison to include non-Western penal practices and institutions, remarkably few scholars examine sites of confinement that do not originate with European influence.¹ In the early 2000s, pathbreaking volumes by Peter Zinoman, Frank Dikötter, Florence Bernault, Diana Paton, Dan Botsman, and Viviane Saleh-Hanna expanded the global history of the prison to include case studies from Vietnam, China, Japan, Jamaica, and sub-Saharan Africa.² By and large, however, these studies focused on colonial state (or Western-inspired) prisons and their postcolonial legacies, not forms of confinement rooted in local juridical cultures and practices.

¹See Louise Branagan, “Exceptional States: The Political Geography of Comparative Penology,” *Punishment & Society* 22, 5 (2020): 596–616; Grace Super, “‘Three Warnings and You’re Out’: Banishment and Precarious Penalty in South Africa’s Informal Settlements,” *Punishment & Society* 22, 1 (2020): 48–69. For two studies of indigenous prisons, see Sarah Balakrishnan, “Of Debt and Bondage: From Slavery to Prisons in the Gold Coast, c. 1807–1957,” *Journal of African History* 61, 1 (2020): 3–21; Erin Braatz, “Governing Difference: Prisons and Colonial Rule on the Gold Coast, 1844–1957,” PhD thesis, New York University, 2015).

²Peter Zinoman, *The Colonial Bastille: A History of Imprisonment in Vietnam, 1862–1940* (Berkeley: University of California Press, 2001); Frank Dikötter, *Crime, Punishment and the Prison in Modern China* (New York: Columbia University Press, 2002); Florence Bernault, ed., *A History of Prison and Confinement in Africa* (Portsmouth: Heinemann, 2003); Diana Paton, *No Bond But the Law: Punishment, Race and Gender in Jamaican State Formation, 1780–1870* (Durham: Duke University Press, 2004); Daniel V. Botsman, *Punishment and Power in the Making of Modern Japan* (Princeton: Princeton University Press, 2005); Viviane Saleh-Hanna, ed., *Colonial Systems of Control: Criminal Justice in Nigeria* (Ottawa: University of Ottawa Press, 2008).

In sub-Saharan Africa, the existence of indigenous prisons is rarely acknowledged, largely because Africa's history of the prison is presumed to have originated with the penitentiary.³ In Bernault's introduction to the first-ever edited volume on confinement in Africa, she argued that the colonial penitentiary was an import of European colonialism. "Some aspects of the penitentiary resonated with ancient, local forms of spatial captivity and physical seclusion," she writes. Yet "the penitentiary in Africa was not the product of local initiatives by local societies.... [The prisons] have nothing in common with pre-colonial 'traditions.'"⁴

Since Bernault's 2003 volume, this view has become commonplace in the growing literature on confinement in African history, which conflates the penitentiary with all forms of institutional incarceration. It is frequently said that "penal incarceration was unknown to sub-Saharan societies prior to European conquest,"⁵ that imprisonment "is alien to Africa's core values"⁶ and that "confinement is a culturally specific hallmark of Western punishment."⁷

For this reason, the African history of the prison is presumed, like in many other parts of the world, to have evolved as a male-gendered institution. In the eighteenth and nineteenth centuries, the Western model of the prison that spread globally with European imperialism is said to have concerned the disciplining and confining of male-gendered bodies.⁸ As Dana Britton remarks, "Prisons, in a generic sense, are men's prisons; so, too, are prisoners and prison guards men."⁹ In the European imagination, the prison aimed to constrain and reform "violent" offenders, coded as male.¹⁰ It also regulated, for exploitation by private capital and state interests, a male productive labor force.¹¹ In post-abolition contexts, this initiative dovetailed with

³Exceptions include two studies of Gold Coast prisons. See Balakrishnan, "Of Debt and Bondage"; Braatz, "Governing Difference."

⁴Florence Bernault, "The Politics of Enclosure in Colonial and Post-Colonial Africa," in Florence Bernault, ed., *A History of Prison and Confinement in Africa* (Portsmouth: Heinemann, 2003), 4, 5, 2.

⁵*Ibid.*, 2. This quote is often cited to buttress the colonial origin of prisons in Africa. See Dior Konaté, *Prison Architecture and Punishment in Colonial Senegal* (Lanham: Lexington Books, 2018), 44; Brenna M. Munro, *South Africa and the Dream of Love to Come: Queer Sexuality and the Struggle for Freedom* (Minneapolis: University of Minnesota Press, 2012), 6.

⁶Viviane Saleh-Hanna and Chukwuma Ume, "An Evolution of the Penal System: Criminal Justice in Nigeria," in Viviane Saleh-Hanna, ed., *Colonial Systems of Control: Criminal Justice in Nigeria* (Ottawa: University of Ottawa Press, 2008), 57.

⁷Daniel Branch, "Imprisonment and Colonialism in Kenya, c. 1930–1952: Escaping the Carceral Archipelago," *International Journal of African Historical Studies* 38, 2 (2005): 239–65, 241.

⁸On the imperial spread of the prison, see Frank Dikötter and Ian Brown, eds., *Cultures of Confinement: A History of the Prison in Africa, Asia, and Latin America* (Ithaca: Cornell University Press, 2007); and Clare Anderson, ed., *A Global History of Convicts and Penal Colonies* (London: Bloomsbury, 2018).

⁹Dana Britton, *At Work in the Iron Cage: The Prison as Gendered Organization* (New York: New York University Press, 2003), 2.

¹⁰Lillian Artz and Britta Rotmann, "Taking 'A Count' of Women in Prison," *Agenda* 29, 4 (2015): 3–13. For prisons in Africa, see Stacey Hynd, "Deadlier than the Male? Women and the Death Penalty in Colonial Kenya and Nyasaland, c. 1920–1957," *Stichproben: Vienna Journal of African Studies* 7, 12 (2007): 13–33; Katherine Bruce-Lockhart, "'Unsound' Minds and Broken Bodies: The Detention of 'Hardcore' Mau Mau Women at Kamiti and Gitamayu Detention Camps in Kenya, 1954–1960," *Journal of Eastern African Studies* 8, 4 (2014): 590–608.

¹¹Michael Ignatieff, *A Just Measure of Pain: The Penitentiary in the Industrial Revolution, 1750–1850* (New York: Pantheon, 1978); Dario Melossi and Massimo Pavarini, *The Prison and the Factory: Origins of the Penitentiary System* (London: MacMillan, 1981).

emancipation from slavery as well as colonial pacification strategies.¹² That “the objects of punishment and penal control were implicitly male”¹³ made the prison a *gendered organization* in Joan Acker’s terms: a place whose “processes, practices, images and ideologies” presumed certain gender relations and reproduced them within their organization.¹⁴

As a result, the female prisoner has become what Lillian Artz and Britta Rotmann have called “a ‘special category’ of inmat[e]”¹⁵—a demographic so marginalized from the general representation of the prison population that they have continued to be studied as “a most inconspicuous” minority.¹⁶ Recent studies in the field of African history conducted by Dior Konaté, Carol Summers, Katherine Bruce-Lockhart, and Stacey Hynd have drawn attention to the history of female concentration camps, the use of female prison labor, and the differentiated experiences of male and female inmates in colonial Africa, all of which are undeniably important contributions to a gendered history of the African prison.¹⁷ To date, though, there has been no equivalent to Anthony Gorman’s study of the *Dar ‘adil* in Tunisia, a female disciplinary institution that emerged from a local history of female confinement, including the harem, the *Dar al-thiqa*, and the *Dar jawad*.¹⁸

This essay is intended to contribute to a comparative study of confinement by tracing the evolution of a female-gendered prison in the Gold Coast of West Africa in the nineteenth century. It will show that, in contrast to the claims that prisons did not pre-exist colonial rule, a penal system emerged in the Gold Coast after abolition through local practices regarding debt repayment and tort settlement. Evolving from West African systems of restorative justice that emphasized financial settlement, the prison operated as a *ransom technology*: it incarcerated inmates only until defendants’ families made restorative payments to repair for crimes and debts. In the nineteenth century, these institutions became important political tools for Gold Coast merchants engaged in the palm oil trade. By enforcing imprisonment for debt, they secured

¹²Angela Davis, “From the Prison of Slavery to the Slavery of Prison: Frederick Douglass and the Convict Lease System,” *The Angela Y. Davis Reader*, Joy James, ed. (Malden: Blackwell, 1998), 74–95; Alexander Lichtenstein, *Twice the Work of Free Labor: The Political Economy of Convict Labor in the New South* (London: Verso, 1996); Loic Wacquant, “From Slavery to Mass Incarceration: Rethinking the ‘Race Question’ in the United States,” *New Left Review* 13, 2 (2002): 41–60; Diana Paton, *No Bond but the Law: Punishment, Race, and Gender in Jamaican State Formation, 1780–1870* (Durham: Duke University Press, 2004).

¹³L. Mara Dodge, “‘One Female Prisoner Is of More Trouble than Twenty Males’: Women Convicts in Illinois Prisons, 1835–1896,” *Journal of Social History* 32, 4 (1999): 907–30, 908.

¹⁴Joan Acker, “From Sex Roles to Gendered Institutions,” *Contemporary Sociology* 21, 5 (1992): 565–69, 567.

¹⁵Artz and Rotmann, “Taking ‘A Count,’” 3.

¹⁶Talitha L. LeFlouria, *Chained in Silence: Black Women and Convict Labor in the New South* (Chapel Hill: University of North Carolina Press, 2015), 5.

¹⁷Bruce-Lockhart, “‘Unsound’ Minds”; Stacey Hynd, “Deadlier Than the Male? Women and the Death Penalty in Colonial Kenya and Nyasaland, c. 1920–1957,” *Stichproben* 12 (2007): 13–32; Carol Summers, “Force and Colonial Development in Eastern Uganda,” in J. M. Bahemuka and J. L. Brockington, eds., *East Africa in Transition: Communities, Cultures, and Change* (Nairobi: Acton Publishers, 2001), 181–207; Dior Konaté, “Ultimate Exclusion: Imprisoned Women in Senegal,” in Florence Bernault, ed., *A History of Prison and Confinement in Africa* (Portsmouth: Heinemann, 2003), 155–64.

¹⁸Anthony Gorman, “In Her Aunt’s House: Women in Prison in the Middle East,” *International Institute of Asian Studies Newsletter* 39 (2005): 7; Anthony Gorman, “Regulation, Reform and Resistance in the Middle Eastern Prison,” in Frank Dikötter and Ian Brown, eds., *Cultures of Confinement: A History of the Prison in Africa, Asia, and Latin America* (Ithaca: Cornell University Press, 2007), 106.

returns on their loans to petty traders, allowing them to undergo primitive accumulation.

In this respect, the most persuasive debtor prisoners proved to be women. The term *prison of the womb* will be used here to describe a prison system that operated through the duress imposed on kinship networks by holding a female kin member hostage. Simply put, the threat posed to women in prison rested on the intentionally thin line between convict and concubine. By endangering the health and sexual safety of female inmates—who were often representatives of the defendant’s family, not necessarily the defendants themselves—kin networks were incentivized to resolve judicial disputes as quickly as possible, securing the funds to release their kin member from jail. If not liberated, the female prisoner was vulnerable to carceral impregnation, an outcome that often led to their alienation from their family through forced marriage, like in the case of Aduah Nyame. By holding the womb hostage—that is, by threatening young women who passed on their families’ bloodlines and property—an entire penal system mediated tort settlement for debt and crime.

In this way, the term *prison of the womb* highlights the ways that social and sexual reproduction structured the indigenous penal system in colonial Ghana, including the selection of the captive, the duration they spent in prison, and how the prison factored into the legal infrastructure around tort settlement for debts and crimes. It will be further shown that, even when male family members were seized on behalf of their kin, imprisonment served a similar role in terms of coercing kinship and bloodlines. In this way, the prison of the womb existed in contradistinction to the Euro-American penitentiary, which held the criminal to be a “political individual.” However, on a social and economic level, it operated similarly to the early modern European debtors’ prison, which was meant to apply pressure to debtors’ extended families.¹⁹

This article is divided into three parts. The first provides context on gender relations and female hostages in West Africa before the nineteenth century, shaped by the Atlantic slave trade. The second part studies the role of the West African prison in the spread of mercantile capitalism on the Gold Coast in the nineteenth century as a ransom technology. The third part provides an in-depth study of female prisoners’ oral testimonies as to their experience of incarceration in the kings’ prisons, and the relationships that existed between kinship, crime and human collateral.

The oral testimony of female prisoners is particularly important for the rare insight it gives into an institution that was poorly documented and yet persisted for over a hundred years (1850s–1950s). With no centralized archive or state repository, evidence as to the kings’ prisons have been gathered from colonial archives in Accra, Cape Coast, and Sekondi in Ghana, the National Archives of the United Kingdom at Kew, the UK parliamentary records, Gold Coast colonial court records, and West African newspapers. Archival evidence from the Royal African Company papers at Oxford University has additionally supplemented the historical background on the Atlantic slave trade era.

¹⁹See Sarah Balakrishnan, “The Jailhouse Divergence: Why Debtors’ Prisons Disappeared in 19th Century Europe and Flourished in West Africa,” *Punishment & Society* 24, 2 (2022): 1–17; Tawny Paul, *The Poverty of Disaster: Debt and Insecurity in Eighteenth-Century Britain* (Cambridge: Cambridge University Press, 2019); Alexander Wakelam, *Credit and Debt in Eighteenth-Century England: An Economic History of Debtors’ Prisons* (New York: Routledge, 2020).

Hostage-Taking in West African History

By the sixteenth century, the territory known as the Gold Coast referred to an area of land situated on the West African shore, cordoned by the Ancobra River in the west and the Keta lagoon in the east. In 1471, Portuguese ships had anchored in this place, hoping to expand their trade networks to include the West African communities on the littoral. The castle of Elmina, built in 1482 by the crown of Portugal, was the apotheosis of this mission. Over the next four hundred years, entities of extraordinary value to Europe—ranging from gold dust to print cloth to enslaved captives—would pass through the walls of this fort, testifying to the radical changes occurring in Gold Coast societies as a result of the imperial encounter.

The story of the West African prison emerges from this process. The female captive (or hostage) was the historical precursor to the female prisoner. In the everyday financial operations of the Atlantic trade in enslaved people, human bodies formed the principal for commercial credit and collateral. Women, in particular, were valued because of the social primacy Gold Coast societies placed on kinship and sexual reproduction. The operations of the female-gendered prison emerge from this historical genealogy: one where women sat at the center of kinship, capital, and credit.

To understand the relationship between kinship and commerce, it is important to locate female reproductive power within the broader value systems of the Ga- and Akan-speaking societies of the Gold Coast in this time period. Among the Akan communities, who inhabited the western and central shores of the Gold Coast, bloodlines passed matrilineally.²⁰ Property and family obligation (including control over labor) were transmitted through the woman—specifically through her blood (*mogya*), which she alone endowed to her child. Blood was considered one of the most powerful fluids, alongside water and spirits.²¹ Menstrual blood was seen as particularly potent, and therefore, also taboo; its absence during pregnancy signified it being transferred to the fetus.²² Whereas male power in the nineteenth century was expressed through warfare as the capacity to shed blood (*ka mogya*), female power lay in the birthing of children and in spiritual rites attendant to the safety of the community and the fertility of the earth.²³ This was a power of creation, of “passing blood,” and of preventing its loss.²⁴

Although records of the Ga-speaking communities in the east of the Gold Coast suggest the Ga to be historically patrilineal (or, in some places, bi-lineal—likely an influence of their Akan neighbors), women still retained extraordinary importance as

²⁰Out of convenience, in this essay I have referred to Akan-speaking communities as “Akan.” However, as Rebecca Shumway notes, the idea of Akan unity did not form until the period of colonial rule. *The Fante and the Transatlantic Slave Trade* (Rochester: University of Rochester Press, 2014).

²¹Women were considered to pass their blood to the child. Men gave the child their spirit (*sunsum*). Emmanuel Akyeampong, *Drink, Power, and Cultural Change: A Social History of Alcohol in Ghana, c. 1800 to Recent Times* (Portsmouth: Heinemann, 1996), 10.

²²Kofi Agyekum, “Menstruation as a Verbal Taboo among the Akan of Ghana,” *Journal of Anthropological Research* 58, 3 (2002): 367–87.

²³Thomas C. McCaskie, “The Consuming Passions of Kwame Boakye: An Essay on Agency and Identity in Asante History,” *Journal of African Cultural Studies* 13, 1 (2000): 43–62.

²⁴See Emma Kathryn Cleveland, “Patriarchy, Spirituality, and Power: An Examination of Gendered Division in Asante History in the Former Gold Coast During the Trans-Atlantic Slave Trade Era,” *African and Asian Studies* 14 (2015): 210–25, esp. 212, 219.

agricultural producers and sexual reproducers.²⁵ As among other West African societies, women carried out the crucial tasks of food production and farming. In a region where population density tended to be low due to environmental limitations, women's capacity to give birth—to reproduce labor—was also central to economic livelihood.

For this reason, control over female reproduction formed a central tenet of Gold Coast political society. As Emmanuel Akyeampong and Pashington Obeng write, “At three levels of social organization—family, lineage, and state—women were crucial in their roles as biological reproducers and as economic and social producers.”²⁶ The emergence of the female hostage comes from this intercession of roles. To hold a woman prisoner was to hold the womb hostage. It created duress around the captivity of bloodlines and the threat to kinship.

Hostage holding is a practice that likely existed in West Africa before European intervention and that expanded with the growth of Atlantic trade in the fifteenth century.²⁷ In Twi (spoken by Akan people), the term for pawn is *awowa*.²⁸ In Ga and Ewe, the term is *awoba*, suggesting a common origin among the three major languages in the Gold Coast.²⁹ Because human labor, not the availability of land, was the limiting factor to economic development, wealth resided in human beings.³⁰ Family members tended to form the collateral for loans and credit. Hostages were essentially human mortgages.

In the case of Atlantic trade, European records demonstrate that hostages clearly formed a part of everyday economic transactions and diplomacy. In exchange for promises of gold and enslaved captives, European firms would offer West African traders credit advances in cash and wares. To secure these deals, traders left “pledges” or “pawns” behind in the custody of Europeans. These were objects or human beings taken into captivity until the trader returned with the sold cargo.

Prior to the eighteenth century, Europeans generally preferred to hold pawns of gold over human hostages.³¹ For example, in one English trader's account book from 1693, it is recorded that “Quansoe [a man] brought me a fetish weighing 9 oz, 6 an,

²⁵Meyer Fortes, “The Akan Family System Today,” in Christine Oppong, ed., *Domestic Rights and Duties in Southern Ghana* (Accra: Legon, 1974), 33.

²⁶Emmanuel Akyeampong and Pashington Obeng, “Spirituality, Gender, and Power in Asante History,” *International Journal of African Historical Studies* 28, 3 (1995): 481–508, 491.

²⁷Paul E. Lovejoy and David Richardson, “The Business of Slaving: Pawnship in Western Africa, c. 1600–1810,” *Journal of African History* 42, 1 (2001): 67–89.

²⁸Johann Gottlieb Christaller, *A Grammar of the Asante and Fante Language Called Tshi (Chwee, Twi): Based on the Akuapem Dialect with Reference to the Other (Akan and Fante) Dialects* (Basel: Basel Evangelical Missionary Society, 1875), 11.

²⁹Akosua Adoma Perbi, *A History of Indigenous Slavery in Ghana: From the 15th to the 19th Century* (Accra: Sub-Saharan Publishers, 2004), 3; Meera Venkatachalam, *Slavery, Memory, and Religion in Southeastern Ghana, c. 1850–Present* (Cambridge: Cambridge University Press, 2015), 33.

³⁰On the concept of “wealth in people,” see Max Gluckman, *The Economy of the Central Barotse Plain* (Manchester: Manchester University Press, 1941); Igor Kopytoff and Suzanne Miers, “African ‘Slavery’ as an Institution of Marginality,” in Suzanne Miers and Igor Kopytoff, eds., *Slavery in Africa: Historical and Anthropological Perspectives* (Madison: University of Wisconsin Press, 1979), 3–81; Jane Guyer, “Wealth in People, Wealth in Things—Introduction,” *Journal of African History* 36, 1 (1995): 83–90.

³¹Judith Spicksley, “Pawns on the Gold Coast: The Rise of Asante and Shifts in Security for Debt, 1680–1750,” *Journal of African History* 54, 2 (2013): 147–75.

which I have taken in pawne for 35 English carpets.”³² In this case, the “fetish” likely referred to a gold amulet (*suman*) valued as a powerful talisman against spiritual danger.³³ As collateral, Europeans generally accepted any person or object that had both social value and market value. In the event that the merchant did not return, the pawn could then be sold to recuperate the advance.

From this practice, the custom of holding traders’ wives and children as hostages became commonplace in Atlantic trade. When enslaved captives replaced gold as the number one export from the Gold Coast at the turn of the eighteenth century—the same time that the Asante Empire expanded its monopoly over the gold mines in the interior—human pawns replaced gold as the primary form of collateral. Records of holding a man’s “wife ... [as] paw[n] for the powder and barrs” advanced to him were hardly uncommon.³⁴ In 1787, a British surgeon described pawning in the following terms: “We intrust the Traders with Goods, with which they go to the Fairs, yet we expect that they should leave us something as a Pledge for their Return. To satisfy us in this Particular, they leave their Children and Relations in our Custody, whom we distinguish by the Name of Pawns.”³⁵ As the surgeon noted, human pawns tended to be “relations” of the traders themselves. Thus, family ties—kinship—insured credit.³⁶

In this context, women became valuable hostages for their role in social and sexual reproduction. Because communities in the Gold Coast were polygamous, wives held an esteemed social power. As Walter Rodney has written, polygamy creates unequal access to sexual reproduction, which was a problem deepened by Atlantic trade.³⁷ In the Gold Coast, men could marry multiple wives while women could have only one husband (although divorce was permitted, and remarriage was common). As Atlantic trade created deeper wealth inequality, a class of wealthy men known as *abirempon* (sing. *obirempon*) emerged. These men were defined by their large collection of wives and their prodigious number of children. Their wealth made it more difficult for young male commoners to find wives. As Olatunji Ojo notes, bride price noticeably increased during the period of Atlantic trade.³⁸ The *aseda*—the Akan term for bridewealth paid to the bride’s family, usually accompanied by *tiri nsa*, an alcoholic drink known as “head rum” (what the King of Gomoa inquired about in the introduction to this essay)—saw an increase in cost due to the high prices offered by *abirempon*. For this reason, it was common for young men to secure loans from

³²Bodleian Library-Rawlinson Collection, 747: 456v, letter by Thomas Buckeridge, 13 Aug. 1693, Tantumkweri.

³³Cécile Fromont, “Paper, Ink, Vodun, and the Inquisition: Tracing Power, Slavery, and Witchcraft in the Early Modern Portuguese Atlantic,” *Journal of the American Academy of Religion* 88, 2 (2020): 460–504.

³⁴Bodleian Library-Rawlinson, C 746: 214v, letter by William Pulett, 2 Apr. 1697, Dixcove.

³⁵James Arnold, “Evidence Delivered by Him in Writing to the Committee,” “Report of the Lords of the Committee of Council Appointed for the Consideration of All Matters Relating to Trade and Foreign Plantations; Submitting.... The Evidence and Information They Have Collected in Consequence of His Majesty’s Order in Council, dated the 11th of February, 1788, Concerning the Present State of the Trade of Africa, and Particularly the Trade in Slaves, Volume I” (London: Board of Trade, 1789), n.d.

³⁶Randy J. Sparks, “Gold Coast Merchant Families, Pawning, and the Eighteenth-Century British Slave Trade,” *William and Mary Quarterly* 70, 2 (2013): 317–40.

³⁷Walter Rodney, *A History of the Upper Guinea Coast, 1545–1800* (Oxford: Oxford University Press, 1970), 106.

³⁸Olatunji Ojo, “Èmú’ (Àmúyá): The Yoruba Institution of Panyarring or Seizure for Debt,” *African Economic History* 35 (2007): 31–58, 42.

creditors to pay *aseda*. This practice turned wives into financial assets. They were economic investments in the future.

For this reason, women were often seized to create duress among male community members. Through a practice known as *panyarring*, people were taken hostage if a member of their community had committed a crime or had reneged on a loan. The term *panyar* comes from the Portuguese word *penhora* for “pawning” and *apanhar* “to grab.” It is important to note that *panyarring* in other parts of the Atlantic world referred to seizing merchandise in response to an unpaid loan.³⁹ However, in West Africa, the term was used to refer to kidnappings that facilitated either loan repayments, criminal justice, or diplomacy. If a debt went unpaid or a crime was not redressed, the plaintiffs/creditors would *panyar* a person from the offending town—that is, seize and hold them for ransom and threaten to sell them into slavery. In the seventeenth century, a German voyager named Samuel Brun summarized the practice in the following way: “If ... a man has a debtor in a country which is under another ruler, people wait till a person comes from that place. Then they take them prisoner till the real debtor comes. But if he does not come, the innocent man is sold. This may cause great wars between them.”⁴⁰ Though Brun described the victim of *panyarring* as an innocent *man*, records suggest that women may have been *panyarred* more often than men.⁴¹ Letters from the Royal African Company on the Gold Coast detail the deliberate *panyarring* of men’s wives and other townswomen to resolve conflict. In a 1694 dispute between the English fort at Dixcove and a Gold Coast *obirempon* named Ashrevey, the commander of the fort wrote to Cape Coast to request that “some Cape Coast Blacks [be sent] to ... make a descent into Butteroe Towne ... and panyar Ashrevey’s wives.”⁴² In a 1696 conflict between a Gold Coast *obirempon* named John Cabess and the adjacent Akan kingdom of Awudome, it was similarly described that “these Adoomes are a great plague to the King and John Cabess, having a great many of their women and will not let them goe.”⁴³ In general, letters protesting that someone had unexpectedly “panjard 4 of our townes women” were common.⁴⁴

Female hostages enforced collective responsibility over debt, diplomacy, and crime. As David Graeber notes, West African economies during the Atlantic era often used women to settle social and economic debts between community members,

³⁹An example is Brazil, where *penhora* still refers to the government’s right to seize material goods. See Peter M. Beattie, *Punishment in Paradise: Race, Slavery, Human Rights, and a Nineteenth-Century Brazilian Penal Colony* (Durham: Duke University Press, 2015).

⁴⁰Samuel Brun, “The Third Voyage to Guinea, to Fort Nassaw [Nassau], at More [Mori] in Guinea, in the Kingdom of Sabou [Asebu], 1611–1620,” in Adam Jones, ed., *German Sources for West African History, 1599–1669* (Wiesbaden: Franz Steiner Verlag, 1983), 88.

⁴¹There are extraordinarily few studies on the relationship between gender and *panyarring*, possibly due to the dearth of available data from before the nineteenth century. Those that have studied this relationship have found a far higher proportion of women to men. In Ojo’s study of nineteenth-century Yorubaland, he noted that 61 percent of victims of *panyarring* in court cases were women, compared to only 28 percent men (not including pre-adolescent boys). This corresponded with the observations provided by Francine Shields on *panyarring* in Yorubaland. Ojo, “Èmú,” 47; Francine Shields, “Palm Oil and Power: Women in an Era of Economic and Social Transition in Nineteenth-Century Yorubaland, South-Western Nigeria,” PhD diss., University of Stirling, 1997, 159.

⁴²Bodleian Library–Rawlinson, C. 747: 374v/424, letter by Thomas Buckeridge, Dixcove, 21 June 1694.

⁴³Bodleian Library–Rawlinson, C. 746: 60, letter by Thomas Willson, Komenda, 31 Mar. 1696.

⁴⁴Bodleian Library–Rawlinson, C. 746: 217v, letter by Henry Vincent, Dixcove, 27 Apr. 1697.

which he calls “blood debts” or “life debts.”⁴⁵ Women’s lives, as producers and reproducers of wealth, were used to smooth conflict, repair bonds, and to hold debts at bay. In the case of a debt in the Gold Coast, the full loan had to be repaid to secure the freedom of the *panyarred* woman. As one Akan proverb recounts: *Kahi na ede adwo-yi ba*, “It is constantly refusing to pay a debt that causes the kidnapping of someone from the debtor’s town.”⁴⁶ For this reason, creditors often gave loans to debtors only from foreign places. That way, the creditor could enforce repayment without offending their own people by kidnapping them. This is the origin of another Akan proverb: *hoho ama woanya sika ama woanya kaw*, “A stranger is the cause of getting money, but he/she is also the cause of one going into debt.”⁴⁷

As Atlantic trade created new networks of credit and indebtedness, female hostage-holding became thoroughly commonplace. Though scholars have often claimed that *panyarring* was a sign of “breakdowns” in trade relations, recent scholarship has revised this narrative, emphasizing the role of the practice in everyday conflicts.⁴⁸ As Sean Kelley writes, “[*Panyarring*] was more than a breakdown of the system. It was the system.”⁴⁹ Clashes over loans, well water, trade roads, marriages, military alliances, and successions all saw kidnappings pave the way for negotiations. *Panyarring* forced parties to negotiate their disputes by using the hostage as an instrument of duress.

Linked to everyday conflict, the threat of being held hostage affected most settlements in the southern Gold Coast, especially those tied to Atlantic credit networks. In the example of *aseda* (bridewealth), we have seen how young men who could not afford to marry took out loans to secure a bride. These debts entangled them in the cash economy of Atlantic trade, making them vulnerable to the *panyarring* system that endangered them and their new wives.

Even unmarried men saw their female companions fall vulnerable to kidnapping. This example is seen in the *etiguafo*, the “public women” or town prostitutes.⁵⁰ Before

⁴⁵David Graeber, “On Social Currencies and Human Economies: Some Notes on the Violence of Equivalence,” *Social Anthropology* 20 (2012): 411–28.

⁴⁶This proverb was recorded in the early 1870s. J. G. Christaller, Twi Mmeseusem, and Mpensā-Ahansia Mmoano, *A Collection of Three Thousand and Six Hundred Tshi Proverbs, in Use Among the Negroes of the Gold Coast Speaking the Asante and Fante Language* (Basel: German Evangelical Missionary Society, 1879); repr. as *Three Thousand Six Hundred Ghanaian Proverbs (from the Asante and Fante Language)*, Kofi Lange, trans. (Lewiston: Edwin Mellen Press, 2000), 126.

⁴⁷Christaller, Mmeseusem, and Mmoano, *Collection of Three Thousand*, 117.

⁴⁸On “market breakdowns,” see David Richardson, “Cultures of Exchange: Atlantic Africa in the Era of the Slave Trade,” *Transactions of the Royal Historical Society* 19, 6 (2009): 151–79, 165. On revisions to this scholarship, see Sylviane A. Diouf, “The Last Resort: Redeeming Family and Friends,” in Sylviane A. Diouf, ed., *Fighting the Slave Trade: West African Strategies* (Athens: Ohio University Press, 2003), 81–100; Sean Kelley, “The Dirty Business of *Panyarring* and Palaver: Slave Trading on the Upper Guinea Coast in the Eighteenth Century,” in Paul E. Lovejoy and Suzanne Schwarz, eds., *Slavery, Abolition and the Transition to Colonialism in Sierra Leone* (Trenton: Africa World Press, 2014), 89–105; Nathan Carpenter, “Ransom as Political Strategy: Captivity beyond Commercial Transaction on the Upper Guinea Coast in the Late Nineteenth and Earlier Twentieth Centuries,” *Journal of West African History* 4, 2 (2018): 1–18.

⁴⁹Kelley, “Dirty Business,” 103.

⁵⁰Emmanuel Akyeampong records the term for “public woman” as *abrakree* or *abelcre*, in “Sexuality and Prostitution among the Akan of the Gold Coast, c. 1650–1950,” *Past & Present* 156 (1997): 144–73, 149. However, in the earliest accounts by Pieter de Marees (1602) and Jean Barbot (1680s), these women are referred to as *etiguafo*, an Akan term that possibly derives from (*e*)*dzi-agoro-fo*, meaning “one of those who like to play.” See Pieter De Marees, *Description and Historical Account of the Kingdom of Guinea*, Albert van

the nineteenth century, Akan towns held enslaved women whose task was to provide sexual intercourse to young unmarried men. As Claude Meillassoux has written, gerontocracy relies on elders capturing the labour of the younger generations, traditionally through withholding marriage.⁵¹ Young men in the Gold Coast often had to wait into their twenties or thirties to develop the capital to marry. Until that time, the *etiguafo* provided them sexual access. In this way, the *etiguafo* played an important role in community life. European travelers detail the elaborate ceremonies that took place upon the installation of a new public woman. A Danish voyager, Olfert Dapper, wrote in 1676: "First they place these whores, who are certain purchased slaves, with many ... ceremonies upon a straw mat and display them. Then one of the oldest among them, standing up, takes a young hen, opens its beak with a knife and lets a few drops of blood drip on her head, shoulders, and arms."⁵² The woman is then informed that she is now one of the *etiguafo* and cannot refuse an unmarried man. One can note the importance of the blood used during the initiation rites, a sacred fluid marking the woman for her task.⁵³ Purchased by the community, the woman was the "[wife] of the bachelors."⁵⁴ So crucial was this role that if a married man had relations with her, he paid a heavy fine equivalent to an *ayefere sika* (adultery fee).

As the wives of the bachelors, the *etiguafo* were especially valued hostages. In 1704, a Dutch merchant on the Gold Coast, Willem Bosman, wrote in detail about the *etiguafo*'s ransoming: "Tis impossible to afflict a Land or Town more sensibly than by seizing these Creatures. If our factor at Axim [a Gold Coast port] has any dispute with his subordinate negroes, no one will more effectively bring them to reason than by taking one of these whores into custody, and confining her in the fort: For as soon as this News reached the *Manceroes* Ears, they go with flying Sails to the *Caboceroes*, and earnestly desire them to give the Factor Satisfaction, that they may have their Whores set at liberty again."⁵⁵ *Manceroes* referred to the young common men, and the *caboceroes* to the elites. As Bosman demonstrates, the *etiguafo* were strategically captured in order to broker dispute resolutions.

Though scholars of *panyarring* have widely held that only "important free persons could be ransomed," the example of the *etiguafo* certainly troubles this claim.⁵⁶ As Myers and Kopytoff have argued, enslaved people in African societies were marked

Dantzig and Adam Jones, trans. (Oxford: Oxford University Press, 1987), 21, 38, 174; Jean Barbot, *Barbot on Guinea: The Writings of Jean Barbot on West Africa, 1678–1712*, vol. 2 (London: Hakluyt Society, 1992), 495, 501.

⁵¹Claude Meillassoux, "The Social Organization of the Peasantry: The Economic Basis of Kinship," *Journal of Peasant Studies* 1 (1973–1974): 81–90.

⁵²Olfert Dapper, *Naukerige beschrijvinge der afrikaensche gewesten*, 2d ed. (Amsterdam: Jacob van Meurs, 1676), 106, quoted in Akyeampong, "Sexuality," 147.

⁵³It is also important that the blood came from a hen, typically a white one. Blood from white animals, such as sheep and hens, was considered particularly sacred. As Marion Kilson notes, "White color ... connotes positive conceptions such as peace, success, blessing, prosperity.... Sacrificial animals are completely or partially white"; *Kpele Lala: Ga Religious Songs and Symbols* (Cambridge: Harvard University Press, 1971), 77.

⁵⁴Akyeampong, "Sexuality," 155.

⁵⁵Willem Bosman, *A New and Accurate Description of the Coast of Guinea, Divided into the Gold, the Slave and the Ivory Coasts* (London: Alfred Jones, 1705), 213.

⁵⁶Bruce Mouser, "Rebellion, Marronage and Jihād: Strategies of Resistance to Slavery on the Sierra Leone Coast, c. 1783–1796," *Journal of African History* 48, 1 (2007): 27–44, 38. Also see Carpenter, "Ransom," 4.

by the absence of kin, which should have made them disadvantageous as hostages.⁵⁷ However, the *etiguafo* had social value due to being the unofficial “wives” of unmarried men, which demonstrates the importance of female sexuality to hostage-taking.

Though few scholars have investigated the experiences of *panyarred* women, studies of other women held in captivity in the Gold Coast—as debt pawns, enslaved captives, and later, as prisoners—all testify to the commonness of rape and other unwelcome sexual contact.⁵⁸ Many women held as debt pawns married their captors, bearing them children while in servitude.⁵⁹ Female *panyars* who could not be redeemed by their family were often sold as wives to local men.⁶⁰ As G. Ugo Nwokeji has shown, the market for enslaved women in West Africa saw higher prices offered than among European traders, meaning that female captives tended to be sold locally as wives.⁶¹

In this context, one can understand the threat posed to the female hostage. Should her kin not swiftly redeem her, she might soon find herself impregnated by another man, then married to him. In this case, her status as a free woman might be in jeopardy. Like in the case of Aduah Nyame, her forcible marriage to her captor could strain her kin relations, perhaps leaving her closer to a status of enslavement than to a free person.⁶² As Martin Klein has written, in matrilineal societies enslaved women were “often preferred as wives because they have no kin and their offspring remain within the husband’s family.”⁶³ Quite possibly, this was the threat that *panyarring* relied on. If impregnated, the female hostage might be alienated from her family, and married off as if a kinless stranger.

In this context, we can understand the many Akan proverbs that circulated in the nineteenth century stressing the importance of honoring, and protecting, bloodlines. *Bogya w’omopa*, “A blood relation cannot be blotted and thrown away,” meaning one must always support one’s family members (*abogyaboa*).⁶⁴ *Me ne no di abogyafra*,

⁵⁷Kopytoff and Miers, “African ‘Slavery,’” 3–81.

⁵⁸Barbara Bush, “Daughters of Injur’d Africk: African Women and the Trans-Atlantic Slave Trade,” *Women’s History Review* 17, 5 (2008): 673–98; Cati Coe, “Domestic Violence and Child Circulation in the Southeastern Gold Coast, 1905–1928,” in Emily S. Burill, Richard L. Roberts, and Elizabeth Thornberry, eds., *Domestic Violence and the Law in Colonial and Postcolonial Africa* (Athens: Ohio University Press, 2010), 54–72.

⁵⁹Toyin Falola and Paul E. Lovejoy, “Pawnship in Historical Perspective,” in Toyin Falola and Paul E. Lovejoy, eds., *Pawnship in Africa: Debt Bondage in Historical Perspective* (Boulder: Westview Press, 1994), 6–7.

⁶⁰Olatunji Ojo, “Forced Marriage, Gender, and Consent in Igboland, 1900–1936,” in Annie Bunting, Benjamine N. Lawrence, and Richard L. Roberts, eds., *Marriage by Force? Contestation over Consent and Coercion in Africa* (Athens: Ohio University Press, 2016), 65–73.

⁶¹Notably, G. Ugo Nwokeji complicates this narrative by disaggregating West African markets to show regional trade differences, in “African Conceptions of Gender and the Slave Traffic,” *William and Mary Quarterly* 58, 1 (2001): 47–68. See also Paul E. Lovejoy and David Richardson, “Competing Markets for Male and Female Slaves: Prices in the Interior of West Africa, 1780–1850,” *International Journal of African Historical Studies* 28, 2 (1995): 261–93.

⁶²Orlando Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge: Harvard University Press, 1982).

⁶³Martin Klein, “The Study of Slavery in Africa,” *Journal of African History* 19, 4 (1978): 599–609, 605.

⁶⁴Christaller, Mmbosem, and Mmoano, *Collection of Three Thousand*, 50.

“We are both of the same blood,” means that kinship is irrevocable.⁶⁵ The centrality of blood in these sayings gestures to the woman’s crucial role in kin networks. *ba se ase, nanso ɔwɔ abusua*, “A child looks like his father but he/she belongs to her mother’s family” underscores the supremacy of matrilineal kinship in Akan societies. The mother’s blood hypostatized family ties, credit networks, and obligation.⁶⁶

By the dawn of colonial rule in the late nineteenth century, British officials confronted societies that had grown accustomed to confining women to facilitate reparation for debt and crime. While the British would swiftly ban *panyarring* and other forms of kidnapping, they did not prohibit the prisons that emerged to replace these practices. This was the origin of the “prison of the womb.” It marked the institutionalization of female hostage-holding.

Capitalism and the Prison

Between 1804 and 1813, the principal European powers on the Gold Coast abolished the Atlantic slave trade, transforming the Gold Coast economy. Within three decades, European ambassadors traversed the West African territory, signing treaties to end *panyarring* and to transfer criminal jurisdiction to European courts. The Bond of 1844, signed between Akan-Fante rulers and the British, resolved that “human sacrifices, and other barbarous customs, such as *panyarring*, are abominations and contrary to the law.”⁶⁷ Records show that by the 1850s European officials were actively prosecuting kidnappers in an attempt to put an end to the practice.⁶⁸ As a British officer remarked, kidnappings “occasion great annoyance to trade, and ... preclude public security.”⁶⁹ *Panyarring* was said to inhibit commercial investment by deterring foreign traders.⁷⁰ With the growth of colonial power on the Gold Coast came the suppression of *panyarring* and other forms of ransom capitalism.

It is in this time period that prisons developed on the Gold Coast. In Twi, the institution was called *efiase*, combining *efie* (house) and *asee* (underground), meaning “underground house.” In Ga, the institution was called *kpabu*, which is likely a combination of *hekpā* (interest on debt) and *bu* (to face or confront). Thus, prison was where people confronted their debts.⁷¹ Though the institutions operated differently than the European prisons, Gold Coast elites made clear that the *efiase/kpabu* was their version of a prison. By the nineteenth century, many Gold Coast people spoke both English and West African languages. Several had European law

⁶⁵Johann Gottlieb Christaller, *A Dictionary of the Asante and Fante Language Called Tshi* (Basel: Evangelical Missionary Society, 1881), 35.

⁶⁶Christaller, Mmeseusem, and Mmoano, *Collection of Three Thousand*, 1.

⁶⁷“The Bond of 1844,” repr. in David Ernest Apter, *Ghana in Transition*, 2d ed. (Princeton: Princeton University Press, 1955), 34.

⁶⁸PRAAD-Accra Supreme Court Trials (SCT) 5 Apr. 1888, *Quacoe Paykon vs Abbina Brayaw*, 6 July 1859; PRAAD-Accra SCT 2/4/2, *L. Sackey vs William Daniell*, 21 Feb. 1862.

⁶⁹Henry Meredith, *An Account of the Gold Coast of Africa: With a Brief History of the African Company* (London: Longman, Hurst, Rees, Orme and Browne, 1812), 114.

⁷⁰Gareth Austin, “Markets with, without, and in Spite of States: West Africa in the Pre-colonial Nineteenth Century,” Working Paper 03/04 (London: London School of Economics, Department of Economic History, 2004).

⁷¹Balakrishnan, “Of Debt and Bondage,” 12.

degrees and served as attorneys for their communities.⁷² In archival documents, these elites translated the institution to British officers, calling it an African prison and explaining its value to Gold Coast societies.⁷³ As Erin Braatz notes, these institutions were evidently inspired by the European penitentiary but operated on local axioms of justice.⁷⁴

Though Gold Coast lawyers often claimed the prison had existed from “time immemorial,” it is more likely that the institution emerged with the economic crisis after abolition. As Susan Kaplow and Edward Reynolds have shown, the nineteenth century saw a debt crisis on the Gold Coast.⁷⁵ Littoral economies were tied to the Atlantic slave trade, which involved many different occupational roles.⁷⁶ When this industry suddenly collapsed, people were put out of work and took out loans from creditors that they could not repay. Instances of pawning increased. *Panyarring* continued despite its criminalization. In this context, a class of *abirempon* emerged who were engaged in the “legitimate commerce” of the palm oil business.

The commercial export of palm oil, which began in the Gold Coast in the 1820s, serviced the industrial revolution underway in Europe.⁷⁷ The oil was used as a lubricant for machines and an ingredient in soaps. Roughly a dozen West African ports exported oil-palm to Britain between 1830 and 1840; by 1885, the number of ports had climbed to 133.⁷⁸ Having begun in the Akuapem and Krobo regions of the Gold Coast hinterland, many of the wealthy former slaving families poured their capital into the new rural industry. As Kaplow has shown, these investments did not support farmers alone. An expansive network of petty traders emerged who were responsible for transporting oil to the shore and bringing European goods back to the hinterland.⁷⁹ Thus, the period from the 1860s witnessed, in Emmanuel Akyeampong’s words, “the increasing ranks of African small traders.”⁸⁰ The global rise in palm oil prices between 1850 and 1870 proved lucrative to this new generation of traders and merchants, marking the beginning of a capitalist class in West Africa.

It was therefore devastating when the price of palm oil on the world market downturned in the 1870s. Competition from new oils, like Australian tallow and American petroleum, attenuated Europe’s commercial demand for oil in West Africa.

⁷²Bjorn Edsman, *Lawyers in Gold Coast Politics, c. 1900–1945: From Mensah Sarbah to J. B. Danquah* (Stockholm: Almqvist & Wiksell International, 1979).

⁷³See, e.g., A. B. Quartey-Papafio, “Native Tribunals of the Akras,” *Journal of the Royal African Society* 11, 41 (1911): 75–94, 80; Peter Awoonor Renner, *Reports, Notes of Cases and Proceedings & Judgments in Appeals, etc., and References under Rules, Orders & Ordinances Relating to the Gold Coast Colony, and the Colony of Nigeria, from 1861 to 1914...* (London: Sweet & Maxwell, 1915).

⁷⁴Braatz, “Governing Difference.”

⁷⁵Balakrishnan, “Of Debt and Bondage,” 7–13.

⁷⁶Shumway, *Fante and the Transatlantic Slave Trade*.

⁷⁷Edward Reynolds, “Agricultural Adjustments on the Gold Coast after the End of the Slave Trade, 1807–1874,” *Agricultural History* 47, 4 (1973): 308–18.

⁷⁸Emmanuel Akyeampong, “Commerce, Credit, and Mobility in Late Nineteenth-Century Gold Coast: Changing Dynamics in Euro-African Trade,” in Emmanuel Akyeampong *et al.*, eds., *Africa’s Development in Historical Perspective* (Cambridge: Cambridge University Press, 2014), 241. Citing Martin Lynn, *Commerce and Economic Change in West Africa: The Palm Oil Trade in the Nineteenth Century* (Cambridge: Cambridge University Press, 1998), 240.

⁷⁹Susan Beth Kaplow, “African Merchants of the Nineteenth Century Gold Coast,” PhD thesis, Columbia University, 1971.

⁸⁰Akyeampong, “Commerce,” 237.

At the same time, cowrie shells—a major West African currency—underwent rapid inflation. By A. J. Hopkins's estimation, the value of the cowry shell in West Africa dropped nearly 90 percent against the British pound between 1850 and 1890.⁸¹ Meanwhile, European shipping costs increased unabated due to imperial monopolies. The confluence of these three factors ended the economic boom years and brought a period of decline. Once-lucrative African oil firms faced a sudden crisis in liquidity. Having committed to loans in British pounds, they faced enormous shortfalls when the petty traders with whom they were in business could not repay their debts.⁸²

It is in this context that prisons seem to have spread on the Gold Coast. Our earliest evidence for the prisons date to the beginning of commercial oil sale. Oral testimony from an 1888 court inquiry locates prisons on the Akan coast in the 1820s and on the Ga coast by the 1830s.⁸³ Documentary evidence provides dates ranging from 1837 to 1853 in the area of Cape Coast where the British state was most present.⁸⁴ By 1861, British courts noted the existence of a prison in the faraway Ga town of Accra.⁸⁵ Within that decade, the settlements of Anomabu, Saltpond, Osu, Labadi, and Krobo also had prisons.⁸⁶ This meant that, although prisons first emerged in the 1820s–1830s with the oil industry, their spread occurred mainly during the period of that industry's decline during the 1860s–1870s.

From appeals to the British court, it is clear that West African merchants used imprisonment to force petty traders to repay their loans, a practice that became all the more important as the palm oil industry entered its crisis. From the prison's earliest appearance in the mid-nineteenth century, observations by European officers indicate that the majority of prisoners in the *efiase/kpabu* were debtors, beholden to merchants of the *abirempon* class.⁸⁷ In 1854, Cape Coast's first indigenous prison was described as merely a coercive instrument for the palm oil sellers. "Educated Native Merchants have appeared on the scene ... and they have put forward as their tool a Mr. James A Thompson," summarized a colonial officer, referring to the *tufuhene*, the paramilitary captain who was also a businessman, who ran the court.⁸⁸

Like in the example of Cape Coast, the indigenous prisons were often attached to the kings' courts but run by private citizens. Testimonies by inmates suggest that they were equally likely to be confined in a prison in the chief's house or one attached to

⁸¹A. G. Hopkins, "The Currency Revolution in South-West Nigeria in the Late Nineteenth Century," *Journal of the Historical Society of Nigeria* 3, 3 (1966): 471–83, 477.

⁸²Kaplow, "African Merchants."

⁸³Witnesses testified to the existence of prisons during the reign of Governor Charles McCarthy (1820–1824) and during the existence of the Committee of Merchants, which occupied the coast from 1830–1847. National Archives of the United Kingdom, (NAUK)-CO 96/191, testimony of Joseph Green in *Oppon vs. Ackinie and Gharthey*, 21 Apr. 1886; PRAAD-Accra ADM 11/1/1477, "Questions Put to Mr. Cleland," 24 Apr. 1886.

⁸⁴A peer reviewer suggested that debtors' prisons are mentioned in NAUK-CO 267/144, George Maclean to African Committee, 11 Oct. 1837. The coronavirus pandemic has prevented my traveling to Kew to verify this. The earliest instance I have found is in NAUK-CO 96/31, Stephen Hill to George Grey, 18 Dec. 1854.

⁸⁵*Parliamentary Papers* (PP), 1875, vol. LII (1140), *Quow Ouchinv vs. Tawiah and Quay*, 13 Apr. 1874.

⁸⁶PRAAD-Accra SCT 2/4/2, court ruling by James Fort, 5 Nov. 1861; PRAAD-Accra SCT 2/4/2, *Quah vs. Atheapa*, 11 Sept. 1861; NAUK-CO 96/84, Captains and Headmen of Anamaboe to H. Simpson, 8 May 1869.

⁸⁷NAUK-CO 96/191, "Memorandum on Native Prisons," 3 Dec. 1887.

⁸⁸NAUK-CO 96/31, Minutes of Proceedings, Gold Coast, 14 Feb. 1855.

the house of a wealthy *obirempon*.⁸⁹ For example, R. J. Ghartey owned a lucrative factory in the 1860s and ran an *efiase* in the vicinity of Anomabu. He did not become an *ohene* (ruler) until 1872, in the town of Winnebah, where he opened a new prison.⁹⁰ Similarly, George Cleland was a prominent Ga merchant in Accra who ran his own prison from the 1860s, though he was not a royal *mantse* (ruler). As large-scale merchants or factory owners, the *abirempon* had a vested interest in the operations of the prison and often administered them with the blessing (and cut of the profits) from the nearest ruler.

Because the prison's primary purpose was to enforce loan repayment, the institution became crucial in the 1870s when the cowry shell began to devolve into a suspect currency. Disputes before the British court of appeals cite numerous instances in which debtors rejected demands that they repay their loans in European coinage. For example, in a court appeal from 1871, a female Akan trader named Accosuah Quamina explained to a British judge why her son was incarcerated in a king's prison in Saltpond: "I borrowed cowries of value of 10 oz 8 ackies," explained Quamina. "Sometime after borrowing the cowries, I was applied to make payment and tendered cowries in payment. The creditor refused to accept cowries in payment. He said he wanted cash. There was no agreement to pay in cash."⁹¹ For this debt, her son was imprisoned in a Saltpond cell for over a month.

This example is somewhat unusual in that a woman's debt led to the imprisonment of a male relative, but it demonstrates the general logic of the institution. In order to make a debtor repay their loan, a creditor would approach the prison administrator (the merchant or ruler) with a charge against someone for debt. The administrator would then dispatch their guards (known as the *ankobeafɔ* in Akan) to the defendant's residence where an arrest would be made. Sometimes the defendant themselves would be seized, but often a relative would be captured. Relegated to the ruler's jail, the inmate would serve as a "hostage in law" until their kin repaid the full loan.⁹² If not redeemed, the captive stayed there, surviving off food provided to them by their family and waiting for release.⁹³

In general, the *efiase/kpabu* were one- or two-cell structures with narrow windows through which the prisoner's family could pass food, water, and clothing. In Accra, descriptions of King Tackie Tawiah's prison from the 1870s–1880s suggested that it was a multi-chamber cellar attached to the ruler's house, which colonial officers described as "dark ... filthy ... [and] frequented by reptiles."⁹⁴ The Akan term, *efiase*, suggests that the prisons tended to be underground and attached to the *afiase* (king's

⁸⁹E.g., PRAAD-Accra SCT 5/4/94, *Eccoah Einpah & others vs Chief James Amonoo*, 17 Feb. 1871. As John Parker has remarked, the world of early colonial Ghana saw "litigants moving freely between different African and European courts," seeking the most "successful outcome." *Making the Town: Ga State and Society in Early Colonial Accra* (Portsmouth: Heinemann, 2000), 85.

⁹⁰M. J. Sampson, *Makers of Modern Ghana* (Accra: Anowuo Educational Publications, 1937), 53–87.

⁹¹"10 oz 8 ackies" was equivalent to roughly 10½ ounce of gold, and was a common currency in the Gold Coast. PRAAD-Accra SCT 5/4/94, *Accosah Quaminah vs. Quassie Coomah*, 18 Feb. 1871.

⁹²The term "hostage in law" is borrowed from Biko Agozino, "Nigerian Women in Prison: Hostages in Law," in Viviane Saleh-Hanna, ed., *Colonial Systems of Control: Criminal Justice in Nigeria* (Ottawa: University of Ottawa Press, 2008), 245–66.

⁹³Some rulers stated that the plaintiff's party was responsible for the subsistence of the prisoner. For example, Renner, *Reports*, 73. However, this seems to have rarely occurred. See *Parliamentary Papers*, 1875, vol. LII (1140), encl. 1 in no. 3, James Marshall to Colonel Johnston, 9 Apr. 1874.

⁹⁴PP 1875, vol. LII (1140), encl. 1 in no. 6, Marshall to Johnston, 9 Apr. 1874.

house). Descriptions of both Ga and Akan prisons suggest that inmates were often kept naked and chained, probably as a punishment harkening to slavery. Inmates frequently complained about the lack of sanitation. Some captives were marched to a nearby water body to relieve themselves in the morning. Others simply defecated on the cell floor.⁹⁵ Most prisons only held two or three captives at a time, though some contained up to half a dozen. Having nothing to do, and with almost no light to see, prisoners waited however long it took for their family to free them.

In this way, captives in the *efiase/kpabu* were more akin to hostages than to inmates, and hostages were used ubiquitously for debt charges and civil torts. As an Akan ruler explained in the 1880s, “Before I hear [a] case, each party has to find security for costs, and if the surety of the losing party does not pay I imprison [them]... [They] would remain imprisoned until the costs were paid.”⁹⁶ This means that hostages were used in almost all cases where defendants did not have ready access to cash. Naturally, this practice pertained especially to debts, when the suit’s cause was a lack of funds.

By 1888, sixty African-run prisons were counted in the Gold Coast, compared to the ten penitentiaries run by the imperial government.⁹⁷ Unlike the latter sites, the West African prison was a female-gendered institution. Concerned with leveling pressure on kin networks, female kin members proved to be the most valuable hostages. In particular, the danger of sexual violation within the prison threatened the permanent alienation of the woman—a human asset—from the family. This is the meaning of the term *prison of the womb*. The prison held bloodlines captive.

Prison of the Womb

In her critique of the Foucauldian prison, Sandra Lee Bartky notes, “Foucault treats the body throughout as if it were one, as if the bodily experiences of men and women did not differ and as if men and women bore the same relationship to the characteristic institutions of modern life.”⁹⁸ Equally, it can be said that prisons are generally presumed to operate as coherent entities, regardless of whether the inmates are men or women, and regardless of the cultural context in which the institution was transplanted.⁹⁹ In the Gold Coast, we have seen how a prison system developed in an African society through a history of female hostage-taking. By virtue of holding female bodies captive, the prison operated on substantially different terms than in Euro-America. The term “prison of the womb” is used here to refer to the central role that kinship, fertility, and bloodlines played in how the prison was organized. Though men could be jailed, the institution’s ultimate threat was the permanent loss of a woman’s womb. Pregnancy disrupted bloodlines, reversed dowries, and alienated women to foreign families. Carceral rape represented a threat to the womb, creating the duress to enforce collective responsibility for crime and debt.

⁹⁵PP 1875, vol. LII (1140), encl. 6 in no. 6, Testimony of Quow Ouchin, 13 Apr. 1874.

⁹⁶In the English translation of this court case, he/him pronouns are used for the surety. However, the ruler almost certainly spoke in Twi, which has only gender-ambiguous pronouns, roughly equivalent to they/them. This has been amended here. Renner, *Reports*, 73.

⁹⁷PRAAD-Accra ADM 6/6/14 *Gold Coast Government Gazette*, 31 Jan. 1889.

⁹⁸Sandra Lee Bartky, “Foucault, Femininity, and the Modernization of Patriarchal Power,” in Diana Tietjens Meyers, ed., *Feminist Social Thought: A Reader* (New York: Routledge, 1997), 95.

⁹⁹See critique by Britton, *At Work*, 1–21.

Since few West African societies kept written records at this time, little paperwork directly attests to the functions of the Gold Coast prison. Our best insight comes from the inquiries launched by the colonial state. As British authority in the Gold Coast expanded in the nineteenth century, officials became troubled by the prison's high proportion of female inmates—a gendered inversion that defied Victorian sensibilities of discipline and punishment, order and disorder. Through their interviews of prisoners, lawyers, guards, and rulers, the colonial inquisitions provide the best evidence as to the operations of the institution, put in Gold Coast subjects' own words. Without prison rosters, the high proportion of female interviewees stands as evidence of the gendered nature of incarceration. Oral testimonies given by female captives will be analyzed here to understand the role that female bodily jeopardy played in Gold Coast penal practices, as well as the methods by which kin networks secured the release of their relatives.

The first colonial inquisition on record occurred in 1869 in the town of Anomabu, a once-famous slaving port of the Royal African Company.¹⁰⁰ Akan societies along the coast, like Anomabu, tended to be small, with populations not exceeding ten thousand, and rulers who could legally be removed from power by consent of the people (a process called “destoolment” or, in Akan, *tu no akongua so*). The 1869 inquiry into the Anomabu prison came as a result of one such event. Spurred by the destoolment of the King of Anomabu by his townspeople on charges that included abuse of the women in his prison, British officers forwarded the testimonies to Whitehall with concern.¹⁰¹

Let us examine the evidence given by the first witness, a woman named Aduah Odumer: “I remember being imprisoned in the King's house about 4 years ago. I was in irons. The King released me and enticed me to go to his room. He had connection [intercourse] with me. He has 3 wives besides his lawful wife. He promised to pay the debt but he did not do so. He beat me and put me in irons again. I then ran away to Cape Coast and summoned the King for having failed to pay the debt as he promised. The case was refused to Anamaboe Court, where it still remains undecided.”¹⁰² As can be seen in the testimony, the *efiase* was attached to the ruler's house, meaning that the King had access to the women held in his prison. As a debtor prisoner, Odumer also had no defined sentence. She would be released only when the loan was repaid. It is notable, too, that with respect to the debt, Odumer does not say “her debt” but “the debt,” suggesting that it may have belonged to a family member. Importantly, her kin seem not to have been able to pay for her release.

Odumer's experience illuminates how the prison created duress around female hostage holding. With precolonial *panyarring*, time had been of the essence because the captive would soon be sold into slavery. The prison reproduced the same urgency through the threat of rape and impregnation. Should the captive not be swiftly

¹⁰⁰Technically, the first inquisition was in 1865 with respect to the prison run by the *ohene* of Cape Coast, John Aggrey, which is featured in Parliamentary Papers (PP)-*Report from the Select Committee on Africa, Western Coast* (London: The House of Commons, 26 June 1865). However, this inquisition did not involve testimonies by inmates or give any real sense of who the inmates were. The Anomabu inquiry gives us the earliest real insights into the biography of prisoners. On a history of Anomabu, see Randy J. Sparks, *Where the Negroes Are Masters: An African Port in the Era of the Slave Trade* (Cambridge: Harvard University Press, 2014).

¹⁰¹NAUK-CO 96/84, Captains and Headmen of Anamaboe to H. Simpson, 8 May 1869.

¹⁰²NAUK-CO 96/84, Testimony of Aduah Odumeh, 26 May 1869.

redeemed, she would find herself in the situation of Aduah Odumer or Aduah Nyame; she would be raped and possibly impregnated. When Odumer suggested in her testimony that the King had “3 wives besides his lawful wife,” one wonders if these women had also transitioned from the role of prisoner to junior wife, or if they were captives held as pawns.

Carceral rape threatened existing kin ties, which was certainly part of the duress posed by imprisonment. In the testimony of the second and third witnesses in the Anomabu prison inquiry—a husband and wife—we can see how carceral rape threatened their marriage. As the wife, Aduah Secooah, stated, “I remember having been imprisoned in the King’s house. The King had criminal conversation [intercourse] with me twice. He gave me 6*d* in order not to mention it to my husband. The King at first denied to my husband, but afterwards confessed in the presence of three others. I at first refused his proposal but upon certain promises being made to me, I consented. He did not keep his promises.”¹⁰³

In the words of the husband, Cofi Ghartey:

About one year ago my wife and her two brothers were summoned for debt and my wife was imprisoned.... I collected the money and paid it to the King—I then asked for my wife to take her away. The King said he would send her in the evening. When she returned, she had 2 silk pocket handkerchiefs which she said the king gave her to buy oranges and to tie them up in. I then asked her what it meant and she then said the King had connection [intercourse] with her. The King heard of this and sent ... messengers to investigate the case and would satisfy me with two ackies. I refused. The messenger returned with this answer to the King. The King returned for answer that he had not committed the act but only laid his hands on the woman. After repeated messages to and fro, the King agreed to pay six ackies. Ultimately, witness accepted sick ackies in satisfaction.¹⁰⁴

In this example, we see another woman imprisoned for debt—this time for a loan of £1.18.6 contracted by her brothers, who do not seem to have been imprisoned with her.¹⁰⁵ Aduah Secooah remained in the King’s house as a hostage while her husband gathered the capital for her release. But by the time he came, it was too late. The King had coerced Secooah into having sexual relations, promising to repay her debt. Like in the case of Odumer, he did not honor the promise. As Ghartey testified, at first the King only offered “two ackies” satisfaction (equivalent to 1/8 oz of gold).¹⁰⁶ Yet “after repeated messages to and fro,” he consented to six ackies compensation for having committed adultery with a married woman.

As Thomas McCaskie has shown, adultery fees were relatively routine in Gold Coast society, though they were not without stigmatization. The *ayefere sika* (adultery fee) tended to be in proportion to the status of the wronged husband and was compensation for having violated his rights by having intercourse with his

¹⁰³NAUK-CO 96/84, Testimony of Aduah Secooah, 26 May 1869.

¹⁰⁴NAUK-CO 96/84, Testimony of Cofi Ghartey, 26 May 1869.

¹⁰⁵This is established in the husband’s testimony. NAUK-CO 96/84, Testimony of Cofi Ghartey, 26 May 1869.

¹⁰⁶On ackies as currency, see Marion Johnson, “The Cowrie Currencies of West Africa, Part II,” *Journal of African History* 11, 3 (1970): 331–53, 332; Hopkins, “Currency Revolution,” 472.

wife.¹⁰⁷ If the plaintiff was a royal, the fee could be so exorbitant that a commoner might pay with his life. If the offender was a ruler and the wronged husband a commoner, then the adultery fee might be a petty fine, as in the example of Aduah Secooah and Cofi Ghartey. In this way, carceral rape entered the everyday life of tort settlements. They were, as McCaskie argues, a way that royals expressed their power—they could take any woman they liked.

Had either Secooah or Odumer become pregnant, however, it is possible that the “satisfaction” payments made by the King would have been a bridewealth transfer, which was received as a profound social schism. By impregnating a married woman, the ruler permanently alienated her from her family, which was a crime equivalent to stealing. The action had economic impacts. A married woman had a husband who had possibly borrowed money to pay her bridewealth, and who—in the case of an Akan person—held their family’s social status, blood, and inheritance in their veins. Impregnating a married woman severed those bonds by relegating the woman to the ruler’s house, usually for less than her bridewealth was worth, and holding her as if she was a kinless stranger. Her “womb,” in other words, had been stolen.

In the nineteenth and twentieth centuries, Gold Coast sovereigns were repeatedly destooled for impregnating their prisoners and then marrying them.¹⁰⁸ In the 1869 inquiry at Anomabu, a fourth witness signaled that this was what happened to an inmate whose impregnation had perhaps caused less of a stir because she was an unmarried enslaved person. Her former master, Quabina Aman, stated: “About a year ago, or little more, my sister had a slave called Sickraway. She took her to the King to be punished for insubordination, whereupon she (Sickraway) was imprisoned. I afterwards heard he had connection with her in prison. She told me this herself—she is dead now. Seeing Sickraway was in the family way, I went to King who confessed that he had connection as charged. He agreed to pay 5 ackies—3 tokoos—in satisfaction, which I received about 2 years ago, the rest is unpaid.”¹⁰⁹ In compensation for impregnating Sickraway, the King paid five ackies to her mistress in “satisfaction,” one ackie less than to Aduah Secooah’s husband. As the King clarified in response, “After paying for her, I cohabited with her and then considered her as my pawn.”¹¹⁰ In this way, Sickraway became another woman in the King’s house, not a formal “prisoner” but undeniably a captive. Clearly, she was incorporated as a junior wife of relatively unfree status.

Sickraway’s case differs from that of Odumeh and Secooah in that it involved a woman put in prison as a *punishment*, not taken as a hostage to coerce a loan repayment or repayment for a family crime. An outcome of the female-gendered prison was that incarceration became a female-gendered punishment—a way to discipline and reprimand women. In Eastern Uganda, Carol Summers has shown that women made up the majority of people punished in chiefs’ colonial courts and acted as tools for preserving domestic order while state courts presided over political

¹⁰⁷Thomas C. McCaskie, “State and Society, Marriage and Adultery: Some Considerations Towards a Social History of Pre-Colonial Asante,” *Journal of African History* 22, 4 (1981): 477–94.

¹⁰⁸See Sarah Balakrishnan, “Anticolonial Public: From Slavery to Independence in Southern Ghana, c. 1500–1957,” PhD diss., Harvard University, 2020, 235; PRAAD-Accra ADM 11/1/1112, Charges against Kojo Nkum, 5 Mar. 1921.

¹⁰⁹NAUK-CO 96/84, Testimony of Quabina Aman, 26 May 1869.

¹¹⁰NAUK-CO 96/84, Testimony of Quaw Amanoo, King of Anomabu, 26 May 1869.

order.¹¹¹ In the Gold Coast, the chief's prison was tied to restorative justice—especially debt—and displayed the same double life as a punitive tool against women. As one anonymous Gold Coast writer remarked in a newspaper in 1920: “It was difficult to find any method of punishing women except by [flogging]. We have endeavored to put an end to the practice, and have now built a prison.”¹¹²

In this way, the “prison of the womb” had multiple modalities, tying economic order to threats against the female body. It is notable that, in discussions of prison rape, rape is generally framed as an extrajudicial act—an abuse by *people* in the prison, not the prison itself.¹¹³ In the Gold Coast, sexual assault was a structural component of the female-gendered institution; it threatened the womb, creating duress for the prisoner's kin and leveling individual punishment.

That the captivity of women represented an imprisonment of “the womb” is seen in the figure of the pregnant prisoner, a common inmate in the chief's prison. In an inquiry at Cape Coast in the late nineteenth century, British magistrates recorded the testimony of several pregnant prisoners. The exact date of the inquisition is unknown; oral evidence suggests the year to be 1897 or 1898.¹¹⁴ The statement given by the woman below is worth reproducing in full for the insight it gives us into the function of the kin network with respect to imprisonment and release. Amba Akua, sworn in, stated:

I live at Low Town about six months ago I was arrested and taken to Chief Imbra's house and was charged with having stolen certain gold trinkets valued about twenty bendas (£144.0.0), the property of one Abiah Jakiwah. I denied the charge of stealing but stated that the trinkets were discovered by me at Abboom where people generally wash dirty clothes about five days before Xmas '95. The Chief said that I should have taken them before him and not to take them to my house. I told him that I showed them to several people, my mother Daganba, Kwamin Tawiah, Effua Asimkua, Araba Essainday, Kuow Baffu and others. I was found guilty and ordered to pay £8 or three months imprisonment. I was in prison for about seven weeks. I had my child with me and was allowed a ball of *kenki* [a plantain and yam-based dough] and one herring a day. My mother and sister-in-law, Amba Abakuma, were also ordered to pay £5 each or three months imprisonment for receiving the trinkets [from] me. They were in prison for three days and discharged after they had given sureties for the payment of the amount ordered. My husband, Kwamin Tawiah, was also detained in prison for two days. He was also ordered to pay £5 8/-. He signed a paper and he was let out. During my imprisonment, one Abosompim, a brother of Chief Imbra, tried to have improper liberty with me. He caught hold of me by the waist and breast. I cried out and the keeper of the prison came in and met Abosompim there. I was in a state of pregnancy, about two or three months. The fright caused me to pass blood. The matter was reported to Chief

¹¹¹Summers, “Force,” 181–207.

¹¹²*Gold Coast Leader*, 10 Jan 1920: 4.

¹¹³See the critiques of Jessi Lee Jackson, “Sexual Necropolitics and Prison Rape Elimination,” *Signs: Journal of Women in Culture and Society* 39, 1 (2013): 197–220; Mark S. Fleisher and Jessie L. Kriener, *The Myth of Prison Rape: Sexual Culture in American Prisons* (Lanham: Rowman & Littlefield, 2009).

¹¹⁴This assumption is based on oral reference to the 1897 Land Ordinance, protests against which seem to be fresh.

Imbra. I reported the matter to my husband when I went to the beach to empty latrine. On my return to the prison I told the linguist that I had reported the matter to my husband. The linguist said that I should not have done so as they had thought satisfying me with 10/- to keep the matter secret. My husband complained to the Chief but nothing was done to Abosompim. The next day the Chief told me to go away as he had heard that the matter was being noised about and was afraid.¹¹⁵

In this case, we see the familiar experience of sexual assault and the ruler negotiating “satisfaction” with the husband. It is striking, however, how quickly the woman’s entire family ends up in prison: her husband, her mother, her sister-in-law, all for her “crime” of supposedly finding jewelry on the shore and taking it home. Whereas the others are released in two to three days—the typical amount of time—she, the pregnant woman with a child at her side, is incarcerated “for about seven weeks.” As the embodiment of the fertile womb, the pregnant woman was possibly the archetypal hostage, the one non-negotiable captive until all payments had concluded. It is likely that when her husband “signed a paper and ... was let out,” this paper was “on her head”—that is, it was a guarantee that she would continue to serve her sentence as he gathered the capital for her release.

Another pregnant woman in the Cape Coast inquiry gave evidence as to how plaintiffs navigated the different courts, including rare insight into the legal strategy of creditors. A female convict, Akosua Adammah stated, “I live at Low Town. About four months ago I was imprisoned by Chief Imbra for debt. I was summoned there by Ekua Owu Begawana. I was in prison for a week. Abba Wotchie stood surety for me and I was released. I was in a high state of pregnancy. I was not allowed to have a bath. Abba Wotchie and myself signed a paper; a fee of 4/6 was paid for it. Begawana subsequently took an action against us in the District Commissioner’s Court and a writ of *Fi Fa* [*Fieri Facias*] has been taken out for the sale of our property next Saturday.”¹¹⁶

Though most female inmates were arraigned on debt charges, few gave information about their creditors, with this exception. Summoned to court by a woman named Ekua Owu Begawana, it is probable that many plaintiffs, like in Adammah’s case, were women. Our earliest documentation of incarceration in chiefs’ courts, from the 1850s, shows female plaintiffs appeared as often or more often than males.¹¹⁷ Though Whitehall officials mused that Gold Coast creditors may have preferred the chiefs’ courts to the British ones because the former did not require the expense of a lawyer, it is possible that female creditors believed that they would have greater legal standing in front of their rulers due to European patriarchal assumptions about gender and property.¹¹⁸

¹¹⁵PRAAD-Accra ADM 11/1/1108, Statement of Amba Akua as to Kwudjoe Imbrah’s Native Prison Cape Coast, n.d.

¹¹⁶PRAAD-Accra ADM 11/1/1108, Statement of Akosua Adammah as to Kwudjoe Imbrah’s Native Prison Cape Coast, n.d.

¹¹⁷See *PP-Accounts and Papers of the House of Commons*, vol. 49 (1867), Mrs Lyald to Colonial Office, 28 Nov. 1866; PRAAD-Accra SCT 5/4/89, Judicial Assessor’s Court Notes, 8 Aug. 1861; PRAAD-Accra SCT 2/4/2, Court Record of James Fort, 5 Nov. 1861.

¹¹⁸See Oyèrónké Oyèwùmí, *The Invention of Women: Making an African Sense of Western Gender Discourses* (Minneapolis: University of Minnesota, 1997), esp. 155–56.

In the case of Akosua Adammah, her creditor clearly sought whichever court would ensure the most expedient payment. As her first strategy, Bagwana (the creditor) jailed the pregnant Adammah for debt; it is unclear if this is a family debt or Adammah's own. However, the debt remained unpaid because another woman, Abba Wotchie (surely a female relative) came forward to stand as surety for Adammah's release. By this process, the court would have granted Adammah and Wotchie a certain amount of time to raise the money for the repayment or else both would be jailed; in other words, to stand surety was to buy the defendant time. At this point, Bagwana pivoted to the British court. Rather than wait for repayment, she initiated a *fieri facias* (*fi. fa.*) proceeding that liquidated Adammah and Wotchie's property as compensation for the debt.

In this gesture, we see the elision between the British court and the King's court, and how threats to female bodies were counterpoised to the jeopardy of material property.¹¹⁹ Holding the pregnant woman hostage was meant to coerce immediate repayment by her kin. As Adammah herself testified, she had been in "a high state of pregnancy" at the time. While in jail, she had not even been permitted to bathe. Risk to maternal health, and to the unborn child, was wielded as a threat to enforce debt repayment in the Gold Coast prison. This was why it was a prison of the womb. It threatened the loss of bloodlines and the disappearance of kin. The legal alternative was the British court, which threatened the sale of real estate and the family home.

In this way, women in the Gold Coast prisons functioned as financial collateral, not unlike a mortgage on landed property. Their role in kin networks as the "passers of blood" made them important assets and crucial hostages. It is no coincidence that when the pregnant prisoner, Amba Akua, was assaulted and "pass[ed] blood," the matter was immediately reported to the *ohene*, who released her. Menstrual blood is *ammodin* ("unmentionable").¹²⁰ It is powerfully taboo. It would have been seen as a toxic force for those who saw it and touched it. For this reason, women could not enter shrines while they were menstruating. Pregnant women may have additionally been preferred as hostages because there was no pressure to release them when their time of the month arrived.

Simply put, a female-gendered prison operated off the logic of a female body, which included menstruation, the intimidation of rape, and the possibility of pregnancy. Even when men were imprisoned, it is important that we find reports that women's "sanitary towels" were strapped to their mouths as a form of penal abuse, or they were made to interact with menstrual blood in some way.¹²¹ Clearly the ruler's prison was associated with the female body. To be imprisoned was to be subject to a female space.

Understanding this, the colonial state responded to the West African prison accordingly. They sent memos to all rulers in the Gold Coast Colony advising them on how to treat pregnant prisoners.¹²² Rulers were told that they had "the

¹¹⁹On the social impact of liquidating property, see Olatunji Ojo, "Financial Blues: The Institutional Adaptation of the Yoruba Credit System, 1851–1900," *International Journal of African Historical Studies* 51, 1 (2018): 17–36.

¹²⁰Agyekum, "Menstruation," 370.

¹²¹PRAAD-Accra ADM 11/1/1105, Kwaku Amoah to Lord Passfield, 27 Sept. 1929.

¹²²The only letter I have found in the archive is to the ruler of Ayan Abasa in the Saltpond district. However, it seems to refer to a general government protocol. PRAAD-Cape Coast ADM 23/1/724, W. Judd to the *Omanhene* of Ayan Abasa, 19 Apr. 1938.

legal right to commit a pregnant woman to prison, but this right should be exercised with discretion.” If her pregnancy was far along or she went into labor, she should be released to receive care. She could also be incarcerated with her child “if the child is not weaned” but “she must be given proper opportunities for feeding it, bathing it, etc.”¹²³

It is possible that letter-writers strategically highlighted women’s pregnancy as a way of appealing to British morality regarding the prisons, but the state appears to have been happy to ignore these appeals. From the very beginning of colonial rule, the prisons did not pass what Richard Roberts and Kristin Mann have called the “repugnancy test,” the colonial state’s social criterion for preserving an indigenous custom. Still, the British government did not ban the institutions because they recognized the crucial role they played in local systems of credit.¹²⁴ As an officer explained: “The native courts ... enforce all their civil decrees by imprisonment. It is ... the only means they possess of enforcing their judgments and the persons incarcerated in their prisons are almost without exception detained there for debt.”¹²⁵

Recognizing the prison’s role in debt repayment, the colonial state permitted the institution to continue off the record. Until government reforms in the 1910s, little paperwork was kept on the prisons. Our best insight into the institution comes from captives’ own initiative to enter the documentary record. In 1906, when an Elmina woman named Ekua Aiwul wrote to the colonial secretary to protest that the King of Eguafu “had connection” with her while she was serving as a debtor prisoner in his jail, the secretary replied that disclosing activities of this nature revealed Aiwul to be “equal to, if not worse, than ... her partner in shame.”¹²⁶ In this way, the colonial state intentionally turned a blind eye to the protests of female convicts.

Inasmuch as the British colonial prisons in the Gold Coast were organized around male convict labor, the West African prison was organized around female reproduction and female-centered kinship. In this way, it exposes an alternative model to the Euro-American penitentiary, one that proved just as instrumental to the spread of capitalism and sovereignty. Colonial rule operated off the elision of the two prisons.

Postscript

In 1957, the independent Republic of Ghana abolished the chiefs’ prisons, officially ending a carceral system that had existed for over a century. There is some evidence, however, that, in the decades before independence, the West African prison had begun to change. Cordoned under the British colonial policy of indirect rule, chiefs were asked to incarcerate subjects who refused to pay taxes or forfeit public labor. Individual appeals to the British court also suggest that, by the 1940s, the British state had banned rulers from imprisoning captives as representatives of their family.¹²⁷ The sum effect of these two policies increased the representation of men in the chiefs’

¹²³Ibid.

¹²⁴Richard Roberts and Kristin Mann, “Law in Colonial Africa,” in Kristin Mann and Richard Roberts, eds., *Law in Colonial Africa* (Portsmouth: Heinemann, 1991), 13; Balakrishnan, “Of Debt.”

¹²⁵PRAAD-Accra ADM 11/1/1447, Brandford Griffith, “Memorandum on Native Prisons,” 3 Dec. 1887.

¹²⁶PRAAD-Accra ADM 11/1/1111, Eccuah Aiwul to Colonial Secretary, 7 Nov. 1906; H. M. Hull to Ekua Aiwul, 19 Nov. 1906.

¹²⁷PRAAD-Accra CSO 21/7/101, *Stool of Akim Bosome vs. Effua Kyiawa*, 5 Apr. 1943.

prisons. By the time of independence, the West African prison may have ceased to operate as a “prison of the womb.”

However, the short life of this institution demonstrates an important relationship between gender and captivity, which has doubtlessly persisted in some form.¹²⁸ This essay showed that the female-gendered prison in West Africa emerged from a regional history of female hostage-holding. This was an area of the world in which human beings retained extraordinary value as vessels of kinship and labor, and where women, as sexual reproducers, sat at the nexus of commerce and credit. By holding the female body for ransom, West African merchants and rulers enforced tort settlement for debt and crime. In the nineteenth century, this practice proved to be imperative to the expansion of mercantile capitalism following the abolition of the Atlantic slave trade.

Tracing the emergence of a female gendered prison in West Africa raises important questions about possible forms of incarceration, and the peculiar relationships we often take for granted with respect to the prison’s effect upon human bodies. As Dana Britton has remarked, “fundamentally, organizations are gendered at the level of structure,” and the prison is no exception.¹²⁹

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¹²⁸On the persistent use of female hostages in West Africa, see Agozino, “Nigerian Women”; Scott MacEachern, *Searching for Boko Haram: A History of Violence in Central Africa* (Oxford: Oxford University Press, 2018).

¹²⁹Britton, *At Work*, 7.

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