

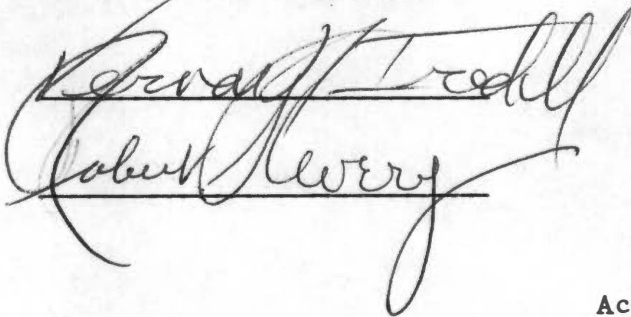
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To the Graduate Council:

I am submitting herewith a thesis written by Peter Martin Stephenson entitled "Some Factors in the Establishment of Autocracy in Ghana." I recommend that it be accepted for nine quarter hours of credit in partial fulfillment of the requirements for the degree of Master of Arts, with a major in Political Science.


Major Professor

We have read this thesis and
recommend its acceptance:



Accepted for the Council:


Dean of the Graduate School

**SOME FACTORS IN THE ESTABLISHMENT OF
AUTOCRACY IN GHANA**

**A Thesis
Presented to
the Graduate Council of
The University of Tennessee**

**In Partial Fulfillment
of the Requirements for the Degree
Master of Arts**

**by
Peter Martin Stephenson**

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NOTES ON PRONUNCIATION

Accra:	Ak-KRAH
Busia:	Bu-ZHE-a
Danquah:	Dan-KWAH
Ewe:	EE-vay
Gbedemah:	Be-DEH-ma ("G" is silent)
Nkrumah:	En-KRUH-ma
Quaidoo:	KWEE-doo

CHAPTER I

INTRODUCTION

The Problem

In October, 1961, the Ghanaian legislature enacted two laws which received considerable attention from the world press. One made illegal any statement which could be taken as criticism of the President. This was to apply even in the legislature, so that it would be extremely difficult for any anti-Nkrumah forces there to operate effectively. The other law empowered the President to appoint special courts to deal with crimes against the state. This might not have been especially noteworthy except that they were clearly set up so that they could easily be used to bring about the execution of persons who had done nothing more than express opposition to the President in some ordinarily legal manner. The law gave the President the right to appoint personally and without restriction the judges who would try any specific case of subversive activities; there would be no jury or appeal, and only a majority of two out of three opinions would be necessary for conviction. If one of the three judges dissented, his opinion would not become public. Penalties would range to death.¹

That a single dictator would decree such powers for himself is not difficult to understand, but why a legislature would extend them to

¹New York Times, October 18, 1961, p. 6; October 31, p. 3.

anyone, retaining no means for controlling their use, is. It implied either that the legislators who voted with the majority had some evidence that such extraordinary powers were necessary in the interests of the state or their constituents, that the constituents themselves demanded it, that their behavior was irrational in some way, or that the Chief Executive held some power over them which forced them in effect to enact the legislation. Or the explanation could have been a combination of these.

The disrespect and special courts laws have by no means been the only manifestations of dictatorial practices in Ghana. They have perhaps attracted more attention among Westerners than most manifestations. This thesis is a treatment of several such measures and the reasons they were enacted by the Ghanaian legislature. Specifically, it will be demonstrated that

1. By 1960 there was not enough popular support for dictatorial measures that a mandate for them could be secured from the electorate, so that this was not a factor in the behavior of the legislators at that time.
2. Despite this, a majority of the legislators voted in favor of provisions in a new constitution in 1960 which gave Nkrumah, the Chief Executive, virtually unlimited and illimitable power.
3. After 1960, the decisive factor in securing the enactment of autocratic measures was the autocratic power which Nkrumah already possessed, and not a conviction on the part of a majority of legislators that such measures were in the best interests of Ghana.

That the measures in question were not enacted because of a general recognition that they were necessary for the general welfare is established with considerable certainty. But the reasons they were enacted, and especially the reasons that the 1960 constitution was approved by the legislature, are more difficult to ascertain. Several factors appear to have contributed. An effort is made to outline the probable nature of these factors and to suggest the influence each might have had on legislators belonging to the majority party. The suggestions are tentative and are in the nature of a theory which seems best to explain the events observed.

The approach is historical. Chapters I and II provide the setting. In Chapter I the beginnings of the contemporary political system are discussed. In Chapter II, covering the years 1951 to 1957, is explored the nature of a problem which, in the early post-independence period, served as the principal justification for the dictatorial measures the Nkrumah government sought to have enacted. That problem was parochialism: a tendency to put regional, ethnic, and other group interests above those of the nation as a whole. The question of the extent to which this tendency and the violence associated with it were responsible for certain autocratic measures enacted between 1957 and 1959 is the subject of the third chapter.

In 1960 a new constitution, with certain unique provisions which gave Nkrumah an extraordinary increase in power, was adopted. The additional power was not justified by the government, however, at least not in statements circulated to the general public. It is argued in

Chapter IV that the constituents of the legislators were for the most part not in favor of this enhancement of Nkrumah's authority; no generally recognized necessity for it from the standpoint of the welfare of Ghana was found. But it was ratified anyway by the legislature; the question of why is postponed until the concluding chapter.

Chapters V and VI advance the thesis that from the time of the adoption of the 1960 constitution Nkrumah's power was the decisive factor in the enactment of all measures which would have the effect of hampering opposition to Nkrumah, and not a conviction on the part of most legislators that they would be beneficial to Ghana. The particularly critical period in 1961 which triggered the passage of the disrespect and special courts acts is examined in Chapter V, and an attempt is made to relate the particular circumstances then in existence to the specific actions the government took in response to them. It is concluded that the actions were not forced by the circumstances. In Chapter VI an effort is made to demonstrate more directly that Nkrumah has made opposition to his policies nearly futile, even for high-ranking members of his own government. It is concluded that coercion is a regular and decisive instrument for promoting policies which Nkrumah considers to be desirable, even though its practice in promoting specific measures is not easy to detect.

The evidence contained in Chapter VI indicated that Nkrumah holds power through force rather than through consent. Chapter VII is an attempt to explain how this might have come about, in view of the fact that originally he held power through consent. The assertion is made that there were a number of factors contributing to the ability of a would-be

dictator to assume absolute power, but that they were not decisive. The suggestion is made that if most of the legislators in 1960 had been more foresighted and determined, they could have prevented the dictatorship which exists at present.

The Cultural Setting

As will be noted in detail in Chapter II, one of the most outstanding characteristics of Ghana is its fractionation into a number of tribal, religious, and economic groups. (Such groups whose members constituted a minority in the population and whose interests did not always coincide completely with the interests of the nation as a whole are referred to in this thesis as parochial groups. It will be noted that by this definition nearly all groups might be regarded as parochial.) Culturally, Ghana's population consists of four major divisions. The largest and dominant one has been that which is situated along the coast except for the extreme eastern portion and extending into the interior approximately seventy-five miles. This is the sector which has had the longest period of contact with Europeans and which tends, therefore, to be the most Westernized; it is known, as a matter of fact, as "the Colony" rather than by some tribal name. Several tribal groups are represented there.²

²J. D. Fage, Ghana: A Historical Interpretation (Madison: The University of Wisconsin Press, 1959), p. 23.

Further inland, again in the central and western parts, is Ashanti, formerly a rather powerful and warlike confederation.³ In the past it was accustomed to making successful raids on the coastal areas, and the two regions have traditionally been enemies. The capital and cultural center of Ashanti is a city called Kumasi; it has been a focal point of resistance to the CPP government. The CPP, as will be indicated later, drew most of its strength from the Colony.

Running up along the eastern part of Ghana is Togoland, the southern part of which is inhabited principally by members of the Ewe tribe. The present Republic of Togo also is predominantly Ewe; the Ewes were split at the end of World War I when the old German colony of Togoland was divided between Great Britain and France. There has been a strong sentiment among Ghanaian Ewes in favor of reunion ever since; this has been a major source of violence against the Nkrumah government.

The extreme North of Ghana is generally referred to simply as the Northern Territories. Of all the regions, it has had the least contact with Europeans and is still generally closely attached to tribal customs.⁴ A major political goal of its leaders has been the protection of its people from domination and the secularizing influence of the CPP.

Of the four major regions, the Colony is not only the most Westernized, which probably gives it an initial political advantage over the other sections of the country, but it also is by far the most populous.

³W. E. F. Ward, A History of the Gold Coast (London: George Allen and Unwin Limited, 1948), pp. 133 ff.

⁴David E. Apter, The Gold Coast in Transition (Princeton: Princeton University Press, 1955), p. 38.

The results of the 1948 census, the most recent available to this writer, indicate the general distribution of the population:

The Colony	2,050,235
Ashanti	818,944
Northern Territories	866,503
Togoland	382,768

The estimated population of the entire country by 1957 was 4,763,000.⁵

The Beginnings of Nkrumah's Political Career

Nkrumah and the United Gold Coast Convention

Sentiment in favor of independence for the Gold Coast, as Ghana was called before 1957, became more insistent following the Second World War than it had been before. It was expressed in part in the formation of the United Gold Coast Convention, an organization in association with which Nkrumah later began his political career. The founders of the "UGCC" represented the conservative sectors of society, who favored a gradual transition from traditional to secular forms without a significant alteration of the existing social and political relationships among Africans. The choice of the charter members was directed by one of the wealthiest African businessmen in the country, George Grant, and by a half-brother of a former chief, Dr. J. B. Danquah.⁶ The persons these men picked to form the core of the organization were among the Gold Coast elite from which legislative councillors, or advisers to the

⁵ F. M. Bourret, Ghana: The Road to Independence (Stanford: Stanford University Press, 1960), p. 2.

⁶ Ibid., p. 166; Kwame Nkrumah, Ghana: The Autobiography of Kwame Nkrumah (New York: Thomas Nelson and Sons, 1957), p. 70.

British colonial government, had been drawn in the past.⁷ The aim of the UGCC was "'to ensure that by all legitimate and constitutional means the control and direction of Government shall within the shortest time possible pass into the hands of the people and their chiefs.'"8

Kwame Nkrumah, the present President of Ghana, was invited by leaders of the Convention in 1947 to become its general secretary. He had been absent from the Gold Coast for twelve years, first in the United States where he studied and taught at Lincoln University and the University of Pennsylvania and then, from 1945 until 1947, in London where he was engaged in political activity with the pan-Africanist movement.⁹ He accepted the UGCC invitation only after some hesitation, and arrived in the Gold Coast in December 1947.¹⁰

Despite the orientation of the founders of the Convention, it became apparent fairly early that Nkrumah's outlook was far from conservative. But he was an effective political organizer and carried on his activities in the name of the Convention. That organization flourished while Nkrumah was its general secretary, but its founders and the members of the "Working Committee" to whom he supposedly was responsible became increasingly dissatisfied with him.¹¹ They did not attempt to discharge him until June, 1949, however; in the meantime, Nkrumah built

⁷ Bourret, op. cit., p. 167.

⁸ Quoted in Nkrumah, loc. cit.; source not given.

⁹ Ibid., pp. 26-63.

¹⁰ Ibid., p. 62.

¹¹ Bourret, op. cit., p. 173.

up a personal following and established his own organization within the Convention.¹² By the time the rift between him and the conservatives developed into an open break, Nkrumah possessed an independent base of political power.

At the time he arrived in the Gold Coast, only two branches of the UGCC had been established, and according to Nkrumah's estimation, these were not very active. Within six months the new general secretary had organized fifty branches, distributed membership cards, and collected dues.¹³ In February, 1948, a demonstration against British policies followed by severe rioting occurred; several persons were killed, and the disturbances were serious enough that the British Colonial Office sent a special commission to the colony to inquire into their causes and to recommend new policies.¹⁴ This was the "Watson Commission," whose very influential report will be treated in the next section. Almost immediately after the riots the Crown sent another representative, Sir Sidney Abrahams, for the official purpose of encouraging sports in the Gold Coast. Nkrumah, whether out of conviction or not, declared publicly and persistently that Sir Sidney had been sent not for the purpose announced, but to divert the attention of the populace from political matters.¹⁵ Danquah and other UGCC leaders

¹²Apter, op. cit., p. 168. ¹³Nkrumah, op. cit., p. 74.

¹⁴Apter, op. cit., p. 169.

¹⁵Bankole Timothy, Kwame Nkrumah: His Rise to Power (London: George Allen and Unwin Limited, 1955), p. 63.

refused to share in Nkrumah's contention; as a result, Nkrumah carried on a campaign to discredit them.¹⁶

Nkrumah was among those arrested in connection with the February riots. Several students demonstrated in protest against his arrest, and as a result they were expelled from the colleges they attended.¹⁷ Nkrumah, primarily on his own initiative, established a new college for them, in the name of the Convention. Although he had used his own money for the project, it was considered to be outside his authority and the Working Committee objected strenuously.¹⁸ Another activity carried out on his own authority was the establishment of his own newspaper--the Accra Evening News. He maintained in his autobiography that he had strongly urged on the committee the importance of a party newspaper; when they refused to consider the matter favorably, fearing that they would become involved in libel suits, he acted on his own initiative.¹⁹ Finally, he organized a "Youth Study Group" within the UGCC without the consent of the Working Committee. In his autobiography he admitted readily that a major purpose in doing so was to have organized support behind him when the split which appeared inevitable finally came. The study group later merged into a "Committee on Youth Organization," which in turn was transformed into the Convention People's Party.²⁰

¹⁶Ibid. ¹⁷Nkrumah, op. cit., p. 89. ¹⁸Ibid., p. 92.

¹⁹Ibid., pp. 95-96; Timothy, op. cit., pp. 77-78.

²⁰Nkrumah, op. cit., p. 96.

Nkrumah and the Convention People's Party

The CPP was officially established at a mass rally in Accra (now the capital of Ghana) on June 12, 1949.²¹ In effect it was a revolt by Nkrumah and his followers against the leadership of the UGCC which, according to Nkrumah, was laying plans to expel him from the Convention; he "took the wind out of their sails."²² He later offered to dissolve his new party if the Working Committee would agree to the election by the rank and file of the UGCC of an executive committee to work with Nkrumah. That offer was refused, and a few minutes later Nkrumah, at the urging of a crowd outside the conference room, resigned from membership in the UGCC.²³ He had foreseen the split and had planned well; before he removed himself from the party structure in which his position was formally a subordinate one, he had already built his own organization of which he was the undisputed leader and "Life Chairman."

The CPP possessed a formal structure delineated by a constitution, but the definition of the locus of power within the organization was vague. Nkrumah was never mentioned by name, but the terms "Life Chairman" and "Party Leader" were both used without being defined.²⁴ Intriguingly enough, the identity of Nkrumah as Life Chairman was established in a roundabout way, through the constitutional stipulation

²¹Ibid., p. 104.

²²Ibid., p. 102.

²³Ibid., p. 107.

²⁴Constitution of the Convention People's Party, "National Executive Committee" and "Party National Holidays." Published in Nkrumah, op. cit., Appendix A.

that September 18 was to be celebrated as the Life Chairman's birthday.²⁵ This was Nkrumah's birthday.²⁶ Nkrumah was originally party leader by virtue of his having organized the party, and the constitution made no provision for the selection of a new one.²⁷

The plenary body of the party was the Annual Delegates' Conference, a major function of which was to lay down the CPP's basic program and policy. This was to be carried out by the National Executive Committee, which could be controlled by members elected at conferences in each of Ghana's constituencies and over whom Nkrumah had no formal authority. The decisions of the National Executive were to be "executed" by a "Central Committee of the National Executive." It was here that the "Party Leader" could exert his authority constitutionally, for he was empowered to select the members of the Central Committee.²⁸ That committee was the active agent of the party, giving substance to the policies of the Executive Committee and supervising general administration.²⁹ It was not to receive specific supervision from the National Executive but the latter body was to ratify from time to time actions the Central Committee had already carried out.³⁰

²⁵"Party National Holidays."

²⁶Nkrumah, op. cit., p. 5.

²⁷Passim.

²⁸"Central Committee of the National Executive."

²⁹Ibid.

³⁰Ibid.

Power within the party was distributed by the constitution rather vaguely among the Delegates' Conference, the Executive Committee, the Central Committee, and the Party Leader. While ultimate authority was by no means vested specifically in Nkrumah, according to observers on the scene he was able to exercise control effectively.³¹ Bretton, on the basis of research undertaken in 1956 and 1957, pointed out that Nkrumah controlled the Central Committee through his power of selecting its members and contended emphatically that that body, whatever the provisions of the constitution, actually provided the policy direction for the National Executive and the Delegates' Conference.³² Apter, writing in 1954, demonstrated in considerable detail his assertion that in the CPP authority stemmed from above, from Nkrumah, rather than from below. His views are presented in more detail in the final chapter.

Both the CPP and the UGCC from which Nkrumah had resigned had the same primary goal: independence. But Nkrumah emphasized that his party's program was different in that it advocated "Self-Government Now" rather than self-government within the shortest possible time, which was the avowed program of the Convention.³³ Nkrumah did not expect to achieve immediate independence, but he found "Self-Government Now" to be a popular slogan, and he claimed

³¹Henry L. Bretton, "Current Political Thought and Practice in Ghana," American Political Science Review, LII (March, 1958), p. 55; Apter, op. cit., p. 208.

³²Bretton, loc. cit.

³³Nkrumah, op. cit., p. 70.

that the ultimate goal was likely to be attained sooner if it were sought in a more or less militant manner.³⁴

Acting on that philosophy, six months after he launched his independent party he led it into a program of "Positive Action," a campaign for autonomy based on the Ghandian principle of non-violence. It culminated in a strike and boycott which, according to Nkrumah, brought the economic life of the Gold Coast to a standstill.³⁵ He and other leaders of the CPP were arrested by the British (Nkrumah for printing seditious material) and sentenced to prison terms ranging from six months to a maximum of three years for Nkrumah.³⁶ That was in January, 1950. Nkrumah was to spend the next thirteen months in prison, during which time his only means of communication with the party was notes written on toilet paper and smuggled out by prison guards.³⁷

The Introduction of African Government

Meanwhile, the Watson Commission had concluded its investigation of the circumstances surrounding the disturbances of 1948 and published its report in August 1948. It had recommended the establishment of a governmental arrangement which would give the Gold Coast a measure of self-rule.³⁸ The Colonial Office of Great Britain accepted

³⁴Ibid., p. 111.

³⁵Ibid., p. 118.

³⁶Ibid., p. 126.

³⁷Ibid., p. 128.

³⁸Bourret, op. cit., p. 170.

its main features and appointed a committee of thirty-eight Africans (the "Coussey Committee") to consider specific governmental arrangements which would embody the Watson Commission recommendations. The Office made the mistake, however, of omitting Nkrumah and his followers; the committee represented all sections of public opinion except the radical, led by Nkrumah.³⁹

The Coussey Committee, whose report was published in October 1949, recommended a governmental structure combining western parliamentary forms with traditional ones. In particular, it proposed that an executive cabinet comprised of both Africans and Britons be created and made responsible to an all-African unicameral assembly, a majority of which would be elected indirectly or appointed by chiefs.⁴⁰ The British Colonial Office accepted the major provisions with one significant exception and embodied them in a new constitution which was put into effect in 1951.⁴¹ The exception was that it required that the cabinet, which was to be comprised of eight African ministers drawn from the assembly and three Britons appointed by the governor, be responsible to both the assembly and the governor.⁴²

Nkrumah found the Coussey Report unsatisfactory and denounced it as "bogus and fraudulent."⁴³ It was in opposition to it and the British government's refusal to grant immediate independence that he

³⁹ Ibid.

⁴⁰ Ibid., p. 171.

⁴¹ Ibid.

⁴² Ibid., pp. 171-172.

⁴³ Apter, op. cit., p. 179.

launched his campaign of Positive Action.⁴⁴ As a result, he and other leaders of the CPP were in prison at the time elections were held for seats in the Legislative Assembly provided for by the new constitution. This was February, 1951.

Despite his dissatisfaction with the constitution, Nkrumah determined that his party should contest every elected seat in the Assembly.⁴⁵ And despite the fact that he was incarcerated during the entire campaign, the CPP flourished. Active leadership was assumed by Komla A. Gbedemah, who had helped Nkrumah organize the party in 1949. Gbedemah had already led the CPP to victory in one important election, a local one for the Accra Municipal Council in 1950.⁴⁶ That party swept the general election of 1951 also; of the thirty-eight seats contested on a party basis, the CPP won thirty-four.⁴⁷ This did not give it firm control of the Assembly, however, for there were seventy-four seats in all.⁴⁸

Nkrumah himself had been one of those elected to the Assembly. Even though in jail, he had secured permission to declare himself a candidate in a constituency in Accra and defeated his opponent by an overwhelming majority of 22,780 votes out of a possible 23,122, according to Nkrumah.⁴⁹ He still had two more years of his term to

⁴⁴Nkrumah, op. cit., pp. 112-113.

⁴⁵Ibid., p. 132.

⁴⁶Edwin Munger, African Field Reports, 1952-1961 (Cape Town: C. Struik, 1961), p. 21.

⁴⁷Bourret, op. cit., p. 175.

⁴⁸Nkrumah, op. cit., p. 142.

⁴⁹Ibid., p. 133.

serve, but the governor, Sir Charles Arden-Clarke, came to the conclusion that it was best to release him. He wrote later that

Nkrumah and his party had the mass of the people behind them and there was no other party with appreciable public support to which one could turn. Without Nkrumah, the Constitution would be still-born and nothing come of all the hopes, aspirations and concrete proposals for a greater measure of self-government, there would no longer be any faith in the good intentions of the British Government, and the Gold Coast would be plunged into disorders, violence and bloodshed.⁵⁰

Nkrumah was asked to become Leader of Government Business and to select the seven other African members of a new cabinet. He chose five, including Gbedemah, from his own party and, in a gesture of conciliation, two non-party members who had been appointed to the National Assembly by regional assemblies.⁵¹ In 1952 his title was changed from Leader of Government Business to Prime Minister, but there was no increase of power.⁵²

⁴⁹ Ibid., p. 133.

⁵⁰ Charles Arden-Clarke, African Affairs, LVII (January, 1958). Quoted in Bourret, op. cit., p. 175.

⁵¹ Bourret, op. cit., p. 176.

⁵² Ibid., p. 183.

CHAPTER II

THE EMERGENCE OF MAJOR ISSUES

The Question of Local Authority

Part of the report of the Coussey Committee in 1949 consisted of recommendations relating to local government.¹ The Committee argued that sound parliamentary government in the Gold Coast depended on sound and democratic local governmental systems, which, in its opinion, were lacking in some areas, particularly those still relatively traditionalistic. In Bourret's words, "The type of local authority it recommended carried with it a direct threat to not a few features of the traditional system. . . ."²

Bourret was somewhat careless in the use of the term "traditional system," for there was no single traditional system. Not only were there a number of different tribes, each with its own traditions, but in most localities the traditional systems which existed before colonialization by Great Britain (and other European powers in the case of some areas) had broken down. The local governments to which the Coussey report referred were not traditional systems in any pure sense. They consisted of systems which were changing rapidly due to recent conquests by other African tribes and of the products of European influence on traditional systems as well as of indigenous systems of long-enough standing that they might accurately be termed "traditional."

¹Bourret, op. cit., p. 181.

²Ibid.

For example, Bourret divided the tribal governments found in the Northern Territories into three types: those in which the ruler was of the same ethnic origin as the ruled; those in which the ruler was of different ethnic origin and his power stemmed from conquest of one African tribe by another; and those in which the authority of the ruler was dependent on European power.³ Apter reported that in Ashanti, which had had considerably more contact with Europeans than the Northern Territories, traditional government had undergone serious deterioration.⁴ Although before the advent of the British Ashanti's governments were essentially democratic, under the system of "indirect rule" of Great Britain, in which the authority of a native chief who cooperated with the British was backed up by British might, the native chiefs became increasingly autocratic.⁵ This was the state of affairs at the time of the Coussey Report.⁶ It is worth noting that some of the more notable leaders of the opposition to the CPP in later years were either Ashanti chiefs themselves or related to Ashanti chiefs; these included Danquah, who after his early association with Nkrumah became one of his more outspoken opponents, and Dr. K. A. Busia, who in 1957 was designated head of the single party in opposition to the CPP.

When the Coussey Report was published, its potential threat to the existing system of local and regional government aroused little

³Ibid., p. 89.

⁴David E. Apter, "The Role of Traditionalism in the Political Modernization of Ghana and Uganda," World Politics, XIII (October, 1960), p. 45.

⁵Ibid., p. 51.

⁶Ibid.

concern, for if new organs were established those persons whose power was associated with traditionalism expected still to be in positions of authority.⁷ No one foresaw the outstanding success of the CPP. In 1951, however, that party, even though it did not by itself command a majority in the Legislative Assembly, was able to attract enough independent votes to secure the passage of its version of a local government ordinance bill.⁸

The law which was enacted effectively truncated the power of chiefs and established conditions under which the CPP could dominate local as well as national affairs.⁹ It provided for local councils two thirds of whose members would be elected popularly and one third appointed by chiefs. The chairman would be selected from among the elected members; a chief would be council president but, except in the Northern Territories, would preside only on ceremonial occasions. The bill and subsequent law were strongly opposed by chiefs and other conservatives, but with little effect.¹⁰ The British governor could have modified or vetoed the law; he left the issue to be settled by the Africans themselves.

The Constitution of 1954

Two potentially severe restrictions on Nkrumah's power provided by the 1951 constitution were the retention in the cabinet of three British ministers (holding the portfolios of Finance, Justice, and Defense) and

⁷Bourret, op. cit., p. 181.

⁸Ibid.

⁹Ibid.

¹⁰Ibid., pp. 181-182.

a Legislative Assembly half of whose members were selected through tribal institutions. The CPP was skillful at appealing to popular opinion, even in areas where parochialism was relatively entrenched; it captured, as it had expected, over ninety per cent of the local council seats when the first election was held for them in early 1952.¹¹ Now Nkrumah began making efforts to have the entire legislative assembly selected by popular vote and to rid the cabinet of its British representatives.

The British Colonial Office itself would have to take the necessary action, but it could be persuaded to do so by a demonstration that the Gold Coast was ready for a greater measure of independence and that sectors of the public other than those represented by the CPP favored it. Nkrumah therefore stressed that the alterations his government proposed were "for the chiefs and the people to consider."¹² He invited all groups who were interested to submit their views on constitutional reform. Over one hundred responded.¹³

Among the views presented, one was outstanding: there was a strong demand from all the councils of chiefs that an upper house made up of chiefs be added to the present legislature. This would, they argued, give the nation as a whole the benefit of the wisdom and experience of the traditional rulers, mollify the uneasy relationship which then existed between them and the secular CPP, and serve as a check on

¹¹ Nkrumah, op. cit., p. 153.

¹² Ibid.

¹³ Bourret, op. cit., p. 183.

hasty legislation by the government party.¹⁴ The government, however, contended that such an arrangement would produce the danger of constant friction and embroil the chiefs in political controversy, a consequence which both they and the government sought to avoid.¹⁵ Accordingly, when the government made its official proposals for a new constitution in the summer of 1953, it advocated only a unicameral legislature, all of whose members would be popularly elected.

That proposal was accepted by the British, and it, together with other proposals relating to the cabinet and other matters, was embodied in a new constitution instituted in April, 1954.¹⁶ From then until complete independence was granted in 1957 the link between Great Britain and the Gold Coast government was intentionally tenuous. A governor, Sir Charles Arden-Clarke, continued to serve in a formal capacity and to hold reserve powers, but he never exercised them. It is important to note, however, that he could have done so at any time and that he possessed this authority until the British Crown decided to grant complete autonomy with a new constitution. The possibility that Arden-Clarke might interfere or that the British might delay the date of independence may have caused Nkrumah to act toward his opposition in a more restrained manner than he would have otherwise.

The country was divided into 104 electoral districts. In the election which followed, in June, 1954, the Convention People's Party won an overwhelming victory by capturing seventy-one of them. It

¹⁴ Ibid., p. 184.

¹⁵ Ibid.

¹⁶ Ibid., p. 185.

received a smaller majority of the popular vote. About 392,000 favored it while about 315,000 cast their ballots for the combined opposition.¹⁷

Several parties contested the election. The most significant, and the opposition party which won the greatest number of seats (twelve), was organized only a few months before the election. This was the Northern People's Party, a frankly regional organization which was established for the specific purpose of protecting the inhabitants of the Northern Territories from domination by the CPP.¹⁸ Three other parties which entered the contest also were parochially based, as is apparent from their names: the Moslem Association Party, the Togoland Congress Party, and the Anlo Youth Organization. The Togoland Congress Party won only two seats; the others, only one each. The single nationally-organized party which opposed the CPP, the Ghana Congress Party (many of whose members had belonged to the now-defunct UGCC), likewise captured only one seat. The remainder of the seats not held by the government party were held by independents.¹⁹

The 1954 election indicates fairly clearly the popularity of the CPP and the absence of widespread popular support for parties whose appeal was regional or religious. While electioneering tactics probably tended to deemphasize appeals to rationality, all parties, since the election had to be conducted under British auspices, had an equal opportunity to play on the electorate's emotions. The program of the

¹⁷Ibid., pp. 185 and 186.

¹⁸Ibid., p. 185.

¹⁹Ibid., pp. 185-186.

CPP, which by then had been demonstrated through three years of effective power, appears to have been fairly well accepted, whether emotionally or rationally.

Economics and the Rise of the NLM

The most important industry by far in the Gold Coast for a long time had been the cocoa industry. During the decade ending in 1957 it accounted for about seventy per cent of exports.²⁰ World cocoa prices, however, fluctuate sharply, so that both the British before 1951 and the Nkrumah government found it necessary to fix prices in the interest of a stable economy.²¹ All cocoa was sold to the government, which paid a guaranteed price to the farmer and collected the surplus or absorbed the losses itself. Since the war, prices generally had been considerably higher than the price paid to the farmers, and the Gold Coast Marketing Board had accumulated large reserves, most of which it used specifically for distressed farmers or for research in the industry as a whole. The Nkrumah government inaugurated in 1951 a new policy of levying an export tax on cocoa, the proceeds from which would be used for the general welfare of the entire nation.²²

As the 1954 season (September to October) approached, prices rose precipitously to an average of \$1200 per ton.²³ In August, the Nkrumah

²⁰Ibid., p. 206.

²¹Ibid.

²²Ibid., pp. 204-205.

²³Douglas Anglin, "Whither Ghana?" International Journal, XIII (Winter, 1957-1958), p. 43.

government secured the enactment of legislation which fixed prices the farmers received at only \$378 per ton, while at the same time raising the levy.²⁴ Immediately afterwards a new political group and the most concerted resistance the CPP had yet had to deal with emerged--the "National Liberation Movement."

The NLM was founded by a person closely associated with the tribal system of Ashanti. The founder was the chief linguist, or official spokesman, for the Asantehene, the supreme chief of the entire Ashanti confederacy. The immediate issue which sparked the movement and gave it much of its popular support in Ashanti was the low cocoa prices, but soon other issues emerged. NLM leaders with the support of the Asantehene and fifty other chiefs of Ashanti petitioned the British government to send a commission to inquire into a federal form of government for the Gold Coast.²⁵ They also became the chief critics of the government, charging it with bribery and corruption and demanding that adequate safeguards be instituted to prevent it from abusing its authority.²⁶ On the other hand, the governor, Arden-Clarke, sided with the government and vigorously opposed the NLM, which he dismissed, according to one reporter, as "a collection of irresponsible opportunists, reactionary tribalists and frustrated intellectuals."²⁷

The Nkrumah government refused at first to compromise with the NLM on the question of federalism and failed also to grant its other

²⁴Ibid. and Bourret, op. cit., p. 187.

²⁵Bourret, op. cit., p. 188.

²⁶Anglin, op. cit., p. 44.

²⁷Ibid.

demands.²⁸ Feeling ran high and fairly quickly erupted into violence. The national propaganda secretary for the CPP was shot to death and the Prime Minister's residence was bombed.²⁹ Attempts at bombing were also made on the homes of a CPP regional chairman and an Ashanti chief who supported the government party.³⁰ A CPP loudspeaker van was burned, and large numbers of persons were injured in violent clashes between supporters of the CPP and the NLM in Kumasi.³¹ The disturbances continued for several months; CPP sympathizers in Kumasi were being forced by the violence directed against them to leave town as late as May, 1955.³²

The most concerted demand of the NLM was for a federal system, in which presumably Ashanti would be free to set its own cocoa prices and the chiefs would remain unmolested in their comfortable positions within the traditional structure of society. Nkrumah in a radio broadcast December 30 contended, as he was to do many times in the future, that the Gold Coast was too small to support a federal system.³³ He said that the question of a second chamber for chiefs, which was demanded as a substitute for federalism, should be put off until independence was achieved.³⁴

²⁸Bourret, op. cit., p. 188. ²⁹Nkrumah, op. cit., pp. 216-218.

³⁰Keesing's Contemporary Archives, October 1-8, 1955, p. 14455.

³¹London Times, January 8, 1955, p. 6.

³²London Times, May 18, 1955, p. 10.

³³Bourret, op. cit., p. 188.

³⁴Ibid.

Apparently Nkrumah was reluctant to make any concessions. This could be expected in view of his power position and his avowed political philosophy; increased autonomy for the regions or a house of chiefs in the legislature would severely truncate his own authority, and he was convinced that in the long run tribalism and narrow regionalism would only damage the best interests of both the Gold Coast and West Africa.³⁵ As opposition continued, he made gestures toward conciliation, but the NLM leaders were so certain that these were insincere that they repeatedly declined to meet the Prime Minister and his representatives, even though invited to do so on a number of occasions.

The first invitation was at the conclusion of the radio broadcast referred to and perhaps was refused because of the virtual admission by Nkrumah that he was at that time unwilling to compromise on key issues. A second invitation was issued in April, 1955, when the Prime Minister appointed a "Select Committee" from the Legislative Assembly to study the question of federalism. He told the Leader of the Opposition that he would permit him to select five of its twelve members; the Opposition Leader called Nkrumah's offer "farcical" and members of the legislature in opposition refused to participate.³⁶

A few months later the government requested the British Crown to send a constitutional adviser to the Gold Coast to try to devise a means for giving a greater measure of autonomy to the regions without taking

³⁵ Nkrumah, op. cit., p. 275.

³⁶ Nkrumah, op. cit., p. 238.

the drastic steps advocated by the NLM.³⁷ The Crown sent Sir Frederick Bourne, who had had considerable experience in constitutional matters in India and Pakistan. The NLM refused to consult with him also, again with the explanation that Nkrumah's government had shown itself to be insincere in contemplating genuine concessions.³⁸

Sir Frederick prepared his report without direct interviews with NLM leaders and advised against federalism, which he said was unsuitable for a country of Ghana's size.³⁹ He recommended the creation of regional assemblies which would have primary responsibility in local matters but which would be without independent power; they would depend for their funds on the central legislative assembly and would lack the authority to legislate. The NLM rejected the Bourne Report and demanded a constituent assembly as the only means of settling their grievances.⁴⁰

Nkrumah refused to call a constituent assembly, but invited a number of organizations, including the NLM, to meet at Achimota College to consider the Bourne proposals. Again the NLM refused to participate; in explaining the reason why, it claimed that the conference was packed against it. A spokesman said that the government had invited

bodies which did not exist and which had been created by the party in power in order that they might have majority support at that Conference. . . . Some of these bodies were the Moslem Council and the Brong/Kyempem Council; these bodies did not exist either in law or in fact. . . . The Government also invited rival bodies and left out those which did not agree with the Government.⁴¹

³⁷Bourret, op. cit., p. 189.

³⁸Ibid.

³⁹Ibid.

⁴⁰Ibid., p. 190.

⁴¹Legislative Assembly Debates, (November, 1956), cols. 93-94, as quoted ibid.

The Achimota Conference generally accepted the Bourne proposals, including the key ones relating to federalism and the regional assemblies.⁴²

The Attainment of Independence

The Bourne consultations and Achimota Conference were not merely reactions to NLM demands, but were also calculated steps toward the achievement of full independence. Nkrumah's government had repeatedly requested that positive steps be taken to grant autonomy, and in May, 1956, the Secretary of State for the Colonies announced the readiness of the British government to take them. A prerequisite was that an indigenous government demonstrate its viability by winning a popular mandate for specific constitutional proposals.⁴³ This was considered to be the only way to resolve the issue between the CPP and the NLM.⁴⁴

Accordingly, in June the Governor dissolved the Legislative Assembly and declared a general election for July 12 and 17. The CPP campaigned on the basis of a platform calling for a unitary state and a parliamentary government. Regional assemblies would be created but would be subordinate to Parliament.⁴⁵ On that platform, which was published in a white paper, the CPP won an overwhelming majority of seventy-one seats out of the 104 in the Assembly.⁴⁶

It did not, however, gain a majority in all sections of the Gold Coast. It captured only eight seats out of the twenty-one in Ashanti,

⁴²Ibid. ⁴³Nkrumah, op. cit., p. 249. ⁴⁴Ibid.

⁴⁵Ibid., pp. 264-265. ⁴⁶Bourret, op. cit., p. 196.

eleven out of twenty-six in the Northern Territories, and three out of six in the Ewe region of Togoland.⁴⁷ Its share of the popular vote in Ashanti, the base of the NLM, was forty-three per cent.⁴⁸ Of the opposition groups, the National Liberation Movement won only twelve seats; the Northern People's Party, fifteen; the Togoland Congress Party, two; the Moslem Association Party, one; and the Federation of Youth Organizations, one. Two seats were captured by independents, one of whom later joined the CPP.⁴⁹

Although the Convention People's Party had won an overwhelming majority, it was concentrated in the Colony, and other regions had actually rejected Nkrumah's party and the unitary constitution it advocated. This was an obvious argument in favor of federalism, an argument which was actually used by Busia.⁵⁰ To have granted federalism on that basis, however, would have been to ignore the expressed will of the majority of voters in the country as a whole.

Representatives of the NLM continued to attempt to secure a federal form of government or, in lieu of that, adequate safeguards against domination by the CPP. A delegation of them went to London for that purpose in September. It was still within the power of the Colonial Office to determine the provisions of the forthcoming constitution. One of the delegates, Busia, said that the delegation's objective was "an agreed Constitution that safeguards the minority rights of the Northern

⁴⁷Ibid. and Nkrumah, op. cit., p. 272. ⁴⁸Nkrumah, op. cit., p. 271.

⁴⁹Bourret, loc. cit. ⁵⁰Nkrumah, op. cit., p. 252.

Territories, respects the identity of the Ashanti nation, provides for an independent judiciary, and secures the legal freedom of every citizen."⁵¹ More specifically, the opposition continued to seek a special legislative house for chiefs, increased powers for the regional assemblies which would be established, and safeguards against unduly easy amendment of a constitution which would contain those provisions.⁵²

The proposals officially made to the Governor by the Legislative Assembly, however, were those contained in the CPP platform for the recent election. There was no compromise. The NLM together with the NPP (Northern People's Party) thereupon sent a resolution to London threatening to secede if their demands were not met.⁵³

At the end of January, 1957, only a little over a month before the date set for independence, the Secretary of State for the Colonies brought representatives of the NLM and CPP together and persuaded them to accept a compromise. According to Bourret, the government made the greatest concessions, but it appears to the present writer from Bourret's own account that the government made no effective concessions at all.⁵⁴

Under the new constitution the legislature, which would be referred to as the National Assembly or Parliament, would still be unicameral, and all of its 104 members would be popularly elected. There would be regional councils which would have responsibility for local government, but they would have only so much power as the National Assembly determined. The only significant gain which the NLM made was

⁵¹Quoted ibid. from letter to London Times, September 22, 1956.

⁵²Ibid.

⁵³Ibid., p. 198.

⁵⁴Ibid.

that appeals on decisions made by traditional authorities in local matters would be referred to higher traditional authorities rather than to secular ones.⁵⁵

The government was to be parliamentary in form; effective executive power would be vested in a prime minister responsible to a majority in Parliament, which could terminate his appointment by a motion of no confidence. In turn, the prime minister would be empowered to dissolve Parliament and order new elections. Formal executive power would be vested in the Queen of England as represented by a governor-general; the latter would appoint and remove ministers and perform other duties on the advice of the prime minister.⁵⁶

As will be seen in the next chapter, the constitution did little to bar the CPP from promoting whatever measures it saw fit for hampering its opposition. As has been seen in this chapter, the CPP, with the backing of consistent majorities at the polls, never really compromised with its traditionalistically oriented opponents at any time. If some of them turned to violence, it may well have been a sign of desperation and an indication that Nkrumah's party was unwilling to respect the rights of the minority.

Though it is the writer's contention that the CPP was intolerant of parochial values and that the violence directed against it might be blamed on its intolerance, it should be noted here that no value judgment concerning the CPP's treatment of its opposition is being made in this thesis. Both the opposition's conservatism and the CPP's uncompromising radicalism had advantages and disadvantages, and no attempt

⁵⁵Ibid., pp. 199-201.

⁵⁶Ibid., p. 199.

is made to defend either. If it is remarked that undemocratic measures may have been justified under certain conditions, this does not necessarily mean that the present writer believes them to have been justified absolutely, but only that the writer believes that such treatment would have been sympathized with and supported by many Ghanaians.

The Question of Togoland

The division of the former German Togoland between Great Britain and France has already been mentioned. Britain and France both governed their territories as mandates under League of Nations auspices; when the United Nations was created, both Togolands became trust territories under that organization. Up to 1957 Great Britain governed its section with the same administrative apparatus as was used for the Gold Coast, and British Togoland was even treated as an integral part of the Gold Coast.⁵⁷ With the approach of independence for the latter, however, Britain informed the United Nations that it intended to give up the administration of Togoland also.

The General Assembly in deciding the fate of British Togoland was confronted with two choices: either to append the territory permanently to the Gold Coast or to establish it as a separate entity pending further action.⁵⁸ It decided the question in the spring of 1956 by conducting a plebiscite.

⁵⁷Ibid., p. 192.

⁵⁸Ibid., p. 193.

The result was an over-all majority of fifty-eight per cent in favor of integration with the future Ghana. Much of this majority came from the northern part of Togoland, however; in the South, where Ewes were numerous, fifty-five per cent voted against integration. On the basis of the plebiscite the General Assembly voted to append the entire territory to Ghana, thus including within the borders of the new state a large group whose members were dissatisfied.⁵⁹ This explains most of the violence which later developed in the region against the Nkrumah government. Nkrumah argued immediately after the plebiscite that no matter how the voting had gone there would have been dissatisfaction, for it is impossible in West Africa to draw any satisfactory boundary which does not cut across some tribal group. He contended that the problem in southern Togoland could best be solved not by permitting the Ewes to unite with French Togoland (now the Republic of Togo), but by getting rid of national boundaries and creating a single West African political unit.⁶⁰

⁵⁹ Ibid.

⁶⁰ Nkrumah, op. cit., pp. 260-261.

CHAPTER III

INTOLERANCE: THE CPP IN ACTION

Up to the granting of independence, the Nkrumah government was forced to conduct itself with caution. The first goal was to achieve independence, and Nkrumah was afraid to permit anything to happen which might be used as an excuse for delaying this.¹ When it finally came, on March 6, 1957, he and his party moved fairly swiftly to enact a series of laws, and in 1960 a constitution, which made effective opposition to the CPP increasingly difficult. Some of the instruments directed to that end were put by the legislature into the hands of Nkrumah, so that his personal power was gradually increased. But it is important to observe that there was considerable justification for the general policies promulgated, and it was consistent with efficient government to put responsibility for their implementation in the hands of the executive.

The CPP was pledged to, and apparently seriously intent on, the construction of a unified nation out of a highly parochial population, ninety per cent of which was illiterate.² The masses were unsophisticated and prone to violence, as events continued to demonstrate. The official opposition parties themselves were entrenched in parochialism, and their leadership was perhaps even less democratic than that of the CPP.³ Sir

¹Nkrumah, op. cit., p. 216. ²Bretton, op. cit., p. 53.

³K. A. Busia, The Position of the Chief in the Modern Political System of Ashanti (London: Oxford University Press, 1951), pp. 193-194.

Sir Charles Arden-Clarke, the British colonial governor, had been an outspoken opponent of the principal opposition party, the National Liberation Movement.⁴ The aspirations of the various opposition groups for a federalized system could be sympathized with to some extent, since each was attempting to protect its own special interests, but Nkrumah could argue convincingly that Ghana was too small and its population too limited and uneducated to support several autonomous units.⁵ Sir Frederick Bourne concurred in this view.⁶ To the CPP a secular, unitary state was mandatory, and the objectives of the opposition groups seemed both selfish from the point of view of the nation as a whole and shortsighted. Their attainment could not be permitted.

The opinion that it was dangerous to compromise with the opposition was on occasion openly expressed by Nkrumah, and defended by outsiders who could have been expected to be more objective than he. Perhaps Nkrumah's most candid statement was that "even a system based on social justice and a democratic constitution may need backing up, during the period following independence, by emergency measures of a totalitarian kind. Without discipline true freedom can not survive."⁷ In the fall of 1957 he was quoted as saying to a rally:

Any Government must rule and make the people live happily without the fear of being molested or intimidated. We must establish the principle of parliamentary democracy, and within one year from now we shall show our opponents that we must rule.

⁴ Anglin, op. cit., p. 44.

⁵ Nkrumah, op. cit., p. 275

⁶ Supra, p. 28.

⁷ Nkrumah, op. cit., p. xvi.

We know all these things we are doing here will have repercussions all over Africa. But if we fail to act and our independence goes to the dogs, this same British people who are criticising us to-day will sit somewhere and laugh at the African.

.

As for me, I am competent and calm. I have big eyes and ears and shall continue to do certain things in this country as Prime Minister because I see that as the only way by which I can put you on the path of true parliamentary democracy.⁸

A non-Ghanaian, writing for the Yale Review and using Ghana as his foremost example, argued that

. . . the typical new African country will not be able to afford the luxuries of unfettered political liberty and of Western multi-party Parliamentary democracy. The electorate lacks the education requisite to intelligent political choice; tribal influences and regional self-interest interfere with a unified national outlook; most African leaders--whether in opposition or in power--are not used to the restraints necessary to a system which includes a "loyal opposition"; and such countries need a stable government which can encourage capital investment and carry out a concerted plan of development.⁹

The unwillingness of the CPP to compromise with the opposition was manifested in a series of measures, some of them informal and illegal and some made legal by parliamentary enactment, which made it more and more difficult for the opposition to act effectively. Up to 1960, Nkrumah and other government spokesmen consistently justified the use of such measures by citing the violent, illegal, and destructive activities of the opposition and pointing out that these presented problems unfamiliar to democracies like Great Britain and the United States.

⁸ Nkrumah as quoted in the London Times, October 4, 1957, p. 8.

⁹ Lawrence C. McQuade, "The Showplace of Black Africa," Yale Review, XLIX (December, 1959), pp. 228-229.

Interviews with members of Parliament showed that they held similar sentiments;¹⁰ presumably these were an important part of their motivation for enacting that legislation requested by party leaders which possessed a somewhat totalitarian character.

Politics by Violence

The government was beset by rioting and subversion from the first day of independence. Five persons were killed and twenty-three injured in Togoland during the Independence Day celebrations. These deaths and injuries resulted from disturbances which the government claimed were provoked in the hope of showing that the union of Togoland with Ghana was not viable.¹¹ Police found two military training camps and a quantity of ammunition and other explosives hidden in the bush. The promoters of the conspiracy were found to be two opposition members of Parliament, S. G. Antor and Kojo Ayeke. They were sentenced the next spring by the regular courts.¹² They appealed, however, and it may be significant that in June of 1958 the Ghana Court of Appeal reversed their sentences on a technical point.¹³ Almost immediately afterwards the government introduced and succeeded in having enacted legislation (the Preventive Detention Act) which would permit it to arrest or detain persons suspected

¹⁰Bretton, op. cit., p. 49.

¹¹Keesing's, April 26-May 3, 1958, p. 16155.

¹²Ibid.

¹³London Times, June 28, 1958, p. 5; West Africa, November 18, 1961, p. 1271.

of engaging in subversive activities without showing cause and without their having recourse to the courts. The revelation to the government of the uncertainties of the court system was not the sole reason for introducing that bill, since it had announced it was contemplating it as early as October, 1957. But it can be seen as confirmation of the government's contention that drastic measures were necessary in the early stages of independence, particularly as Antor, at least according to later official sources, continued to involve himself in treasonous activities.¹⁴ The Preventive Detention Act will be further discussed below.

The type of opposition which the government had to deal with is illustrated further by the events of August, 1957, centering around deportation orders issued against two leading members of the Moslem Association Party, Alhaji Baba and Alhaji Lalemie. One of the first important acts of the National Assembly after Ghana had become independent was to prolong a British colonial provision which had empowered the government to remove from the colony without showing cause any expatriot whose presence was considered not conducive to the public good.¹⁵ The law was applicable only to persons who could not show that they were Ghanaian citizens; that is, who could not show that they were of Gold Coast or Ghanaian descent. When the orders were issued against Baba and Lalemie on August 4, the two men immediately appealed to the divisional

¹⁴ Ghana Ministry of Information and Broadcasting, "Statement by the Government on the Recent Conspiracy (White Paper No. 7/61), December 11, 1961, p. 15.

¹⁵ Kwame Nkrumah, I Speak of Freedom (New York: Frederick A. Praeger, 1961), p. 113.

court in Kumasi with the intention of proving citizenship. The day they filed their writs, August 8, "thousands" of their supporters demonstrated outside the court; they clashed with supporters of the CPP, and seven persons were injured.¹⁶

The government's reply to that demonstration was dictatorial but effective. On August 23 it whipped a "Special Deportation Bill" through Parliament which would permit it to remove the two men without going through the court system.¹⁷ They were flown to a town in Northern Nigeria and warned that the act provided a penalty of imprisonment for six months if they returned without the written permission of a designated minister.¹⁸ The court later resumed hearings on their citizenship, just as though they had not already been deported, but the counsel for the defense asked that the case be adjourned.¹⁹

In announcing on August 21 the government's intention of introducing the special bill, Nkrumah said that because of the violence it would be impossible to hear the case in Ashanti. One of the members of the Crown counsel had been assaulted physically, and verbal attacks had been made in the press against the integrity of the justice trying the case.

If therefore any other method of disposing of deportation orders can be found, the Government think it is right that Mr. Justice Smith should not be subjected to the risk of further attacks, or called upon to adjudicate in a case where his good faith has been challenged.²⁰

He later said that the bill had been necessitated because "those supporting the case of the two men were engaged in a systematic campaign to

¹⁶ Keesing's, September 14-21, 1957, p. 15760.

¹⁷ London Times, August 24, 1957, p. 6.

¹⁸ Keesing's, loc. cit.

¹⁹ Ibid.

²⁰ Quoted in London Times, August 23, 1957, p. 6.

provoke violence, with the object of coercing the government and bringing pressure to bear on the court." He claimed that the only alternative to the special parliamentary action was abandonment of the case by the government. He went on to say that in the older democracies the opposition was restrained and could justifiably be permitted to exercise its normal functions, but the procedures of his own opposition were unrestrained and improper, making "unfounded and unwarranted attacks" upon government officials. This his government would not tolerate.²¹

Meanwhile, more violence related to a different issue was occurring in Accra. On August 20, rioters stoned the cars of government ministers, and in riots the next day four persons were injured. The blame for these disturbances was laid on the Ga People's Association (Ga Shifimo Kpee), which British newspapers said was an openly tribal organization whose purpose was to oppose governmental acquisition of tribal lands.²² On October 1 the government issued an order forbidding it to hold rallies in Accra.²³

So far nothing but open rioting had come to public attention. Now a new element was added. In a speech on September 21, Interior Minister Krobo Edusei alleged that members of the opposition were actively engaged in a plot to have the Prime Minister and members of his cabinet assassinated.²⁴ He did not indicate the source of his

²¹Nkrumah, quoted in Keesing's, loc. cit., p. 15761.

²²Keesing's, October 19-26, 1957, p. 15817; London Times, August 21, 1957, p. 6.

²³Keesing's, loc. cit.

²⁴Ibid.

information or present any evidence to support his allegation, but the fact that he made it is significant in view of the Awhaitey Affair which came to light in November of the next year. In connection with the latter, an independent commission of inquiry found in public proceedings that there actually had been such an assassination plot, conducted by two opposition MP's, R. R. Amponsah and M. K. Apaloo, in operation at least as early as June of 1958.²⁵ The commission did not learn when the plot had originated, but it does not seem unlikely that Edusei had some foundation for his assertions as early as the previous September, particularly in view of the para-military activities discovered during the Independence Day celebrations.²⁶ The Amponsah-Apaloo plot involved a member of the Togolese legislature.²⁷

A few days after his statement on the assassination plot the Interior Minister asserted that as soon as any attempt was made on the life of Nkrumah the government would become a dictatorship. He was quoted as saying that "The Constitution will be suspended and we will deal with them as we like."²⁸ It was at this juncture also, when violence had been exhibited and apparently an assassination plot was suspected, that Nkrumah made his statement defending extraordinary measures quoted on pages 36 and 37. But he denied then that such measures would lead to permanent totalitarianism: "To say that the Government of Ghana is

²⁵Infra, p. 53.

²⁶Supra, p. 38.

²⁷Infra, p. 53.

²⁸London Times, October 4, 1957, p. 8.

introducing dictatorship is nonsense. After all, every five years we shall go to the polls for the country to decide the next Government.²⁹ It is possible that at this time Nkrumah actually did believe that he could discipline the opposition and still maintain a meaningful democracy by permitting the voters to give him a periodic vote of confidence.

The Emergency Powers Act

The measures hinted at took the form of an "Emergency Powers Act," which was passed by the legislature on December 12 and which gave the government the power to declare a state of emergency and make by proclamation such provisions as it considered to be necessary. The executive was limited, however, in that any emergency regulations would lose their effect in twenty-eight days if not approved by Parliament. The life of a given parliament could not be prolonged, nor could the constitution be suspended. It is noteworthy that this act was merely a modification of a British law which had been in effect during colonial times, as was the Deportation Act before it. The Ghanaian act, as a matter of fact, was somewhat less autocratic in one respect, its provision for the parliamentary safeguard. A total adaptation of the British law would have left the executive unchecked.³⁰

The legislation was first applied to deal with disturbances in connection with another clash between governmental and parochial forces. The government had in August deported the head of the local Moslem community around Kumasi (the "Zerikan Zongo") and left his post officially

²⁹Ibid.

³⁰Keessing's, April 26-May 3, 1958, p. 16155.

vacant. Disturbances ensued while three men, one of them a member of the CPP, contended for the post. A state of emergency was declared on December 30. On January 8, 1958, the government officially recognized the CPP candidate, but resistance, including the firing of rifle shots into the home of a regional commissioner, continued. The state of emergency also continued and was approved by Parliament February 19. It was made known to the public that thirty-six people had been arrested February 2 in connection with various incidents; whether any others had been arrested before then was not revealed.³¹

The Preventive Detention Act

Nkrumah introduced the preventive detention bill, which would permit the executive to detain Ghanaian nationals without having to submit to court inquiry, to the National Assembly on July 14, 1958. He explained the government's reasons for seeking its enactment by going all the way back to the threats of civil war in Ashanti in the pre-independence period. He emphasized the theme of subversion--attempts actually to overthrow the government rather than simply to try to influence it through regular electoral processes. The Prime Minister told members of Parliament that there were many who were prepared to resort to violent means if they were unable to succeed in their aims by non-violent ones. Instances cited included not only the threats of civil war in Ashanti but also the semi-revolt in Togoland during the Independence Day celebrations. The great danger in these lay not simply in

³¹Ibid.

domestic opposition, but in the fact that there were foreign powers and interests who did not want to see a Negro republic succeed. They were generally looked to for assistance by domestic organizers of violence, and the danger was that disturbances would be used as an excuse for intervening to such an extent that the government actually could be upset. The government was determined to be prepared to handle subversion from within or without.

He went on to say that it was only those who would resort to violence who needed to fear the bill; others would be protected. One particular service it would perform would be to enable the courts to function better. They could not function properly under the threat of violence; in order to assure due process, an occasional detention might be necessary.³² He did not explain here why the problem could not be solved by regular arrest followed by regular court trial, but observers on other occasions have asserted that in Ghana persons could incite violence and other illegal activities so inconspicuously that not enough evidence to convict them could be obtained, or else they were so recriminatory that witnesses were afraid to testify against them.³³

Although Nkrumah did not refer to them specifically, it seems possible that the court-ordered release of Antor and Ayeke on June 27 was at least part of the provocation for introducing the bill only two

³²Journal of the Parliaments of the Commonwealth, XXXIX (October, 1958), pp. 632-633.

³³West Africa, November 18, 1961, p. 1271.

and a half weeks later. By this time also the Awhaitey plot to assassinate Nkrumah and two of his ministers had been set in motion--one of the conspirators had purchased military equipment to be used in connection with it in June--and the government may have learned of it by that time.³⁴ If so, it did not reveal its knowledge and did not arrest the conspirators until just before the intended culmination of the plot in November. It may have been aware only generally that there were some subversive activities being perpetrated by somebody, and may have been trying to prepare itself to deal with them when more details were discovered.

In connection with this it should be noted that the government first used the Preventive Detention Act (the PDA) in connection with the Awhaitey plot, and that that use was based on evidence that those detained were likely to be engaged in preparations to overthrow the government by violence. The view that the evidence available implicated all those arrested was shared by the independent commission which investigated the incident.³⁵

The PDA empowered the government to order the detention of any person suspected of being a threat to the security of the state. The act literally vested the power in the governor-general, a British subject, but Nkrumah himself made it clear later that this was only a formality and that in practice his government was completely independent.³⁶

³⁴Infra, p. 53

³⁵Infra, p. 53

³⁶Speech in National Assembly, in Ghana Today, III (January 6, 1960), p. 1.

No person was to be held for more than five years, and each detainee was to be given an opportunity to make representation in writing to the governor-general. As events developed, both these provisions were worthless, for the executive was never required to make an accounting of those detained, and in later years did not do so.³⁷ Nor were detainees successful after Ghana became a republic in 1960 in communicating with the minister in charge of detentions.³⁸ The act was to cease to have effect after five years but would be renewable by Parliament for three-year intervals.³⁹ After five years, however, due to a new constitutional arrangement, Nkrumah was able to renew it by legislative decree if necessary.⁴⁰

The significant aspect of the act, of course, was that it completely by-passed the courts and put the executive's actions beyond the reach even of legislative inquiry.⁴¹ Obviously, if he chose, Nkrumah could use it to crush any opposition movement either outside his own party or within it simply by detaining the movement's key personnel. Members of the United Party during the debates were careful to point out that threat, so that the CPP majority which approved it was well aware of it.⁴² A discussion of the possible reasons they voted for it is

³⁷ Parliamentary Debates, XXVII (June 6, 1962), col. 565.

³⁸ Ibid.

³⁹ Journal of the Parliaments, XXXIX (October, 1958), pp. 632-633.

⁴⁰ Infra, p. 66. ⁴¹ Parliamentary Debates, loc. cit.

⁴² Journal of the Parliaments, loc. cit., pp. 633-634.

contained in the final chapter. It seems probable that the measure was approved at least partly because of the threat of subversion and violence alluded to by Nkrumah and the need for the government to meet it with firm and flexible action without the uncertainties associated with court trials.

Governmental Provocation

While the government had created a new weapon for fighting illegal procedures on the part of the opposition, and was subsequently able to boast that it had actually used them for that purpose, at the same time it was engaging increasingly in practices which made it impossible for the opposition to operate by legal means. One of the aliens the government had removed under the Deportation Act happened to be the deputy editor of Accra's one independent newspaper;⁴³ after that, according to one source, this paper's editorial vigor was somewhat diminished.⁴⁴ In the fall of 1957 the government had forced the opposition parties, all of which were regionally based, to come together into a single United Party, an action which was consistent with Nkrumah's conviction that regionalism was deleterious in the long run to Ghana's interests. But that party was unable to make headway; according to one of its leading spokesmen, the government was systematically hampering it by appointing

⁴³Keessing's, September 14-21, 1957, p. 15760.

⁴⁴Leo M. Snowniss, "Democracy and Control in a Changing Society," thesis submitted to the Department of Political Science, University of Chicago, November, 1960, bibliographical note.

ex-convicts and other persons of doubtful antecedents to local courts trying cases fundamentally political in nature. He charged further that at the approach of by-elections in given localities the Minister of the Interior (Edusei) had been making a practice of touring the areas and voicing threats against those who would vote against the CPP.⁴⁵

The government's responsibility for frustrating legal activity by the UP is indicated particularly clearly by events involving the regional assemblies, provision for which had been written into the 1957 Orders-in-Council as a safeguard against undesired interference in local affairs by the CPP-dominated central government.⁴⁶ The assemblies were extremely important and there is little doubt, judging from the returns of the last general election, that in 1956 the opposition under competitive conditions would have won control of them at least in Ashanti and the Northern Territories.⁴⁷ When general elections for the assemblies were held in October, however, the United Party, instead of contesting the elections, announced that it was going to boycott them. Observers have asserted that this was an extremely inept move, since the CPP captured all but a handful of seats and proceeded to vote the assemblies out of existence.⁴⁸ What the boycott and its disastrous consequences for the opposition actually demonstrates is the truth of

⁴⁵ Journal of the Parliaments, loc. cit.

⁴⁶ F. M. Bourret, op. cit., p. 200. ⁴⁷ Ibid. and supra, p. 29.

⁴⁸ Gwendolen M. Carter, Independence for Africa (New York: Frederick A. Praeger, 1960), p. 137; Keessing's, March 7-14, 1959, p. 16688.

the latter's contention that the CPP was making it impossible for the opposition to work effectively through democratic procedures.

Nkrumah at this time attempted to justify the repressive measures he and his party resorted to as follows:

If only they /the opposition/ would act the way I did when I was in the opposition. I always made it clear that I would not resort to violence, and the British could always trust what I said. The only time I went to prison was because I had told them what I intended to do. But when I ask the opposition to sit around the table with me and give me their criticisms, they will not do so. They organize in cells and they plan violence. What can I do if they threaten to assassinate me?⁴⁹

The crux of the matter appears to have been that Nkrumah was determined to retain power in his own hands. He wanted the opposition to come to the conference table and discuss their problems with him. They preferred to work through the polls, but the CPP had made effective representation through this channel impossible. Judging from the over-all character of his government, there was no reason for the opposition to assume that direct conferences with Nkrumah would have been any more influential than electoral procedures. There probably was good reason for concluding that the only avenue really left open was conspiratorial. The violent and subversive activities of which Nkrumah complained were partly a consequence of his own government's intolerance. But Nkrumah was working under difficult circumstances toward goals which may have admitted of no compromise. He was completely committed to the ideal of rapid economic development and a unified West Africa, for which the balkanization of his own country would have been disastrous.⁵⁰ If that goal and democratic principles came into conflict, he was forthright

⁴⁹Ibid., p. 131.

⁵⁰Nkrumah, Ghana, p. 275.

in affirming that the latter would have to give way.⁵¹ Nkrumah had never made a secret of his convictions in 1956; since he had not controlled the election of that year, it could be assumed that he had received a mandate both from his own party and from the nation as a whole for attempting to act on them. This could be assumed despite observations that elections in the Gold Coast, even when the British were conducting them, tended to be fought on other than the real issues.⁵²

The Awhaitey Plot

Edusei, in the fall of 1957, had alleged that the government possessed information about a plot supported by foreign capital to overthrow the government by violence. Nkrumah made references to assassination plots and subversion in his defense of the Preventive Detention Act and other repressive measures. The activities to which both he and Edusei apparently referred came to a head in November and December of 1958, when it was revealed that two major officers of the United Party had approached personnel of the Army for the purpose of discussing with them a coup d'etat. The case was thrown open to investigation by a public court-martial and also by an independent commission of inquiry, chaired by an English Queen's Counsel and including only one native Ghanaian. They were unanimous in finding that the leading members of the United Party in question had been engaged at least since June, 1958,

⁵¹Ibid., p. xvi.

⁵²Infra, p. 121.

in a "conspiracy to carry out at some future date in Ghana an act for unlawful purpose, revolutionary in character."⁵³

On November 10 the government had issued detention orders against forty-three persons, many of them members of the UP, on the basis that they were involved in a conspiracy "to assassinate the Prime Minister and two of his Ministers and to overthrow the Government."⁵⁴ The thirty-eight subsequently arrested included the assistant general secretary of the United Party, the entire executive committee of its Accra branch, and several of its publicity and propaganda officers. On December 20 the government detained the general secretary of the UP, R. R. Amponsah, and M. K. Apaloo, one of its lesser executives.⁵⁵

The man whose name is generally used in referring to the plot was an officer in the Army, Captain Benjamin Awhaitey. He was tried by a court-martial for having possessed without immediately reporting it "information of a plot to kill or capture the Prime Minister."⁵⁶ His trial revealed that he had been approached by Amponsah and asked to call together a group of non-commissioned officers for the purpose of discussing a coup d'etat. He was eventually convicted and suspended from service.⁵⁷

⁵³Quoted from Granville Sharp Report in Keesing's, August 15-22, 1959, p. 16958.

⁵⁴Quoted in Keesing's, March 7-14, 1959, p. 16687.

⁵⁵Ibid.

⁵⁶Quoted from official proceedings, ibid.

⁵⁷Ibid.

The independent commission which the government employed to demonstrate the validity of its allegations of subversion was comprised of a former recorder of King's Lynn, Norfolk (England), Mr. Justice Granville Sharp; a former member of the Executive Council of the Gold Coast, Sir Tsibu Darku; and a senior magistrate from British Guiana, Mr. M. A. Charles. Its report said that Amponsah, using a pseudonym, purchased in June, 1958, a quantity of military clothing and equipment from a London firm. He arranged for part of it to be sent to a member of the legislature of French Togoland, which is significant in view of the hidden military training camps the government said it had found in its own Togoland in 1957.⁵⁸ The commission affirmed that, in light of the evidence available to the government at all material times, all detentions made were fully justified.⁵⁹

The commissioners were unable to agree on the details of the conspiracy, and the government used this as a justification for its subsequent employment of the Preventive Detention Act. In a white paper published in June it argued that the commission had definitely shown there was a conspiracy but that, despite the thoroughness with which it conducted its inquiry,⁶⁰ it still was unable to accumulate evidence which would make possible a conviction in court under the common law

⁵⁷ Ibid.

⁵⁸ Supra, p. 38.

⁵⁹ Keesing's, August 15-22, 1959, p. 16958.

⁶⁰ The commission sat for 29 days, heard 97 witnesses, and examined 108 pieces of documentary evidence. See "Statement by the Government on the Recent Conspiracy" (W. P. No. 7/61), op. cit., p. 6.

Ghana had inherited. The reason for this was that the common law required proof of the exact nature of the offense, which then had to be related to a specific section of the criminal code before a conviction could be obtained. The government said that it would introduce legislation to make a court conviction for treason easier, but it still insisted that under the uncertain circumstances existing in Ghana at that time some kind of preventive detention also was necessary.⁶¹

The National Assembly Disqualification Act

Both Amponsah and Apaloo were members of the National Assembly as well as executives in the United Party, and the CPP took advantage of their detention for subversion by introducing, in March of 1959, a National Assembly disqualification bill. This piece of legislation, easily passed by the CPP majority, contained one provision which was particularly advantageous to the Nkrumah government.

It disqualified from Assembly membership and provided for the replacement of any MP detained under the Preventive Detention Act. This, of course, would not only rid the legislature of Amponsah and Apaloo but also would disqualify anyone else whom the government chose to arrest on "suspicion" of activities threatening the state. The new law would not have prevented such persons from running again for their seats, but it would have caused them to lose them in the first place and forced them to wait until the next regular election to contend for them again.⁶²

⁶¹Keesing's, loc. cit.

⁶²Journal of the Parliaments, XL (September, 1959), pp. 317-318.

The government's ostensible reason for favoring the legislation was to assure all constituencies of representation. But the disqualification bill, when it was enacted, gave the government another means for controlling recalcitrant legislators--the mere threat of a detention which could not be checked by any judicial inquiry. There is no specific evidence that such a threat was ever reified for the mere purpose of removing a troublesome opponent; nevertheless, the threat was there, and it must have made opposition members--and perhaps some members of the CPP also--somewhat less trenchant in their criticism of Nkrumah than they would have been otherwise. There is no good evidence that any Assembly member belonging to the CPP in 1959 believed that the legislation he was approving might someday be used against him. As late as August, 1960, one of the most prominent CPP members, who later became an outspoken critic of Nkrumah's tactics, argued that legislative immunity should not be permitted to cloak an MP who threatened the security of the state.⁶³

Although it appears probable that the principal reason for CPP members' readiness to vote for the bill was a willingness to hamper the opposition further, it is possible that this was combined with a fear of political retaliation when the CPP executive selected its official candidates for the next election. This combination of motives will be discussed further in the final chapter. For the present what is important is to note that members of Parliament were continuing to grant the executive branch, headed by Nkrumah, power which eventually could be used against them. Although the Chief Executive already possessed the weapon

⁶³ P. K. K. Quaidoo, in Parliament, August 24, 1960. Quoted in Parliamentary Debates, XXV (October 18, 1961), cols. 115-116.

of the Preventive Detention Act, it would have been difficult for him to use it against members of his own party at this time without running the risk of arousing serious opposition to himself from within his own ranks. He could not yet have depended on controlling such opposition. The overall political situation in Ghana was such as to encourage an increase in Nkrumah's coercive power without forcing him to resort to coercive or illegal means to achieve it.

Continued Unrest

Riots, political murders, and allegations of intrigue continued to occur throughout the next twelve months. By-elections in October led to rioting in which three CPP supporters were killed.⁶⁴ On the other hand, Dr. J. B. Danquah, the former associate of Nkrumah during the 1940's and now one of the most prominent UP leaders, asserted in May, 1960, that there had been "certain flagrant breaches of the electoral laws resulting in the victimization of many members of the United Party and a general reign of terror imposed upon the country by certain leaders and members of the party in power."⁶⁵ Both sides were continuing to provoke the other.

The government still claimed that it was being threatened from Togolese soil. In March of 1960 it sent a telegram to the French government, which up to April, 1960, held hegemony over the area, stating that it possessed a document purporting to be the future constitution of a Republic of Togoland with boundaries including a part of

⁶⁴London Times, November 13, 1959, p. 10.

⁶⁵London Times, May 5, 1960, p. 12.

Ghana. It also said that it believed that some of those involved in the present plot were the same as those who had been connected with the disturbances and subversive activities of the spring of 1957. Both the colonial Togolese government and the French government denied all allegations.⁶⁶ The Ghanaian government continued to insist, however, that it possessed information about the activities and plans of the accused in considerable detail. It said that twelve men in Togoland together with fourteen others in Ghana (all of whom the government had by then detained) were planning to bring about such a breakdown of order in the Volta region (northern Togoland) as to justify their claims that the present borders were unsatisfactory and would have to be redemarcated. Part of the alleged plan included the revival of the "underground army" which was said to have existed just before independence in 1957.⁶⁷

⁶⁶Keessing's, April 9-16, 1960, p. 17357.

⁶⁷London Times, March 21, 1960, p. 9.

CHAPTER IV

TRANSITION: THE 1960 CONSTITUTION

Ever since the attainment of independence Nkrumah had practiced a consistent policy of hampering the ability of the parochial opposition to oppose his own CPP effectively. In this he had the consistent support of party members in the legislature, who constituted an overwhelming majority. This was essential, for under the Orders-in-Council imposed by the British, Parliament was in ultimate control.¹ It could have either failed to enact his legislative program or unseated his government by a vote of no confidence.

Probably up at least until 1960 to have failed to support Nkrumah would have been politically disastrous for CPP members. The Prime Minister had the power to dissolve the National Assembly.² He also, according to observers, effectively controlled the Convention People's Party.³ MP's who voted against him would have failed to receive party support in the ensuing elections and probably, whether they stood as independents, organized a new party, or joined the UP, they could not have won without it. That supposition stems primarily from the fact that no CPP member of Parliament did revolt, so far as is known to this writer.

¹ Bourret, op. cit., p. 199.

² Ibid.

³ Supra, p. 13.

Measures promulgated to control or hamper the opposition were advantageous to both the legislators and the Prime Minister. They were desirable from the point of view of the former because they reduced the threat of the opposition to the CPP program of building a unified and socially and economically progressive state, and they increased the chances that government supporters would keep their seats in the legislature. They were desirable to Nkrumah in that they not only gave him tools to help defend his party's program and to assure the availability of legislative seats for adherents to it, but also they were framed in such a way that he could direct them against anybody, including persons nominally in his own party. This was particularly true of the Preventive Detention Act and the National Assembly Disqualification Act, which, used in conjunction with the PDA, could rid the Assembly of a recalcitrant legislator. But, while the legislature had given Nkrumah considerable legal discretion, as the supreme governmental organ, it still had an ultimate check on him. In 1960 Nkrumah began a campaign to rid himself of that restriction.

The campaign consisted of advocating a new republican constitution which would make him independent of the legislature. This strategic move on his part has been given too little attention by students of Ghana, for it was absolutely essential in the buildup of Nkrumah's ultimately unrestricted power. A careful study of the provisions of the constitution and the way the government went about getting them adopted suggests that 1960 was a crucial period in the evolution of Nkrumah's power; if its development was ever to be halted, this would have been the most feasible time. It appears that

Nkrumah's public support was waning, so that he would not have had the same political power over CPP members as he had had before. Since the government was still parliamentary in form, he did not have ultimate control over the instruments with which he could have applied coercion either.

Nkrumah used the National Assembly as a constituent assembly and succeeded in securing a favorable vote on all his proposals. The development of later events demonstrated that approval of them was a strategic error from the point of view of the legislature, for they gave Nkrumah powers which in effect were unlimited. He eventually used these powers to establish a police state, and he controlled policy so rigidly that even some of his own ministers apparently began trying to combat him by subversive means and had to be detained.⁴

It should be noted that up to 1960 one main argument had been used in justifying repressive measures: that subversive activities and threats of violence made them mandatory in the interest of the nation as a whole. In advocating the 1960 constitution, Nkrumah dropped that argument. Even though the constitution's provisions considerably increased Nkrumah's power and made it much harder for any restriction to be placed on him, this fact was deemphasized. That it should have been is difficult to understand at first, for the danger of subversion and parochially instigated violence had not yet subsided. The only reason that can be discerned for Nkrumah's having changed his tactic is that the constitution needed to be approved not only by the National Assembly

⁴Chapter VI, pp. 91-117.

sitting as a constituent assembly, but by a public plebiscite as well. He misrepresented the character of the constitution, and did so apparently because he was afraid that if he was candid in admitting the extent of the power which the document would give him, a successful campaign against its adoption could have been mounted.

The government's avoidance of discussing the constitution's true implications was manifested primarily in three ways: the reasons it gave for promoting the document were so vague as to be meaningless; it emphasized that the protection of fundamental rights was written into the document so that they could not possibly be violated, even though it was manifest to a literate person that this was untrue and even though the government refused to permit the constitution to be rewritten so that those rights really would be protected; and it appended an article after the draft had been submitted to plebiscite which clearly made Nkrumah superior to legislative control.

The Official Justification

The first public reference to a new constitution was made by Nkrumah himself and came in connection not with any positive needs of Ghana but with what Nkrumah called a misunderstanding on the part of some people as to whether the nation really was independent or not. He asserted that it was independent, but that perhaps some of the misunderstanding arose from the fact that the present constitution was imposed by the government of the United Kingdom. He then went on to say (he was speaking in the National Assembly): "I am sure that

the whole House will agree with me that the time has now come for the people of Ghana to devise for themselves a new Constitution best suited to the needs of Ghana. The technical work on this has already commenced. . . ."⁵

In his official announcement of the new proposals, Nkrumah said that the government's reason for making them was that "there has for some time been a great desire by many of us that Ghana should adopt a Republican form of Government." It was alleged that authority would be based on the principle of "one man--one vote" and that the separation of the functions of head of government from those of head of state was contrary to the traditions and character of Ghana.⁶ It should be noted that Nkrumah and the CPP are generally regarded as highly anti-traditional. The new identity of the head of government and of state was later used as the basis for a law forbidding the criticism of Nkrumah, even in Parliament.⁷ Nkrumah said that the new constitution would fulfill the general desires of the people for universal suffrage and for a return to one form of traditionalism, and that furthermore it would encourage the organization of political parties on a national basis.⁸

One other statement addressed to the general public purported to give the reasons for the constitution. It took the form of a pamphlet published by the government to answer those questions about the document

⁵Quoted in Ghana Today, III (January 6, 1960), p. 1.

⁶Ghana Today, IV (March 16, 1960), p. 2.

⁷Infra, p. 87.

⁸Ghana Today, loc. cit.

which would be most likely to arise. Its answer to the question "Why is a new constitution considered necessary?" was not informative:

A.--The present Constitution is based in many ways on an alien and European culture. It is intended in the draft Constitution that the best and most naturally assimilated elements in this will be retained, whilst the features alien to Ghanaian nature and personality will be discarded, notably the monarchical system. The proposed Constitution is designed specifically to meet Ghana's own desires and problems and is a copy of no other in the world.⁹

Although other reasons may have been given in speeches and literature not available to this writer, it is striking that such meaningless ones were cited in the statements specifically purporting to speak officially for the government.

Fundamental Rights

In lieu of a formal bill of rights, the constitution provided that upon taking office the president would declare his adherence to certain principles, those pertaining most closely to fundamental rights being as follows:

That no person should suffer discrimination on grounds of sex, race, tribe, religion or political belief.

.

That subject to such restrictions as may be necessary for preserving public order, morality or health, no person should be deprived of freedom of religion or speech, of the right to move and assemble without hindrance or of the right of access to courts of law.¹⁰

⁹Ghana Ministry of Education and Information, Ghana as a Republic; Your Questions Answered (Accra: Ghana Information Services, 1960), p. 5.

¹⁰Article Thirteen, quoted in Leslie Rubin and Pauli Murray, The Constitution and Government of Ghana (London: Sweet and Maxwell Limited, 1961), p. 253.

Nkrumah himself specifically asserted to the public that the document as it stood was written so as to prevent any president from exercising arbitrary power:

The proposed Constitution. . . guarantees the existence and the judicial powers of the Supreme Court and the tenure of office of judges. . . . The Constitution is based firmly on the rule of law and leaves no scope for arbitrary action or for discrimination against any individual or community.

This is underlined by the requirement which is contained in the proposals, that a new President must declare his adherence to certain fundamental principles which recognize the ultimate authority of the people and the need to preserve freedom and justice. . . . These fundamental principles also recognize the right of every citizen to . . . freedom from unjust interference with his property and his basic rights as a citizen.¹¹

This position, that arbitrary action would be prevented by the President's declaration, though a weak one was consistently maintained by the government. The government's major document purporting to explain the specific provisions of the constitution was in the form of a white paper which was made available to the public. That document stated that the constitution was "based upon Freedom and Justice," provisions regarding which were written into the declaration of principles referred to.¹² Ghana as a Republic, the pamphlet already cited, claimed that the "rights of the people" were "firmly entrenched in the Constitution and in particular at" the declaration.¹³

¹¹ Broadcast by Prime Minister Nkrumah over Radio Ghana, March 6, 1960. Printed in Ghana Today, IV (March 16, 1960), p. 3.

¹² "Government Proposals for a Republican Constitution." Published in Ghana Today, loc. cit., p. 10.

¹³ Page 5.

All the major governmental sources contended that fundamental rights were protected by the constitution and that the major instrument for protecting them was the President's declaration, contained in Article Thirteen of the final draft. A vigorous effort was made by the United Party to have the declaration changed into a formal bill of rights definitely enforceable by the courts, but the CPP majority in the National Assembly (constituent assembly) refused to consider the proposal.¹⁴

The opposition's fears about the inadequacy of the article were confirmed by a Supreme Court decision in 1961. That body declared that it

is in the form of a personal declaration by the President and is in no way part of the general law of Ghana. In our view the declaration merely represents the goal to which every President must pledge himself to achieve [sic] The people's remedy for any departure from the principles of the declaration is through the use of the ballot box, and not through the Courts.¹⁵

The First President's Special Powers

At the same time that the draft constitution was submitted to plebiscite, in April, 1960, voters were also given an opportunity for electing the first president to serve under the constitution assuming it should be ratified. According to official returns, Nkrumah won, by

¹⁴ Journal of the Parliaments, XLI (July, 1960), pp. 238-239.

¹⁵ Journal of African Law, V (Spring, 1962), p. 64.

a remarkable majority of 1,016,076 to 124,623 (his opponent was Dr. J. B. Danquah).¹⁶ It was after this that special powers for the First President were provided.¹⁷ These were appended to the rest of the constitution as a new Article Fifty-five, which read as follows:

Special Powers for the First President

55. (1) Notwithstanding anything in Article Twenty of the Constitution, the person appointed as first President of Ghana shall have, during his initial period of office, the powers conferred on him by this Article.

(2) The first President may, whenever he considers it to be in the national interest to do so, give directions by legislative instrument.

(3) An instrument made under this Article may alter (whether expressly or by implication) any enactment other than the Constitution.

(4) Section (2) of Article Forty-two of the Constitution shall apply in relation to the powers conferred by this Article as it applies in relation to the powers conferred on Parliament.

(5) For the purposes of the Article the first President's initial period of office shall be taken to continue until some other person assumes office as President.

(6) The power to repeal or alter this Article during the first President's initial period of office is reserved to the people.¹⁸

The Article Twenty referred to was the one which established the powers of Parliament. It stated that that body was supreme: "No person or body other than Parliament shall have power to make provisions having the force of law except under authority conferred by Act of Parliament."¹⁹ It was not an act of Parliament which gave Nkrumah the powers delineated in Article Fifty-five, but an act of the constituent assembly, which,

¹⁶Rubin, op. cit., p. 9.

¹⁷Ibid., p. 26.

¹⁸Quoted ibid., p. 266.

¹⁹Article Twenty, Section Five, quoted ibid., p. 256.

once it had conferred them, could not retrieve them, even for itself sitting as Parliament in the future. That the CPP members who voted for the measure were willing to grant such powers even to their own party leader was ill-considered, as subsequent events bore out.²⁰

Section Two of Article Forty-two did not place an effective restriction on the President. It stated that the Supreme Court should be empowered to decide whether any power exercised by Parliament is in excess of that provided by the constitution. What Article Fifty-five did, of course, was to remove the legislature as an effective check on the President. Nominally the judiciary was still to exercise that function. But it was the First President himself who was empowered to appoint the justices of the Supreme Court.²¹ Rubin and Murray pointed out that the provision was made even more worthless in that the First President was granted unlimited powers by the constitution unless he contradicted its provisions outright, which he would not be likely to need to do, or else attempted completely to repeal a legislative enactment, which again would not in all probability be necessary.²²

As might be expected, considerable criticism was leveled against the government for having written an instrument of this nature into the fundamental law, particularly without having submitted it to a plebiscite. Kofi Baako, one of Nkrumah's chief lieutenants, replied to such a criticism in Parliament by contending that it had been "clearly stated" that the referendum on the constitution was to take on also the "colour" of

²⁰Chapter VI. ²¹Rubin, op. cit., p. 189. ²²Ibid., p. 109.

a general election; any MP whose constituency approved the draft constitution would be assumed to carry a mandate to make alterations consistent with the spirit of that document. Article Fifty-five, of course, was not consistent with its spirit, but this was not admitted.²³

The Change in Approach

While the designs of the government appear obvious, its reluctance to use the same justification for extraordinary powers it had used in the past--that is, violence and subversion stemming from parochial sources--requires explanation. It appears that Nkrumah was genuinely afraid of using that rationale when conducting a plebiscite. He was able to use it earlier when defending the passage of statutes because voters would not be able to register their objections for several years, by which time he could expect to have completely eliminated the opposition. As will be noted in the following chapters, this was the pattern which developed. If in 1960 Nkrumah had fought a campaign on the issue of the necessity of restrictive measures to control violence and to defend the state against parochialism, the UP, although even by then severely hampered, might have waged a successful campaign against him on the contention that the majority of the people, since all were members of minority groups of some kind,²⁴ might want in the future to protect themselves for some reason against too much authority in the central government. That such a feeling already was growing has been suggested. It would have seemed safer to make a gesture toward the protection of fundamental rights and

²³ Parliamentary Debates, XXV (October 13, 1961), col. 29.

²⁴ Supra, pp. 5-7.

fog the issue. Such a course would have seemed particularly attractive in view of the high illiteracy rate, probably over eighty per cent, combined with universal adult suffrage.²⁵ A contention that extraordinary powers were being requested for use in preventing persons from clinging to their tribal ways if they appeared to stand in the way of secular progress would have been received with considerable uneasiness by those who still were in the transition stage from tribalism. Even the most sophisticated citizens often maintained some of their old traditions.²⁶

The Government's Practices Under the New Constitution

The constitution, which became effective July 1, had pledged the President to a policy of non-discrimination. The worthlessness of the pledge was illustrated fairly quickly, when a by-election was held the next month. The then chairman of the United Party, a Mr. Solomon Adamtten, withdrew his candidature for the legislative seat from Accra with the statement that

1. The police had withdrawn permits for the UP to hold public meetings or to use loudspeaker vans.
2. The chairman of the Accra branch of the UP and three leading members who were in charge of Adamtten's campaign were currently under detention.²⁷

Without public meetings and loudspeaker vans in particular, he could not possibly have won the contest.

²⁵ Journal of the Parliaments, XLI (July, 1960), p. 239.

²⁶ Apter, Gold Coast in Transition, p. 275.

²⁷ Keessing's, October 1-8, 1960, p. 17671.

The government laid the foundation for hampering the opposition still more by the passage of a censorship act on August 23. It empowered the President to impose censorship and restrict the importation of publications which might be contrary to the public interest. On September 3 he employed it by ordering that no issue of the opposition Ahanti Pioneer should be published without the prior approval of a censor; this person acted by preventing any issues at all from appearing.²⁸ In introducing the bill, one of Nkrumah's ministers had said that there was an element in Ghana persistently belittling the government and that it would not be right for the government not to take action against it when it was apparently engaging in a deliberate campaign against order and the national economy.²⁹

The government also announced at about the same time that from then on membership in a trade union would be necessary for obtaining a job. All hiring would have to be done through government-sponsored employment centers.³⁰ The potential threat of this measure to anyone provoking the displeasure of the government is too obvious to dwell on.

²⁸ Ibid.

²⁹ Ibid.

³⁰ Accra Daily Graphic, August 26, 1960, as reported in Africa Digest, VIII (October, 1960), p. 75.

CHAPTER V

THE PRACTICE OF POWER: THE AUSTERITY BUDGET AND ENSUING EVENTS

Even with Article Fifty-five of the constitution in hand, Nkrumah continued to seek and to secure official legislative sanction for major legislation. At the same time he promulgated measures which had the effect of making it easier for him to stop the growth of opposition to himself before it could become genuinely threatening. The legislature did not oppose him. By the end of 1961 his personal control was virtually complete and was openly demonstrated. But in 1961 Ghana passed through a major crisis, and it could be argued that circumstances were forcing Nkrumah into using dictatorial practices and were persuading legislators not to oppose their adoption. The validity of such an argument and the extent to which the active consolidation of Nkrumah's power can be laid to the latter's personal ambition and the coercive instruments he possessed already are the subjects of this chapter and the next.

The Austerity Budget and the Strike of 1961

In the summer of 1961 the government announced that it was running into financial difficulties.¹ For the fiscal year ending June 30, 1961, a budgetary surplus of £3.7 million had been expected, but predictions now were that the budget would suffer a deficit of £6 million. The

¹Parliamentary Debates, XXIV (July 7, 1961), col. 118.

anticipated deficit was traced by the government to two causes: a wage increase which had been granted by it the previous spring and a fall in the world price of cocoa.² Rather than borrowing, the government proposed to make up the difference by having Parliament enact these measures:

1. Levying export, import, and excise taxes.
2. Levying a purchase tax on some durable goods.
3. Increasing vehicle and drivers license fees.
4. Widening the definition of taxable income and tightening procedures for collecting income tax.
5. Levying a new tax on urban properties.
6. Instituting a compulsory savings scheme.³

The new revenue measures took both the National Assembly and the public by surprise, and there was a particular outcry against the changes in the income tax and the compulsory savings scheme. Up to that time a tax had been charged only on incomes over ₵750, and then collection was haphazard; under the new legislation it would be collected on all income over ₵450 and collected more efficiently.⁴ The compulsory savings scheme would require the spending of five per cent of wages or salaries and ten per cent of other types of income on government bonds carrying an interest rate of two per cent per annum and repayable in ten years.⁵

²Ibid.

³Ibid., col. 121.

⁴Frank Pilgrim as quoted by Africa Digest, IX (October, 1961), pp. 63-64.

⁵"Budget Statement" presented to Parliament by Mr. F. K. D. Goka, Minister of Finance, on July 7, 1961. In Supplement with Ghana Today, July 19, 1961, p. 16.

This "austerity budget," which was duly adopted by the legislature on July 11, is of some importance, for it was a major cause of a strike which occurred the following September, which in turn was a major cause of the institution of measures by the government somewhat more repressive than any which had been employed before. It is possible that the government would have enforced the measures anyway, but the strike with its particular background provided a convenient rationale and a partial excuse. According to the government, the austerity budget triggered the strike, but subversive groups attempted to exacerbate it and direct it in such a way as to bring about the collapse of the government.⁶

A general strike of all the workers of Ghana was declared on September 4, but the only ones who stayed away from their jobs more than one or two days were the highly essential railway and dock workers, the former numbering around 1,000 and concentrated in the Kumasi area and the latter numbering 3,000 or 4,000 and concentrated in the twin port towns of Sekondi-Takoradi.⁷ About 5,000 more were idled involuntarily. Ghanaian law made several provisions regarding strikes which the government said were violated by those participating. These were reasonable enough by Western standards: they provided that essential services should not be struck; that before a strike peaceful attempts

⁶"Statement by the Government on the Recent Conspiracy," op. cit., p. 10. Hereinafter referred to as "White Paper."

⁷London Times, September 11, 1961, p. 9.

must be made through established channels to redress grievances; and that advance notice of an impending strike must be given.⁸

Nkrumah's Reaction

President Nkrumah at the time the strike was declared was out of the country. His assistants in his absence declared, on September 10, a limited state of emergency and announced that the government would hold up to seventy-two hours any worker even suspected of attempting to hamper anti-strike activities.⁹

Nkrumah returned on September 16, immediately canceled the state of emergency, and ordered the release of all persons held in connection with the strike. At the same time he called for an end to it and followed up this ineffectual plea on September 20 with a broadcast to the nation.¹⁰ In it he blamed the strike on the austerity budget but defended the budget, asserting that it was necessary for a progressive economy.¹¹ Two days later, following a regular national holiday, there was a general resumption of work.¹²

The President had clearly been shaken, however, and in quick succession he took a number of steps to consolidate his position. The same day that work was generally resumed, September 22, he notified Major-General H. T. Alexander, a British subject, that he was being dismissed

⁸White Paper, p. 19. ⁹London Times, loc. cit.

¹⁰White Paper, p. 17. ¹¹Africa Digest, IX (December, 1961), pp. 95-96.

¹²White Paper, loc. cit.

from his position as Chief of the Defense Staff of Ghana. A Ghanaian, S. J. A. Otu, took over Alexander's administrative duties, and Nkrumah himself kept close personal control.¹³

On September 28 two cabinet ministers, K. A. Gbedemah and Kojo Botsio, both of whom formerly had been among Nkrumah's closest associates, and three other high-ranking officials were asked to resign.¹⁴ On October 1 the last Briton in any position of power, Attorney General Geoffrey Bing, was replaced by a Ghanaian, G. C. Mills Odoi.¹⁵

While moves such as these might have aroused the suspicion of democrats, they would have caused little alarm if there had been an assurance that the government remained ultimately responsive to democratic control. On October 3, however, Nkrumah began a series of steps which would remove the ability of the public to organize even passive resistance to him. Orders were issued under the Preventive Detention Act for the arrest of fifty persons, including Dr. Danquah, the opposition leader who had run against Nkrumah in the election of 1960; P. K. Quaidoo, the former minister who had made the astonishing attack on the President the previous spring; and three other members of Parliament.¹⁶ No formal charges were brought against them and no opportunity was ever given them, during their detention, for defending themselves publicly.

¹³ Ghana Today, VI (October 11, 1961), p. 1.

¹⁴ London Times, September 29, 1961, p. 13.

¹⁵ Daily Graphic (Accra), October 2, 1961, p. 1.

¹⁶ New York Times, October 4, 1961, p. 1.

In accordance with the provisions of the National Assembly Disqualification Act, the arrested MP's lost their seats.¹⁷ A few members of the United Party still remained, but Parliament proceeded to enact by overwhelming majorities two bills potentially crippling to any future attempt at opposition. One passed October 17 made it illegal retroactively to commit an act "with intent to insult or bring the President of the Republic of Ghana into hatred, contempt, or ridicule. . ."¹⁸ The other, passed October 30, created a special court to deal with treason, sedition, rioting, and unlawful assembly. It would have three judges, selected by the President, and no more than a majority would convict; no minority opinion would be disclosed, no appeal would be allowed, and sentences would range to death.¹⁹ On November 3 the "disrespect bill" was extended to persons living in exile.²⁰

Ghana at this time possessed four daily newspapers. The opposition Ashanti Pioneer had already been subdued, and its editor was among those detained on October 3.²¹ Examination of the independent Daily Graphic indicated that it was unwilling to publish a trace of criticism of what the government was doing. The paper rarely carried an editorial. When it did, it was about an innocuous subject. The middle of the next

¹⁷New York Times, October 15, 1961, p. 23.

¹⁸Blaine Littell, "Big Brother in Ghana," The Reporter, XXV (November 9, 1961), p. 37.

¹⁹New York Times, October 31, 1961, p. 3.

²⁰New York Times, November 4, 1961, p. 3.

²¹Keesing's, November 4-11, 1961, p. 18410.

²²Daily Graphic, July 9, 1962.

year, on July 9, the Daily Graphic was sold to the government.²² Foreign newsmen were accused of misrepresenting events in Ghana, and in November of 1961 a number of these were expelled.²³

Around the first of December the students of the universities were censured by a government spokesman for their "unbridled pomposity, academic arrogance, impudence, . . . indiscipline, and disrespect for President Nkrumah."²⁴ The Education Minister said that drastic measures would be taken against institutions cultivating hostility, disrespect, and indifference toward their elders, particularly toward the President.²⁵ The Minister of Information warned students that the government would "deal ruthlessly with . . . evidence of subversion and reaction" among them, and the government announced the impending dismissal of "reactionary lecturers" who were "poisoning" the minds of students.²⁶

The Government's Justification

British newspapers were in general agreement that the plot against the government subsequently described actually did exist in some form, although they were uncertain that all the details had been as alleged.²⁷ The "Statement by the Government on the Recent Conspiracy," published December 11, was the major justification for the series of repressive measures taken; therefore it is worth citing in some detail.

²²Daily Graphic, July 9, 1962.

²³New York Times, November 29, 1961, p. 2.

²⁴Quoted in Africa Digest, IX (February, 1962), p. 131.

²⁵Ibid. ²⁶New York Times, December 3, 1961, p. 27.

²⁷Africa Digest, loc. cit., p. 130.

According to the Statement, the object of the plot

was to create a state of chaos and confusion in the country so that first an appeal could be made for foreign aid and that then the Army could be persuaded to enter politics on the pretext of restoring order and preserving national independence. The conspirators hoped by this to overthrow the Constitution, silence Parliament and remove all those of progressive ideals from power, either by assassination or arrest, and, in the case of the President, if public opinion would not stand for this, by relegating him to some high but meaningless office. The price which the conspirators were prepared to pay was the partial dismemberment of the country and the ceding, to the Republic of Togo, of the former British Trust territory of Togoland now incorporated as an integral part of Ghana as a result of a plebiscite under United Nations auspices. The Republic of Togo, and, to a lesser extent, other neighbouring African territories were used as bases by the conspirators.²⁸

The Statement went on to point out that a number of heads of state and cabinet members in other newly-independent nations had been murdered. It argued that conspiracy tends to breed counter-conspiracy, so that nothing beneficial in the long run could be expected to come out of the present plot.

The Ghanaian government had had to contend with organized violence since 1954, it said, although since 1957 such violence had largely gone underground. Colonialism had bred a small "elite" which was

drawn from the professional classes and the agents and senior employees of the great merchant houses and educated to look at every social problem from an essentially colonial standpoint. They hoped on Independence to step into the shoes of the former colonial rulers but they had no intention of altering the social system which they hoped to inherit.²⁹

The present plot was the result of cooperation between the elite and other unprincipled self-seekers.

²⁸White Paper, p. 1.

²⁹Ibid., p. 3.

Terrorism had been introduced by persons associated with the National Liberation Movement (1954), who probably were encouraged by the fact that the British had imposed on Ghana a federalist constitution (which they had sought) even though such an arrangement had been rejected overwhelmingly at the polls. Persons who had figured prominently in the Togoland plot of 1957 and the Awhaitey incident of 1958, including the detained opposition MP's, also figured prominently in the present conspiracy. They worked in loosely constructed groups with others who had only recently become dissatisfied, because of the austerity measures, to create disorder by several different means. Their favorite method was to resort to the type of bombings which had been used successfully during colonial days. There was some evidence that K. A. Gbedemah, the former Finance Minister, might be implicated in these activities;

Their principal agent in this was Victor Yaw de Grant Brempong who at all material times had been Personal Assistant to K. A. Gbedemah, both when the latter was Minister of Finance and later when he was Minister of Health. A Minister's Personal Assistant is an official in the Public Service paid by the State but chosen personally by the Minister whom he serves. He is the head of his private office and can have access therefore to all of his most confidential papers. De Grant Brempong had thus the opportunity of seeing not only documents relating to the Ministries in which he served, but also, if his Minister allowed it Cabinet Papers circulated to K. A. Gbedemah. When during the President's absence on his Eastern tour K. A. Gbedemah was a member of the Presidential Commission, de Grant Brempong had access to all confidential material which was submitted to the Presidential Commission.³⁰

The connection of Gbedemah with a plotter is important and will be treated in the next chapter. Brempong's chief function was to make contacts with the Army, making use of the fact that he was an Ewe, as were many of the Army personnel.

³⁰ Ibid., p. 10.

Simultaneously with political disturbances the groups were planning also industrial disturbances. The man in charge of provoking them, Ishmaila M. Annan, was not a union member or official, but had been an executive of the Moslem Association Party which, as the independent Sarkodee Addo Commission had showed, "had been deeply involved in the organization of violence throughout Ashanti and, in particular, the recruitment of non-Ghanaians to carry out acts of terrorism and hooliganism."³¹

The strike was first declared by both the conspirators and genuine union leaders, but by September 12 or so, the UP was in complete control. "The National officers of the Railway Union in Sekondi-Takoradi, because of their earlier association with the United Party, were unable to give any decisive leadership and they soon lost any control which they had had over events."³² J. E. Appiah of the UP proceeded to send in the name of various Ghanaian trade unions a series of telegrams to foreign unions, asking for aid and requesting that replies be sent to a post-office box number which the official register showed to be in the name of I. M. Annan. A copy of one of the telegrams was reproduced in the appendix, as was the portion of the register showing the name of Annan connected with his box number. The officials of the trade unions in whose names the telegrams were sent did not repudiate them, however.³³

³¹Paraphrased ibid., p. 11. The "Sarkodee Addo Report" was published in September, 1958, and is printed in the Daily Graphic, September 4, 1958, p. 5.

³²Ibid., p. 14.

³³Ibid., pp. 15-16.

President Nkrumah's conciliatory gesture toward the strikers has already been mentioned. According to the Statement, one of the union leaders, W. N. Grant, on September 18 persuaded the workers not to respond; he reported this action to Dr. J. B. Danquah and other UP leaders and received their approbation.

There was a series of acts of sabotage. They can be traced to inflammatory speeches, which not only urged such acts but also contained statements which were openly seditious. W. N. Grant stated that the workers would close down Parliament by force if necessary, and another union official said that "The struggle in which we are engaged is not a straightforward one. It is mixed up with rough-house tactics, but if in [the] future we win, we shall become the masters of the country." It seems noteworthy to this writer that the only persons the government could find to quote as having made seditious statements were genuine union officials and not UP leaders.³⁴

Dr. K. A. Busia, the former leader of the opposition who had fled the country just before the publication of the Granville Sharp report in 1959, met in Lome, Togo, on October 14 with several conspirators who had not been detained. Mr. Sylvanus Olympio, the President of Togo, was present also. Busia disclosed that he had been offered the sum of £50,000 sterling for fighting the Nkrumah government (the source is not mentioned), and he offered part of it for use by the Togo government in organizing anti-Nkrumah personnel.³⁵

³⁴Grant, ibid., pp. 11-12; J. R. Baiden, ibid., p. 22.

³⁵Ibid., p. 23.

Serious attempts were made to carry out a program of dynamiting, but they were foiled due to the difficulty of obtaining explosives the origin of which could not be traced. Then Brempong attempted to approach military personnel, offering them payment of £1,000 for the successful completion of any of various dynamittings. Some of the persons approached informed the government, which arranged for an agent to pose as a store man in an Army explosives store. Brempong approached him and actually wrote him a check, which was produced in facsimile as part of the Statement.³⁶

The government emphasized in its Statement the threat of outside interference, asserting that "neo-colonialists" could not tolerate the success of Ghana, particularly if promoted by tax measures unfavorable to them, for if Ghana was successful it would encourage revolutions elsewhere and put an end to profitable businesses.³⁷

Finally, the White Paper endeavored to defend the use of the Preventive Detention Act as opposed to control of subversive activities by a system based on the courts. It did so by arguing that detention was practiced for the detainees' own good, in that the executive branch was more flexible and lenient than the judicial. The judicial branch, it implied, would have a powerful tendency to impose the harshest penalties, even the death sentence, even when this was not necessary: detainees might be reclaimed, and most probably could be. Nor would such penalties be just, for those who were apprehended by the legal authorities were merely tools in the hands of leaders about whom enough evidence for conviction could never be gathered.³⁸

³⁶Ibid., p. 25.

³⁷Ibid., p. 26.

³⁸Ibid., pp. 34-35.

The Validity of the Government's Explanation

The government did not defend any of its specific actions in terms of the activities of the conspirators. It intended that the White Paper should serve as a general explanation of all the steps which the government had obviously taken to protect itself:

This White Paper is published for the people of Ghana to know the reasons which led the Government to take the action which it has taken in connection with the recent conspiracy aimed at a coup d'etat and the actions it will take in the future to safeguard the security of the State. It is also hoped that it will prove of value to all emergent countries as illustrating the type of internal subversion against which any progressive government based on mass support should guard against [sic].³⁹

The government's account of the activities of the strikers and the conspirators appears to have been reasonably accurate. Apparently attempts were being made to overthrow the government by violent means, and it was employing repressive measures at least in part for the purpose of protecting itself. But the promulgation of the repressive measures appears to have had another purpose also, which was not admitted by the government. This purpose was the suppression of all opposition to Nkrumah, and it was to be achieved in part by instruments set up ostensibly in response to the exigent circumstances surrounding the strike. Thus the conspiratorial activities depicted in the White Paper served as a convenient rationale for actions which could be used to control not only them but also activities originating within Nkrumah's own party and among his own former supporters.

³⁹ Ibid., p. 1.

The Use of the Preventive Detention Act

The government's defense of the use of the Preventive Detention Act is somewhat difficult to accept in view of its ability, if it wished to act in this manner, to instruct courts, by law if necessary, to follow the recommendations of the prosecution when fixing sentences of convicted subversives. If such a procedure had been followed, the government could have attenuated penalties at the same time that it assured its citizens of the right to be heard and to defend themselves against possibly false accusations. This the government was unwilling to do.

Its second rationale for the PDA, having to do with justice, probably came closer to being genuine. The government knew approximately who its enemies were and probably really was unable to prove satisfactorily, for legal purposes, that opposition leaders were instigating violence. It was important, however, that they not be untouched by the law simply because they were encouraging illegal activities rather than taking part in them directly; for many of the persons who carried out the activities they incited were likely to be illiterates or poorly educated people who could not be expected to understand the issues they were involving themselves with.

Nkrumah and his associates were attempting to drive Ghanaians toward a goal which required a certain amount of sacrifice for the present but which they expected would be beneficial for all concerned in the future. Those behind the violence were the parochials. Since the government was not willing genuinely to compromise with them, from

its own point of view for justifiable reasons, and since the parochials continued to be determined in their opposition, it was almost natural that they should turn to subversion. Evidence that some of them actually engaged in it was circumstantial, but a strong suspicion did not have to be reinforced very much by other indirect evidence, such as association with proved subversives and seditious or threatening statements in public meetings, for the conclusion of guilt to be arrived at. The procedures followed were not particularly democratic, and Nkrumah admitted it, but in exigent circumstances they were necessary. If some innocent persons were detained by mistake, it was better than having the government overthrown.

There has been no evidence that the detainees of 1961 were treated harshly, and in the spring and summer of 1962 a great many were released. Among these were Quaidoo, Danquah, J. S. Appiah, and Victor Owusu, who had been one of the more outstanding spokesmen for the UP in Parliament.⁴⁰ The combined lists of those released contained over three hundred names, but whether this included all who had been detained not even party MP's were able to learn.⁴¹ No official explanation accompanied the government's action.

Nkrumah had a law on the basis of which he was able to order the detentions himself. He probably used it against persons whom he had some basis for believing condoned or supported the overthrow of his government by violence. Thus he was protecting both his personal

⁴⁰Ghanaian Times (Accra), June 7, 1962, p. 1, and June 21, p. 1.

⁴¹Parliamentary Debates, XXVII (June 6, 1962), cols. 565-566.

position and the established, nominally legitimate, government. The actions which he took against the newspapers and universities can be seen in somewhat the same light. Both selfish and benevolent motives could have been operating.

The National Assembly and the Disrespect and Special Courts Bills

A CPP majority in Parliament, however, enacted two new laws, the disrespect and the special courts acts, which gave even more power to Nkrumah. Such laws might in the future have been used against them. A difficult problem therefore arises in inquiring into the motives of the MP's who supported them.

It will be remembered that the disrespect bill made it illegal to say anything with intent to "bring the President of the Republic of Ghana into hatred, contempt, or ridicule. . . ." The bill gave Nkrumah a potent tool if he wished to use it for controlling statements against him without the necessity of resorting to detention. The special courts bill was designed ostensibly to deal with the same sort of offense that the Preventive Detention Act presumably was, but would permit the government to maintain an air of legitimacy and to demonstrate its case in public while being certain of the outcome. Although up to the present time (July, 1963) there has been no indication that the disrespect law has been used at all or that the courts law has been used to determine the outcome of a case, both could easily be misused and could be employed as further aids in protecting Nkrumah's extraordinary power.

The disrespect bill. If one had been seeking to demonstrate on the basis of evidence brought forth by proponents of the disrespect bill that it was needed for the benefit of Ghana, one would have been frustrated. No such necessity was cited. The minister introducing the bill said it was needed for the following three reasons:

Firstly, it would be a continuation of an act under the British forbidding a show of disrespect to the Queen. Secondly, it would be in line with a section of the constitution (Article Eight) proclaiming that the President was the "fount of honor." Thirdly, since there was "positive" evidence that Nkrumah's people everywhere loved him and regarded him as the "fons et origo" of Ghana, it would only stand to reason that any act "by any unscrupulous person to bring his honor and dignity into contempt and ridicule should be made an offence."⁴²

The entire debate was marked by the absence of genuinely cogent reasoning. The provisions of the act were not related by its defenders to the needs of Ghana as a nation. No effective reply was made to the opposition's contention that the bill could be used to stultify even well-intentioned and constructive criticism.

United Party leaders, with K. A. Gbedemah now added to their ranks, did not attempt to defeat the bill completely. They did, however, try to secure the adoption of an amendment which would permit criticism of the President as head of government even while protecting him as head of state. A CPP representative replied that the two aspects were not differentiable either actually or constitutionally, and that the opposition was simply trying to make it permissible to bring the President

⁴²Parliamentary Debates, XXV (October 13, 1961), cols. 22-23.

into contempt. He also made it clear that detracting statements were no more permissible inside Parliament than anywhere else.⁴³ With no further argument, the amendment was voted down.

The dominant impression one receives from reading an account of the debate is that no genuine effort was made to secure the bill's enactment on the basis of its benefit to Ghana as a nation. It is impossible to explain the voting in terms of a necessity which members recognized and demonstrated in Parliament: the debate seemed artificial and the participants uninterested in evaluating the merits of the positions they were taking. Influences other than their convictions concerning the worth of the bill apparently were at work on the members.

These influences were essentially coercive, in the sense that they stemmed not from considerations of what the consequence of passage would be on the legislators' constituents, but what they would be on the legislators themselves. In this sense legislators' votes in a great many situations in nations everywhere are coerced. But the evidence available suggests that in Ghana the coercion had an essential characteristic about it not found in all parliamentary nations: it was a reflection not of the voters' estimations of their own interests, but of Nkrumah's estimation of their interests and of his own. The variables which determined the voting of legislators in Parliament were not opinions articulated by constituents, but opinions articulated by Nkrumah or the ministers representing him. In the event of a difference of outlook between an MP's constituents and Nkrumah, it was the latter's

⁴³Loc. cit., col. 30 and Journal of the Parliaments, LIII (April, 1962), pp. 169-170.

viewpoint which members of Parliament reacted to. That the nature of Nkrumah's influence even within his own party by the fall of 1961 was essentially coercive in this sense is the theme developed in the next chapter.

The special courts bill. The most questionable aspect of the special courts bill was that it provided for the selection by the President of both the judge and the jury for specific, individual cases arising from crimes which might have been committed essentially against him. Some CPP members argued, apparently with conviction, that extraordinary measures were necessary to meet extraordinary conditions and that even if the rights of a minority might be jeopardized the bill was in the interest of the majority. One such person remarked that the interests of the many as well as the few had to be protected.⁴⁴ But the crucial question of why the selection of the special courts should be left entirely to the President was not answered during the debate on the proposal.

In the debate there were signs of genuine conviction on the part of some of the participants that special measures were necessary, but there was no expressed rationale for the particular special measures which were adopted. The same kind of influence which was discussed in connection with the disrespect bill appears to have been operating in regard to this one also. A further discussion of its specific character is contained in the final chapter.

⁴⁴Loc. cit., cols. 107-114.

Two Other Well-Known Legislative Enactments

In the fall of 1962 the National Assembly expressed its approval of the extension of Nkrumah's presidential term to life and of the creation of a one-party system. Unfortunately, the present writer was unable to obtain primary material on either action. It is interesting to note, however, and not widely known, that Nkrumah declined the offer of the life presidency. He claimed that he would continue to seek reelection at the polls.⁴⁵ At the time the motion seeking to establish a one-party system was voted, there was some question about whether such an enactment would be constitutional.⁴⁶ This writer has never been able to learn that Ghana has been formally proclaimed a one-party state. At the time of the legislation, it was not so proclaimed.⁴⁷

⁴⁵Ghana Today, VI (October 10, 1962), p. 1.

⁴⁶London Times, September 13, 1962, p. 6.

⁴⁷Ibid.

CHAPTER VI

THE CHARACTER OF NKRUMAH'S RULE

Almost immediately following the establishment of the republican constitution in July, the government had banned the use of the terms "Government Side" and "Opposition Side" in Parliament. A correspondent for West Africa, interpreting this as another stage in the advancement toward a one-party system, defended that system with the argument that in Ghana democracy existed within the Convention People's Party rather than between it and the United Party. He contended that the CPP back benchers had long given the government more trouble than did the opposition and that "'The Government Party has always indulged in lively internal debate on almost all important matters. . . .'"¹

The events of the following year cast some doubt on the veracity of the journalist's report, or else they indicated that conditions within the CPP had undergone a change. He was correct in noting that the government party was increasingly intolerant of genuine challenges to its programs from the opposition. During the course of 1961 it became apparent that Nkrumah was not willing to tolerate any genuine opposition from within his own party either. Not only was he unwilling to permit formal instruments to exist which might place any stricture on his freedom of action; even on an informal basis his close associates found it impossible to influence his policy-making significantly. Nkrumah was so inflexible and so insistent on the superiority

¹West Africa, July 9, 1960, as quoted in Africa Digest, VIII (August, 1960), p. 35.

of his own point of view that during the course of 1961 and 1962 even long-time associates who had in the past been in close-enough agreement with him to attain the rank of cabinet minister turned against him.

The First Signs of Intra-Party Opposition

On March 2, Nkrumah announced that his party's central committee had "decided" to give him "executive direction" of the party by making him its general secretary and chairman of the Central Committee.² No reasons were given at the time in the party newspaper which made the announcement, but on May 1, when the change formally became effective, Nkrumah said that he had taken over the posts to "'put the house in order'" and to clear up irregularities. It was at a later time pointed out publicly that Nkrumah himself was responsible for the changes. The assertion was made by an opposition member of Parliament (although the term "Opposition Side" had been banned, party labels had not been), but it was not contested by CPP members present.³

The CPP had been established by Nkrumah, and he was its life chairman and leader.⁴ As such, he himself selected all members of the Central Committee.⁵ The latter, in turn, was the "director" of the National Executive Committee and supervisor of the administrative machinery at all levels.⁶ The value of occupying the role of Central

² Accra Evening News, March 4, 1961, p. 12.

³ Parliamentary Debates, XXV (October 13, 1961), col. 28.

⁴ Apter, Gold Coast in Transition, p. 208.

⁵ CPP constitution, "Central Committee of the National Executive."

⁶ CPP constitution, loc. cit.

Committee chairman, since as "Party Leader" he already held ultimate power, was that it made his functioning more efficient. The assumption of the general secretaryship, the key administrative post, was advantageous for the same reason. Occupancy of both offices put Nkrumah into a position to do more efficiently whatever he chose to do in the party--whether it was to cut down on corruption, as alleged, or to enforce party discipline.

What a London Times correspondent termed "murmurs" against some of Nkrumah's policies were heard from among his own ranks while he was out of the country in March.⁷ The President's response was a reshuffling of his cabinet, an announcement that he was tightening up measures to control corruption in the government, and an assertion that MP's should remember that they owed their positions to the party.⁸

The latter assertion provoked a public reply from one of his own ministers, P. K. K. Quaidoo, the Minister of Social Welfare. In a speech in Parliament, Quaidoo told the members that it was the party which depended on them, not they on the party. This was particularly true in the case of those who had built it up in its earlier years, he said, but it was true also for those who represented it at present. Then he went further and attacked, by analogy, the notion that no one should question the pronouncements of the Party Leader or that the

⁷London Times, June 13, 1961, p. 13.

⁸"Dawn Broadcast," April 8, 1961. Printed in Daily Graphic (Accra), April 10, 1961, p. 1.

Party Leader somehow knew more about what was beneficial for Ghana than did other people. A fresh cabinet shuffle announced a week later left Quaidoo out.⁹

The attacks on Nkrumah, his assumption of the CPP posts, and the frequent cabinet shifts were strong indications that he was experiencing increasing difficulty in maintaining his political position. One of these changes, a transfer of portfolio, which was particularly noteworthy was that of K. A. Gbedemah from Finance to Health in March, 1961.

The Case of Gbedemah

Rivalry

The present examination will center on Gbedemah, for he was generally regarded as Nkrumah's most potent rival.¹⁰ His basic philosophy was close enough, up to 1961, to that of Nkrumah that the latter was willing to entrust him with the Finance portfolio. He also had been a leading member of the CPP since its founding in 1949 and was often regarded as second in command.¹¹

There is good reason to suppose that Nkrumah regarded Gbedemah as his most dangerous rival. The latter had a following from both the left and the right, and he was considered ambitious. He had had an opportunity for building up a personal following among some of the radical elements of the party while Nkrumah was in jail in 1950 and

⁹London Times, loc. cit.

¹⁰London Times, June 13, 1961, p. 13.

¹¹David Apter, Gold Coast in Transition, p. 206.

1951.¹² But in his conduct of the Ministry of Finance, the portfolio for which he held from 1954 to the spring of 1961, he represented a conservative viewpoint and was generally popular with conservatives.¹³ In addition to this, he was from the Ewe tribe, which had been split by the demarcation of the boundary between Ghana and Togo and many members of which were militant in their desire to effect a reunion at the expense of Ghana.¹⁴ Gbedemah therefore possessed appeal for a number of important groups in the society and was in a good position to gain the loyalty of key elements in the event that he either decided or was persuaded to attempt to depose Nkrumah.

According to commentators, Gbedemah was becoming more and more popular while Nkrumah was becoming increasingly unpopular.¹⁵ In a democracy Gbedemah could have anticipated a high probability of assuming the presidency. The most obvious means of preventing this open to Nkrumah was to shift his policy, thereby stealing the basis of Gbedemah's appeal, but Nkrumah was unwilling to do this and chose the course of demoting Gbedemah and finally ousting him altogether. Nkrumah was not willing to permit the CPP to serve as an effective organ for the guidance of public policy even within limits which excluded challenges to government policy regarding parochialism. He could have done so either by modifying his own policies in response to expressions of

¹²Ibid. and Munger, op. cit., pp. 19-23.

¹³London Times, June 13, 1961, p. 13.

¹⁶Supra, p. 38.

¹⁵London Times, September 29, 1961, p. 13.

public demand as articulated in the CPP or else by relinquishing hegemony to someone more representative of a majority concensus. He did neither.

Downfall

The first intimation to the public that something was wrong between Gbedemah and Nkrumah came in the spring of 1961, when Gbedemah lost control of the budget.¹⁶ Then a few days after the "sacking" of Quaidoo as a result of his criticism in Parliament of Nkrumah's position, Gbedemah "asked for" and received transfer of his portfolio from the highly important and influential Ministry of Finance to that of Health--for a man of Gbedemah's experience and capabilities little more than a clerk's job, although as a matter of fact Health and Labour had been the ministry which Gbedemah had headed between 1951 and 1954, when Finance was retained by the British colonial government. The shift was not explained; in a letter to the London Times, Gbedemah said that he had issued no statement about the change to the press because he did not consider it to be the concern of anybody else.¹⁷

In the meantime, the Times correspondent, John White, had been in the country and had written two long articles on the state of affairs in Ghana.¹⁸ Two of the points he made were that Nkrumah seemed to be leaning away from the conservative viewpoint, represented most prominently within the party by Gbedemah, and that there was a growing number

¹⁶London Times, June 13, 1961, p. 13.

¹⁷June 22, 1961. Quoted in Africa Digest, IX (August, 1961), p. 32.

¹⁸London Times, June 13, 1961, p. 13, and June 14, p. 13. The journalist is identified in the White Paper, op. cit., p. 28.

of persons who desired a counter-balance to Nkrumah centered around Gbedemah and the Army. According to White, this was so largely because many of the Army personnel, like Gbedemah, were Ewes. Gbedemah in reply to the articles did not actually deny any growing discontent on his own part which might have encouraged a coalescing of opposition around him, but asserted that he was "absolutely unaware of any discontent in the Army . . ." and that he had "not the faintest idea" of where White might have gotten any information of any sort of impending Army revolt.¹⁹ Indeed, White never did reveal the source of his information, but that he suggested that some were putting their hopes in Gbedemah to move against Nkrumah indicates that Nkrumah himself might well have felt somewhat uneasy about Gbedemah's presence in his cabinet.

As reported in the previous chapter, in September Gbedemah was dismissed from the cabinet altogether. At the same time, five other members of the government, including Kojo Botsio, another long-term associate of Nkrumah, were fired. The official announcement and explanation was made by Nkrumah himself in a "Sunset Broadcast" on September 28.²⁰ No specific allegations were made against either Gbedemah or Botsio, but Nkrumah said that the resignations of all six had been requested because of either of two specific transgressions of the austerity principles enunciated in the "Dawn Broadcast" of the previous spring: all either had persisted in holding property in excess

¹⁹Africa Digest, loc. cit.

²⁰"Sunset Broadcast," quoted in Accra Evening News, September 29, 1961, p. 2.

of the value fixed by Nkrumah for government officials or were involved in private businesses or occupations deemed incompatible with the socialist ideals of Ghana.²¹

Gbedemah, however, denied that either of these was the real reason for his own dismissal, asserting that he had not been asked to hand over any of his property and that, although he was unwilling to state them publicly, both he and Nkrumah knew that the reasons were other than those assigned.²² He did possess a poultry farm which had been the object of some criticism but he had offered to sell it to the government at any price which would enable him to liquidate his outstanding debt, and this had not been asked of him.²³

The Question of Subversion

Both these statements were made in an interview shortly after the dismissal. According to the Graphic account, "He said in the past thirteen years not once had the President impugned his integrity nor his ability as a lieutenant and a *reliable comrade of yours in the party and in the government."²⁴ But this statement contradicts another statement in the interview, for his reliability had been questioned. He told reporters that Nkrumah had actually put to him the matter of whether

²¹Ibid.

²²Letter to Kwame Nkrumah, quoted in part in Daily Graphic, September 30, 1961, p. 3.

²³To reporters, as given in Daily Graphic, loc. cit.

²⁴Ibc. cit.

he was attempting to overthrow the government; he had denied it at the time, and still denied it.²⁵ His subsequent behavior in Parliament showed that while it may have been true that he was not attempting to depose Nkrumah by conspiratorial means, he had lost his enthusiasm for Nkrumah and his techniques to the extent that he was no longer willing to support authoritarian measures designed to protect Nkrumah. He later became an outspoken critic of the disrespect bill which would have made it illegal to criticize the President.²⁶

The government's White Paper had linked him with the alleged conspiracy of that fall but had avoided accusing him directly of having had a deliberate part in it.²⁷ Even though the Paper had done nothing more than emphasize that Brempong was Gbedemah's personal assistant and had access to secret documents through his office, it is clear that the latter felt implicated and believed that his loyalty had at least been questioned in connection with the alleged conspiracy. In a letter dated December 21 to Geoffrey Bing, at that time Nkrumah's legal assistant, Gbedemah stated that the attempts to associate him with Brempong were dishonest, ludicrous, and childish. He claimed that Brempong while in his employ was on probation and that he never had had access to any confidential documents. The accusation, contained in the Statement, that he had had access to Presidential Commission documents was especially disgusting, he said, for these were handed to members of the

²⁵Ibid.

²⁶Journal of the Parliaments, LIII (April, 1962), p. 170.

²⁷Supra, p. 79.

commission by presidential secretaries, dealt with on the spot, and collected immediately. Bing was reported by West Africa as having commented that Gbedemah's letter was dishonest, but there was no elaboration.²⁸

The party's Evening News also maintained that the letter was dishonest and proceeded to print what was purported to be a further expose of Gbedemah's connection with Brempong. It stated that Gbedemah had "installed himself" as chairman of the Presidential Commission specifically for the purpose of being able to give Brempong access to its papers. Many of these, it said, were sent to Gbedemah at his ministry office, presumably where it would be easier for Brempong to study them.

It went on to assert that the connection between Gbedemah and Brempong was so close that the latter, though a personal assistant entitled only to inferior accommodations and third-class fares, "stayed the same expensive hotels with him [sic]" and shared first-class accommodations in general. This implied some special relationship. Finally, the Evening News mentioned the letter written to the Times by Gbedemah the previous June in which he denied having any connection with the Army. It accused him of having intended not to answer the accusations which had been made in the Times at all, for fear that the Times would publish further details. The Evening News said that Gbedemah had asserted that he had replied promptly but in actuality

²⁸West Africa, January 6, 1962, p. 18.

he had not done so; when he did reply, it was only at the urging of President Nkrumah, who feared that he would otherwise be placed in a bad light.²⁹

Breaches in security by Gbedemah, if they were such, do not appear to have been particularly serious; they do not appear serious on their face, and if they in fact were serious their nature was such that they could have been stopped by Nkrumah almost as soon as they started. Gbedemah could not have broken security regulations by taking papers to his office and returning them to their proper locations by messenger without its coming to the attention of others. What is important in this matter and the fact that Nkrumah had questioned Gbedemah's loyalty earlier is the pervasive concern that the minister might have turned to subversive activities.

Identification With the Party

This concern is particularly significant in view of the fact that in the past Gbedemah was one of the persons most closely associated with the over-all principles of the CPP. As a matter of fact, he was one of the founders of the party and was its first vice-chairman. He helped establish the CPP Youth Movement and party newspaper and was an early editor of the latter.³⁰ In a sense it can be said that Gbedemah made the CPP and put Nkrumah in power. Although Nkrumah presents a different picture in his autobiography, contemporary accounts of

²⁹ Accra Evening News, January 2, 1962, p. 1.

³⁰ West Africa, March 31, 1951, p. 269.

Positive Action in 1950 indicate that it was a failure. It failed to arouse any kind of enthusiastic support.³¹ The trial of Nkrumah and his associates aroused little interest, and when Nkrumah was sentenced the reaction of the populace was described as "Well, well. Fancy that. Poor fellow."³² There were no demonstrations or any other indication of support for the CPP.³³ Its officers, except for Nkrumah, lacked conviction to such an extent that they denied having had anything to do with Positive Action, even though the prosecution had clear proof of their associations. Only Nkrumah among those on trial admitted having engaged in the activities cited.³⁴

The Convention People's Party, after the early enthusiasm associated with its organization, obviously reached its nadir at this time, and its leader, Nkrumah, had been sentenced to three years imprisonment.³⁵ Other leaders were sentenced to various lesser terms. Gbedemah, however, was not among them. He was just finishing up a term of six months for having printed seditious material as editor of the Evening News, and he was released just as Nkrumah and the others were incarcerated. Nkrumah is said to have told him as he was being moved from the court to a prison van, "Komla, you are out; we are going inside. Everything depends on you."³⁶

³¹West Africa, January 28, 1950, pp. 49-50.

³²West Africa, March 4, 1950, p. 170.

³³Loc. cit. and March 25, 1950, p. 242.

³⁵Nkrumah, Ghana, p. 126.

³⁶Munger, op. cit., p. 19.

Gbedemah did not let them down. He went to the police commissioner and demanded that the ban on CPP meetings then in effect be removed. A Western journalist who witnessed some of the rallies Gbedemah handled reported that he had no doubts that "here was a mass movement."³⁷ On one occasion he said that the African behind him became so impassioned from Gbedemah's oratory that he pounded his shoulders "black and blue in friendly enthusiasm."³⁸ "C.P.P. AGAIN" posters appeared on walls, badges were distributed as in American campaigns, and "vigorous vocal persuasion" was applied.³⁹ When municipal elections in Accra were held, the party set up booths outside every voting station and by various methods of persuasion, ridicule, and possibly even intimidation shepherded as many likely supporters, especially illiterates, into the polls as possible.⁴⁰ The CPP won every contested seat, by a crushing 15-1 margin.⁴¹

Then it prepared for the coming national election which would choose the new legislature recommended by the Coussey Commission. In this election Gbedemah exhibited both sound political acumen and a deep sense of loyalty to Nkrumah. He himself was a convicted criminal, and so were all the other important leaders of the party, including the supreme chief. Gbedemah turned this apparent stigma into an important asset for the party. One day at a mass rally he solemnly proclaimed his comrades who had been imprisoned graduates of "St. James University

³⁷Ibid., p. 21.

³⁸Ibid., p. 20.

³⁹West Africa, April 15, 1950, p. 313.

⁴⁰Ibid.

⁴¹Ibid. and Munger, op. cit., p. 21.

Prison." Henceforth they were to be entitled to wear special caps, of which he exhibited the first, with the initials "P.G." sewn on the fronts and to write the initials after their names in all correspondence.⁴² Being a "P.G." became such an asset to a politically-minded individual that one such person is reported to have threatened a magistrate and served a prison term to win the coveted title.

Gbedemah's act of political loyalty removed Nkrumah from jail when he still had two years to serve and advanced him to a post almost equivalent to that of prime minister. There can be little doubt that at that time Gbedemah was in effective control and could have consigned Nkrumah to political obscurity. If he could not have done so, he could have tried, but according to Nkrumah himself he did not even try.⁴³ Instead, he conceived the idea of promoting Nkrumah, even though a prisoner, for a seat in the legislature. He had been standing for the Accra district seat, where with his popularity and personal following he was almost certain of victory. In the midst of the campaign, however, he transferred his candidacy to the Ewe district--where because of his tribal affiliations he was fairly safe, but in which he still had to build up a personal following after a long absence.⁴⁴

The result of all his efforts was another impressive victory. Both Nkrumah and Gbedemah were elected, and CPP candidates won twenty-nine of a possible thirty-three seats.⁴⁵ Nkrumah was released from

⁴² Munger, loc. cit.

⁴³ Nkrumah, Ghana, pp. 128-9.

⁴⁴ Munger, op. cit., pp. 22-3.

⁴⁵ Apter, Gold Coast in Transition, p. 199.

jail and invited to become Leader of Government Business and later Prime Minister.⁴⁶ Gbedemah was made Minister of Health until the Finance portfolio was relinquished by the British in 1954, after which time he served as Minister of Finance until 1961.

Gbedemah had contributed as much as anybody else, except possibly Nkrumah, to building the identity of the CPP. He had been with it as one of its most outstanding figures from its very beginning and had demonstrated a willingness to promote its general principles. Gbedemah was not an enemy of the principles of the party, but of some of the methods of Nkrumah which had become apparent by 1961. The split which developed between the two men was over means rather than ends.

The Real Reasons for Dismissal

The reason that the party organ and Nkrumah suspected Gbedemah of subversive activities was not that they had any cogent evidence that he was engaged in them or that he might be committed to a different ideology but that they knew he disagreed with Nkrumah and had no other modes of effective expression. If he had had them, he would not have been attracted by subversion, for he would have had a higher probability of success in expressing his views and achieving the presidency, for which he probably was ambitious, by working within a democratic framework and appealing for electoral support from the major groups which favored his candidacy. The suspicion that Gbedemah was a traitor and his subsequent dismissal were not indications of the undemocratic character of Gbedemah, but of Nkrumah.

⁴⁶Nkrumah, Ghana, p. 136.

Further support for this point of view comes from a series of articles written by the editors of the Evening News immediately after Gbedemah's ouster in an attempt to discredit him.⁴⁷ Kojo Botsio, another minister of long standing, along with four other high officials was removed at the same time, but the Evening News engaged in a bitter denunciation of Gbedemah while coming close to ignoring the others, thus concentrating its energies and space on this one man. This suggests that Nkrumah had genuine fears about the possible rivalry of Gbedemah and was trying to draw away from him any political support he might have had. He could not have been incarcerated, for Gbedemah was well known and popular both within the country and outside it, and he was generally recognized as the strongest potential rival of Nkrumah. Such an act, if there was no solid evidence against him, would have been so transparent that it would have jeopardized the support of such democratic friends as Nkrumah had left.

The second implication of the articles was that Gbedemah did not or could not support enthusiastically a number of policies which Nkrumah was promoting. The Evening News charged him with having failed the state and the people of Ghana in a wide number of instances in connection with his official duties. The most general criticism was that he had been reluctant to Africanize the agencies for which he was responsible, leaving in charge of them Britons who tended to be unenthusiastic and haphazard in their conduct of them. This, if there was any truth to it, may have been a consequence of Gbedemah's conservative belief that experienced English civil servants generally were more

⁴⁷ Accra Evening News, September 30, 1961, pp. 1 and 3; October 3, p. 1.

competent than their relatively uneducated African counterparts. Munger, writing in 1959, did not believe that he was biased toward the use of the British:

He is strong for promoting Ghanaians. . . but not at the price of inefficiency. . . . There is a constant and understandable temptation to politicians to ask that a West Indian or Englishman be declared redundant because a Ghanaian protege is almost qualified for the job. Gbedemah's approach is not to ask for favors but to help Ghanaians qualify on merit.⁴⁸

However this may have been, his reluctance to employ Ghanaians was said to have resulted in the loss for Ghana of millions of pounds from income tax evasion and in a sluggish banking system. Gbedemah also opposed (presumably in party councils) Nkrumah's decision to make the United Ghana Farmers Council the sole agent for the purchasing of cocoa and a decision of Parliament to establish a state insurance company. All of these allegations of failure indicate a difference in point of view between Gbedemah and Nkrumah.

The third implication was that Gbedemah had seriously transgressed the principles Nkrumah had laid down in his Dawn Broadcast to rid himself and his government of the charges of retaining office for its perquisites and profits rather than in order to serve the people of Ghana. The Evening News asserted that he owned, in the names of relatives, five houses, which he rented to expatriots. He had a financial interest in a transportation company. Regarding his statement that he had offered to sell his poultry farm to the government for any price which would permit him to settle his outstanding debts, "The

⁴⁸Munger, op. cit., pp. 24-25.

truth is that Mr. Gbedemah virtually demanded a purchase price of over £G100,000 in cash from the Government in exchange for the take-over of his poultry farm."⁴⁹

It is clear that Nkrumah was sincere in his efforts to rid his government of persons unwilling to adopt the same austerity measures he was asking of his people. But the fact that he dismissed Gbedemah rather than request publicly, as he did of others, that he give up a portion of his properties is a strong indication that the allegations of refusal to adopt austerity measures were merely ammunition used to discredit him. There were also allegations of conflict of interest as a result of his private holdings, and these can be interpreted in the same way.⁵⁰

The dismissal of Botsio should be mentioned in this connection. According to persons familiar with the situation, Botsio was almost ostentatious in his display of wealth and luxury.⁵¹ Although the London Times wrote editorially that the reason for his dismissal was that he was an experienced and therefore dangerous member of the Old Guard, there has not been the slightest shred of evidence advanced publicly that there was any suspicion about his loyalty to Nkrumah.⁵² He was kept out of office for a year and a half but in

⁴⁹October 3, 1961, p. 1. Cf. supra, p. 98.

⁵⁰Accra Evening News, loc. cit.

⁵¹Personal interview, June 16, 1963. The interviewees asked not to be named.

⁵²London Times, September 29, 1961, p. 13.

the spring of 1963 brought back into the government as Minister of Foreign Affairs.⁵³ Gbedemah became increasingly estranged from Nkrumah and eventually went into voluntary exile.

Ministers Turned Traitor

The troubles of other prominent members of the CPP can be interpreted as having causes similar to those of Gbedemah. The four other officials whose appointments were terminated at the same time as those of Gbedemah and Botsio were not prominent enough for information about them to be generally available. But others fired or detained at other times were. These include P. K. Quaidoo, the minister who was dismissed in the spring of 1961 and detained in October, and three others, Tawia Adamafio, Ako Adjei, and H. H. Cofie Crabbe, who were detained August 29, 1962. At the time of their detention, Adamafio was Nkrumah's Minister of Information and Broadcasting; Adjei was the Minister of Foreign Affairs; and Crabbe was the executive secretary of the CPP.⁵⁴

It will be recalled that a short time after the Dawn Broadcast Quaidoo publicly questioned Nkrumah's infallibility.⁵⁵ His inclusion among the forty-nine detained on October 3 was based on allegations

⁵³Ghana Today, VII (March 27, 1963), p. 1.

⁵⁴Africa Digest, X (October, 1962), p. 70.

⁵⁵Supra, pp. 93-94.

of definitely subversive activities. According to the White Paper, he was linked with the conspiracy in two specific ways: during the strike, he had been among those deliberately misinforming workers about the law on strikes; and he had promised support and assistance to those organizing the strike.⁵⁶ Quaidoo appears to have been the first of Nkrumah's ministers to have engaged in treasonous activities against him.

The reasons for the detention of the other three have not yet been officially announced, but they were linked in a public trial during the spring of 1963 with a series of bomb-throwing incidents which had occurred the previous fall and winter, and it seems likely that they were detained on the suspicion of having helped to instigate those. Some of the bombings were deliberate attempts to assassinate President Nkrumah, whereas others appear to have been attempts to cause disruptions which would bring about his downfall.

The incidents began on August 1, 1962, when a hand grenade exploded near the President and killed a number of school children. Another was thrown into a crowd near the President's residence on September 8, and another at the residence of one of his ministers. Others on September 20 and November 6, 1962, and January 8, 1963, were thrown into crowds celebrating party-sponsored events. In all, twenty-two persons were killed by them and over three hundred were seriously injured.⁵⁷

⁵⁶White Paper, op. cit., pp. 11 and 12.

⁵⁷Court opinion on the case of Teiko Tagoe et al. In Ghana Today, VII (April 24, 1963), pp. 1 and 2.

Seven persons accused of being connected with the incidents were brought to trial in a special court set up in January under the provisions of the law of October, 1961. Its entire proceedings were open to the public and the defendants were permitted and informed of their right to appoint counsel, although none of them availed themselves of the privilege.⁵⁸ One of the accused, none of whom were prominent persons, told the court that Tawia Adamafio, the former Minister of Information, had sent secret letters and documents under a pseudonym to the United Party executive committee in exile in Lome, Togo. He said that in January of 1962 he had travelled with Adamafio in a taxi to a hide-out near Accra, where he was introduced to Adjei and Crabbe.⁵⁹ Testimony from another of the accused said that those three had given one of their comrades a parcel of eight grenades for the purpose of assassinating the President. They promised to pay £200 for a successful attempt.⁶⁰ The court took note of the testimony but, since the former officials were not being prosecuted, did not make any findings with regard to them.⁶¹

The Resort to Terror

On June 6, in Parliament, an MP reported to his colleagues that he had recently learned that a special branch of the police (which he

⁵⁸Ibid., p. 1. ⁵⁹West Africa, April 6, 1963, p. 387.

⁶⁰West Africa, March 23, 1963, p. 331.

⁶¹Court Opinion, loc. cit., p. 2.

referred to only as the "CID") was resorting to torture to extract confessions from persons suspected of subversion. Possibly in order to protect himself, he said that this was not necessarily the intention of either Nkrumah or his interior minister; but his implication was that the President had at least established conditions such that police officers could become over-exuberant and commit excesses without having their activities checked.⁶² Sometimes they came to arrest their victims in the middle of the night, much in the style of the Gestapo. Several cases were pointed to by MP's in which it was clear that innocent people had been detained because the officials concerned were no longer taking the trouble to find out whether their victims were guilty of the crimes alleged or not.⁶³

The atmosphere of terror, at least among those who were not ostentatious admirers of Nkrumah, is most graphically illustrated in an article written by a Western journalist who visited Ghana in the summer or fall of 1962. He wrote in part:

One incident symbolizes for me the pervasiveness of Nkrumah's attack on personal privacy. It occurred while I was visiting with a young professor at the University of Ghana. We were discussing Nkrumah, the role of the opposition and, particularly, the disintegration of the university itself. He described the sense of fear which had swept the college clean of its European professors and had sent most of its best Ghanaians into exile or prison. Respected college administrators had been dismissed in favor of youthful stooges, whose primary duty consisted in monitoring classes for any sign of "subversion." The young professor's words ended in a strangely abrupt manner, however, when we heard a knock at the door.

⁶²Parliamentary Debates, XXVII (June 6, 1962), col. 576.

⁶³Parliamentary Debates, XXVII (June 8, 1962), col. 644.

When a repairman entered the room and began to dismantle the telephone, my friend collapsed into an obviously frightened silence. Later, as we strolled through the beautiful Legon campus, he apologized, unnecessarily, for his timidity: "You never know these days who is an informer. I dared not talk in front of that man; he might have been a spy, and these chaps get a good price for each person they report." Subsequent letters to this professor have gone unanswered.⁶⁴

The extent of the use of terror is difficult to estimate at the present time. There have been few published references to it, but this may be more because of success in hiding it from the public and from journalists than its rarity. Perhaps it should be said only that Nkrumah has at least on occasion been willing to permit governmental agencies to resort to it, presumably when he felt least secure in his own position. At any rate, such tactics can hardly be regarded as indications of a willingness to respond to democratic forces in the society.

Conclusions

Nkrumah's assumption of the key posts in the Convention People's Party, his manipulation of his cabinets, and the activities, both real and suspected, of certain of his ministers in opposition to him are all demonstrative of the particular character of his rule and the likelihood of necessity for it. These plus his use of terror reveal that he has been unwilling to permit the party to act as an effective organ for the articulation and reification of public interests, that he has not answered his associates that he would respond meaningfully to public opinion as expressed through channels other than the party, and that he

⁶⁴William McCord, "Long Night in Ghana," New Leader, XLV (November 26, 1962), pp. 6-7.

has not convinced even his own ministers that his particular mode of government is in the best interests of Ghana.

As was suggested at the beginning of this chapter, some commentators, even those close to the scene, have thought that democracy was expressed inside the CPP even though no effective opposition to the power of the CPP was permitted. The experiences of Gbedemah in combination with the particular circumstances surrounding them cast serious doubt on this point of view.

The reason is that in 1961 Gbedemah probably was more representative of major interests and viewpoints in Ghana than any other man, including Nkrumah. This is not to say that if he had been in power he would necessarily have served the interests of Ghana better than Nkrumah did, but the evidence is that the number of people who thought he would was growing at the time of his ouster. If Nkrumah had been attempting to make his policy an accurate reflection of public needs as the public itself saw them, he would have retained Gbedemah and followed his advice more and more, or else stepped aside and permitted him to assume active leadership.

That Gbedemah was suspected of subversion, whatever the evidence, is further indication of the absence of democracy. With his popularity, under free conditions Gbedemah could have enjoyed high expectations of becoming the next President of Ghana. Certainly such an eventuality was not certain, but it was far from improbable. It was highly unlikely, however, as Nkrumah's success in foiling subversion has demonstrated, that any particular subversive plot would be successful in dislodging

him. If Nkrumah had permitted a free play of democratic forces, even within the bounds of the secular and unitary principles of the CPP, Gbedemah could have anticipated a much higher probability of becoming President within a legal framework. Nkrumah, however, knew that democratic forces were not permitted to operate freely, and that if Gbedemah was ambitious to succeed him, he would be forced to resort to subversive means. Thus the suspicion.

The ouster of Gbedemah just at the time when his viewpoint was becoming increasingly representative of public opinion is one indication that Nkrumah did not make an effort to respond to public opinion or demand. Another indication, of course, was his suppression of the channels of communication. Newspapers were censored, undesirable foreign publications were banned, the right to hold public meetings was limited, and the government itself managed the entire broadcasting system. Nkrumah could not have responded adequately to public opinion when the means of communicating it were so completely restricted.

Two direct statements that Nkrumah has lost the support of a majority of his people have come to the attention of this writer. One was through personal interview, in which the interviewees, who themselves were opponents of Nkrumah and asked not to be named, stated that the latter could not possibly win a free election in Ghana at that time, June, 1963. The other statement was based on an informal interview among such people as taxi drivers and workers in Accra in the summer or fall of 1962. On the basis of his findings the interviewer, McCord, reported that Nkrumah had lost almost all his previous support.⁶⁵

⁶⁵Ibid., p. 6.

The question must finally be asked whether Nkrumah was forced into dictatorial practices out of obvious necessity. That a necessity was not obvious to some high-ranking officials in 1961 is clearly suggested by the activities of Quaidoo, Adamafo, Adjei, and Crabbe. Although highly placed in the government and party, these four men were not nearly as prominent as Gbedemah. Before their detention they were rarely mentioned in literature on Ghana. But they did hold high posts in the government or party. If they engaged in subversive activities, they were all taking heavy risks of losing the desirable positions they held and facing heavy prison terms or execution besides. If they succeeded in deposing Nkrumah, their anticipation of attaining higher rewards for any length of time would have been relatively slight. None was prominent enough or popular enough to organize the political or military forces necessary to maintain himself in power for more than the time needed by someone else to organize new forces to depose him. Actually, there is no indication that any of these men had connections with the Army; if one or more of them did, the connections were not revealed in either the White Paper or the trial in which Adamafo et al. were involved.

With a slight anticipation of personal reward, that the four were willing to do anything which would cause Nkrumah to become suspicious enough of them to order their detention suggests that they were acting in what they believed to be the best interest of Ghana. Specifically, it would appear that (1) they believed that Nkrumah was deleterious to Ghana; (2) they could not influence his policies significantly from

their positions within the cabinet; and (3) they did not believe that he would submit himself to a free election when his legal term expired in 1965. The latter conclusion is based on an assumption that, considering the risks involved in trying to depose him, they would have been willing to allow him to remain in office if only for three or four more years.

CHAPTER VII

OVERVIEW

The evolution of Nkrumah's power can be divided into three stages. In the first and third of these no opposition to him could have been successful. In the second stage it might have been. The bases of his power were shifting in such a way that his strength was virtually unassailable at almost all times except just before the passage of the 1960 constitution. This document gave him new bases of power which were effective substitutes for the old bases which were gradually being lost.

During the first stage his power rested on a combination of a conviction on the part of a great many people that the measures Nkrumah advocated were justified in the interests of the state together with his political control over a majority of the legislators who had to enact his program. In the third stage it appears that the conviction of justification was all but gone, and so was the popular support on which he had based his political leverage but by then he had secured legal instruments which made him independent of those bases of power. Therefore if his power was ever to have been broken, the second stage was crucial.

The second stage was marked by the non-decisive nature of the legal instruments at Nkrumah's disposal and the relative uncertainty of support flowing from the conviction that his policies were justified and from popular appeal. These variables must be measured rather indirectly, since there were no public opinion polls and since public

statements by MP's were reflections of Nkrumah's decisions. Since Nkrumah's control became decisive with the passage of the 1960 constitution and since from the way in which he waged his campaign it appears that the population did not entirely trust him at that time, one can conclude that the best time for a general intra-party revolt would have been then. But opposition within the party apparently did not grow until it was too late.

In considering the motivations for supporting Nkrumah which were working on CPP MP's, two distinctions need to be made. One is between factors contributing to decision-making which can be termed essentially voluntary, based on an MP's conviction of the beneficial nature of the measures he is supporting, and those which can be termed essentially coercive. The latter in turn can be divided into two classes: those in which the coercion is political, having to do with Nkrumah's ability to affect the outcome of parliamentary elections, and those in which the coercion is based on legal instruments and power dependent on governmental sanction or force. Nkrumah began in 1957 as a comparatively weak Prime Minister. By 1961 his Parliament had in effect surrendered its power to him, without a system for making sure that he used it properly. If it is assumed that MP's were acting rationally, two major types of influences probably worked on them: legitimate needs of Ghana, and Nkrumah's coercive political power. But it is difficult to be sure that they were at all times acting rationally.

Considerations Contributing to Voluntary Support

As has been noted earlier in Chapter III, Nkrumah was sometimes frank in acknowledging that democracy did not occupy a particularly high place in his scale of values. He was probably benevolent enough, but his attitude was paternalistic. His primary aim was to promote the material welfare of his countrymen, and if this goal came into conflict with democratic principles, the latter would have to be sacrificed:

My first objective is to abolish from Ghana poverty, ignorance and disease. We shall measure our progress by the improvement in the health of our people; by the number of children in school, and by the quality of their education; by the availability of water and electricity in our towns and villages. . . . The welfare of the people is our chief pride, and it is by this that my government will ask to be judged.¹

There was no presumption that the greatest welfare was dependent on a response to democratic forces.

The lack of political sophistication in Ghana furnished the foundation for such a paternalistic philosophy. It is no exaggeration to say that the introduction of complete democracy, without some kind of authoritarian check, would have been disastrous. McCord pointed out in a generally critical article that on at least one occasion such an application of ideals actually was attempted for a short time. Villagers on local levels were permitted to vote democratically for projects which they would like to foster under a community development scheme. Their typical choices included such structures as post offices although no one could read--projects which were impressive but without utility.

¹Nkrumah in speech on Christmas Eve, 1957. Quoted in Nkrumah, I Speak of Freedom, p. 117.

The government was wise enough to abandon democracy and order the villagers to engage in more useful endeavors.²

According to a writer for West Africa, many of those who registered for the general election of 1951 were so ignorant of the political process as to be under the misapprehension that this act constituted voting. The British permitted only those who had paid a levy of four shillings to vote, and a great many preferred the possession of this sum to what they called "the vo'." They could not comprehend what it was about the latter which was worth four shillings. The writer estimated at the time that only about thirty-five per cent would register.³

The meaningfulness of the choices made by those who registered and subsequently exercised the vote is doubtful. The methods which it was profitable for the CPP to use in the 1951 campaign have already been described.⁴ Conditions by 1956 had not changed much. Bretton has written in reference to the campaign of that year:

The campaign methods of the parties varied from outright intimidation, through the use of organized gangs called "action groups" or "action troopers," through bribery, blackmail, economic pressure, deliberate circulation of misleading rumors, invocation of fetishes, ju-ju, tribal sanction, to propaganda work in the fashion of modern mass parties. Rational discussion of issues was reserved to top candidates, and even they resorted, when hard pressed, to demagoguery or even to clear violation of the election code.⁵

² McCord, op. cit., p. 6.

³ West Africa, December 16, 1950, p. 122.

⁴ Supra, p. 103.

⁵ Bretton, op. cit., p. 58.

All parties used forms of persuasion other than purely rational argument; to have done otherwise, under existing circumstances, would hardly have been politically astute.

Apter reported that nearly all the MP's he interviewed who took their positions seriously complained that their constituencies failed to understand their problems. Demands for special favors were particularly persistent and difficult to resist, and there was a singular lack of public indignation at the frequent exposures of corruption in high places. The assumption--and demonstration--of the principle that everyone had his price made it difficult to represent the general interest through the instrument of Parliament.⁶

This lack of political sophistication on the part of the populace should be borne in mind by anyone who wants to understand the dynamics of Ghanaian politics. Actually, such circumstances as those enumerated have not generally been alluded to by the government itself in explaining its policies. Political considerations would prevent it from doing so, for it could not maintain what mass support it had by informing its followers that it must adopt undemocratic methods to deal with them because they were too unsophisticated to know how to fend for themselves. Rather, the traits discussed should be regarded as furnishing a large part of the reason for the apparent lack of concern for democratic principles which many leaders of the CPP, including Nkrumah, have shown. If the welfare of the people was regarded as the prime objective, the best knowledge of how to achieve it could not be assumed

⁶Apter, Gold Coast in Transition, pp. 286-288.

to come from the people themselves, but from a member or members of an elite. Assuming that justification for the exercise of power lay in service to the public, the question was who could most clearly discern the means best suited to that end. There was no basis for an assumption that a group was better adapted for choosing the means than an individual was. A group would be advantageous only if its composition was a reflection of the distribution of needs of the public to be served. An assumption that this was true in the case of Ghana would have been difficult to justify.

If CPP legislators could condone undemocratic practices by their government on the basis of arguments concerning the lack of public sophistication, they could also condone them on the basis of arguments concerning the nature of the opposition. Not only was it parochial and given to violence, but it was also at least as undemocratic as the CPP. The National Liberation Movement, the major constituent of the later United Party, was controlled by the Asantemen Council, made up of chiefs selected from royal families by non-democratic means.⁷ Other constituents, such as the Moslem Association Party and the Togoland Congress, were similarly lacking in democratic orientation.⁸ K. A. Busia, at one time the leader of the opposition and the chief critic of the government, was the brother of a chief and generally regarded as "an aristocrat and snob."⁹ The other major leader of the United

⁷ Bretton, op. cit., pp. 56-57.

⁸ Ibid.

⁹ Apter, Gold Coast in Transition, p. 226.

Party, Dr. J. B. Danquah, was also of royal lineage and had so little popular appeal that in 1954 he lost his legislative seat in his own home district.¹⁰

As was noted in Chapter II, the National Liberation Movement "mushroomed" into existence in 1954 with purely parochial motives. Its political strategy was based on tribalism and included attempts to force compliance with its dictates.¹¹ Violence engendered by it became so severe as to make it impossible for a CPP official to go into Kumasi, the capital of Ashanti.¹² According to Nkrumah, several hundred of the rank and file CPP supporters in that city were forced to move out, and an attempt was made to burn Nkrumah's house.¹³ The para-military activities of the Togoland Congress in the spring of 1957, the Awhaitey plot of 1958, and the alleged plots in 1961 were new instances of subversion and violence, and extraordinary measures were necessary for dealing with them. That the violence would never have been engaged in if the opposition's demands had been met was not of particular importance given the wide and firm consensus that the federal structure demanded was impractical and deleterious.

Assertions that parochial and conservative interests were lent support by foreign governments and capital were made exclusively by the government, and there is no certain way of checking their validity.

¹⁰Ibid. and p. 298.

¹¹Snowniss, op. cit., p. 60.

¹²Anglin, op. cit., pp. 43-44.

¹³Nkrumah, Ghana, pp. 216 and 218.

But whether valid or not, such assertions, if believed, furnished another justification for granting extraordinary powers to the government. It cannot be expected that the risk of influence from foreign governments or foreign private capital would have been preferred by most Ghanaians to leadership exerted by the indigenous CPP, particularly up to 1959 or 1960.

All of these considerations gave the CPP considerable popular support and gave any particular member of Parliament representing the party genuine justification for supporting its measures. They discouraged opposition to coercive legal instruments and practices for the sake of maintaining democratic principles. Whether they justified, even to CPP members, the placement of a great deal of coercive power in the hands of a single individual is not so clear. Perhaps it is safest to say that there was not enough anxiety about it to encourage a concerted effort to avoid it. There would have to have been considerable anxiety for CPP MP's to have been willing to make such an effort, for had they done so they would have run a political risk. Nkrumah was able both to attract and compel support for his measures. His sole means of compulsion when the British departed in 1957 was what we have termed "political." That means had considerable potency and may have been much more important on the whole than an altruistic regard for the long-term welfare of Ghana.

The Channels of Coercion

Political

Nkrumah's political control sprang from his control of the party, which in turn was based on his personal popularity with voters and on a consummate skill in using it to maintain party discipline. Apter, writing in 1954, asserted that Nkrumah was not a party dictator in the usual sense of the word, that decisions arrived at were responses to popular will at the grass-roots level as communicated through extensive and even acrimonious debate at the level of the key Central Committee.¹⁴ On the other hand, as life chairman of a party with a centrist organization, he was in an extremely good position to use his charismatic appeal maintained by his usual flexibility to counter opposition on issues which he considered to be of particular importance. As it turned out, he handled his role in such a way as to make his power unassailable a few years after the attainment of independence.

Since Apter has made by far the most illuminating study of the political basis of Nkrumah's power, he will be quoted extensively:

Overshadowing both the offices and personalities /of the CPP/ is Nkrumah. The offices of the central committee and the national secretariat are hardly limiting factors in the role definition of the occupants of these posts. Rather, definition comes from Nkrumah, and association with him provides legitimacy. Procedural convenience rather than the institutionalization of roles sets the operating mode of the party organs. This is of some importance. It means that so far the constitution and structure of the party are structures of convenience rather than legitimacy, and the legitimacy itself stems from the leader, Nkrumah. Not only is the C.P.P.

¹⁴Apter, Gold Coast in Transition, p. 216.

flexible, but no organizational group at any level is assured of independent authority and power, except the life chairman.¹⁵

.....

In the structuring of action in the C.P.P. certain types of roles are formed at key organizational points which are reinforced and sustained by their links with Nkrumah. Observers often remark at the accessibility of Nkrumah in the party. Rather than accessibility, it is evidence of direct control, and direct and constant need by the member to receive his mandate from Nkrumah for role activity and support. Support, instead of stemming primarily from local units, comes from above; it is endowed as grace, which in turn is manifested through directives and personal contact. The highly organized C.P.P. maintains its discipline as a party through the personal allegiance to Nkrumah on the part of those who perceive their destiny as being achieved, ideologically and psychologically, through the leader and the party organization. All service to Nkrumah is the enhancement of local strength through organization, and his response, being non-doctrinaire, allows many diverse individuals and groups to identify their futures with him. At the same time, the local organizations are open enough so that public ideas, expressions of demand, problems of a local nature, and general discussions can be had, with the lower level leaders depending upon local support as a requisite for Nkrumah's support. These local units admit of the widest membership, and not all of them are effectively under discipline. The Kumasi regional C.P.P., for example, has such an independent local following that its guiding light, Krobo Edusei, was treated with great consideration by Nkrumah, who made him chief government whip, although his qualifications were by no means clear.¹⁶

His compromises with Edusei as well as the fact that he never was able to bring about a CPP victory in some parts of Ghana attest to the fact that Nkrumah lacked complete political control. But the not inconsiderable power which he did possess he used wisely to cut off members who had developed ideologies which might be dangerous and to quash serious rivalries to his own authority within the CPP. Through his control of the party machinery and especially of the National Executive

¹⁵Ibid., p. 207.

¹⁶Ibid., p. 208.

Committee he was able either to withhold CPP sponsorship from persons of doubtful loyalty or to place them in constituencies where they could not win:

. . . Nkrumah has smashed the C.P.P. back bench in the assembly. The potential leadership of Anthony Woode, the pro-communist member of the C.P.P. back bench, has been ended with his expulsion from the C.P.P. Mr. Bediako Poku, who figured so prominently in the Wenchi dispute, was not given C.P.P. backing and did not run for office. An Ewe, Mr. C. K. Quashie, a close associate of Woode, was given an uncertain constituency in Togoland where Antor and the Togoland Congress was strong, and he lost his seat in the assembly. The net effect has been the abolition of a possibly dangerous independent left-wing group in the back bench, which supported Gbedemah and looked to him almost as much as to Nkrumah for party leadership. At one stroke, Nkrumah has strengthened his control over the party groupings and reduced the potential rivalry of Gbedemah, while retaining the latter's services in the new government.¹⁷

Such persons were free to attempt to oppose party-backed candidates in constituencies where the CPP was popular, but success in such an enterprise would have been uncertain, and they would have faced the penalty of being read out of the party and never receiving its backing again.¹⁸ They were then free to join one of the opposing parties, but as long as the CPP remained as effective and as popular as it was, their political futures were considerably more certain if they maintained allegiance to Nkrumah.

Legal

With a combination of political coercion and an ability to point out the positive need for strict measures which would contain an opposition

¹⁷Ibid., p. 299.

¹⁸George Bennett, "The Gold Coast General Election of 1954." Parliamentary Affairs, VII (Autumn, 1954), p. 431.

whose activities might otherwise wreck the country, Nkrumah built up a series of legal instruments which gave him personally the power to control not just parochial opposition but any opposition which appeared threatening to his personal leadership. An examination of the instruments suggests that in promoting them Nkrumah and his assistants made an attempt to hide their true character and the implication that Nkrumah might have been seeking unfettered power. The measures were worded in such a way that they gave him such power only in combination with one another; looked at separately, each appeared to be directed to the purpose of advancing legitimate ends and giving Nkrumah only so much power as would appear tolerable to MP's who had to be depended on to enact the measures.

Of the potentially repressive measures enacted before 1960, only two, the Preventive Detention Act and the National Assembly Disqualification Act, significantly enhanced the personal power of Nkrumah. The deportation acts discussed, of course, were limited in their applicability, although certainly at times they were useful to Nkrumah for getting rid of some of his more persistent and troublesome opposition. Deportation could be used only against aliens. The provisions of the Emergency Powers Act were carefully drawn so as to retain for the legislature the ultimate control of the application of the act. It would have been an extremely uncertain and inefficient instrument for the construction of a personal dictatorship.

The Preventive Detention Act, however, could be used for a period of five years against any native Ghanaian, including MP's, without any restriction from either the legislature or the courts. Public opinion

might have controlled its usage to some extent, but it is clear from its nature that it could be used to control public opinion also. The legislature might at any time have repealed or modified it, but since the act was applicable to MP's, it provided a means of controlling them also. Public opinion might have made the unwarranted detention of a significant number of MP's for any length of time risky; but the provision of the National Assembly Disqualification Act previously discussed would have made it possible to arrest MP's for a relatively short time on "suspicion" of subversive activities and to have eliminated their ability effectively to oppose governmental measures.

The Preventive Detention Act was to expire at the end of five years. To assure its renewal by detaining its opponents would have been awkward; the government made such awkwardness unnecessary by the provisions of the 1960 constitution. Article Fifty-five together with the absence of any genuine protection of fundamental rights gave Nkrumah the authority to carry out the provisions of the Preventive Detention Act by executive decree if necessary. This was in contrast to the implied assurance by those provisions that the legislature, through its own authority either to renew or not to renew the measure at the end of five years, was in ultimate control of it. Article Fifty-five made such authority almost meaningless and withdrew effective control from the legislature.

Although Article Fifty-five, which enabled the President to "alter" any legislative enactment, either expressly or by implication, was decisive, another provision was highly useful in helping promote

the appearance of legitimacy. This was contained in Article Twenty-four, and it granted the power of absolute veto. No means were provided for overriding a presidential veto. Thus, even if enough members of the National Assembly to form an extraordinary majority opposed Nkrumah, they could not express their opposition in the form of a law restricting the President or contradicting a measure he had promulgated. The most they could do was to pass a resolution or signify their assent to a bill which would not become law.

The Motivations of Legislators

If one considers the resistance to Nkrumah which apparently grew up within his own ranks and the terrorism which had to be imposed by the summer of 1962, the behavior of members of Parliament who voted for some of the more autocratic measures which were presented for their approval seems almost irrational. Of these measures, the Preventive Detention Act and the provisions of the 1960 constitution which have been discussed are outstanding. But MP's could not foresee future developments with certainty, of course, and the facts available for their consideration at the time were not such as to indicate the need for concern. All influences working together apparently made it seem more rational to vote for the measures than against them.

The Preventive Detention Act

When CPP MP's voted in favor of the Preventive Detention Act, three major considerations appear to have influenced their action. As indicated both in Chapter III and the present chapter, it would have

seemed to anyone who shared the unitary and secular outlook of the CPP that some kind of extraordinary measures were needed to control the opposition. Something had to be done to keep the violent and subversive activities being engaged in from being successful and overthrowing not only Nkrumah but the entire Convention People's Party. Ghana was passing through a critical period, and the court system could not be entirely relied upon. The question was not whether the government should have the power of detention, but how it was to be controlled.

Two means of controlling the power existed. Nkrumah had proposed a bill which gave him complete freedom to use the detention power for five years. But the legislature would retain ultimate authority, for the government was still parliamentary in form. Furthermore, the bill specifically provided for parliamentary reconsideration when the five years had passed. Thus, to all appearances it was not particularly dangerous to vote for enactment.

But there was another consideration also: the political leverage which Nkrumah held at this time. Since Nkrumah was sponsoring the bill, opposition to it on the part of any CPP member would have been futile. He would have lost party sponsorship at the next election and been soundly defeated. If enough party members had refused to support the bill so that its enactment had actually been thwarted, Parliament could have been dissolved immediately and all those persons replaced by others more docile. Only two years after his outstanding victory of 1956, Nkrumah still was easily popular enough to determine the outcome of an election in the majority of constituencies. It would have been futile for an MP to oppose the bill in the first place and foolhardy from a personal standpoint.

The 1960 Constitution

While it is not difficult to understand the motives of the legislators with respect to the Preventive Detention Act, it is somewhat more difficult to do so with respect to the constitution. That document not only gave the executive the authority necessary to meet emergencies unhampered by a necessity to secure a specific legislative mandate for each new measure, but it also removed the ability of the legislature to restrict the executive's activities even if it decided that they were being misused.

Apparently Nkrumah believed in 1960 that a popular mandate for the assumption of absolute power by him was unattainable. He achieved virtually absolute power when the 1960 constitution became effective; the constitution's provisions together with those of the Preventive Detention Act gave him the means to promulgate measures despite opposition in the legislature and to crush opposition which might seriously threaten him. The absence of formal machinery for limiting the President's power probably did not appear intolerable to most members of the CPP so long as Nkrumah was willing to formulate his policies in accordance with recommendations arrived at collectively. But it would not have done any harm to insure that he would do so by making the exercise of his powers constitutionally dependent, ultimately, on legislative approval. If legislators had insisted on this, they probably could have won their case by threatening to make a campaign issue out of the inclusion of Article Fifty-five in the constitution and by carrying their case to the electorate. They could have done so by refusing to support the inclusion

of Article Fifty-five; the only recourse open to Nkrumah--since as yet he possessed no decree power--would have been to go to the electorate. If Nkrumah was afraid to face the voters on that issue, he would have been forced to back down. The legislature would not have had to bind the executive in such a way as to hinder his legitimate activities. They could have provided for a legislative veto on the basis of an extraordinary majority, for example. But they provided for no restriction at all.

The major reasons apparently were that they did not expect that they would ever come into serious disagreement with Nkrumah's policies and that even in 1960 they would have been taking a serious risk in trying to oppose him. There is no evidence that up to this point he had misused any of his powers, including that of detention. He had used them only to hamper the opposition--not the CPP. In the past his policies had been justified: there was no solid evidence that in the future anything would change. In the past also it had been he, either personally or through his ministers, who had initiated and promulgated the important legislation. The new constitution in effect seemed to be acknowledging him for what he really was: the undisputed leader of both the party and the government.

Even if the legislature had had solid grounds for anxiety, it still would have been politically dangerous to oppose the new instrument. While Nkrumah appears to have been afraid to face the nation with the real nature of the constitution, he still was politically powerful, as evidenced by the overwhelming majority of votes he received in the

election connected with the plebiscite. Legislators, if they had been determined to do so, might have been successful in preventing him from possessing the decree power, but it would have been at considerable political risk to themselves. The Chief Executive would have campaigned against them at the next election and probably caused their defeat at the polls.

Coercion After 1960

In Chapter V we argued that the passage of the disrespect and special courts acts, or the particular form they took, was not decided by a conviction of the legislators who voted for them that they were in the best interest of Ghana, but by considerations of self-interest. The question remains as to whether a penalty for voting the wrong way on the bills would have emanated from the electorate in a free political process or whether it would have been brought about by Nkrumah himself. In Chapter VI we indicated that by 1961 Nkrumah was using in other situations forms of coercion which were not essentially political--that is, which did not depend on his ability to affect the political choices of the electorate. Further analysis suggests, by the process of elimination, that the form of coercion which was operating on the legislators in 1961 also was non-political.

Using what was apparently Nkrumah's own estimate of his strength, we conclude that by the spring of 1960, when the campaign for the constitution was waged, a majority of voters were opposed to unlimited powers for Nkrumah. No other explanation of the way in which he went

about getting the 1960 constitution adopted can be found. And the fact that he secured what in effect was unlimited power implies strongly that he believed that he could no longer depend on political leverage. Finally, if he was afraid to attempt to secure a popular mandate for his acquisition of dictatorial powers, it can be assumed that by the fall of 1961, after support seems to have continued to fall away from him, MP's would not have expected the majority of their constituents to approve of their granting Nkrumah instruments which could easily be used further to contain his opposition.

BIBLIOGRAPHY

BIBLIOGRAPHY

Accra Evening News, February, 1961-August, 1962.

Africa Digest, March, 1959-April, 1963.

Anglin, Douglas. "Whither Ghana?" International Journal, XIII (Winter, 1957-1958), 41-59.

Apter, David E. The Gold Coast in Transition. Princeton: Princeton University Press, 1955.

_____. "The Role of Traditionalism in the Political Modernization of Ghana and Uganda," World Politics, XIII (October, 1960), 45-68.

Bennett, George. "The Gold Coast General Election of 1954," Parliamentary Affairs, VII (Autumn, 1954), 430-439.

Bourret, F. M. Ghana: The Road to Independence, 1919-1957. Stanford: Stanford University Press, 1960.

Bretton, Henry L. "Current Political Thought and Practice in Ghana," American Political Science Review, LII (March, 1958), 46-63.

Busia, K. A. The Position of the Chief in the Modern Political System of Ashanti. London: Oxford University Press, 1951.

Carter, Gwendolen M. Independence for Africa. New York: Frederick A. Praeger, 1960.

Constitution of the Convention People's Party. In Nkrumah, Kwame. Ghana: The Autobiography of Kwame Nkrumah. New York: Thomas Nelson and Sons, 1957. Appendix A.

Constitution of the Republic of Ghana. In Rubin, Leslie, and Murray, Pauli. The Constitution and Government of Ghana. London: Sweet and Maxwell Limited, 1961. Appendix A.

Daily Graphic (Accra), January, 1961-July, 1962.

Fage, J. D. Ghana: A Historical Interpretation. Madison: The University of Wisconsin Press, 1959.

Ghana Today, January, 1960-April, 1963. (Published by the Information Section of the Ghana Office, London.)

Ghanaian Times (Accra), January, 1962-December, 1962.

Journal of African Law, V (Spring, 1962).

- Journal of the Parliaments of the Commonwealth, March, 1957-March, 1963.
- Keesing's Contemporary Archives, January, 1954-March, 1963.
- Littell, Blaine. "Big Brother in Ghana," The Reporter, XXV (November 9, 1961), 35-39.
- London Times, January, 1954-June, 1963.
- McCord, William. "Long Night in Ghana," The New Leader, XLV (November 26, 1962), 3-7.
- McQuade, Lawrence C. "The Showplace of Black Africa," Yale Review, XLIX (December, 1959), 215-229.
- Ministry of Education and Information, Ghana. Ghana as a Republic: Your Questions Answered. Accra: Government Information Services, 1960.
- Ministry of Information and Broadcasting, Republic of Ghana. "Statement by the Government on the Recent Conspiracy" (W. P. No. 7/61). Accra: Government Printing Department, December 11, 1961.
- Munger, Edwin S. African Field Reports, 1952-1961. Cape Town: C. Struik, 1961.
- New York Times, October, 1961-December, 1961.
- Nkrumah, Kwame. Ghana: The Autobiography of Kwame Nkrumah. New York: Thomas Nelson and Sons, 1957.
- _____. I Speak of Freedom. New York: Frederick A. Praeger, 1961.
- Parliamentary Debates (Ghana), March, 1961-December, 1962.
- Rubin, Leslie, and Murray, Pauli. The Constitution and Government of Ghana. London: Sweet and Maxwell Limited, 1961.
- Snowniss, Leo M. "Democracy and Control in a Changing Society." Thesis submitted to the Department of Political Science, University of Chicago, November, 1960.
- Timothy, Bankole. Kwame Nkrumah: His Rise to Power. London: George Allen and Unwin Limited, 1955.
- Ward, W. E. F. A History of the Gold Coast. London: George Allen and Unwin Limited, 1948.
- West Africa, January, 1950-September, 1952, and September, 1961-April, 1963.