

VOLUME 1 CHAPTER 1**EXECUTIVE SUMMARY****CHAPTER ONE****1.1 INTRODUCTION**

1.1.1 Both international and domestic law oblige governments to protect their citizens from human rights violations and abuses, and to provide redress for those who suffer such violations and abuses. Governments also have a duty to combat impunity by, among other measures, imposing sanctions against those who infringe the fundamental human rights of others, and eradicating the conditions that enable and produce the violations and abuses.

1.1.2 Throughout the contemporary world, Truth and Reconciliation Commissions (TRCs) have emerged as a critical part of the responses of states, especially those undergoing political transition, to serious acts of human rights violations and impunity occasioned by a history of prolonged conflicts and antagonisms. TRCs are official bodies established to investigate and document past human rights abuses and violations of international humanitarian law, and to chart a path for achieving healing, peace and national reconciliation.

1.1.3 Since the attainment of political Independence from British rule on 6th March, 1957, Ghana has experienced four successful military coups d'état and numerous attempted coups. All these events have occasioned extensive human rights violations and abuses. The unconstitutional governments resulting from military coups provided a platform for the serious and sustained violation of the rights of many citizens and foreigners resident in Ghana. The fundamental human rights and freedoms of many people were also violated or abused during periods of constitutional rule.

1.1.4 Most of these violations and abuses of human rights and international humanitarian law have not been investigated, officially acknowledged and redressed. As a result, considerable pain, anguish, bitterness and divisions exist in Ghanaian society.

1.1.5 The establishment of the National Reconciliation Commission (the "Commission") came in the wake of Ghana's historic elections of December 2000, which witnessed, for the first time in the country's post-Independence history, a change of constitutionally-elected government effected not by violent means but by popular vote. That event was a clear testimony to the strong desire of Ghanaians to live under conditions of democratic accountability and to forge a society firmly grounded in respect for human rights and the rule of law. The consolidation of democracy and the promotion of constitutional rule and

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a culture of respect for fundamental human rights and freedoms, as enshrined in Chapter Five of the Constitution of Ghana, 1992, demand that Ghana should deal with its history of egregious human rights violations that risk compromising the forward march of democracy and peace in the country. Building a future for Ghana that is united, secure, peaceful and humane also demands providing redress, including healing, for those who were hurt in the past by serious human rights violations and abuses in the nature of killings, abductions, disappearances, torture, detentions, seizure of property and ill-treatment. The Commission was seen by the Ghana Parliament as a vehicle to facilitate the attainment of these goals.

1.1.6 This Volume of the **Report of the National Reconciliation Commission** (the “Report”), being the Executive Summary of the Full Report, provides:

1. an introduction to the establishment, membership, objectives, mandate, functions and powers of the Commission;
2. an overview of the activities, methods and values of the Commission;
3. a discussion of the historical context of human rights violations and abuses in Ghana;
4. a summary of the role of several state institutions (such as the security agencies and the judiciary) and civil society organizations (such as the media, religious bodies, chiefs, workers and student movements) in promoting or resisting human rights violations and abuses in Ghana;
5. a statistical profile of the petitions received by the Commission;
6. an overview of the key findings made in respect of the petitions;
7. an outline of the principles and recommendations for redressing the violations and abuses suffered by petitioners;
8. recommendations for institutional reforms; and
9. recommendations in respect of the establishment of a Reparations and Rehabilitation Fund.

1.2 ESTABLISHMENT

1.2.1 In December 2001, the Parliament of Ghana passed an Act to establish the Commission. The Act, known as the National Reconciliation Commission Act, 2002, (Act 611) (herein referred to as Act 611), came into force on 11th January, 2002, when it was gazetted. The goal of the Commission, as expressed in the Long Title to Act 611, was to

seek and promote national reconciliation among the people of this country by recommending appropriate redress for persons who have suffered any injury, hurt, damage, grievance or who have in any other manner been adversely affected by violations and abuses of their human rights arising from activities or inactivities of public institutions and persons holding public office.

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1.2.2 Thus, the work of the Commission is a major development imperative for Ghana, a country engaged in fostering a culture of respect for fundamental human rights and freedoms, the rule of law, the consolidation and enhancement of democracy, and the strengthening of its governance institutions.

1.2.0 APPOINTMENT AND MEMBERSHIP

1.3.1 Members of the Commission were appointed by the President in consultation with the Council of State – a non-partisan constitutional body of eminent Ghanaians that advises the President on appointments to public office and other matters prescribed by the Constitution. This was in keeping with the provisions of Section 2(2) of Act 611. In appointing the members, the President was required by Section 2(3) of the Act to have regard to the integrity, sense of fairness and ability of the persons to achieve the object of national reconciliation as outlined in Section 3 of Act 611.

1.3.2 The Commission comprised the following nine Ghanaians:

1. Mr. Justice Kweku Etrew Amua-Sekyi, a retired Supreme Court Judge (Chairman);
2. Most Reverend Charles Gabriel Palmer-Buckle, Catholic Bishop of Koforidua;
3. Maulvi Abdul Wahab Bin Adam, Ameer (Head) and Missionary-in-Charge, Ahmadiyya Muslim Mission, Ghana;
4. Professor Florence Abena Dolphyne, former Pro-Vice-Chancellor of the University of Ghana;
5. Lt-Gen Emmanuel Alexander Erskine, First Force Commander of the United Nations Interim Force in Lebanon (UNIFIL);
6. Dr. (Mrs.) Sylvia Awo Mansah Boye, former Registrar of The West African Examinations Council;
7. Mr. Christian Appiah Agyei, former Secretary-General, Trades Union Congress (Ghana);
8. Uborr Dalafu Labal II, Paramount Chief of Sanguli Traditional Area, Northern Region; and
9. Professor Henrietta Joy Abena Nyarko Mensa-Bonsu, Associate Professor, Faculty of Law, University of Ghana.

VOLUME 1 CHAPTER 1**1.4 INAUGURATION**

1.4.1 The Commission was inaugurated by the President on 6th May, 2002 – within two weeks of the appointment of its members as required by the provisions of Section 5(1) of Act 611. The President administered the Oath of Secrecy and the Oath of Office to the Chairman and members of the Commission as required by the Second Schedule to the Constitution of Ghana, 1992.

1.5 APPOINTMENT OF EXECUTIVE SECRETARY

1.5.1 The President appointed Dr. Kenneth Agyemang Attafuah, the Director of Public Education and Anti-Corruption at the Commission on Human Rights and Administrative Justice, as the Executive Secretary of the Commission.

1.6 OBJECTIVES

1.6.1 The object of the Commission, as stated in Section 3(1) of Act 611, was to “seek and promote national reconciliation among the people of [Ghana]”. This object was to be pursued in respect of human rights violations and abuses that occurred during periods of unconstitutional government, namely:

- (i) 24th February, 1966 to 21st August, 1969;
- (ii) 13th January, 1972 to 23rd September, 1979; and
- (iii) 31st December, 1981 to 6th January, 1993.

Apart from the specified periods, Section 3(2) of the Act also empowered the Commission, on application by any person, to pursue the objective of the Commission “in respect of any other period between 6th March, 1957 and 6th January, 1993”. In practice, the Commission encouraged, received and considered petitions alleging human rights violations and abuses that occurred during both constitutional and unconstitutional governments.

1.6.2 The mandate of the Commission was to help reconcile the people of Ghana by finding out the truth about past human rights violations and abuses and helping the victims of those violations and abuses to deal with their pain, and to move on with their lives. The mandate also included helping the perpetrators of such violations and abuses to come to terms with their past, and seek forgiveness. Section 20(2)(e) and (g) of Act 611 also required the Commission to recommend reforms and measures to prevent and avoid the repetition of such violations and abuses and to promote healing and achieve national reconciliation.

1.6.3 The objective of seeking and promoting national reconciliation was to be achieved through two principal means. First, the Commission was required to

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establish an accurate, complete and historical record of human rights violations and abuses inflicted on persons by public institutions and holders of public office or persons who claimed to have acted on behalf of the State during periods of unconstitutional government.

1.6.4 Second, the law required the Commission to recommend to the President appropriate measures to assuage the pain of, and make reparation to, those whose human rights were violated or abused during the mandate. The Commission was also required to recommend measures to prevent such occurrences in future.

1.7 FUNCTIONS

1.7.1 To achieve its goal, Section 4 of Act 611 mandated the Commission to:

1. investigate violations and abuses of human rights relating to killings, abductions, disappearances, detentions, torture, ill-treatment and seizure of properties suffered by any person within the specified periods;
2. investigate the context in which and the causes and circumstances under which the violations and abuses occurred and identify the individuals, public institutions, bodies, organizations, public office holders or persons purporting to have acted on behalf of any public body responsible for or involved in the violations and abuses;
3. identify and specify the victims of the violations and abuses and make appropriate recommendations for redress;
4. investigate and determine whether or not the violations and abuses were deliberately planned and executed by the State or any public institutions, bodies, organizations, public office holders or persons purporting to have acted on behalf of the State;
5. conduct investigations relevant to its work and seek the assistance of the police and any public or private institution, body or person for the purposes of any investigations;
6. investigate any other matters which it considers require investigation in order to promote and achieve national reconciliation; and
7. educate the public and give sufficient publicity to its work so as to encourage the public to contribute positively to the achievement of the object of the Commission.

VOLUME 1 CHAPTER 1**1.8 POWERS****1.8.1 Investigation**

1.8.1.1 By virtue of the provisions of Sections 10 and 11 of Act 611, the Commission had broad powers of investigation. For example, it could enter any place to conduct an investigation, and remove from any place any item or object that it believed was relevant to its investigations. Under certain restricted conditions, the Commission could search and remove items without a warrant.

1.8.1.2 Specifically, Section 11(1) of Act 611 grants the Commission normal powers of the police with respect to entry and search of premises. It provides as follows:

- (1) The Commission shall have the powers of the police for the purpose of entry, search, seizure and removal of any document or article relevant to any investigation under this Act.
- (2) Notwithstanding subsection (1), the Commission or a person authorized by the Commission may:
 - (a) with the consent of the occupier of the premises enter, search, seize and remove any document or article; or
 - (b) where in the opinion of the Commission obtaining a warrant will defeat the purpose of the entry, seizure and removal of any article relevant to the investigations, enter, search, seize and remove the document or article without a warrant except that the warrant shall be obtained within twenty-four hours of the search, seizure and removal.

(3) A document, article or information obtained by the investigation unit shall not be made public unless authorized by the Commission.

1.8.2 Hearings

1.8.2.1 In conducting its proceedings, the Commission had power under Section 13 of the Act to call witnesses and require them to swear an oath or make an affirmation to tell the truth, and ask them questions while they were under oath or affirmation. The Commission could also compel, by subpoena, any person to appear before it and testify on oath or affirmation, or to produce any document or article. Although the Commission had the powers of a court with regard to production of official documents, it was not a court but a fact-finding body.

1.9 INDEPENDENCE

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1.9.1 Section 8(1) of Act 611 provided that, in the performance of its functions, the Commission would be “independent and not be subject to the control or direction of any person or authority”. In addition, Section 8(2) required the members and staff of the Commission to serve impartially and independently and perform the duties of their office in good faith and without fear, favour, bias or prejudice, notwithstanding their personal opinions, preferences or party affiliations.

1.10 STRUCTURE OF THE SECRETARIAT

1.10.1 The Commission established a Secretariat headed by the Executive Secretary. The Secretariat had five Directorates at the Headquarters. They were: Finance and Administration; Investigations and Research; Legal; Public Affairs and Community Liaison; and Counselling and Support Services.

1.10.2 There were also five Zonal Offices located in five Regional Capitals in order to ensure access to the Commission’s services throughout the country. Each Zonal Office was headed by a Zonal Manager. The following were the Zonal Offices:

1. Bolgatanga Zonal Office to serve the Upper East and Upper West Regions;
2. Ho Zonal Office to serve the Volta and Greater Accra Regions;
3. Kumasi Zonal Office to serve the Ashanti and Eastern Regions;
4. Takoradi Zonal Office to serve the Western and Central Regions; and
5. Tamale Zonal Office to serve the Brong Ahafo and Northern Regions.

1.10.3 The Directors and Zonal Managers reported to the Commission through the Executive Secretary, who co-ordinated and supervised their activities. Details of the functions of the Directorates and Zonal Offices, as well as the names of the Directors and Zonal Managers, are outlined in Volume Two, Chapter One, of this report.

1.11 OFFICES OF THE COMMISSION

1.11.1 The Commission commenced its work in May, 2002. It initially conducted its business from temporary offices located at the Independence Square Building in Accra. The Old Parliament House, which was to serve as the permanent offices of the Commission, was then under refurbishment for that purpose. On 13th January, 2003, following the completion of refurbishment, the Commission moved to the Old Parliament House. With the exception of work in its zonal offices and the regional and in-camera hearings, all the business of the Commission took place in the Old Parliament House.

VOLUME 1 CHAPTER 2**CHAPTER TWO****UNDERSTANDING AND GIVING EFFECT TO THE MANDATE****2.0 INTRODUCTION**

2.0.1 Following its inauguration on 6th May, 2002, the Commission took the opportunity afforded by an orientation session, sponsored by the Ghana Center for Democratic Development (CDD-Ghana) and the New York-based International Center for Transitional Justice (ICTJ), to hold its maiden meeting to explore the scope of its work and to consider a draft administrative framework for its secretariat, as well as a budget proposal for its operations.

2.1 ELEMENTS OF THE MANDATE

2.1.1 The Commission considered the scope of its mandate and agreed that, as expressed in the Long Title of its enabling statute, Act 611, its primary purpose was to “seek and promote national reconciliation” among the people of Ghana. These elements require elaboration.

2.1.2 Seeking National Reconciliation

2.1.2.1 In the Commission’s view, seeking national reconciliation meant pursuing the following sets of activities:

- a) educating the public on the purpose, mandate, functions, powers and activities of the Commission;
- b) giving prospective petitioners an opportunity to make a statement outlining the substance of their claims of human rights violation or abuse;
- c) establishing the accuracy of the claims through investigations;
- d) offering petitioners an opportunity to tell their story to the Commission;
- e) providing healing to victims and perpetrators through counselling and other support services; and
- f) recommending appropriate redress for the wrongs found by the Commission to have arisen from the “activities or inactivities of public institutions and persons holding public office” between 6th March, 1957, and 6th January, 1993.

VOLUME 1 CHAPTER 2**2.1.3 Promoting National Reconciliation**

2.1.3.1 The Act imposed a statutory mandate on the Commission to promote national reconciliation. This promotional mandate implies that where the Commission found evidence of such efforts and considered them viable, it had an obligation to further or enhance them. The object of these promotional strategies was to broaden the social and political space for reconciliation throughout the country.

2.2. ACTIVITIES, VALUES AND METHODS

2.2.1 The Commission construed its mandate broadly to mean that, in order to achieve national reconciliation, it was required to undertake three specific activities, in addition to any other methodological approaches it might pursue, namely, to:

1. establish accurate, complete and historical record of violations and abuses of human rights inflicted on persons by public institutions and holders of public office or persons who claimed to have acted on behalf of the state during periods of unconstitutional government;
2. recommend appropriate redress for persons who had suffered any injury, hurt, damage, grievance or who had in any other manner been adversely affected by violations and abuses of their human rights; and
3. recommend measures, including institutional reforms, to prevent the re-occurrence of such violations and abuses in future.

2.3 METHODOLOGY

2.3.1 The Commission regarded the obligation to establish an “accurate, complete and historical record of violations and abuses of human rights” as the cornerstone of its mandate. Fulfilling this obligation demanded that the Commission should be fair and thorough in its statement-taking, investigations and hearings.

2.3.2 Statement-Taking

- 3 The Commission devised two methods for receiving statements from the public. First, it invited prospective petitioners to call at any of its five Zonal Offices throughout the country or at its Headquarters in Accra to complete and sign or thumbprint a standard statement form and to make a written statement detailing their grievances. Such persons were assisted by trained statement-takers who took down their statements in English irrespective of the languages in which the persons gave their statements; the statement-takers were proficient in the local language(s) of the regions for which they were recruited. The statements were then read to the petitioners to verify that the statement-takers had properly captured the narratives of

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the statement-makers. Where they were so satisfied, the petitioners appended their signatures or thumb-printed the forms. Second, in some instances, petitioners who were literate in English wrote down their own statements or brought an already prepared statement to the Commission, and then completed and signed a statement form, which was subsequently attached to their written statement. This second option made it possible for petitioners who were resident outside Ghana to write and mail their own statements to the Commission. They then filled out the statement form whenever they visited the Commission, prior to testifying before it.

2.3.2.2 The statement form was designed to elicit information establishing the complete profile of witnesses for statistical purposes.

2.3.2.3 To ensure that no one who wanted to petition the Commission was denied the opportunity simply by virtue of their poverty and or residence in a remote rural area, the Commission embarked on a “mopping-up exercise” with the kind financial and human resource support of the CDD-Ghana. Under this exercise, staff of the Commission and of CDD-Ghana undertook special public outreach, statement-taking and counselling exercises in many rural areas of the country. Through this exercise, many otherwise disadvantaged persons were able to file their petitions.

2.3.2.4 In all the Commission received 4,240 petitions covering killings, abductions, disappearances, torture, sexual abuse, detentions, ill-treatment, seizure of properties, hostage-taking, interference with the right to work and abuse of judicial process.

2.3.3 Investigations**2.3.3.1 Scope - Mandate Period**

2.3.3.1.1 The Commission was specifically required by Act 611 to investigate violations and abuses of human rights relating to “killings, abductions, disappearances, detentions, torture, ill-treatment and seizure of properties” suffered by any person at the hands of “public institutions, public office holders or persons purporting to have acted on behalf of the state...”

2.3.3.1.2 The Act also gave the Commission the discretionary power to investigate and make appropriate recommendations in respect of any petition alleging similar human rights violations, but which allegedly took place during periods of constitutional rule between 6th March, 1957 and 6th January, 1993. In exercise of this discretionary power, the Commission decided that, to further its aims of national reconciliation, it would not make any distinction between petitions alleging human rights violations during periods of constitutional and unconstitutional rule. It accepted complaints relating to the entire mandate period without the need for any special application by petitioners.

VOLUME 1 CHAPTER 2**2.3.3.2 Scope – Substance Of Violations Or Abuses**

2.3.3.2.1 The Commission gave a broad and liberal interpretation to each of the categories of violations and abuses specified in section 4(a) of Act 611. Thus, it was able to receive, investigate and hear petitions alleging human rights violations and abuses founded on subjection to mock executions and forced cannibalism as instances of torture, while under the rubric of ill-treatment, it accepted and processed complaints ranging from dehumanizing treatment to administrative injustice that rose to the level, or met the threshold, of human rights violations. In construing the meaning of the specified violations and abuses, the Commission relied on international human rights law and humanitarian law principles, as well as common law understanding of the specified violations.

2.3.3.3 Establishing The Context, Causes And Circumstances

2.3.3.3.1 Section 4(b) of the Act also charged the Commission to investigate the context, causes and circumstances of the violations and abuses. This meant that the Commission was required to undertake comprehensive investigations that would enable it to uncover the conjunction of factors that underpinned, enabled and accounted for the specified forms of human rights violations and abuses during the relevant historical periods. Thus, the Commission was duty bound to explore and identify the root causes, broad socio-political environment, surrounding circumstances and the precipitating factors, if any, of the violations brought to its attention.

2.3.3.4 Identifying And Specifying Individual And Institutional Perpetrators

2.3.3.4.1 The Commission was further mandated to “identify the individuals, public institutions, bodies, organisations, public office holders or persons purporting to have acted on behalf of any public body responsible for or involved in the violations and abuses”. This explicit statutory requirement on the Commission to specify or pinpoint state responsibility both personal and institutional reflected the anti-impunity thrust of Act 611. Even so, the Commission was required, in accordance with the principles of natural justice, to respect the rights of all alleged perpetrators to fair investigative and hearing processes. These included the right of alleged perpetrators to:

- a) be informed in writing of any allegation against them contained in any petition filed with the Commission or in a petitioner’s testimony before the Commission¹;

¹ The allegation would not be brought to the attention of the alleged perpetrator where the Commission determined, upon reviewing a petition, that the alleged violation either happened at a time falling outside the Commission’s mandate period (i.e., from 6th March, 1957 to 6th January, 1993) or concerned an event which, even if admitted by the alleged perpetrator or proven to be true, would not constitute a killing, abduction, disappearance, torture, detention, seizure of property or ill-treatment within the meaning of the law as interpreted by the Commission. In such circumstances, the alleged perpetrator would not be invited to testify.

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- b) make a written statement in response to any such allegation;
- c) be assisted by counsel of their choice in preparing such responses;
- d) be assisted by counsel of their choice in appearing to cross-examine their accusers; and
- e) be led by counsel for the Commission to testify before the Commission, if they so wished.

2.3.3.4.2 Indeed, Act 611 contained several explicit provisions relating to the natural justice rights of alleged perpetrators. For instance, section 17(1) of the Act guaranteed the right of any person “subpoenaed or called before the Commission” to legal representation, while section 17(4) obliged the Commission to inform such persons of their right to legal representation. Further, to ensure that prospective respondents who were indigent were not disadvantaged by their lack of financial capacity to engage the services of a lawyer, section 17(3) of the Act gave the Commission power to appoint counsel for such persons. Specifically, section 17(3) of the Act provided as follows:

The Commission may appoint a lawyer to act on behalf of a person appearing before it if it is satisfied that that person is not financially capable of appointing a lawyer and if it is of the opinion that it is in the interest of justice that that person be represented by a lawyer.

2.3.3.4.3 To this end, the Commission requested for, and obtained from the Ghana Bar Association, a list of lawyers interested in providing legal services to such persons. It made the services of those lawyers available to persons who needed such legal services.

2.3.3.5 Identifying And Specifying Victims

2.3.3.5.1 Under section 4(c) of Act 611, the Commission was required, through its investigations, to “identify and specify the victims of the violations and abuses”. The Commission saw this provision as a reflection of the victim-centred orientation of the Act. Other reflections of this orientation were to be found in the Long Title of the Act, as well as in section 3(1)(b), which required the Commission to make appropriate recommendations to the President for “redress of wrongs” committed.

2.3.3.5.2 Accordingly, the Commission devised procedures that showed sensitivity, primarily, to basic needs of victims as well as other witnesses. These included the following:

1. undertaking public education and sensitization activities in English and in various local languages throughout the country, on the mandate of the Commission, and emphasising the need for all victims of the specified forms of human rights violations and abuses during the relevant periods to come to the Commission and make a statement/petition;
2. inviting, through various media of public education and sensitization – both locally and internationally – all persons with knowledge of human rights

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- violations and abuses, even where those persons were not the direct victims, to make a statement to the Commission in respect of those violations and abuses they might have heard about, witnessed or observed during the relevant period, whether the events took place at a time of constitutional or unconstitutional government;
3. inviting prospective statement makers to provide such personal particulars of the victim(s) as would assist the Commission in establishing the identity of the victim(s);
 4. designing and using a user-friendly standard form for taking witnesses' statements;
 5. giving technical support to petitioners in filing their petitions with the Commission. This took the form of language translation or interpretation services, as well as the taking down of statements of petitioners who could not write in English, or who wished to be assisted for whatever reason, by the Commission's trained statement takers;
 6. providing professional counselling, free of charge, to witnesses who were burdened by the pain of reliving their painful experiences by recounting them;
 7. providing counselling and professional medical screening and, where necessary, first aid treatment or other appropriate medical response (including referral services) to all witnesses, particularly petitioners, prior to their testifying before the Commission. Whenever necessary, appropriate follow-up counselling sessions were undertaken or medical referrals made; and
 8. refunding the cost of return transportation to witnesses, particularly petitioners, who travelled from long distances to the venue of hearing to testify at the hearings, and who requested such support. The Commission applied the State Transport Company passenger rate where applicable. This facility was made possible through the kind financial support of CDD-Ghana. The Commission, however, did not re-imburse nor offer any financial support to any of the witnesses who travelled from outside Ghana to testify before it.

2.3.3.6 Determining Whether The Violations Were Deliberately Planned

2.3.3.6.1 The Commission was obliged under Section 4(d) of Act 611 to determine whether a human rights violation or abuse was deliberately planned. Where an allegation of human rights violation or abuse was made against any individual, the Commission had a duty to invite the alleged perpetrator or respondent to respond in writing to the allegation. Where the petitioner subsequently testified before the Commission, the Commission was duty bound to give the alleged perpetrator an opportunity to be present at the hearing, provided they had previously submitted a written statement in response to

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the allegation, to cross-examine the petitioner under oath or affirmation, and to testify on their own behalf if they so wished.

2.3.3.6.2 In establishing the truth or otherwise of an allegation, the Commission applied the civil standard of proof on a “balance of probabilities”, as opposed to the criminal standard of proof beyond reasonable doubt. This was in consonance with the universally established principle in human rights investigations by quasi-judicial investigative bodies. Where, after considering all the evidence before it, the Commission found it more probable than not that the petition was justified, it was required under section 4(c) of the Act to “make appropriate recommendations for redress”. Section 20(d) also imposed a similar obligation on the Commission, in such a situation, to recommend an “appropriate response to the specific needs of [that] victim or group of victims”. Conversely, where the Commission was persuaded on the above basis that events did not occur as alleged, it was bound to find that the petition was not justified and therefore, to dismiss it.

2.3.3.6.3 Where the Commission, using the above-stated civil standard of proof, found that a human rights violation or abuse had occurred, it had a duty under section 4(d) of the Act to proceed to another level of enquiry, namely, to establish whether or not the violation or abuse was the result of deliberate planning and execution, or a chance occurrence.

2.3.3.6.4 To achieve this end, the Commission, in addition to resorting to traditional investigative techniques, established six special committees of the Commission to examine the role, if any, played by various institutions of state and civil society groups in human rights violations². The Committees invited several key actors during the relevant periods, or persons who were closely acquainted with the workings of the relevant bodies, as well as experts, to testify before it or to submit memoranda as might be appropriate. The findings and recommendations of these special committees, appear in Volume Four of the Report.

2.3.3.6.5 In the Commission’s view, the articulation of this obligation in the statute highlighted Parliament’s conviction that particularly intentional, as opposed to accidental or systemic, acts of human rights violations and abuses must be singled out for special attention, condemnation and prevention.

2.3.3.7 Investigating Any Other Matters Requiring Investigation

2.3.3.7.1 The Commission was also permitted, under section 4(f) of Act 611, to investigate “any other matters” which, in its view, required investigation “in order to promote and achieve national reconciliation”. Pursuant to this mandate, and in the course of investigating a number of petitions it received, the Commission exhumed the remains

² The terms of reference of the Special Committees of the Commission also included an assessment of the potential role of those state institutions and civil society groups in preventing such violations and abuses in future.

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of several persons, some of which had been buried in unmarked graves in some parts of the country.

2.3.3.7.2 Following petitions and/or oral testimonies by the families of six persons requesting the Commission to locate, exhume and hand over for fitting burial, in accordance with Ghanaian custom, the remains of their loved ones who were executed in May 1986, the Commission on 1st September, 2003 carried out its first exhumation at Akwasa Cemetery, Mile 11, on the Accra-Cape Coast Road. The six persons were:

- 1) Godwin Mawuli Kofi Dra Goka;
- 2) Kyereme Djan;
- 3) Samuel Boamah Panyin;
- 4) Samuel Charles Aforo;
- 5) Yaw Brefo-Berko; and
- 6) Richard Charles Koomson.

2.3.3.7.3 The families of the six had alleged that their executed loved ones were subjected to severe forms of torture during their arrest, interrogation, trial and incarceration for treason, contrary to established human rights standards and norms, including principles for the treatment of detained persons.

2.3.3.7.4 The exhumation also uncovered the remains of two unknown persons, who were later positively identified as Ahmed Denteh Braimah Kankani and L/Cpl George Badame Doog. The remains of all eight executed persons had been buried in two unmarked graves – three in one grave, and five in the other. They were wrapped in blankets, and had become completely skeletonised.

2.3.3.7.5 A second exhumation was carried out by the Commission at the Aboso Cemetery, near Tarkwa, in the Western Region on 17th May, 2004. This exhumation was pursuant to a request by Peter Boafo who testified in respect of the abduction and subsequent disappearance, in 1979, of his father, also known as Peter Boafo, and his father's nephew. The exhumation uncovered the remains of five persons buried in two graves at the Aboso cemetery, including that of a female adult and a young male believed to be the remains of the petitioner's cousin.

2.3.3.7.6 The exhumations of the Tarkwa victims also assisted the Commission in its investigation into the petition of Ebenezer Mends who had alleged that his elder brother had been tortured and then shot by soldiers and his body dumped into a disused mine shaft at Tarkwa.

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2.3.3.7.7 Official reports on the two exhumations, provided by the Pathology Department of the Korle Bu Teaching Hospital, are attached as an Appendix to Volume Two of this report.

2.3.4 Hearings

2.3.4.1 Petitioners were invited to appear before the Commission to tell their story. In practice, the Commission considered every person who testified before it as a “witness” assisting it in its work, whether the person appeared as a petitioner or an alleged perpetrator, or whether they testified under subpoena or not. For this reason, every witness before the Commission was led in evidence by the Commission’s counsel. The hearings also gave the witnesses an opportunity to unburden themselves and to put the past behind them. It also offered an opportunity for interpersonal reconciliation wherever possible.

2.3.5 Information Services

2.3.5.1 Through its work, the Commission provided petitioners with information about “disappeared” relations. Again through its work, the Commission provided information on the circumstances surrounding the detention and death of some victims, place of burial as well as the identity of some perpetrators.

2.4 PREPARATORY WORK OF THE COMMISSION

2.4.1 Following its inauguration on 6th May, 2002, and prior to the commencement of the statement-taking process on 3rd September of the same year, the Commission undertook the following sets of activities:

1. designed a work plan;
2. determined the equipment and logistics needs of the Commission and designed a procurement policy;
3. organized a national competition for the design of an appropriate logo for the Commission in order to focus the public mind on the concept of reconciliation;
4. composed a prayer for the hearings;
5. recruited staff for its secretariat;
6. established a secretariat comprising five departments and five zonal offices across the country; and
7. designed and implemented a comprehensive training programme to equip the Commissioners and staff with the requisite skills and orientation for the effective performance of their duties³.

³ The areas covered in the training programme are outlined in Volume Two, Chapter Two, of this Report.

VOLUME 1 CHAPTER 2**2.5 WORK OF THE SECRETARIAT****2.5.1 Public Education**

2.5.1.1 In furtherance of the requirement in section 4(g) of Act 611, the Commission pursued several educational and sensitization services throughout the country, in order to inform the public on the nature and importance of the national reconciliation effort and to enlist the support of the citizenry for the process. Numerous individuals, media organizations, journalists, religious bodies, chiefs, security services, district assemblies, students, professional bodies, labour groups and other civil society organizations collaborated with the Commission in these efforts.

2.5.2 Statement-Taking

2.5.2.1 The Commission started taking statements of alleged human rights violations and abuses from the public on 3rd September, 2002. By the end of the statement-taking process, it had received 4,240 petitions from individuals all over the country and abroad.

2.5.2.2 Petitioners came from all walks of life, embracing diverse socio-economic, educational, ethnic, religious and political backgrounds and age groups. A detailed statistical profile and analyses of petitions and petitioner characteristics appear in Volume Three of this Report.

2.5.3 Counselling

2.5.3.1 Providing counselling support for witnesses was a major activity of the Commission. This helped victims to come to terms with their pain and move on with their lives; it also helped some of the persons who participated in the abuses to come to terms with their experiences and obtain forgiveness and peace of mind. Counselling was provided during the statement-taking period as well as the public and private hearings. Some needy witnesses were followed up at home and family counselling given as needed. Counselling support was also provided for the Commission's staff to help them deal with the secondary trauma that is often associated with working with traumatized people

2.5.4 Petition Processing Procedures

2.5.4.1 To facilitate its work, the Commission developed a basic procedure for handling petitions – from reception to disposition. The procedure entailed the following steps:

1. a review of the statement by the Senior Statement-Taker who subsequently referred it to the Commission's Legal Department for a legal opinion, or to

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the Investigations Department; the Executive Secretary then made and forwarded his comments on the file to the Commission;

2. Where the complaint was referred to the Investigations Department, the necessary investigation was conducted and an investigation report submitted to the Legal Department for a recommendation on the matter to the Executive Secretary, who, in turn, made a recommendation to the Commission; and.
3. The Commission made the final decision whether or not a petition was ready for hearing.

2.5.5 Criteria For Selecting Cases For Hearing

2.5.5.1 It was the aim of the Commission to hear each and every petition that fell within its jurisdiction. In practice, the Commission was guided by four principles in selecting which cases to hear. These were:

1. the principle of first come, first served;
2. severity of the violation⁴;
3. lack of need for investigations; and
4. readiness of case for hearing due to timely conclusion of investigations.

2.5.5.2 In practice, several considerations affected the extent to which the Commission applied the above criteria. For instance, on account of the fact that the Commission did not pay the transport fare of any witness resident abroad who testified before it, the Commission reasonably accommodated requests from witnesses for early or delayed hearings where it considered such requests legitimate or reasonable.

2.6 PUBLIC AND IN CAMERA HEARINGS

2.6.1 By virtue of section 12(1) of Act 611 the Commission was required to conduct its hearings in public. However, section 12(1) of Act 611 also granted the Commission the discretionary power to hold in camera or private hearings “for good cause”.

⁴ While the Commission considered none of the human rights violations and abuses specified in section 4(a) of Act 611 as trivial, it took the view that killings constituted the ultimate human rights violation to be rated as more severe because of its finality, among other reasons, than some instances of ill-treatment such as delayed payment of pension or retirement benefits that caused suffering. Similarly, the Commission regarded torture as more egregious than wrongful dismissal. Therefore, all things being equal, the Commission gave killings and torture a higher priority in the scheduling of petitions for hearing.

VOLUME 1 CHAPTER 2**2.6.2 Hearing Procedure**

2.6.2.1 Hearings began with the National Reconciliation Commission Prayer.⁵ The procedure for the hearings was a standard one. Witnesses were required to swear an oath or affirm in accordance with their religious beliefs. Petitioners were led by the Commission's counsel to tell their story, including an opportunity to present relevant documentary or other evidence in support of their claim (including calling other witnesses to testify on their behalf), and to indicate what relief they were seeking in order to redress their grievances as a means to promoting healing and reconciliation. This was followed by questioning by members of the Commission for clarification of problem areas in the evidence⁶, as well as an opportunity for the respondents or alleged perpetrators, if present, to cross-examine the petitioners and their witnesses with the assistance of counsel of their choice, if they so wished.

2.6.2.2 The Respondents were then led in evidence by the Commission's counsel, and re-examined by their own counsel (some of whom had been provided under the Commission's legal aid scheme) to tell their side of the story to the Commission, if they so wished. Again, the Commission followed the same routine in facilitating healing, forgiveness and reconciliation as appropriate. Alleged perpetrators, who did not wish to adduce evidence on their own behalf, were not compelled to do so, although note was taken of such a stance.

2.6.3 Public Hearings

2.6.3.1 The Commission started its public hearings in the Chamber of the Old Parliament House in Accra on 14th January, 2003. It subsequently conducted hearings in all regional capitals: Kumasi in the Ashanti Region, Tamale in the Northern Region, Takoradi in the Western Region, Ho in the Volta Region, Cape Coast in the Central Region, Sunyani in the Brong-Ahafo Region, Wa in the Upper West Region, Bolgatanga in the Upper East Region, and Koforidua in the Eastern Region.

2.6.4 Private Hearings

2.6.4.1 As pointed out earlier, Act 611 permitted the Commission to conduct some of its hearings in private for "good cause".

2.6.4.2 In deciding whether or not to hear a witness in camera, the Commission was guided by three general principles in the common law system that govern the

⁵ The text of the Prayer appears at the end of this volume.

⁶ Commission members also frequently used the opportunity to advise, console, commiserate or empathize with witnesses in order to help them overcome the burden of the pain and suffering they said they had experienced. These opportunities were also used to educate the public on the issues thrown up by the petition, with a view to avoiding a repetition of the impugned conduct.

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circumstances under which courts and administrative tribunals may hear evidence in camera. These circumstances are as follows:

1. Where the security of the state may be jeopardized (e.g., evidence relating to the policing strategies used by the security agencies in apprehending persons suspected of subversion);
2. Where the personal safety of a witness or other person may be compromised; and
3. Where public decency or morality may be gravely offended by the nature of the testimony (e.g., the potentially detailed and graphic testimony of a victim of sexual assault or rape, where such evidence is warranted). In other words, the Commission decided to hear some evidence in camera where it was persuaded that it would be *contra bono mores* to do so in public – that – is, where the public hearing of the evidence would be contrary to public good, morality or decency.

2.6.4.3 Where the Commission decided to hear a case in private, it had the power, by virtue of section 12(4) (a) – (c), to direct that:

- a) no information from the proceedings shall be made public;
- b) a person shall not disclose the identity of a witness in the proceedings; and
- c) records of proceedings be kept in such manner as to protect the identity of a witness.

2.6.4.4 In effect, a decision by members of the Commission to hear a case in private triggered a number of statutory obligations on members and staff of the Commission, as well as any other persons present at the private hearing. Among these were the obligations to observe confidentiality and secrecy as outlined in section 19 of Act 611.

2.6.4.5 In appropriate cases, the Commission could issue an order prohibiting the publication of any identifying characteristics of a witness.

2.6.4.6 Under Section 18(1) of the Act, the Commission had power to decide the extent to which the identity of any petitioner, witness or informant could be disclosed in any report it would issue.

2.7 THEMATIC AND INSTITUTIONAL COMMITTEES

2.7.1 In addition to the foregoing methods and procedures, and in order to facilitate its work, the Commission established, as pointed out earlier, six special committees to

examine the role, if any, played by a number of key state institutions and civil society groups in human rights violations, as well as their potential role in preventing such

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violations and abuses in future. This was pursuant to the powers granted it by section 7(1) of Act 611. The committees were on the following:

1. Security Services
2. Legal Profession (including the Judiciary)
3. Media
4. Labour, Student and Youth Movements
5. Professional Bodies (other than Legal Profession) and Civil Society Organisations
6. Religious Bodies and Chieftaincy

2.7.2 Each committee comprised a minimum of five persons, including a Chairperson who was a member of the Commission, and at least one other member of the Commission. In addition, two persons who were recognized experts in their respective fields, as well as a Research Officer of the Commission who served as secretary. The Chairman, the Executive Secretary and the Senior Research Officer, were ex-officio members of each committee. The committees conducted research into the relevant thematic issues. Some experts provided such technical assistance as was necessary.

2.7.3 Many individuals submitted memoranda to the committees and/or testified before them to provide information on matters of interest to the committees. Witnesses before these committees did not testify under oath or affirmation, and the reports of the committees were considered and agreed on by the Commission. Volume Four of this Report contains the full reports of the various committees. Summaries of the full reports are captured in this Executive Summary.

2.8.0 OPERATING VALUES**2.8.1 National Reconciliation As A Process**

2.8.1.1 In carrying out its activities, the Commission understood from the outset that national reconciliation in Ghana, as elsewhere, was a process, not an event. It also understood its work as a significant trigger to the reconciliation process, but did not conceive of the effort as its exclusive property, or one that would end with the conclusion of its work and the submission of its report to the President.

2.8.2 Broad Public Participation

2.8.2.1 The Commission further appreciated that reconciliation is always a collective enterprise – the outcome of a series of incremental measures pursued by a wide variety of individuals and institutions throughout a society⁷. For these reasons, the Commission

⁷ The use of TRCs as tools for historical clarification, healing and unity-building is not the exclusive preserve of countries; the African National Congress of South Africa has twice established such a

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actively cultivated and enlisted the support of a wide network of civil society groups and individuals. It benefited considerably from the support of a dynamic coalition of civil society groups put together by the CDD-Ghana.

2.8.3 Objectivity

2.8.3.1 In addition, the Commission believed that the national reconciliation exercise was an unqualified human good that was crucial to the unity of the country – a value that had to be promoted in earnest, and with objectivity. It viewed the process as requiring a non-partisan but fair and firm approach, if it was to contribute to healing and uniting the country. To this end, the Commission endeavoured, in all its activities, to maintain objectivity and the highest ethical standards.

commission – in 1992 and 1993. See Priscilla Hayner, *Unspeakable Truths: Facing the Challenges of Truth Commissions*, Routledge, New York, USA. 2002, pp. 308 – 309.

VOLUME 1 CHAPTER 3**CHAPTER THREE****THE HISTORICAL CONTEXT****3.0 INTRODUCTION**

3.0.1 The events leading to the Gold Coast becoming the Independent State of Ghana on 6th March, 1957 have had a great impact on the course of the country's history and on its human rights record. Political and ideological tensions, as well as economic and social problems, that had either been ignored or poorly addressed in the Gold Coast continued to impinge on, and define, the character of the independent state of Ghana.

3.1 LEGACIES OF THE PRE-MANDATE PERIOD**3.1.1 Composition of the State of Ghana**

3.1.1.1 Ghana is an artificial political entity comprising four distinct components woven together around the time of Independence. It comprises the following: (1) the Gold Coast Colony consisting of the coastal states, Akyem Abuakwa and Akwamu, which were under British colonial rule as a result of the Bond of 1844; (2) the Kingdom of Ashanti, which was annexed by the British at the end of the Yaa Asantewaa War in 1901; (3) the Northern Territories, which comprised kingdoms that came under British influence by reason of treaties of friendship executed between the British Government and the traditional rulers via the Northern Territories Ordinance of 1901; and (4) the Trans-Volta Togoland – a British Trust Territory originally a part of the German colony that was lost to the Allies after the First World War and that was split up between Britain and France and administered under a mandate of the League of Nations. Thus, Ghana, at the time of its birth, was not a monolithic entity, and the various components had their own tensions and disagreements.

3.1.1.2 Moreover, the problem of uneven development and uneven access to power within the new political entity was one of the most serious legacies of the pre-Independence period.

3.1.2 The Issue of Trans-Volta Togoland (TVT)

3.1.2.1 In 1952, the British Government put the south-eastern part of the Colony, that had always been administered as part of the Eastern Province, together with the southern part of Trans-Volta Togoland (TVT) as one entity for administrative purposes. This arrangement was adopted in spite of the fact that the TVT, being a Trust territory, had a different legal status from the Colony. Eventually, the TVT became part of the Gold Coast upon its attainment of independence by reason of a combination of events. Political

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agitation in the Gold Coast had reached such a tempo that the British foresaw that it would soon have to grant the territory independence.

3.1.2.2 In 1954, the British Government informed the United Nations that it would not be in a position to administer the Trust Territory after the Gold Coast gained Independence. This information to the United Nations increased the pace of agitation by Ewe nationalists who had been campaigning since 1946 for the two Trust Territories of Britain and France to merge as one independent country in order to re-unite the Ewe peoples who had been split up by the Mandate of the League of Nations. They feared that the split would become permanent should separate arrangements be made for the two Trust Territories. The Togoland Congress (TC), under the leadership of S.G. Antor, had emerged to champion the cause of separation from the Gold Coast because they believed that if the British Trust Territory integrated with the Gold Coast upon independence, the French would also annex the French-speaking part, leading to a permanent split of the ethnic group. The issue was made somewhat more complicated by the fact that, whilst some of the agitators wanted the Anlo-Ewe of the south-east of the Colony to be integrated with the Trust Territories in order that all Ewes would be in one political entity, others, fearing domination of that political entity by the Anlo, wanted them to be kept out.

3.1.2.3 A further complication was that the peoples of the northern British Trust Territory preferred integration with the Gold Coast so that they could be with their kith and kin as the split had had tragic results for some of the kingdoms. For instance, the capital of the kingdom of Dagbon, Yendi, was located in the Trust Territory whilst a part of it was in the British-held Northern Territories. Other groups also had blood ties with some of the peoples of the Northern Territories and also felt a closer affinity to them than to those of the northern French Trust Territory, since the British Trust Territory had, for a long time, been administered as part of the Northern Territories.

3.1.2.4 This complicated situation led the General Assembly of the United Nations to decide in December 1955, that the peoples of the Trust Territory should be given a chance in a plebiscite, to determine if they wished to be integrated with the Gold Coast upon its attainment of independence, or if they wished to remain separate until a decision was taken in respect of the French-administered part. The plebiscite was held on 9th May 1956 for the peoples of the territories to decide whether to integrate with the Gold Coast or to remain separate. An overall majority of 58% voted for integration. However, in the south where the Togoland Congress had campaigned vigorously, there was a 55% majority in favour of separation. Consequently the decision to integrate the TVT with the Gold Coast at its independence was a minority decision as far as those in the south of the Trust Territories were concerned.

3.1.2.5 The separatists were dissatisfied with the result of the plebiscite and believed that the decision in favour of integration had been procured by manipulation. Thus, at independence there was a large group of persons particularly in southern TVT who did not wish to be a part of Ghana. They did not abandon their agitation and there were many

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disturbances in 1957 soon after independence. Efforts to suppress these agitations led to repression of those political activists who still urged separation.

3.1.2.6 The Trust Territory lagged behind the Gold Coast in terms of development since the British Government did not wish to spend money on a territory it was holding in trust for the United Nations. However the South of the Trust Territory suffered less than the Northern part that had been completely neglected. The four northern districts of Kete Krachi, East Dagomba, Eastern Mamprussi and Kusasi received hardly any economic investment.

3.1.3 The Northern Territories

3.1.3.1 British colonial policy discriminated between the North and the South in terms of economic development and the provision of social amenities. As a result of this policy, the least economically-developed area was the protectorate of the Northern Territories because the Government did not wish to spend any money on infrastructure or any aspect of development unless they were certain of reaping adequate returns.

3.1.3.2 Consequently, the absence of economic opportunities coupled with extreme poverty, led the young men of the North to seek work in the South. The Northern Territories became the source of migrant labour for the mines and cocoa farms in the South, and this was encouraged by official labour recruitment policies underpinned by the belief that men from the Northern Territories were hard-working. In the words of Governor Gordon Guggisberg, “every man of the Northern Territories [was] worth his weight in gold ... for the mines, for private enterprise and for the development of those schemes the completion of which are necessary to secure progress and development”.¹

3.1.3.3 This phenomenon of southward migration had devastating consequences for social cohesion and community development for the peoples of those areas as their able-bodied young men and women abandoned their homes to seek employment, and then to reside in the South.

3.1.3.4 On account of the need to preserve the North as a reservoir of cheap and unskilled labour, a conscious policy not to encourage literacy by the provision of educational institutions evolved. There were thus very few educational institutions in the North that offered education beyond Primary School level and, consequently, very few well-educated people.

3.1.3.5 The leaders of the Northern Territories felt that it should receive special consideration in terms of development, since it had been neglected for a long time. They were also afraid of domination by the South as they had few educated elite to fill public

¹ Bening, *supra*, p183.

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service positions. Some of the chiefs also insisted that the treaties they signed with the British in the 19th century were friendship and protection treaties, and, consequently, the British had no authority to hand them over to another government without ensuring that they had extra protection under the Independence Constitution. Thus, the development of the Northern Territories and equitable treatment of persons of northern origin were issues that demanded attention at the dawn of independence.

3.1.4 Ashanti

3.1.4.1 There were mutual suspicions between Ashanti and the Colony. With her history of imperialism Ashanti was disliked by her coastal neighbours who feared domination should they be put together as one political entity. On its part, Ashanti feared domination by the Colony. In the early 1940s there were efforts at rapprochement. These mutual suspicions did not die, but were fuelled by developments a decade later, as demonstrated by the formation of the National Liberation Movement (NLM) in 1954.

3.1.4.2 The immediate impetus for the formation of the NLM was the agitation for higher prices for cocoa. As a result, the movement gained popularity in the Ashanti, Akyem Abuakwa and the Krobo areas which had large tracts of cocoa farms. The remote cause, however, was the marginalisation of the traditional ruling classes resulting from the rise of the Convention People's Party (CPP).

3.1.4.3 The chiefs were also suspicious of the centralist policies of the CPP and feared marginalisation in the governance of the country. The NLM's proposal of a federal form of government was a reaction to the highly centralized form of government that they feared would lead to dictatorship from Accra.

3.1.4.4 The pitched battles fought in Kumasi between the NLM and the CPP, as well as the political murders committed by both sides, showed the ugly face of partisan politics, and generated in many people fear or disdain for partisan politics. By the time the NLM problem was resolved by the amendment of the proposed Independence Constitution to provide for Regional Assemblies, a lot of harm had been done.

3.1.5 Conclusion

3.1.5.1 Thus, among the legacies Ghana inherited at the time of its birth as an independent country were the following:

1. ethnic animosities and resentments occasioned by a history of antagonism produced by inter-ethnic wars and imperialism;
2. uneven economic and social development between the North and South and between the colonial holdings and the Trust Territory;
3. fears of cultural domination;

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4. the integration into a common political entity of persons who wished to belong elsewhere or who wished for a different form of government; and
5. the emergence of a landless urban poor occasioned by urbanization; and antagonistic political leaders.

3.1.6 These legacies of the pre-independence period have significantly affected the course of Ghana's development in all spheres of life, including, most especially, its governance and human rights record.

3.2 Formation Of Political Parties In The Gold Coast**3.2.1 The United Gold Coast Convention (UGCC)**

3.2.1.1 At the end of the Second World War the war veterans who had gone to fight in other lands for freedom on behalf of the colonial power returned home with ideas about the quality of life that they ought to have. However, they were not trained in civil life with appropriate income-earning skills to achieve that standard, nor were they given any financial package to ease their transition into civil life. Their return, coupled with the rapid urbanisation and expansion of social amenities and infrastructure in the urban areas, produced a class of politically-conscious young men and women who began to appreciate the anti-colonial posture of the intelligentsia.

3.2.1.2 It was in the midst of all this social ferment that the first mass party, The United Gold Coast Convention (UGCC), was formed at Saltpond in August 1947 under the chairmanship and financial sponsorship of George Grant, better known as Paa Grant, a wealthy businessman. With its slogan of "Self-Government within the shortest possible time", the UGCC quickly attracted a large following, particularly among the educated persons, chiefs and farmers. The speed with which the party gained numbers made its proper organization somewhat difficult for the leaders who were mostly professionals and therefore only part-time politicians. A member of the UGCC Executive, Ernest Ako Adjei, proposed the employment of an energetic young man he had met in England, Kwame Nkrumah, as General Secretary to do the work of political mobilization full time. Paa Grant paid the £100 passage for the return of Nkrumah to the Gold Coast.

3.2.1.3 The young Nkrumah arrived at the end of 1947 and soon got down to work establishing structures through which the party could function effectively. In February 1948, barely two months after he took office, Kwame Nkrumah and five leaders of the UGCC – Edward Akufo-Addo, Emmanuel Obetsebi Lampitey, William Ofori-Atta, Ernest Ako Adjei and Dr. Joseph Boakye Danquah – were arrested because they were blamed for the rioting and looting that occurred as a result of the killing of some ex-servicemen who were on a protest march. At the Osu crossroads, they were fired at when they ignored an order to halt. Three ex-servicemen, Sergeant Adjetey, Corporal Attipoe and Private Odartey Lampitey, were killed and many others injured. This incident sparked off

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riots and looting of European and Syrian/Lebanese owned stores in many of the towns in the Gold Coast. By the end of the day the death toll had reached 29 with 237 injured and property damage to the tune of sterling £2 million had occurred. Although it was not the UGCC that had organized the march, political responsibility for what had happened was laid at the door of the Party.

3.2.1.4 The six leaders (or ‘Big Six’) of the UGCC were arrested and sent to prisons across the country. After their release, Nkrumah set out to organize in earnest. He linked up with political youth groups and formed the Committee on Youth Organisation (CYO). He also established a Newspaper the *Evening News* which he used to great advantage. Conflict over strategy soon developed between him and other leaders of the UGCC. They began to feel that Nkrumah was promoting himself and his personal agenda at the expense of the party that employed him, and he began to feel that they were not ready for his style of organization.

3.2.1.5 A break became inevitable, and on 12th June 1949 Nkrumah broke away from the UGCC and formed the Convention People’s Party (CPP), taking with him most of the young people he had so successfully mobilised. The period thereafter heralded the nurturing of bad blood between the leaders of the two parties. Attacks in the *Evening News* on the leaders of the UGCC, especially on Dr. Danquah, as well as a whispering campaign of bribe-taking and allegations of other dubious activities made against the leadership of the UGCC, did a lot to embitter the relationships.

3.2.2 The Convention People’s Party (CPP)

3.2.2.1 The CPP under the leadership of Nkrumah grew from strength to strength. During the time when he ran the UGCC, he discovered some very energetic and good organizers who left with him to form the new party. Komla Agbeli Gbedemah and Kojo Botsio were two of these young men who came to be recognized for their organizational abilities as they recruited many other young people to join the fold. Indeed the CPP was virtually a youth movement at its inception, and it had the energy and strategy to match.

3.2.2.2 It adopted the slogan “Self-Government Now” (“S.G. Now”) and this resonated with the youth. In January 1950, the CPP organized an action of civil disobedience, termed “Positive Action”, consisting of boycotts, strikes and sit-downs, in order to compel the colonial government to grant immediate self-government. Although planned as a non-violent action, it eventually turned violent and the leadership of the CPP was arrested and imprisoned.

3.2.2.3 Whilst in prison, Nkrumah’s party won a majority of seats in the 1951 elections held under the 1951 Constitution (Coussey Constitution). Being the leader of the party that had won majority seats in the elections, he was released from prison to head the government under the title of “Leader of Government Business”. The CPP successfully maintained its leadership in the politics of the country, winning majority votes in both the

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1954 and 1956 elections. Ghana attained independence on 6th March, 1957 under its leadership, after a bitter struggle with some of its opponents.

3.2.3 The Ghana Congress Party (GCP)

3.2.3.1 The remnants of the UGCC suffered other crises as most of its youth had broken away to join the CPP. In 1951, it merged with another party, the National Democratic Party, formed under the leadership of Nii Amaah Ollennu, a barrister. The merged parties came to be known as the Ghana Congress Party with Saki Sheck as the General Secretary.

3.2.3.2 The Ghana Congress Party was bedevilled by a leadership struggle between Nii Amaah Ollennu and Dr. Danquah. Ollennu eventually left politics and joined the bench. The next stage of the leadership struggle took place between Dr. Kofi Abrefa Busia and Emmanuel Obetsebi-Lamprey. Eventually the party broke up into two when Obetsebi-Lamprey broke away and formed the Nationalist Party. This break greatly reduced the strength of the GCP. In the 1954 elections Dr Busia was the only one to win a seat on the ticket of the GCP. The Nationalist Party achieved little prominence as it never really attracted a following outside Accra.

3.2.4 Northern Peoples' Party (NPP)

3.2.4.1 Chief Simon Diedong Dombo formed the Northern Peoples' Party (NPP) in 1954. This party quickly attracted a large following from among the traditional rulers and it won 12 seats in the 1954 elections. Considering that it had not been formed for very long before the elections took place, it was a remarkable feat. It also showed how attached the people of the North were to their traditional leaders.

3.2.5 The Anlo Youth Organisation

3.2.5.1 The Anlo Youth Organisation was formed by Modesto Apaloo. It operated in the south-eastern corner of the Gold Coast where the Anlo are located. It also won one seat in the 1954 elections.

3.2.6 The Moslem Association Party (MAP)

3.2.6.1 The Moslem Association Party was an Islam-based party. Its leadership and followers were drawn largely from the immigrant group of Muslims from neighbouring West African countries. The ranks of its leadership were decimated by a policy of deportations soon after independence. What was left of it teamed up with other political parties and groups to form the United Party.

VOLUME 1 CHAPTER 3**3.2.7 The *Ga Shifimo Kpee* (Ga Standfast Association)**

3.2.7.1 The *Ga Shifimo Kpee* was born in Accra in 1954. Its birth was a reaction to social and economic developments occasioned by the status of Accra as the capital of the Gold Coast. As a result of the effect of rapid urbanization and the need to provide social services in the national capital of Accra, large tracts of Ga land were acquired by the government for public purposes. The people rendered homeless by the 1939 earthquake in Accra had still not been properly resettled. In addition, there was an influx of people from other parts of the country into Accra, thus putting pressure on the rest of the land. This created a measure of landlessness among the Ga people. They also felt that in consequence of too many “foreigners” in Accra, they were being swamped as their cultural influence was being diminished in their own homeland; their very existence as a people was being threatened. With the slogans “Ga mei shikpon, Ga mei anoni” (Ga lands are for Ga people) and “Gboi mli ngbe wo” (Foreigners are killing us) they sought to draw attention to their plight.

3.2.7.2 Although the Association had a large following, there were two main groups within the Association, the “Zenith Seven” and the “Tokyo Joes” made up mostly of young men who often engaged in acts of violence. These acts of violence brought them into direct conflict with the government of the CPP.

3.2.7.3 Eventually, the Ga Shifimo Kpee joined other political groups to form the United Party. Despite the merger, it was believed that members of the Association continued to carry out acts of violence. It was eventually dealt a death-blow by the mass detention of its members when the Preventive Detention Act (PDA) was passed in 1958.

3.2.7.4 Thus, at independence there was one strong party – the CPP – and several others of varying strengths, all of whom were in a relationship of antagonism against the ruling party. All these parties merged to form the United Party when, in 1957, the government passed the Avoidance of Discrimination Act. This Act prohibited the existence of any political grouping that was based on ethnic or religious affiliation.

3.3 The Army, the Police Force and Prisons Department

3.3.1 One of the legacies of the British colonial Government was the Security Services comprising the Army, the Police Force and the Prisons Department. The Police Force was the first to be formed as the Gold Coast Constabulary, then the Prisons Department. The Army was formed after World War II.

3.3.2 The Police Force was made up of British officers with the Gold Coasters and other Africans as senior non-commissioned officers. The mass of the junior ranks were recruited originally from Northern Nigeria and from parts of the Northern Territories. They were part of the colonial machinery, often used to suppress civil disorder, and were usually associated with the use of brute force in the maintenance of civil order. They

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were never seen as an institution for the protection of the public. At Independence, the Ghanaian senior officers were few, and they had all risen through the ranks.

3.3.3 The Prisons Department was also carved out of the Gold Coast Constabulary and its principal function was to keep prisoners in secure custody. It was made up mostly of illiterates and Middle School Leavers, and they were known as Warders. It was separated from the Police Service in 1920, and, after Independence, was re-named the Ghana Prisons Service.

3.3.4 The Military on its part was born out of the Gold Coast Regiment of the Royal West African Frontier Force that had been very effective in World War II. Its officer corps, however, remained European and it was modelled on the British army. At Independence, the highest-ranking Ghanaian officer was a Major, and he had risen through the ranks.

3.3.5 In consequence of the fact that the officer corps was almost exclusively British, they enjoyed the privileged lifestyle of British colonial officers. Thus developed a culture of privilege that was eventually enjoyed by the Ghanaian officers. The other ranks, on their part, were filled by local people with minimum education and few entitlements of privilege; their culture was undoubtedly “African”. In consequence of this, there was great social distance between the officers and other ranks, and this was to become a source of strife decades later.

VOLUME 1 CHAPTER 4**CHAPTER FOUR****THE ROLE OF STATE INSTITUTIONS
AND CIVIL SOCIETY GROUPS****4.0 INTRODUCTION**

4.0.1 In documenting the human rights violations and abuses that occurred during the Commission's mandate period, it is pertinent to consider the factors that enabled the perpetration of such human rights violations and abuses. The state, through its institutions of governance and social control, are the prime protectors of fundamental human rights of the citizenry. Because state security agencies and judicial institutions wield coercive power and can, therefore, more readily violate or abuse the rights of the individual, sometimes with impunity, they have a corresponding duty of care and circumspection.

Similarly, the vigilance and voices of protest of civil society groups are crucial to the promotion and protection of human rights. The docility of civil society can encourage, or even foster, human rights violations and abuses. In short, the activities or inactivities of different sectors of civil society, such as the media, the legal profession (excluding the judiciary), professional bodies, traditional and religious authorities, and workers, youth and students movements, can have a positive or adverse impact on a country's human rights record, and, thereby promote or resist rights violations and abuses.

For these reasons, the Commission established a number of institutional or thematic committees to determine whether or not there was tacit complicity in, or active resistance to, the human rights violations that occurred by various organs of state or by identifiable civil society groups during the mandate period.¹

These issues are considered for each of the different governments of the mandate period, starting from Dr. Kwame Nkrumah's post-Independence government to the end of the government of the Provisional National Defence Council (PNDC).

¹ Volume 4 of this Report contains a more detailed discussion of the role of these organs of state and civil society groups in promoting or resisting human rights violations during the mandate period.

VOLUME 1 CHAPTER 4**6th MARCH, 1957 – 23rd FEBRUARY, 1966:****4.1 THE GOVERNMENT OF THE CONVENTION PEOPLE'S PARTY (CPP)****INTRODUCTION**

4.1.0 As noted earlier, prior to Ghana's attainment of Independence, there had been intense animosity between Dr. Nkrumah's Convention People's Party (CPP) and the other parties which formed the Opposition in Parliament. This animosity had often erupted into violent clashes between members of the CPP and, in particular, members of the National Liberation Movement (NLM), whose base was in the Ashanti Region. These violent clashes had resulted in severe injuries and even death.

4.1.1.0 HUMAN RIGHTS ABUSES DURING THE 1st REPUBLIC

4.1.1.1 At Independence, the animosity between the government of the CPP and the Opposition Parties persisted and, Dr. Nkrumah used his CPP majority in Parliament to adopt measures to suppress opposition to his government. The most notorious of these measures was the Preventive Detention Act (PDA), passed by Parliament in 1958, which made it possible for people to be arrested and detained in prison for up to five years without trial, and without a right of appeal to the courts.

4.1.1.2 Many of the detainees died in prison, prominent among whom were Dr. J B Danquah and Obetsebi Lamptey. Others suffered various diseases related to poor diet and lack of exercise, and were very weak and infirm at the time of their release in 1966, after the overthrow of Nkrumah's government.

4.1.2 REACTIONS TO THE HUMAN RIGHTS ABUSES

4.1.2.1 Criticism of, and opposition to the PDA at the time was mainly from members of the opposition parties inside and out, Parliament. Indeed, the Opposition Members of Parliament were vehement in their criticism of the Bill at the time it was being debated, pointing out, among other things, that it would deny the people of Ghana the right to freedom of expression and the right to remonstrate against abuses of power by the government. They also pointed out that it would deny the country the freedom of the press.

4.1.2.1 The Security Services**The Ghana Armed Forces**

4.1.2.1.1 As regards the issue of complicity in, or resistance to, human rights violations and abuses by the security services during the Nkrumah era, it is fair to say that the military devoted themselves to the defence of the country against internal and external aggression, and the provision of relief services in cases of emergency. Soldiers kept to

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the barracks, did not have much to do with the civilian population, and, for all practical purposes, were passive observers of the human rights violations and abuses inflicted on the citizenry as a result of the Preventive Detention Act (PDA), until they took up arms and overthrew the Nkrumah government in 1966.

The Police Service

4.1.2.1.2 Before Independence, the police were part of the colonial machinery used to suppress civil disorders, especially during the agitation for Independence. This negative perception of the police persisted after Independence, as the police continued to use violent means to suppress political agitation by members of the opposition parties against the CPP government. After the passage of the PDA by the CPP government in 1958, the police were known to inflict considerable physical and psychological harm on the citizenry by the rough and brutal manner in which they effected the arrest of prospective detainees. People were picked up from their homes in the middle of the night, given no explanation for their arrest, huddled into crowded vehicles and taken to crowded police cells or prison. They were often not allowed to take any personal belongings.

4.1.2.1.3 By their actions, the police confirmed, in the minds of the public, the view that they were agents of the government for suppressing the populace and violating their human rights.

4.1.2.1.4 Two units of the Police Service, the Special Branch and the Reserve Unit, were formed by the colonial administration after the 1948 riots to effectively counter moves to destabilise it. The Special Branch was formed with the primary purpose of intelligence gathering, but it was also used to hound the pro-independence activists, while the Reserve Unit came down heavily on street-protestors and other demonstrators.

4.1.2.1.5 In the early years of post-Independence Ghana, the Special Branch became a tool for fishing out persons perceived to be threats to the personal security of Dr. Nkrumah. In the process, many people's human rights were trampled upon, as they were arrested and jailed without trial on the basis of false accusations made against them to the Special Branch by informants and "intelligence fabricators" – people who made false reports in order to curry favour with those in authority, or in order to settle personal scores.

The Prisons Service

4.1.2.1.6 At the time of Independence, the main infrastructure for incarceration were the forts and castles, which were primarily designed as 'transit quarters' for slaves waiting to be taken across the Atlantic Ocean to the New World. The Prison Service and its staff have since Independence acquired the unenviable reputation as primary human rights violators and abusers, during both periods of constitutional and unconstitutional rule. This is not surprising, given the deplorable conditions in the forts and castles which

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served as prisons, and the poor training afforded the personnel, which did not include sensitization on human rights issues.

4.1.2.1.7 During the era of the CPP government, large numbers of members of the opposition parties, who were imprisoned under the PDA, suffered severe human rights violations and abuses in the prisons. To start with, the detainees had been deprived of their freedom for up to five years. (This period was extended by another five years when the first batch of detainees had completed the five years imprisonment, and were looking forward to their release). They had been deprived of their rights to seek the protection of the courts against arbitrary Executive action. In addition, they suffered various kinds of deprivation at the hands of the Prison Officers in whose care they had been placed.

4.1.2.1.8 There is evidence that Prime Minister Nkrumah directed that detainees should not be given nutritious food, and that they were to be fed on gari, salt and water. Evidence before the Commission indicated that sand was sometimes put into the food given to detainees, and this must have been done on the initiative of some over-zealous Prison Officers.

4.1.2.2 The Judiciary And The Bar

4.1.2.2.1 The implementation of the PDA resulted in a number of habeas corpus applications on behalf of many of the detainees at the courts. However, the view of some judges in these cases was that they had no power to examine actions of the Executive. It appeared the judges were unwilling to question the propriety or otherwise of the decision by the Prime Minister to detain a person. According to them, the power of the Prime Minister to detain a person “if satisfied that he or she is acting in a manner prejudicial to the defence of Ghana or the relations of Ghana with other countries or the security of the state” was one they could not scrutinise. In other words, the judges could only question the legality of the Order, not the truth of the facts contained in it. By this decision the judges abandoned the detainees to their fate, and by so doing, reneged on the role the judiciary in the protection of the rights of the individual.

4.1.2.2.2 Later, when Ghana became a Republic, the judiciary came under attack when the Republican Constitution of 1960 was amended to bestow on the President the power to dismiss the Chief Justice. This gave the President the power to interfere in, and even control the work of the judiciary, and this is precisely what happened. In 1963, Sir Arku Korsah’ as Chief Justice, presided over the Supreme Court to try Tawia Adamafio, Ako Adjei and Horatius Cofie-Crabbe for treason. The Supreme Court acquitted them, whereupon President Nkrumah dismissed Sir Arku Korsah as Chief Justice, had an Executive Instrument issued to declare the Supreme Court’s decision null and void, and amended the Criminal Procedure Code to make provision for the setting-up of a Special Criminal Court to re-try the three accused persons. Sir Arku Korsah retired from the Bench, and the other judges on the panel that tried the three accused were removed from the Bench.

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4.1.2.2.3 The dismissal of the Chief Justice and his forced retirement was a violation of his human rights. It may also be said that the dismissal of the Chief Justice undermined

the sense of security of tenure that judges should have in order to discharge their duties without fear or favour.

4.1.2.2.4 However, it must be pointed out that some individual lawyers risked their own security to bring habeas corpus cases on behalf of detainees. A case in point was that of Dr. J.B. Danquah, who eventually died in prison.

4.1.2.3 The Labour Movement

4.1.2.3.1 When Nkrumah formed the Convention People's Party to fight for Independence, he declared that one of the aims of his Party was to establish co-operation with labour unions to fight for better terms. It thus positioned itself as a natural ally of the unions. Subsequently, the political activities dubbed "Positive Action" demonstrated the commitment of the CPP to defend the interest of workers, and it thus forged an even stronger bond between the party and the unions, and together, they fought for Independence.

4.1.2.3.2 When, on the attainment of Independence, the CPP formed the government, the close relationship between the labour unions and the government was exploited by the unions to achieve some of their aims. For example, the government passed the Industrial Relations Act in 1958, which compelled every union to be a member of the Trades Union Congress (TUC), which was to be "the sole representative of the working people of Ghana". Union dues were to be deducted at source, thus giving the unions access to money from dues, without having to chase members for them.

4.1.2.3.3 Unfortunately, the Act also gave the government complete control over the TUC, and by 1961, the TUC was made an integral part of the CPP. Union cards were replaced with membership cards of the CPP, and individual union flags were replaced with the CPP flag. The TUC leadership became members of the Central Committee of the CPP, and thereby became more of politicians supporting government actions, than unionists fighting for the rights of workers.

4.1.2.3.4 This state of affairs was unsatisfactory, and it eventually erupted in a major strike action by railway workers in September, 1961, which crippled railway transportation, and created serious transportation problems. Government's reaction to the strike was to dismiss the railway workers and arrest and detain the strike-leaders under the PDA. The Secretary-General of the TUC, John Tettegah, was removed by government and replaced by a government appointee – Magnus George – who also was removed and replaced by Kwaw Ampah, yet another government appointee. The TUC had thus become a Government Department, with organised labour having no right to elect its own leaders. With such hand-picked leaders, the TUC used its power to suppress

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agitation within the ranks of workers rather than supporting them to press for better conditions.

4.1.2.3.5 This account of trade unionism during Nkrumah's CPP government clearly shows that the leadership of the Labour Movement at the time was an accomplice to the human rights violations and abuses that the Nkrumah government inflicted on the citizenry.

4.1.2.4 Chiefs

4.1.2.4.1 Before Ghana's attainment of Independence in 1957, the British Colonial Administration had recognised the fact that in those parts of the country where the chieftaincy system existed, the chiefs had a well-organised machinery of governance, and they therefore adopted a system of indirect rule, whereby the chiefs became the authorities through whom the Colonial Administration governed the people. They even created chiefs and paramountcies where none existed, especially in parts of Northern Ghana, for this purpose.

4.1.2.4.2 By the time of Independence, it was clear that no government could ignore the importance of chiefs in mobilising their subjects. The CPP government therefore realised the need to take firmer control over the chieftaincy institution by ensuring that only people whose support it could count on could become chiefs. For example, the first Chieftaincy Act of Ghana's Parliament, the Chieftaincy Act 1961 (Act 81), stipulated that government recognition was required to validate the enstoolment/enskinment and destoolment/deskinment of chiefs.

4.1.2.4.3 By operation of this Act, the CPP government was able to give recognition to chiefs who were supporters and sympathizers, while it removed from office those chiefs who identified themselves with the opposition. For example, the government withdrew its recognition from Okyenhene, Nana Ofori Atta II, the Chief of Akyem Abuakwa, on the ground that he was a staunch supporter of the NLM, an opposition party of the pre-Independence period. A gazette notice declared him destooled with effect from 13th June, 1958, and following the report in the *Daily Graphic*, Nana Ofori Atta II was evicted from his palace.

4.1.2.4.4 The government mounted an assault on the structures through which the chiefs were exercising power under colonial rule, and appointed representatives of the government as Regional and District Commissioners through whom the CPP government governed the people. This action effectively reduced the power of the chiefs over district authorities, and it also led to the reduction of government funding to traditional authorities. In view of these developments, the majority of chiefs began to soften their stand, when it came to dealing with the CPP government, for fear of de-recognition.

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4.1.2.4.5 Indeed, Dr. Nkrumah and his CPP government openly taunted chiefs, saying that those who refused to conform or would not do business with his government “would run away and leave their sandals behind”. Chiefs who were considered “good boys” were promoted to the status of paramountcy. It is not surprising, therefore, that chiefs as a body, never criticised or opposed the use of the PDA to suppress opposition to the CPP

government, or to perpetrate other human rights violations and abuses against the citizenry.

4.1.2.5 Religious Bodies

4.1.2.5.1 In general, it may be said that there are three major religious groups in Ghana. These are Traditional Religions, Islam and Christianity. The role, if any, of these religious groups as regards their complicity in, or resistance to, human rights abuses and violations during the mandate period will be examined for each group in turn.

Traditional Religious Groups

4.1.2.5.2 Traditional religion, the oldest religion in Ghana, has no organised structure or association. There is no evidence that the group at any time ever criticised or supported human rights violations or abuses by any government during the mandate period.

4.1.2.5.3 However, there is evidence that certain practices of this group constitute human rights violations. These practices are part of the culture of the people, and therefore have been with Ghanaian society from pre-colonial times to the present. In other words, they are not limited to any particular period in the history of the country.

4.1.2.5.4 One such traditional practice, in some parts of the country, is Trokosi, which is the practice of giving up vestal virgins by families as “payment” to shrines for infractions committed by one of its members. This practice is fraught with serious human rights violations, for it involves the incarceration for life and abuse of mostly young females, some as young as eight years. They work on the farms of, and bear children for, the priests of the shrine.

4.1.2.5.5 The other practice, which has also been endemic in the society for many years, is ritual murder, in which murder is committed for the performance of rituals for protection, power, wealth, prosperity and other purposes. Some of such murders that have come to public notice are the Kyebi murder case, the Sefwi Bekwai murder case and the Abesim murder case.

4.1.2.5.6 All these are instances where traditional religious groups are known to be perpetrators of human rights violations and abuses.

VOLUME 1 CHAPTER 4**Islamic Religious Groups**

4.1.2.5.7 Islam came to Ghana through the efforts of traders, itinerant clerics and teachers from Trans-Saharan trade during the 18th Century. In Ghana, the religion has two sects – the Orthodox and the Ahmadiyya. The Orthodox is the older of the two.

4.1.2.5.8 The Islamic religious group adopted an anti-government position in the pre-Independence and the early post-Independence era. In order to gain political influence, an earlier association – the Gold Coast Moslem Association (GCMA) transformed itself into the Muslim Association Party (MAP). It was in opposition to the Muslim Youth Congress (MYC), which was made the mouthpiece of the Muslims and a wing of the CPP.

4.1.2.5.9 The anti-CPP stance of MAP led to the deportation of some of its leaders; and the Avoidance of Discrimination Act of 1957, which prohibited parties formed on religious or ethnic lines, brought an end to its existence.

4.1.2.5.10 There is no evidence of complicity in or resistance to human rights violations or abuses during Nkrumah's CPP era by this religious group.

Christian Religious Bodies

4.1.2.5.11 Christianity was brought to Ghana in the 15th Century by different European Christian Missionaries.

4.1.2.5.12 During the post-Independence era of Nkrumah's Government, the Christian Religious Bodies objected to the use of certain biblical quotations to apply to secular political issues, such as Nkrumah's "seek ye first the political kingdom and all other things shall be added unto you", which was a modification of Jesus' "seek ye first the kingdom of God and His righteousness, and all these things shall be added unto you". Indeed, the Christian churches took exception to the constant reference to Nkrumah as Messiah, and that "if you follow him, he will make you fishers of men"; and other Christ-like attributes such as "Nkrumah never dies", "Nkrumah does no wrong", especially in the propaganda materials of the Ghana Young Pioneers (GYP).

4.1.2.5.13 The Anglican Bishop and Chairman of the Christian Council at that time, Reginald Richard Roseveare, was deported when he openly criticised the blasphemous nature of these teachings of the GYP. Rev. Fr. Vincent Damuah of the Catholic Church was detained for some time for criticising the deportation of the Bishop. The Headmaster of Mfantshipim School, and the Headmistress of St. Monica's Girls' Secondary School, both institutions of Christian churches, also came under pressure for not allowing the formation of the GYP in their schools.

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4.1.2.5.14 The Christian churches also raised objections to the PDA, but the Bill was rushed through Parliament and passed. On another occasion, when some Muslim leaders were deported, the churches, in collaboration with the Joint Provincial Council and the Asanteman Council, protested the deportations.

4.1.2.5.15 On the whole, the Christian Religious Bodies put up resistance during Nkrumah's Government, to issues they perceived as blasphemous or as an infringement on the human rights of individual citizens.

4.1.2.6 The Media

4.1.2.6.1 Dr. Nkrumah established the Guinea Press soon after Independence, and it published the *Ghanaian Times*, *Evening News*, *Daily Gazette*, *Sunday Punch* and *The Spark* which, were ideological journals of the CPP.²

4.1.2.6.1 During the CPP Administration, the state-owned media, especially the *Daily Graphic* and the *Ghanaian Times*, were made to see themselves as an arm of government. They even sometimes had to take instructions from Ministers of State and from the Presidency. Even the private-owned *Ashanti Pioneer* had, at one stage, a government appointed censor who vetted material before publication, and individual dispatches of foreign correspondents were subjected to prior censorship under the "Press Correspondents Instrument" of 1962. Moreover, the newspaper-licensing Act of 1963, which required newspaper editors and publishers to obtain a licence, renewable annually, from the government before they could begin publication, gave the government additional powers to control the press, including the private ones. Indeed, *Ashanti Pioneer* was banned after several confrontations with the government.

4.1.2.6.2 During the period, deportation of foreign journalists and the harassment, transfers and sometimes imprisonment of Ghanaian journalists ensured that journalists toed the government line.

4.1.2.6.2 The situation at the Ghana Broadcasting Corporation (GBC) was no different. News was censored, and after 1st July, 1960, when Ghana became a Republic, the Minister of Information directed that the One O'clock and the Six O'clock news bulletins should be submitted for vetting at the President's Office. Indeed in 1961, Kodwo Addison, a staunch CPP ideologue, was posted to the GBC as a censor, under the guise of a "news consultant".

4.1.2.6.3 All these measures, as well as the PDA which could be used to detain anybody for reasons that need not be specified, ensured that journalists published what was

² See William B. Harvey, *Law and Social Change in Ghana* Princeton University Press, New Jersey, 1966. p.319

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approved of by Dr. Nkrumah, and he had enough loyalists to ensure that this was done. Press freedom, therefore, was completely non-existent during this period.

4.1.2.7 Professional Bodies (Other Than Legal Profession)

4.1.2.7.1 Apart from the Ghana Medical Association (GMA) formed in 1958, the Ghana Institute of Architects (GIA) formed in 1962, the Ghana Institution of Engineers (GhIE) formed in 1969, most professional associations were formed in the 1970s. From available evidence, Professional Associations were formed primarily to promote the interest of members of their respective professions, especially in respect of improved

salary and conditions of service. Their involvement in political issues usually occurred during periods of military rule.

4.1.2.8 Student Movements

4.1.2.8.1 The agitation for Independence involved all sectors of Gold Coast society, and this included students. Indeed it was as a result of the involvement of students in the political agitation for Independence that students in some secondary schools in Cape Coast and their politically-active teachers, were dismissed in 1949, leading to the founding of Ghana National College in Cape Coast to enable them complete their education. However, it was much later in the political history of Ghana that students, as an organised body, concerned itself with national political issues.

The PDA

4.1.2.8.2 In 1958, the CPP Government, used the PDA to detain opposition figures, and this led the National Union of Ghana Students (NUGS) to adopt a resolution at their 1959 annual conference that criticised the passage and use of the PDA. This earned them the displeasure of the government, but no punitive action was taken against the student leadership.

4.1.2.8.3 Luck ran out for NUGS, however, when in 1964, six of its leaders were detained under the PDA. Again in 1965, a student of Commonwealth Hall, University of Ghana, called on his fellow students, at a formal dinner, to observe a minute's silence in memory of Dr. J.B. Danquah whose death in detention had been announced. For this, the student, L.O. Cantey, and a few others were arrested and detained.

4.1.2.8.4 The student body on the university campuses at the time was clearly divided into pro-CPP and anti-CPP groups, as students got involved in the party political activities in the country at the time. Some students spied and reported on their colleague-students as well as their lecturers, and this, together with the threat of detention under PDA, created an atmosphere of fear on university campuses.

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4.1.2.8.5 In 1964, in order to win students' allegiance to the CPP and its ideology, the government directed that all students should have a mandatory period of two weeks ideological orientation at the Kwame Nkrumah Ideological Institute at Winneba, as a requirement for admission into university. This move was popular with members of the CPP Students Union, but it certainly bred resentment against the government in others.

4.1.2.9.0 Youth Movements

4.1.2.9.1 In pre-Independence Ghana, the Boy Scouts and Girl Guide movements were the best known non-religious youth movements in the country. They were based in schools.

4.1.2.9.2 Dr. Nkrumah's CPP felt the need to mobilise the youth for national development, and to inculcate in them a sense of patriotism for the new nation, Ghana. In 1960, the Ghana Young Pioneer (GYP) movement was started for children and young people aged between 4 and 25 years. It was mostly organised in schools, but it included out-of-school youth as well, and was modelled on youth training programmes in East Germany and the USSR. School teachers and party activists were recruited as organizers and instructors, and there was a code of discipline that was rigidly enforced.

4.1.2.9.3 There is no doubt that the movement instilled a strong sense of patriotism in the young people. However, it was also very obvious that the movement helped build a personality cult around the person of President Nkrumah, and this was a great source of concern for many people in the country. The children were taught that Nkrumah was their "Messiah" and their "Saviour" and that he did no wrong. They sang songs in praise of President Nkrumah, and they owed greater allegiance to him than to their own parents. Indeed, during the period when there were attempts to destabilise the government through acts of bomb-throwing, the GYP members were told to inform on their parents if they knew or suspected them of being involved in these acts of subversion. Rumours were rife in those days about parents and relations of Young Pioneers who ended up in detention as a result of such reports.

4.1.2.9.4 Quite a number of the Young Pioneers were victims of the bomb-throwing; some were killed, and others were maimed or suffered severe injuries.

4.1.2.9.5 The GYP earned a terrible reputation, and there were reports of parents as well as heads of schools, who got into trouble for refusing to allow their children to join the GYP or start the movement in their schools. It is not surprising, therefore, that for some people both the PDA and the GYP evoked a feeling of fear and resentment against the CPP Government.

4.1.2.9.6 Many families throughout the country had been affected by the implementation of the PDA. There were young people whose education had been cut short because their fathers had been detained for years; and there were family members whose source of livelihood had dried up because the main bread-winner was in detention or had died in

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detention. Chiefs, Religious Bodies, the Labour Movement and the general citizenry had been so cowed by their fear of PDA that open dissent or criticism of Nkrumah's government was completely absent. Moreover, the economy had taken a nose-dive; the shops were empty; and Ghanaians had begun to queue for essential goods.

4.2.0 24th FEBRUARY, 1966 - 30th SEPTEMBER, 1969: NLC

4.2.0.1 On 24th February, 1966, President Nkrumah's Government was overthrown in the first coup d'état in Ghana, and replaced by the National Liberation Council (NLC), a joint Military and Police regime.

4.2.1.0 HUMAN RIGHTS VIOLATIONS AND ABUSES UNDER THE NLC

4.2.1.1 The NLC suspended the Constitution, dismissed the President and all Parliamentarians; banned the CPP the only political party at the time, and banned the GYP. It passed the Protective Custody Decree 1966 (NLCD 2) under which all Ministers, Parliamentarians, Regional and District Commissioners and senior functionaries of the CPP were detained without trial. The NLC also passed a decree banning CPP officials and functionaries from holding public office and from being voted into public office for 10 years.

4.2.1.2 Commissions of Enquiry were set up to investigate the assets of ex-President Nkrumah and many of his Ministers, as well as other CPP functionaries. Their findings led to the confiscation of assets that were deemed not lawfully acquired.

4.2.1.3 Members of the Presidential Detail Department (PDD) became targets of human rights abuse by the security forces. Some were lined up and executed after they had surrendered to the attacking forces, and others were detained under the Protective Custody Decree.

4.2.1.4 The PDD members, who were in Dr. Nkrumah's entourage on his trip to Hanoi, Vietnam, went with him to Conakry, Guinea, and stayed in exile with him. One of them, Boye Moses, who later returned to Ghana was paraded through the streets of Accra in an iron cage on his way to detention at Ussher Fort Prison.

4.2.1.5 On 17th April, 1967, there was a failed coup attempt, led by Lt Samuel Arthur with the support of Lt Moses Yeboah and 2nd Lt Emmanuel Osei Poku, in which Lt-Gen E.K. Kotoka was killed. The three officers involved were tried by a Military Tribunal. Lt Arthur and Lt Yeboah were executed on 26th May, 1967 before a large crowd. This was the first public execution in Ghana. Lt Osei Poku was sentenced to 30 years imprisonment.

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4.2.1.6 Many civilians, in particular former CPP supporters and sympathisers, who were allegedly jubilating on hearing the news of the coup before it was foiled, were detained under Protective Custody Decrees.

4.2.2.0 REACTIONS TO THE NLC

4.2.2.0.1 It was no surprise that Nkrumah's overthrow was met with jubilation, especially as hundreds of detainees, whose relations had lost hope of their ever coming home, were released from prisons throughout the country. The euphoria that pervaded the society at the time clouded people's awareness of the human rights abuses committed by the NLC government. Indeed, the detentions and other violations and abuses suffered by members of the CPP were considered to be deserved retribution, and there were no protests against the NLC government, as documented below.

4.2.2.1 The Judiciary and the Bar

4.2.2.1.1 As stated earlier, President Nkrumah issued an Executive Instrument that declared the treason trial and acquittal of Tawia Adamafio and others null and void, and ordered a re-trial by a Special Criminal Court that duly found them guilty of treason. The NLC passed a decree declaring the decision of the Special Criminal Court null and void.

4.2.2.1.2 The NLC dismissed a number of judges and magistrates who were regarded as political appointees of the CPP, without recourse to due process, but there were no protests from members of the Legal Profession. Moreover, neither the detentions of 1966 nor those that occurred in 1967, after the failed coup, attracted comment from the Ghana Bar Association, whose President, Victor Owusu, himself a former detainee under PDA in the previous government, had become Attorney-General under the NLC. Even the parading of Boye Moses through the streets of Accra in a metal cage did not attract any protest from members of the Legal Profession.

4.2.2.2 The Labour Movement

4.2.2.2.1 At the time of the overthrow of Nkrumah's government, the TUC had been incorporated into the CPP such that its leadership could not survive the government's overthrow.

4.2.2.2.2 The NLC followed the previous government's practice of appointing someone to head the TUC, rather than allowing unionised labour to elect their own leader. B.A. Bentum, a veteran trade unionist, thus became the TUC Secretary-General. However, the TUC under his leadership could not do much to champion the cause of workers. Between 1966 and 1968, there were many lay-offs, as workers were declared redundant. However, the TUC appeared unable to help them. This is because under the Industrial Relations Act of 1958, even though workers had the right to go on strike, the procedure was so

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cumbersome that workers could not embark on industrial action to press for better terms, or to have dismissed workers reinstated, and it became clear that the TUC was unable to work for the welfare of workers.

4.2.2.2.3 The government treated workers' protests with heavy-handedness. It responded to workers' protests with mass dismissals. In March, 1969, a major strike by gold miners at Prestea was so brutally suppressed by the police that three miners were shot dead. Although TUC protested to the Chairman of the NLC, Lt-Gen Afrifa, about the extent of force used in suppressing the workers' protest, it could not do much to help with the workers' grievances.

4.2.2.3 Chiefs

4.2.2.3.1 Due to the "bad blood" between the CPP government and the chiefs, some chiefs and traditional councils joined in the public jubilation when Dr. Nkrumah's

Government was overthrown. Congratulatory messages were also sent from Regional Houses of Chiefs to the NLC Government.

4.2.2.3.2 The NLC passed the Chieftaincy (Amendment) Decree, 1967 (NLCD 112) to remove those who had become chiefs because they were party faithfuls, and to revert those who had been raised to paramount chief status their former positions.

4.2.2.3.3 The whole-hearted support of chiefs for the NLC left no room for them to criticise the undemocratic means by which the NLC came to power, or the NLC's own version of Nkrumah's PDA, that is, the Protective Custody Decree under which people were detained without trial, or any other acts of the NLC, such as the public humiliation and loss of dignity to which Boye Moses was subjected.

4.2.2.4 Religious Bodies

4.2.2.4.1 Following the overthrow of President Nkrumah's Government, the Christian Council held a non-denominational service at the Accra Sports Stadium to thank God for liberating the country from the one-party rule of the CPP government. This show of support for the NLC and the general anti-CPP government feeling that pervaded the country seemed to have blinded even the religious bodies, both Muslim and Christian, to the human rights abuses against CPP functionaries, the PDD or the violent suppression of the Prestea mine workers' protests.

4.2.2.4.2 The Christian Council, however did protest, in a letter to the NLC, against the public execution of Lt Arthur and Lt Yeboah. In reply, the NLC wrote to the Christian Council giving the assurance that the NLC had no intention of carrying out any future executions in public.

VOLUME 1 CHAPTER 4**4.2.2.5 The Media**

4.2.2.5.1 One of the first acts of the NLC Government was to place under “protective custody” editors of the state-owned newspapers and CPP publications. The arrests sent a powerful message to journalists in the country and set the stage for compliance.

4.2.2.5.2 Immediately after the coup, all newspapers, including President Nkrumah’s own *Evening News*, joined the chorus of supporters of the new regime. On 25th February, a day after the coup, banner headlines began to confer legitimacy on the new government, to de-legitimise the old, and to garner support for the NLC. The papers praised “our gallant soldiers” for liberating the oppressed people of Ghana.

4.2.2.5.3 Both the *Ghanaian Times* and the *Daily Graphic* were at pains to portray the NLC as having massive support from the public, while printing articles that were very critical of Dr. Nkrumah’s government.

4.2.2.5.4 One such article written by Mabel Dove, a former CPP Parliamentarian, and a former Editor of the *Evening News*, and published in the *Ghanaian Times* of Friday, 15th April, 1966, was very critical of President Nkrumah’s government and sought to vilify and de-legitimise it by chronicling a list of wrongdoing. She referred to Nkrumah as a “tyrant” and called him and his followers “ignoble, despicable, contemptible men and women totally unfit for public office”. These were very strong words from one who had been a CPP Parliamentarian. The article and the sentiments expressed in it reflected the mood at the time.

4.2.2.5.5 Both *The Standard* and the *Christian Messenger* also hailed the soldiers as “gallant men” and praised them for their declaration that the NLC had no intention of seeking political power.

4.2.2.5.6 When on 17th April, 1966, there was an abortive coup in which Lt Gen Kotoka, was killed, the papers came out to condemn it and the coup plotters, and gleefully announced that the two Army Officer, Lt Samuel Arthur and Lt Moses Yeboah, were to be executed by firing squad in public.

4.2.2.5.7 *Ghanaian Times* in particular was very effusive in its support for the NLC. When political discussions started on the form of government appropriate for the country, the paper urged the NLC in a editorial to “avoid rushing” into civilian rule, and wrote a series of editorials on the pros and cons of the return to civilian rule. The *Christian Messenger* was also in favour of the “delay the return to civilian rule” viewpoint.

4.2.2.5.8 The NLC Government lifted the ban against foreign journalists from operating in the country, outlawed the censoring order placed on outgoing press messages, and allowed the re-publication of banned papers such as *Ashanti Pioneer*. In this atmosphere

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of press freedom, new publications were established, such as *The Echo*, the *Legon Observer* and the *Western Tribune*. For the first time in the history of the country, the government set up the Ghana Press Council, as an independent body to protect press freedom, and to also protect the public from media harassment.

4.2.2.5.9 However, contrary to the NLC's liberal policy towards the press, the regime passed the Prohibition of Rumours Decree, 1966 (NLCD 92), and later, the National Liberation Council (Proclamation) (Amendment) (No. 2) Decree, 1966 (NLCD 104), both of which made it a crime to air any statement, even if true, that might cause "disaffection" against the NLC or the security forces; or that might bring the NLC into hatred, ridicule or contempt.

4.2.2.5.10 Subsequently, journalists suffered harassment and victimisation for various "offences", such as criticising the Abbot Laboratory (a US pharmaceutical company) Agreement with the NLC regime. This particular issue resulted in the dismissal of the Editors of the *Daily Graphic*, *Ghanaian Times*, *Evening News* and *Ashanti Pioneer*. This action of the NLC prompted a rare act of resistance to the NLC by the Commissioner for Information. He resigned his ministerial position, because he found the action by the

NLC "irregular" and that it "jeopardises the freedom of the press to which the NLC had irrevocably committed itself".

4.2.2.5.11 There were other acts of victimisation of journalists which clearly belied the NLC's public stance of having a liberal policy towards the press, both local and foreign. These acts contributed to the docility of the press. It must be said, however, that the *Daily Graphic*, though a state-owned newspaper, stood its ground and consistently pointed out that they "will not be gagged". On the other hand, *Ghanaian Times*, which was established by President Nkrumah to propagate his party's ideology, over-played its support for the regime that overthrew its sponsor.

4.2.2.6 Professional Bodies (Other Than Legal Profession)

4.2.2.6.1 Following the coup that overthrew President Nkrumah's government, a group of Ghanaian Senior Members of the University of Ghana formed the Legon Society on National Affairs (LSNA) that gave support to the NLC in its efforts at consolidating freedom and democracy in the country. The LSNA started a publication, the *Legon Observer*, as its official mouthpiece.

4.2.2.6.2 The LSNA did criticise some NLC policies; For example, the *Legon Observer* published an article criticizing the "rough and ready" justice that was being meted out by military personnel in parts of the country. There was also the case when the editor of *Legon Observer* and LSNA members were charged with contempt before an Accra High Court for publishing an article entitled "Justice Delayed is Justice Denied" in its 8th December, 1967 issue, which criticised the courts for the delay in hearing cases.

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4.2.2.6.3 However, the LSNA's strong opposition to the CPP compromised its ability to protest against the arrests, detentions, confiscation of properties and other human rights abuses meted out to CPP leaders and functionaries. These were seen as deserved punishment.

4.2.2.6.4 Indeed, some of its members presented papers at the series of lectures under the theme "What Went Wrong", at which analyses of the oppressive misrule and mismanagement of the economy by the CPP Government were presented.

4.2.2.7 Student Movements

4.2.2.7.1 Like the rest of the country, students' reaction to the overthrow of the CPP Government was generally one of relief, for the fear of PDA was real, as some of their leaders were in detention at the time. University students in Accra and Kumasi poured out on to the streets to demonstrate their support for the new government, while some members of the CPP Students Union disappeared from the campuses for a while for fear of molestation from their colleagues. Indeed, there were reports of such acts of molestation on students who were known or suspected to be informants for the CPP Government. A few were detained for some days at Police Stations.

4.2.2.7.2 Student leaders who had been detained under PDA were released by the NLC, and like many other members of Ghanaian society, students felt that the detention and other human rights abuses meted out to CPP functionaries were deserved retribution, and therefore did not protest against them.

4.3.0 1st OCTOBER, 1969 – 12th JANUARY, 1972 : THE 2ND REPUBLIC

4.3.0.1 The Progress Party (PP) government of Dr. K.A. Busia was inaugurated on 1st October, 1969. Two incidents occurred during the rather short-lived 2nd Republic, which affected the rights of certain individuals in the country.

4.3.1 HUMAN RIGHTS ABUSES UNDER THE 2ND REPUBLIC

4.3.1.1 The first was the enforcement of the Aliens Act 1963, (Act 160). On 19th November 1969, the government issued an order giving all aliens, both African and non-African who did not have valid residence documents, 14 days to regularize their stay, or leave the country.

4.3.1.2 The implementation of the Aliens Compliance Order, as it was known, caused a lot of human suffering, as families, especially from the West African sub-region, that had resided in Ghana for three generations or more, had only 14 days to attempt to regularize their stay, or be forced to leave the country. These people had to sell their properties within a short time, and Ghanaians who bought such properties generally paid very little

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for them. There were reports of Ghanaians molesting aliens, to the extent that the government had to issue a warning to the public to desist from such acts.

4.3.1.3 The second incident was when, in 1970, 568 senior public servants were dismissed by the PP Government. The letter of dismissal accused the affected persons of lack of foresight, being corrupt and inefficient, but no procedure was put in place to establish their guilt or otherwise before effecting the dismissals.

4.3.2 REACTIONS TO THE PP GOVERNMENT

4.3.2.0.1 The Aliens Compliance Order generally had the support of Ghanaian citizenry, many of whom exploited the situation and bought properties from the departing aliens at ridiculously low prices. There was no public outcry against the inadequacy of the 14 days given the aliens to regularize their stay from the organs of state or civil society groups.

4.3.2.1 The Judiciary And The Bar

4.3.2.1.1 One of the public servants affected by the mass dismissals, E.K. Sallah, challenged his dismissal in the High Court, and won the case against the government.

4.3.2.1.2 Disappointed by the decision, the Prime Minister, Dr. Busia, addressed the nation accusing them of “playing politics” and declared himself ready to take them on. The angry reaction of the government surprised many, for the PP government was regarded by many as one that respected the independence of the judiciary and the rule of law.

4.3.2.1.3 The Sallah case, however, showed that the Judiciary had come into its own as an independent and bold institution prepared to defend the rights of the citizenry.

4.3.2.2 Labour Movement

4.3.2.2.1 The PP Government of Dr. Busia believed in the free market approach based on private enterprise, quite contrary to the central-planning model of the CPP Government in which the TUC had actively participated. This led to an antagonistic relationship between the government and the TUC right from the beginning of the Second Republic.

4.3.2.2.2 In 1971, the government passed the Industrial Relations Act, 1971 (Act 383) which recognised the right of individual unions to exist independently of the TUC. The Act therefore ended the TUC’s position as the sole representative of workers in Ghana. The Act dissolved and liquidated the TUC and provided for a Receiver to take charge of its property and distribute its assets to the unions that contributed to its funds. In addition the government encouraged the formation of a rival organization, the Confederation of Ghana Labour.

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4.3.2.2.3 TUC leaders, who had become very powerful as a result of their close association with the CPP, suddenly realised that they had lost all their power and influence. Even the TUC building that was a gift to the Congress from the CPP Government was taken over by the PP Government to house the Department of Labour. During the short life of the PP Government, therefore, the Labour Movement found itself struggling for survival.

4.3.2.2.4 It is not surprising, therefore, that on the overthrow of the PP Government, the Labour Movement rejoiced over the downfall of its arch enemy, and gave support to the Military Government.

4.3.2.3 Chiefs

4.3.2.3.1 The main issues of controversy of the Busia Government, as noted earlier, were the implementation of the Aliens Compliance Order and the “Apollo 568”. There were no opposing views on these issues from the chiefs, even though the dismissal of 568 public servants must have affected some of their subjects.

4.3.2.3.2 The PP Government passed the Chieftaincy Act, 1971 (Act 370), which removed the recognition clause from the definition of “Who is a chief”. This insulated chiefs from having to court government support.

4.3.2.4 Religious Bodies**Muslim Religious Body**

4.3.2.4.1 The Busia Government assisted in the creation of the Supreme Council for Islamic Affairs in an effort to unite the Ghana Muslim Mission and the Ghana Muslim Community. The Council was meant to represent a united front for better administration of the affairs of Muslims.

4.3.2.4.2 The implementation of the Aliens Compliance Order by the PP Government caused a great deal of suffering among many Muslim immigrants. However, there is no evidence that there were any protests from the Muslim community against the indignities that the expelled immigrants suffered.

Christian Religious Body

4.3.2.4.3 Professor Busia was known to be a practising Christian. He was also a lay preacher of the Methodist Church, and he therefore enjoyed the support of the Christian Churches. There is no evidence that the Christian Churches openly criticised his government on the implementation of the Aliens Compliance Order or over “Apollo 568”, when 568 senior public servants were dismissed.

VOLUME 1 CHAPTER 4**4.3.2.5.0 The Media**

4.3.2.5.1 The PP Government, under Dr. K. A. Busia, was considered the most tolerant of the press. It repealed the newspaper-licensing law passed under President Nkrumah's administration, and made it possible for new newspapers such as the *Spokesman*, which was an opposition paper to the Busia administration, the *Palava Tribune* and the *Voice of the People* to be published.

4.3.2.5.2 In spite of this, the editor of the *Daily Graphic* was dismissed in the latter part of 1970, for criticizing Dr. Busia's foreign policy of engaging in dialogue rather than confrontation with the racist South African government. Again the editor of the *Spokesman* was arrested without warrant in 1970 and was charged with communicating a false statement. He had questioned the basis for some development projects in the home-town of Lt-Gen Afrifa, the Chairman of the Presidential Commission. The charges were later withdrawn. Again, the editor of the *Spokesman* was prosecuted for libel in 1971 for an editorial that suggested that the High Court Judge who was the Interim Electoral Commissioner for the 1969 elections had been "rewarded" with appointment to the Supreme Court for assisting the Progress Party to win the 1969 elections.

4.3.2.5.3 These incidents of victimisation of editors were very likely to cow some journalists into staying off issues that were likely to offend the government.

4.3.2.5.4 For a government that was perceived by many as pursuing a libertarian press policy, where anybody could publicly vent their opinions, the instances where editors were victimised for expressing opinions that were critical of the government are a sad commentary on the lack of tolerance of dissenting views on the part of Ghanaian politicians.

4.3.2.6 Professional Bodies (Other Than Legal Profession)**4.3.2.7**

4.3.2.6.1 There is no evidence that the professional bodies commented on either the implementation of the Aliens Compliance Order, or the dismissal of 568 senior public servants by the PP Government.

4.3.2.8 Student Movements

4.3.2.7.1 The freedom that students enjoyed during the NLC regime manifested itself in student demonstrations on all sorts of issues that affected their welfare. These demonstrations were taking place in secondary schools and on university campuses. They tended to be violent and often led to the destruction of public property. So numerous were these student disturbances that Parliament had to set up a Parliamentary Committee on Student Unrest.

4.3.2.7.2 During the short life of the PP Government, the NUGS had confrontations with the government on a number of issues. To start with, they called on the government to grant amnesty to ex-President Nkrumah and all those who had gone into exile since the overthrow of the CPP Government. This call infuriated the government, and the students' demand was described as "treacherous and treasonable".

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4.3.2.7.3 On another occasion, the NUGS gave an ultimatum to the political leaders to declare their assets. As a result, the President and Secretary of the NUGS were made to appear before Parliament on a charge of contempt, and they had to render a formal apology to the House. This act of humiliation certainly did not endear the Busia Administration to the leadership of the student movement.

4.3.2.7.4 The PP Government introduced a loan scheme for university students to replace the full scholarship that each Ghanaian student was enjoying. This did not go down well with students who protested that the scheme was premature.

4.3.2.7.5 When the Government proposed dialogue with apartheid South Africa, rather than a total freeze in relations favoured by the Organization of African Unity (OAU), the students strongly opposed it.

4.3.2.7.6 For all these reasons, the relationship between the PP Government and students was not cordial during the Second Republic.

4.3.3 DEVALUATION OF THE CEDI

4.3.3.1 The PP government, under pressure from its development partners, especially the World Bank and International Monetary Fund (IMF), devalued the Ghanaian currency, resulting in a rise in the prices of, especially, manufactured goods both imported and locally produced.

4.3.3.2 This was announced soon after Christmas, when most people had spent a lot of money over the Christmas period, and barely had enough money left to send their children back to school in January. It was a very unpopular decision, and it gave some people cause to rejoice when the government was overthrown.

4.4.0 13th JANUARY, 1972 – 3rd JUNE, 1979 : NRC/SMC I & II

4.4.0.1 On 13th January, 1972, the nation received the news of a coup d'état by Colonel Ignatius K. Acheampong, Commander of the First Infantry Brigade. A new government, the National Redemption Council (NRC), came into being with Col Acheampong as Chairman and Head of State. Public reaction to this coup was rather muted, unlike the euphoria that greeted the 1966 coup. Most people felt the coup was unnecessary, since with the multi-party system that was being operated at the time, it would have been possible to change the government through the ballot box.

VOLUME 1 CHAPTER 4**4.4.1 HUMAN RIGHTS ABUSES AND OTHER ACTS THAT CAUSED DISAFFECTION TOWARDS THE NRC/SMC I & II**

4.4.1.1 In line with the practice established by the NLC, the NRC suspended the Constitution, proscribed all political parties, and caused the detention of government and party functionaries, thereby forcing some of them to go into exile in neighbouring countries.

4.4.1.2 Most of the government and party functionaries were required to appear before Commissions of Enquiry to defend the acquisition of their properties. Most of these properties, including those acquired before the individuals came into political office, were confiscated to the State. The NRC government called members of the PP

government “nation wreckers” and thereby justified the decision to confiscate what the “nation wreckers” owned. Dr. Busia, who was outside the country at the time, had adverse findings made against him by the Commission of Enquiry, and his properties, including those of his nuclear and extended families, were confiscated to the State.

4.4.1.3 The NRC government began the practice of detaining civilians in guardrooms in Military installations. Civilians were subjected to Military drills when found to have misconducted themselves according to rules imposed by the Military. Thus, late-comers to work, loiterers, and commercial sex workers were subjected to military drills as a form of “discipline”

Price Control

4.4.1.4 The NRC launched a campaign to reduce prices of essential consumer goods, tagged “essential commodities”. This action led to the creation of artificial shortages of goods, as the traders who had goods hid them, in order to sell them at prices higher than those set down on the price control list. Consequently, a new crime of “hoarding” was created, as people, who were perceived to be keeping goods away from the open market, were targeted. The “hoarders”, as well as those believed to be selling goods above the stipulated prices, were designated as economic saboteurs. Economic sabotage became a serious crime against the State, and offenders were severely molested in swoops on markets by members of the security services, and the goods seized and sold off.

4.4.1.5 A chit system was developed for the release of goods from the factories and warehouses in order to ensure that only people with valid chits could obtain commodities, so as to protect the price control system. However, the system became so corrupted that chit-holders usually re-sold the goods or even the chits themselves at many times the controlled price, resulting in very high prices of goods to the eventual consumer. *Kalabule*, the term for corruption and profiteering from selling goods above official

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prices, became the order of the day, with its practitioners making inordinately high profits and becoming rich overnight.

4.4.1.6 The state of the economy and of social life were so run down, and the cost of living so high, that many of the nation's academics and professionals left Ghana and became economic refugees in other countries. Some of those who remained used their cars as mini-cabs in the evenings and at week-ends in order to survive, to the detriment of their main occupations.

Union Government (Unigov)

4.4.1.7 As the national economy continued to deteriorate, civil society groups began to mount pressure on the government to return the country to a civilian constitutional administration. In the meantime, Col Acheampong, now General Acheampong, was

Chairman of a new body, the Supreme Military Council (SMC), which had replaced the NRC.

4.4.1.8 As a result of public pressure on the government to return the country to constitutional rule, Gen Acheampong in 1977, propounded the concept of Union Government (Unigov), which was to be a no-party government with representation from the Military, the Police and the civilian population. The Unigov concept was met with widespread disapproval, however, any views that were contrary to the ones proposed by the government were not tolerated, and were met with violence.

4.4.1.9 A referendum on the Unigov concept was held on 30th March, 1978. Although it appeared that the concept had not won popular support, the state-owned media reported that Unigov had been accepted by 54 percent in favour and 46 percent against it. The official results declaring the majority acceptance of the Unigov concept were contested by members of the general public through the anti-Unigov organizations. The government responded by passing the Voluntary Associations (Prohibition) Decree, 1978 (SMCD 161), which banned all the civil society opposition groups. Some of the prominent members of these groups were arrested, and others went into exile in neighbouring countries. The government then set up a Constitutional Commission to draft a Constitution for Unigov.

4.4.1.10 Civil unrest against Unigov continued after the referendum, and by June, 1978, it was clear the government could not survive. Gen Acheampong's colleagues on the SMC managed to oust him on 5th July, 1978, and Lt-Gen Frederick W.K. Akuffo became Chairman of the SMC, popularly referred to as SMC II. The new government eventually succumbed to popular demands and established a Constituent Assembly to draft a constitution for a return to civilian rule.

VOLUME 1 CHAPTER 4**Currency Exchange**

4.4.1.11 In March, 1979, the government decided to demonetise the currency, and thus mop up the excess liquidity in the system. The whole country was given three weeks within which to turn in all currency holdings outside the banking system, for issuance of fresh currency. This policy caused a great stampede at the banks and personnel of the security services, who had been detailed to keep order, used whips and sometimes live ammunition to keep order, and a number of people were either killed or wounded.

4.4.1.12 The policy caused a great deal of hardship, for those who could not lay hands on any of the new notes could not buy food, as market women refused to accept the old notes. At the end of the three weeks, many people, especially rural dwellers, had become impoverished overnight, since all their money had become useless paper.

Indiscipline In The Ghana Armed Forces

4.4.1.13 Many Senior Military Officers were seconded to work in civilian establishments during the NRC/SMC I & II period. Such Officers acquired wealth and showed it off so blatantly that it engendered a great deal of resentment among the Officers who did not get the opportunity to be seconded to civilian establishments, as well as among the Other Ranks who looked on as “prosperity to the Military” passed them by. As a result, discipline in the military suffered, and military personnel adopted a lukewarm attitude toward their profession.

4.4.1.14 The standard of discipline in the Ghana Armed Forces got to such a low point that a committee known as “Committee on the Problems of Indiscipline in the Armed Forces” had to be set up. The Committee’s report had a long list of factors that had generated indiscipline in the Armed Forces, including poor “officer-man” relationship and absence of good leadership.

4.4.1.15 The report also found that Gen Acheampong, as Head of State, had set the wrong moral tone by openly displaying opulence and a lifestyle of moral decadence, including buying VW Golf cars for the young girls that he associated with.

4.4.1.16 Other Senior Officers and their wives were accused of misusing the Other Ranks and military resources to further their own personal business interests, to the detriment of Military Discipline and code of ethics.

VOLUME 1 CHAPTER 4**4.4.2 REACTIONS TO THE NRC/SMC****4.4.2.1 The Judiciary And The Bar**

4.4.2.1.1 After the overthrow of the PP government, the NRC abolished the Supreme Court. Three judges, Chief Justice Edmund L. Bannerman, Mr. Justice Koi Larbi and Mr. Justice J.B. Siriboe were dismissed and deprived of all their terminal employment benefits. A new Chief Justice, Justice Samuel Azu Crabbe, was appointed. He was however removed by the SMC government, and Mr. Justice Fred K. Apaloo, the most senior Superior Court Judge, was appointed to the Office of Chief Justice.

4.4.2.1.2 As had happened in the Nkrumah government, the courts continued to interpret laws according to the letter rather than the spirit of the law, and judges who stood up for the rights of the citizenry cut the image of opponents to the government.

The Military Tribunal

4.4.2.1.3 The NRC passed a Decree that established Military Tribunals to try certain offences denoted as “subversion” under the Subversion Decree, 1972 (NRCD 90). The specified offences were triable by the Military Tribunal. This Military Tribunal had power, not only to try civilians, but also to impose death sentences. There was no right of appeal, and the courts had no supervisory jurisdiction over it.

4.4.2.1.4 It must be noted, however, that no death sentence was confirmed nor carried out under the NRC.

4.4.2.1.5 As had happened during the time of the NLC, lawyers helped in drafting the legal instruments that legitimized the seizure of power by the Military, as well as other decrees that prevented the general population from enjoying their fundamental human rights and freedoms. For example, under the Subversion Decree, 1972 (NRCD 90), the Military Tribunal was subject to the supervisory jurisdiction of the High Court. Some nine persons were convicted by the Tribunal for conspiring to commit subversion and this was confirmed by the High Court. When two of them filed an appeal against the detention on 23rd July, 1973, the NRC passed the Subversion (Amendment) (No. 2) Decree, 1973 (NRCD 91) on 24th July, amending the original decree. This amendment ousted the jurisdiction of the courts to exercise supervision over the Military Tribunal.

4.4.2.1.6 Again, as had happened during the government of the NLC, the President of the GBA (Ghana Bar Association), E.N. Moore, became the Attorney-General, thus limiting the Association’s capacity to be critical of the detentions and other human rights abuses suffered by functionaries of the ousted government.

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4.4.2.1.7 It must be mentioned, however, that the GBA was very instrumental in getting the professional associations together to form the Association of Recognized Professional Bodies (ARPB) that organised public lectures and protests against the Unigov concept.

4.4.2.2 The Labour Movement

4.4.2.2.1 During the period of the NRC, the TUC enjoyed a very good relationship with the government. Soon after taking over power, the NRC promulgated the Industrial Relations (Amendment) Decree 1972 (NRCD 22) which repealed the Industrial Relations Act, 1971 (Act 383) and made it possible for the building and other assets of the TUC to be returned to it. Maritime and Dock workers, who had been dismissed for going on strike, were re-engaged.

4.4.2.2.2 When the NRC introduced a new distribution system for consumables that made the TUC a distributor of goods to workers, opposition to it became muted. Indeed, so warm was the relationship between the TUC and the government of the NRC, that the TUC supported the Unigov concept at a time when most civil society groups were actively campaigning against it.

4.4.2.2.3 The TUC, therefore, never protested against the detention of civilians in guardrooms, nor the military-style drills that was visited on civilians who were found to have misconducted themselves.

4.4.2.3 Chiefs

4.4.2.3.1 In spite of the lukewarm attitude to the coup of 1972, the NRC soon won the support of the chiefs. To start with, there was the declaration of war on hunger with the NRC's Policy of "Operation Feed Yourself" (OFY). Many chiefs offered land for farming to ensure the success of OFY.

4.4.2.3.2 In order to win the support of the chiefs, Gen Acheampong promised the chiefs that the NRC government would not meddle in chieftaincy matters and re-enacted in a Decree, the bulk of the substance of the 1971 Chieftaincy Act. Under the Decree, chiefs in the Traditional Councils, Regional House of Chiefs and National House of Chiefs were given the statutory functions of the settlement of chieftaincy disputes, with final appeals to the Court of Appeal, and to advise the Government on customary laws.

4.4.2.3.2 However, contrary to the NRC's policy of not meddling in Chieftaincy affairs, the chiefs of Akyem Kotoku, Wenchi and Yendi were all removed by the NRC, and there was no known protest from the Regional or National House of Chiefs.

4.4.2.3.3 When Gen Acheampong introduced his Unigov concept, many chiefs praised the concept as divinely inspired to cure the ills of partisan politics. On the whole, chiefs

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tended not to be critical of government policies or acts whether or not those policies or acts violated the rights and freedoms of the citizenry.

4.4.2.4 Religious Bodies**The Muslim Religious body**

4.4.2.4.1 The NRC facilitated the formation of the Ghana Muslim Representative Council (GMRC), which became the mouthpiece of Muslims on national issues. The Council campaigned for the adoption of the Union Government concept, claiming that Party Politics had sown seeds of dissent among sections of the population, and that the Unigov concept was in line with the basic principles of Islam that all men are equal and united. Having openly declared their support for Unigov, the Muslim groups were not in a position to criticise the human rights violations and abuses unleashed on the citizenry during the campaign for the referendum on Unigov.

4.4.2.5.0 The Christian Religious Bodies**The Orthodox Churches**

4.4.2.5.1 The Christian Council of Ghana and the Catholic Bishops' Conference opposed Acheampong's Unigov because they saw it as a ploy to perpetuate military rule in the country.

4.4.2.5.2 As wanton arrests and beatings of opponents of the Unigov concept persisted during the campaign for the referendum on Unigov, the two Orthodox Christian bodies, wrote a joint pastoral letter to the government. They protested against the human rights violations and abuses, and, in particular, the severe beating of the Headmaster, the Assistant Headmaster and students of Opoku Ware Secondary School, Kumasi the beating up of the students of Mfantshipim School, Cape Coast, the arbitrary arrest and detention of K. Addai-Mensah, National Secretary of the Ghana Bar Association the use of the law-enforcement agencies to molest people and the denial of freedom of speech and of association to civil society organisations such as the PMFJ and to the general population.

4.4.2.5.3 Gen Acheampong brought Elizabeth Clare Prophet of the Summit Lighthouse of the Flame Fraternity of Southern California to Ghana to run a two-day seminar in which she expounded the Christian doctrine of the Trinity in terms of Unigov. She urged Ghanaians to accept Unigov because the Armed Forces represented God the Father, the Professional Bodies and the students represented God the Son, and the workers of Ghana as God the Holy Spirit. She even discovered a fourth person of the Trinity in the Mother of God, represented by the women of Ghana.

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4.4.2.5.4 The orthodox Christian Churches issued a statement disapproving vehemently of Clare Prophet, and boycotted all activities of the two-day seminar.

4.4.2.5.5 During this period, the Christian Council of Ghana and the Catholic Bishops' Conference mediated in the conflict situations between the Ghana Registered Nurses Association and the government, and also between the students and the government. They became the voice of the voiceless, pleading for the cause of political detainees because they felt the church had a duty to protect and defend the rights of every human being.

The Pentecostal Churches

4.4.2.5.6 Having failed to win the support of the orthodox churches for his Unigov concept, Gen Acheampong turned to the new Pentecostal Churches. He found ready allies in their leaders, such as Rev. Yeboah-Koree of the F'Eden Church, Rev. Dr. Blankson Amankwa of the Bethany Church, and Rev. Dr. K.O. Thompson of the Cherubim and Seraphim Church who campaigned for Unigov from the pulpits and on radio and television.

4.4.2.5.7 The leaders of these Churches, after taking such a strong stand for Unigov, did not, or could not, protest the beatings, arrests and detentions that opponents of Unigov were subjected to.

4.4.2.6 The Media

4.4.2.6.1 The Acheampong NRC Government won media support for its "Operation Feed Yourself" and "Self Reliance" policies meant to improve food sufficiency and encourage reliance on home-made goods.

4.4.2.6.2 Soon after the military seized power from the Busia government, The Ghanaian Times wrote editorials cataloguing the misdeeds of the Busia government as justification for the coup. Headlines in the *Ghanaian Times* of Friday, 14th January, a day after the coup, gleefully pronounced, "Armed Forces take over Government", "Busia Dismissed", "Organisations support fall of Busia", "Workers Back Coup".

4.4.2.6.3 As had happened before, editors of the state-owned media were picked up and detained in the Ussher Fort Prison. Again, as had happened before, the state-owned newspapers reported the declarations of support for the coup-makers from Ghanaians from all walks of life. The *Daily Graphic* published pictures depicting popular support for the new regime.

4.4.2.6.4 When Gen Acheampong came up with his Unigov concept, the state-owned media played a major role in propagating the idea. Indeed the Ghanaian Times editor at

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the time, Kwame Gyewu-Kyem, spearheaded the government's media campaign. Ghana Television also showed films of people walking backwards, people playing football backwards, etc., to demonstrate the fact that party politics, which Unigov was meant to replace, would definitely be a move in the wrong direction. Indeed the press carried only arguments in favour of the Unigov concept and downplayed arguments against it. During the referendum, the papers conveniently placed the "Yes" symbol on the front page, and the "No" symbol on the back page of the state-owned newspapers.

4.4.2.6.5 The *Ghanaian Times*, which was totally in support of Unigov, had scathing editorials on the various professional groups whose umbrella organisation, the ARPB, was spearheading the campaign against Unigov. The doctors at Korle-Bu were blamed for the deplorable state of the facilities of the hospital, and lawyers were accused of tax evasion, cheating of clients, etc. One such editorial ended by noting that "the wig and the gown don't by themselves make a genius out of an idiot".

4.4.2.6.6 For the most part, however, the relationship between journalists and the military regime of the NRC was one of a lack of respect for, and high-handedness towards, journalists. For example, a series of anti-media legislation were introduced that made for control of the media by the regime. The Defamation Decree, 1972 (NRCD 67)

criminalised any anti-government publication. In July of the same year, the Control of Publication Decree (NRCD 89) banned the publication of *The Pioneer* and *The Echo*, two independent newspapers. Then there was the Newspaper Licensing Decree, (NRCD 161) which gave the Commissioner for Information authority to revoke the license of any newspaper. In some cases, the government put pressure on printers to stop printing certain anti-government papers by starving the printing firms of import licence to buy newsprint. This is what happened to Liberty Press, printers of *Legon Observer*, so in 1974, that publication ceased because it could not find a willing printing firm. The *Evening News* also became a fortnightly paper for the same reason.

4.4.2.6.7 During this period, Gen Acheampong was known to have often invited journalists to his residence to be entertained lavishly and sent home with drinks and cash presents. It is not surprising, therefore, that many of them went out of their way to actively campaign for his Unigov concept.

4.4.2.6.8 The media-government relationship during the NRC/SMC period makes very interesting study. To start with, editors were dismissed or even detained, thus giving notice to the in-coming ones to tow the line prescribed by the regime. Such faithful editors and journalists were further coerced by inducements of gifts and cash, and it is not surprising that some went overboard and used their columns not only to support the

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regime, but also intimidate and vilify the regime's opponents, such as the professionals, projecting them as enemies of the ordinary people, and therefore not deserving of public sympathy when they suffered human rights abuses.

4.4.2.7 Professional Bodies (Other than Legal Profession)

4.4.2.7.1 The direct involvement of professional bodies in Ghanaian politics can be dated to this period, when the economy of the country showed signs of collapse as a result of the misrule and mismanagement by the military rulers. The return to civilian constitutional rule was the dominant objective. When in 1977 Gen Acheampong, in response to this pressure, announced in his Unigov concept, about 12 professional associations came together to form the Association Recognised Professional Bodies (ARBP) to put greater pressure on the government.

4.4.2.7.2 When appeals to the government to initiate moves to return the country to civilian rule failed, members of the ARPB embarked on a nationwide withdrawal of services in protest against an inefficient and corrupt government on Monday, 6th July, 1977, and they threatened that their services would remain withdrawn if the government did not step down. Gen Acheampong repealed the Professional Bodies Registration Decree 1973 (NLCD 143) and froze their assets and bank accounts under the Professional Bodies Registration (Repeal) Decree, 1977 (SMCD 103).

4.4.2.7.3 When on 12th October, 1977, an ARBP seminar on Unigov was disrupted by hired thugs who brutally assaulted the organisers and the audience, the SMC passed a decree, the Union Government (Proceedings) Decree 1977, (SMCD 139) to protect those involved in the assault.

4.4.2.7.4 On 9th July, 1977, armed soldiers stormed Korle-Bu Teaching Hospital and forcibly ejected doctors and their families from their homes resulting in serious injuries to some of them. Other members of the ARPB were harassed, and trailed by security agents, causing some of their leaders to go into hiding.

4.4.2.7.5 After receiving assurances from the government giving a guarantee of protection from molestation of any members of the ARPB, the members called off their strike and resumed work. Later, the assets and bank accounts of the ARPB were defrozen.

4.4.2.7.6 Other eminent public figures in the country teamed up with the ARPB to form the People's Movement for Freedom and Justice (PFMJ), which continued the opposition to Unigov and also to Lt-Gen Akuffo's concept of Transitional Interim National Government.

4.4.2.7.7 Eventually, the government gave in and constituted a new Constituent Assembly to draft a Constitution for Ghana.

VOLUME 1 CHAPTER 4**4.4.2.8 Student Movement**

4.4.2.8.1 Although public reaction to the Acheampong coup that ushered in the NRC was rather muted, the reaction of the student body was predictably enthusiastic, after the brushes with the Busia Administration on a number of issues. Col Acheampong's NRC promptly revoked the student loan scheme, cancelled devaluation, and renounced Dialogue with South Africa. These were some of the issues that had been the source of confrontations between students and the overthrown Busia Government.

4.4.2.8.2 The NRC's "Operation Feed Yourself" also won the support of students, and they volunteered their services in the construction of irrigation canals and other infrastructure to improve agriculture. The best known of these were the Dawhenya irrigation project canal for rice production and the harvesting of sugarcane at Komenda to feed the sugar factory.

4.4.2.8.3 However, student support for Acheampong's Government began to wane when, by 1975, senior military officers were beginning to exhibit an opulent lifestyle at a time when the economy was fast deteriorating. A student demonstration against the harsh economic conditions at the University of Ghana was violently suppressed by the police and a number of students sustained injuries. The government subsequently sent intelligence operatives on to university campuses to infiltrate the student movement and

as had happened during the CPP days, some students were also recruited to spy and report on their colleague-students.

4.4.2.8.4 Acheampong's Unigov concept did not find favour with students, and they called on the government to return the country to multi-party democracy.

4.4.2.8.5 The period 1975 to 1978 was characterised by student unrests, which were violently suppressed by the security forces, resulting in disruptions in the academic calendar of the universities. It was during one of such disruptions that students spent their time at home effectively campaigning in their communities against Unigov, during the referendum on that concept. Students have become a force in Ghana politics since that time.

4.5 4TH JUNE, 1979 – 23RD SEPTEMBER, 1979: AFRC

4.5.0.1 On 4th June 1979, there was yet another coup d'état that brought into power the Armed Forces Revolutionary Council (AFRC) under the chairmanship of Flight Lieutenant Jerry John Rawlings.

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4.5.0.2 This coup was staged mainly by Other Ranks, and was a reflection of the breakdown of discipline in the Ghana Armed Forces that had surfaced during the NRC/SMC period. None of the few officers involved in the coup was above the field rank of Major. The Council was made up of six officers, eight NCOs and one private soldier.

4.5.0.3 Members of the AFRC assured the nation that they had no political ambitions, but that they had come to do a “house-cleaning” exercise targeted at the Senior Military Officers whom they accused of corruption, immorality and other ills which they said had brought disgrace and loss of respect and credibility for the military in the eyes of the general population.

4.5.1 HUMAN RIGHTS VIOLATIONS UNDER THE AFRC**Human Rights Violations Against The Military**

4.5.1.1 Officers above the rank of Major or its equivalent were arrested, beaten up and detained in guardrooms. The AFRC proceeded to deal ruthlessly with the previous military rulers as well as those who had taken up civilian political appointments. On Saturday, 16th June 1979, Gen. Acheampong and Maj-Gen Utuka, former Commander of the Border Guards, were executed by firing squad. Again on Tuesday, 26th June, six Senior Officers, including two former Heads of State, Gen. Akuffo and Lt-Gen Afrifa,

three members of the SMC, Maj-Gen Kotei, Air Vice-Marshal Boakye, Rear Admiral Amedume, and a former Commissioner for Foreign Affairs, Col Felli, were executed by firing squad. It became clear, from the evidence received by the Commission, that these eight Officers were never tried, and therefore had no opportunity to defend themselves before their execution.

4.5.1.2 Protests against these public executions made the Chairman of the AFRC announce that there would be no more executions.

4.5.1.3 The Senior Officers, who were still in guardrooms, were put under the supervision of other ranks who shaved their heads, beat them up, put them through military drills and subjected them to many indignities. Those who had held political office were later put before the newly-established AFRC People’s Courts (dubbed “kangaroo courts”) and given very long terms of imprisonment after conviction.

VOLUME 1 CHAPTER 4**Human Rights Violations Against Civilians**

4.5.1.4 The AFRC extended their “house-cleaning” to the civilian population. Many top officials were dismissed arbitrarily and their assets confiscated to the State. Some were detained in military guardrooms and others in prisons, only to be told that they had been sentenced to various terms of imprisonment by the AFRC People’s Courts. Many, especially businessmen and women, were subjected to such brutalities that they did not survive the ordeal, or could never recover their good health thereafter. At this time, being wealthy became a serious crime, and all wealthy or successful people became targets of military aggression and victimisation.

4.5.1.5 The search for economic saboteurs for punishment that had started in the NRC/SMC time was vigorously pursued by the AFRC. Premises on which hoarded goods were found were demolished. Many stores, as well as private dwelling houses, were consequently demolished in different parts of the country.

4.5.1.6 Makola No.1 Market, the major trading centre in Accra, was targeted for demolition to symbolise the destruction of *kalabule*, for it was seen as the citadel of everything connected with trade malpractices. On 9th June, soldiers went to the markets in Accra central, including Makola No. 1 Market, seized goods and sold them at controlled prices to the public. On 20th August, 1979, the market was demolished, and goods worth millions of cedis at the time were looted or destroyed by soldiers sent on that exercise. Evidence before the Commission indicated that civilians who attempted to enter the market, or were found looting, were shot and killed. Hundreds of traders lost all their stock and capital and had nowhere else to trade.

4.5.1.7 The AFRC soon lost control over the rank and file among the Armed Forces, and armed soldiers went on a rampage. They seized goods from shops, sold some at ridiculously low prices, and took some for their personal use. Traders and others suspected of having committed various offences were subjected to degrading, inhuman treatment. Some were caned on their bare backs in public, and some women were even stripped naked before being caned. There was total breakdown of law and order making it possible for arbitrary arrests, beatings, abductions, killings, detentions, and seizure of money and personal property to be carried out by soldiers with impunity.

4.5.1.8 The AFRC ruled for 112 days before handing over power to an elected civilian government, President Liman’s Administration. The level of violence that was inflicted on both the military and the civilian population in those 112 days was unprecedented, and left a permanent fear and mistrust of soldiers on the part of the civilian population.

VOLUME 1 CHAPTER 4**4.5.2 REACTIONS TO THE AFRC****4.5.2.1 The Judiciary And The Bar**

4.5.2.1.1 The AFRC set up “People’s Courts” to deal with crimes such as hoarding, profiteering, trade malpractices and economic sabotage. These courts sat in secret with the panel of “judges” behind screens. The accused persons had no legal representation and no right of appeal. The courts had authority to sentence an accused person to any form of penalty or any length of imprisonment. The trials were conducted under torture, and often lasted a few minutes only.

4.5.2.1.2 Individual lawyers actively participated in the work of the AFRC Regime, by assisting the government in drafting several harsh legislation during the short life of that Regime. Indeed, the President of the GBA, W. Adumoah-Bossman, joined the AFRC and became a panel member of the AFRC Special Tribunal that was established to continue the “revolutionary justice” begun under the regime, after the handing over of power to the civilian administration of President Limann.

4.5.2.1.3 With the President of the GBA so closely associated with the abuses perpetrated by the AFRC, the GBA was not known to have protested against the human rights violations and abuses suffered under the AFRC. Subsequently, W. Adumoah-Bossman was ousted from office later that year largely on account of his participation in the work of the AFRC.

4.5.2.2 Labour Movement

4.5.2.2.1 After the very cordial relationship that had existed between the NRC and the TUC, the TUC was slow in reacting to the new AFRC Government. Some individual unions, however, took to the streets to demonstrate their support for the AFRC. The first was the Teachers’ and Educational Workers’ Union, (TEWU). Workers of the Railway Corporation also demonstrated in favour of the AFRC in Sekondi and Takoradi. Some of

their placards read, “Kalabule Stars versus Revolutionary Stars at the Firing Range”, a clear indication of support for the execution of the Senior Army Officers.

4.5.2.2.2 Indeed, the rather lukewarm attitude of the TUC leadership to the AFRC, caused Pilot Officer Richard Forjoe, the AFRC liaison officer in charge of students and youth affairs, to complain that “the reaction from the workers in support of the June 4 revolution was unappreciative”.³ It would appear that this observation of Pilot Officer Forjoe characterized the relationship between the TUC and the AFRC until the handing over to the Limann Administration on 24th September, 1979.

³ *Ghanaian Times*, Thursday, 9th August, 1979, back page

VOLUME 1 CHAPTER 4**4.5.2.3 Media**

4.5.2.3.1 Reports from the newspapers indicated that the announcement of the take-over of government by the AFRC was not met with the demonstrations of support from the general public. Indeed, the coup-makers were not hailed as “gallant men”, neither was the revolution a “glorious” one. This time it was “a people’s revolution”, and an “exercise”, in clear reference to the declared intention of the coup-makers that they were there to do a “house-cleaning” exercise to rid the military of undesirable elements.

4.5.2.3.2 As had happened with each change of government, the *Ghanaian Times* in particular started publishing editorials and articles that sought to vilify and de-legitimise the previous government that it had so aggressively defended in the past.

4.5.2.3.3 After the execution of Acheampong and Utuka, the *Daily Graphic* described it as “A lesson to all Ghanaians”, adding that “there cannot be a better anti-coup elixir than what has began to unfold before our very eyes.”⁴ *Ghanaian Times* on its part urged the new government to begin the house-cleaning from 1966, when the first coup occurred.⁵ Before the executions, *Ghanaian Times* showed pictures of the Teshie Firing Range and another at Sunyani being prepared for those to be executed.⁶ Even both the *Christian Messenger* and *The Standard* supported the executions.

4.5.2.3.4 During this period, the newspapers gleefully endorsed and gave vivid accounts of the gross human rights abuses that occurred. Apart from the executions, there were the public flogging, especially, of market women, some stripped naked, as well as contractors and other people accused of *kalabule*. Some of these reports were accompanied by pictures.

4.5.2.3.5 Special mention must be made of the bold stand of state-media journalists like Elizabeth Ohene and Adjoa Yeboah-Afari who, respectively, wrote editorials and articles condemning the executions and the other human rights abuses.

4.5.2.4 Chiefs

4.5.2.4.1 In general, chiefs declared their support for the AFRC and asked the government to extend the “house-cleaning” exercise to all manner of people.

⁴ *Daily Graphic*, Monday, 18th June, 1979.

⁵ *Ghanaian Times*, Friday, 8th June, 1979: Editorial, “The House cleaning”

⁶ *Ghanaian Times*, Tuesday, 12th June, 1979: “Site ready for firing squad”.

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4.5.2.4.2 When, as a result of the price control enforcement, farmers and market women refused to sell food in the urban centers, chiefs stepped in to encourage their subjects to take their wares to the urban centers and sell them at controlled prices.

4.5.2.4.3 The chiefs failed to say anything about the execution of the senior military officers and the atrocities meted out to their subjects by the AFRC Regime, such as the public caning of, especially, women traders, arbitrary dismissals and seizure of property.

4.5.2.5 Religious Bodies**The Muslim Religious Body**

4.5.2.5.1 The violence that the AFRC Regime and individual soldiers unleashed on the citizenry, did not elicit condemnation of the GMRC. Under the leadership of Alhaji Dauda, the Council commended the AFRC's decision to dispatch those found guilty by the revolutionary courts.⁷

4.5.2.5.2 However, when soldiers seized many bags of grain belonging to the Ahmadiyya Muslim Mission in Wa meant for the poor in the area,⁸ the Ahmadiyya group protested against the arbitrary seizure of property of which it had fallen victim.

The Christian Churches

4.5.2.5.3 Some religious leaders pledged open support for the "house-cleaning" exercise by the AFRC government, and even called for its extension to other social sectors.

4.5.2.5.4 The Christian Council, and the Catholic Bishops' Conference expressed the hope that the AFRC would not resort to unreasonable force in the execution of the "house cleaning" exercise. Individual Church leaders protested against the arbitrary killings and seizure of property that took place, affirming that each Ghanaian had the right to security of life and legitimate prosperity. However, after the second batch of senior military officers were executed, the Christian Council and the Catholic Bishops' Conference merely expressed the hope that the AFRC's "house-cleaning" exercise would be pursued without recourse to acts of vengeance and violence.

4.5.2.5.5 In general, the Christian Religious Bodies protested against atrocities such as the execution of the senior military officers, public flogging of people, some of whom had been stripped naked and the seizure and destruction of people's properties.

⁷ *Ghanaian Times* vol. 6706 Monday 2nd July, 1979 p.1.

⁸ *Ghanaian Times* vol. 6742 Monday 13th August, 1979 p.1.

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4.5.2.5.6 However, there was no such protest against the operations of the “Peoples’ Courts” that tried people in secret and awarded long prison sentences.

4.5.2.6 Professional Bodies (Other than Legal Profession)

4.5.2.6.1 When the AFRC took over power on 4th June, 1979, the process for returning the country to civilian constitutional rule had already begun. The country’s politicians and members of the ARPB and PMFJ, who had so actively campaigned against the SMC’s Unigov concept, were very relieved when the AFRC assured the nation that they would honour the arrangements already put in place for a return to constitutional rule. Consequently, there were no protests from these groups against the execution of the eight Senior Military Officers without trial, nor the many atrocities committed against the citizenry in the name of the “house cleaning” exercise that the AFRC announced was its objective in seizing power. Even when the leaders of political parties met the AFRC, the main concern was to secure an assurance from the AFRC that they would continue with the transitional programme to democratic rule. Nothing was said about the executions, the seizure of assets, the demolition of houses, the public flogging of traders and other human rights violations meted out to people suspected of economic sabotage.

4.5.2.6 2 Considering the extent of the atrocities that took place during the short life of the AFRC, the absence of public condemnation of these atrocities and, therefore, quiet acceptance of such human rights abuses, was a clear indication of the general lack of awareness or concern about human rights among even the elite of the society—a clear illustration of the absence of a human rights culture in Ghanaian society.

4.5.2.7 Student Movements

4.5.2.7.1 Students’ initial reaction to the 4th June coup that brought the AFRC into being was rather cautious. Soon they became attracted by the youthfulness of the AFRC members, and they gave their full support to the AFRC’s “house-cleaning” exercise, because, like most Ghanaians, the students blamed the leaders of the previous NRC/SMC Governments, especially Gen Acheampong and his cronies for the obvious corruption and the decadence that had characterised the previous regimes.

4.5.2.7.2 It was not surprising, therefore, that students, especially in Tertiary institutions, were very loud in the call for “Let the blood flow” after the execution of Gen Acheampong and Lt-Gen Utuka. They felt the “house-cleaning” should not stop with the military, but should be extended to the civilian population. Some of the placards they carried in their demonstrations were “Workers, expose your bosses”, and “Firing squad for nation wreckers”

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4.5.2.7.3 When under pressure from both international and local organisations, the AFRC stopped the executions, the students went on a demonstration attacking the Ghana Bar Association and the Acting Editor of the *Daily Graphic* in particular for being critical of the executions. One placard read, “Bar Association, to Hell with you”, while others called on the AFRC to continue with the executions, and not to relent on the national “house-cleaning”. The students then marched to the offices of the *Daily Graphic* and wrote graffiti on the walls declaring the Acting Editor an enemy of the revolution.

4.5.2.7.4 Students of the University of Cape Coast offered to take two weeks off their academic studies to go to the hinterland to spread the message of the revolution.

4.5.2.7.5 Some students even joined the Boarder Guards to check smuggling and hoarding, and to sell confiscated goods at controlled prices to the public.

4.5.2.7.6 Considering the youthful fervour with which the students supported and encouraged the AFRC in their “house-cleaning” exercise, it would appear that they did not, or could not appreciate the seriousness of the grievous human rights violations and abuses that the AFRC meted out on the Ghanaian population.

4.6 24th SEPTEMBER, 1979 – 30th DECEMBER, 1981 THE 3rd REPUBLIC**4.6.1 HUMAN RIGHTS VIOLATIONS UNDER THE 3rd REPUBLIC****Vigilante Groups**

4.6.1.1 President Limann’s term of office, coming immediately after the AFRC Regime, during which goods in shops and wholesale outlets had been sold out at very low prices, was faced with overwhelming problems. With regard to consumer goods, there was the problem of scarcity, resulting from the opening of warehouses and the flooding of the market with goods during the AFRC era. There was also the problem of pricing of goods, as a civilian administration could not impose the level of price reductions that had been possible with the power of the gun under the AFRC.

4.6.1.2 The Limann Administration, faced with the threat of a return to *kalabule* trade malpractices, formed “Vigilante Committees” to oversee the supply and distribution of goods, to prevent the creation of scarcities on the market. They ended up as perpetrators of human rights abuses on traders and wholesalers.

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4.6.1.3 It soon became evident that the members of the Vigilante Committees were subjecting those who were suspected to be indulging in trade malpractices to unnecessary harassment and outright cheating. Politicians and ordinary Ghanaians called on President Limann to disband them, but this did not happen until the Limann Government was overthrown in the 31st December, 1981 coup d'état.

4.6.2 REACTIONS TO THE PNP GOVERNMENT**4.6.2.1 The Judiciary And The Bar**

4.6.2.1.1 Under the 1979 constitution, the Supreme Court, which had been abolished by the NRC, was restored. However, as had happened in previous regimes, the Limann Government sought to remove Mr. Justice Fred K. Apaloo as Chief Justice. This was challenged in court, and the Supreme Court ruled that the government had no power to remove the sitting Chief Justice. The government accepted the decision.

4.6.2.2 AFRC Convicts And The Courts

4.6.2.2.1 Soon after the return to civilian rule, many of the AFRC convicts challenged

the bases of their conviction in the High Court. Some alleged that they were never tried, and that it was on radio that they first heard that they had been sentenced to various terms of imprisonment. The first three of such convicts were granted bail by the High Court on the basis that there was no evidence that the three had ever been tried. The government became nervous and the Attorney-General issued a press statement to condemn the decision of the High Court.

4.6.2.2.2 An Appeal Court that was subsequently convened revoked the bail, on the grounds that a review by the regular courts of matters concerning AFRC convicts contravened sections of the Transitional Provisions of the 1979 Constitution. By this time the convicts had fled the country. This created a very uneasy relationship between the government and the courts.

4.6.2.2.3 The several applications for habeas corpus continued to be filed by the "AFRC Convicts" and the courts continued to handle them. The disagreement between the government and the courts over the issue was not resolved until the overthrow of the Limann Government.

VOLUME 1 CHAPTER 4**4.6.2.3 Labour Movement**

4.6.2.3.1 When the ban on party-political activity was lifted during the SMC era, the TUC formed the Social Democratic Front, (SDF) to contest in the 1979 elections. SDF lost very badly, even in worker-concentrated areas like Tema.

4.6.2.2.2 The PNP Government, therefore, looked on the TUC with suspicion, especially as the short period of the Limann Administration was characterised by numerous instances of industrial unrest, as workers pressed for better salaries and better conditions of service. These strikes were mainly due to the acute economic decline that the PNP Government inherited from the AFRC, as a result of the large-scale sale of goods that emptied shops and warehouses.

4.6.2.2.3 There was also the case of the Ghana Industrial Holding Corporation (GIHOC) workers' invasion of Parliament House, which resulted in the dismissal of the workers. The demonstration was led by Joachim Amartey Kwei, the Divisional Secretary of ICU at GIHOC. The dismissal letters were signed by the personnel manager of GIHOC, Maj Sam Acquah (Rtd), who was later abducted and murdered on 30th June 1982, with three High Court Judges.

4.6.2.2.4 In spite of the numerous strikes, the relationship between the Limann Administration was generally good, especially as the minimum wage rose from ₵4.00 to ₵12.00.

4.6.2.3 Chiefs

4.6.2.3.1 The Constitution of the 3rd Republic guaranteed the institution of Chieftaincy, as it existed in customary law. Moreover, Article 205 (6) entrenched the clause by providing that it could not be amended except by a referendum. This removed the power of governments to interfere in chieftaincy affairs, and thus guaranteed them a certain level of security of tenure that had not been possible in previous regimes.

4.6.2.3.2 There is no evidence of any comment or reaction from chiefs to the Limann Administration's disagreement with the Judiciary over the review of cases involving 'AFRC Convicts', or about the activities of the vigilante groups.

4.6.2.4 The Media

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4.6.2.4.1 Under President Limann, the media experienced a period of freedom. The government established the Press Commission, which had been provided for in the 1979 Constitution, to ensure press freedom.

4.6.2.4.2 The government appointed three senior journalists as editors for the *Daily Graphic*, *The Mirror* and the *Ghanaian Times* before the inauguration of the Press Commission, the Acting Editor of the *Daily Graphic* was confirmed as editor. She opposed this action of the President, since the appointment of editors was the prerogative of the Press Commission. The government, however, went ahead with the appointments, and the matter was dragged to court. The government eventually withdrew the appointments.

4.6.2.4.3 This particular incident reflected the level of freedom that journalists had, and the maturity of the government in respecting the decision of the Supreme Court.

4.6.2.4.4 On the whole, the performance of the media was balanced – no excessive adulation, and not much vilification. A major problem that faced the government was the disbursement of a loan one million dollars secured by the PNP from Dr. Marino Chiavelli, an Italian businessman, ostensibly to resettle AFRC members and associates. There were allegations of misappropriation of the funds, resulting in one party member suing his party over the disbursement of the loan.

4.6.2.4.5 The scandal was, on the whole, given a relatively objective reportage. However, the prominence that was given to the Chiavelli loan in the media was partly to blame for the public perception that President Limann was not in control of his party, and for the scandals that clouded the PNP's public image.

4.7.0 31ST DECEMBER, 1981 – 6TH JANUARY, 1993: PNDC

4.7.0.1 The civilian government of President Limann was overthrown in yet another coup d'état on 31st December, 1981, and replaced by the Provisional National Defence Council (PNDC) under the chairmanship of Flt Lt J.J. Rawlings.

VOLUME 1 CHAPTER 4**4.7.1 HUMAN RIGHTS VIOLATIONS UNDER THE PNDC**

4.7.1.1 As with previous military seizures of power, the Constitution was suspended; Parliament was dissolved; members of the government were dismissed; and all political parties were banned. Members of Parliament, including those of the minority parties, the PNP leadership and its functionaries were ordered to report to the nearest police station, and were subsequently detained. As usual, some of these persons were forced into self-imposed exile rather than suffer humiliation in detention.

4.7.1.2 The Military Intelligence (MI) Directorate was targeted for punishment on account of the Directorate's surveillance and other intelligence activities against the coup-plotters. MI personnel including some on retirement, were arrested, brutalised and detained. Even those who were on UNIFIL duties in Lebanon were arrested at the Airport on their return from operations, tortured and detained. The Directorate was eventually disbanded, and most of the staff either dismissed or released from service with retrospective effect from 31st December 1981.

4.7.1.3 The PNDC polarised Ghanaian society into "Citizens" – "the professionals", the "relatively well-off" – and "People" – the working classes, very junior officers, and the unemployed. The "citizens" were presumed to be corrupt, and many were put before the National Investigations Committee (NIC) and Citizens Vetting Committee (CVC) to explain how they come by their wealth. Soldiers were positioned behind such persons undergoing interrogation, and administered slaps, beatings and military drills, often under orders from civilian personnel.

4.7.1.4 The "People" were organized into Workers' or Peoples' Defence Committees (WDCs/ PDCs) at the workplace and in residential communities respectively. They operated "People's Shops" at workplaces and in residential areas. Many who received goods at controlled prices for sale in the "People's Shops" sold some of their allocation at kalabule prices to market women, thus making illegal profit. Soldiers who went to the markets for price control checks, subjected market women, who were accused of selling above the cotrolled prices to flogging and other acts of humiliation.

4.7.1.5 Some soldiers also harassed and seized goods of civilians not only at the markets and shops but also at arbitrarily set-up road barriers, at the airport, harbours and other points of entry. Some of them, on their own initiative, seized private cars, ostensibly for "operations", and crashed them or returned them in a state only fit to be disposed of as scrap. Some individuals who resisted such seizure of private cars were shot dead, and those who survived, were seriously maimed. All these and other acts of human rights violations and abuses were carried out in the name of the revolution.

VOLUME 1 CHAPTER 4**The Lord Is My Shepherd Church**

4.7.1.6 On 7th February 1982, members of “The Lord is My Shepherd” Church in Kumasi, led by Odiyifo Asare, beat up and caused the death of an Army Medical Officer, Maj Joe Darko who had attacked them while they were at worship.

4.7.1.7 When the news reached the soldiers at the barracks, they went on a rampage. They burnt and destroyed everything in the church, and went round burning the homes of members of the Church. They set up roadblocks at all exit points out of Kumasi, and Church members who were identified on the vehicles that had been stopped, were taken to 2 Brigade and 4 Bn, beaten up, tortured and detained. A policewoman, Joanna Essien, a member of the Church, who had been injured by a bullet from Maj Darko’s gun was chased to Okomfo Anokye Teaching Hospital, where she had undergone surgery. She was shot dead in her hospital bed.

4.7.1.8 Odiyifo Asare, who had gone into hiding, surrendered to the police on 9th February. He was handed over to the soldiers, who shot him dead and burnt his body at Kejetia in the centre of Kumasi.

The Burning Of Tamale Central Market

4.7.1.9 On the morning of 8th February 1982, Tamale Central Market was set on fire by soldiers. They had positioned themselves at the gates and were firing indiscriminately, preventing traders from entering the market. Evidence before the Commission indicated that soldiers poured petrol on, and set ablaze those sections that had not been touched by the fire any time traders pleaded with the soldiers to permit them salvage some of their goods. There was also evidence before the Commission that some of the stalls had been looted before being set on fire. The traders lost their goods and their capital, and some became paupers overnight.

The Abduction And Murder Of Four Eminent Citizens

4.7.1.10 On 30th June, 1982, three High Court Judges and a retired Army Officer, Mrs. Justice Cecilia Korangteng-Addow, Mr. Justice Fred Poku Sarkodee, Mr. Justice Kwadwo Agyei Agyepong and Maj Sam Acquah, the Group Personnel Manager of the Ghana Industrial Holding Corporation (GIHOC) were abducted from their homes during curfew hours. They were driven to the military range at Bundase in the Eastern Accra

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plains, some 50 kilometres from Accra, killed and their bodies set on fire. A rainstorm that night prevented the bodies from being burnt beyond recognition.

4.7.1.11 The PNDC completely denied any involvement in what had happened, even though one of the persons implicated in the abduction and murder, Amartey-Kwei, was a member of the PNDC. Those who undertook the abduction and murder were later identified as L/Cpl S.K. Amedeka, L/Cpl Michael Senyah, Tony Tekpor and Johnny Dzandu. They were tried with Amartey-Kwei, found guilty and sentenced to death by firing squad. Amartey-Kwei, Tekpor, Senyah and Dzandu were executed by firing squad, but Amedeka escaped from prison.

4.7.1.12 At the end of July, 1982, the ARPB published a list of over two hundred (200) names of persons who had been murdered by soldiers since 31st December, 1981, and in which no prosecution had taken place or seemed likely to take place. This did not include those murdered by soldiers and pushed into the disused shaft of the ABA mines at Tarkwa and other places in the country. So many killings took place at the Airforce Station in Accra that it earned the name “Slaughter House”

4.7.1.13 During the PNDC Regime, there were various unsuccessful coup attempts. When arrested, those implicated were tried, sometimes in camera, at the Public Tribunals or were interrogated briefly and executed.

4.7.1.14 Other human rights violations and abuses were inflicted on the citizenry by the two commando units the PNDC established within the Military and the Police. These young men were given special training in Cuba and Asutsuare, Ghana. Evidence before the Commission indicated that the worst cases of torture inflicted on those arrested for subversion and other crimes were done by these commandos. They had the power to collect such people from BNI cells and from the prisons at night, and put them through severe physical and mental torture including mock executions. Although they were officially units within the military and the police, they were not answerable to the military hierarchy or the IGP.

4.7.1.15 There was also the People’s Militia, made up of young men who were given training in the handling of arms, as part of the policy of “democratisation of violence”. They were assigned various tasks such as checking smuggling at the borders, and checking whether customs duties had been duly paid. They were not paid a salary. Evidence before the Commission indicated that many fatal shooting incidents were attributable to the operations of militiamen.

VOLUME 1 CHAPTER 4**Retirement And Summary Dismissals**

4.7.1.16 Apart from the killings, abductions, torture and other forms of violent abuse of people's rights, one form of human rights abuse that affected large numbers of people were premature retirement and dismissals of personnel in the public service and in the security services – Military, Police as well as the Prisons Service.

4.7.1.17 The Police Service (Amendment) law, 1988 (PNDCL 194A), not only gave the PNDC the power to dismiss officers, but also debarred such officers taking the matter up in the courts.

4.7.1.18 Military Officers were retired without notification of “Intended Release” which would have given them the right to respond to and accept the reasons for their release. Other Ranks were summarily discharged without being informed of the reasons for their discharge.

4.7.1.19 On 28th December, 1982 over 200 Post and Telecommunications staff were dismissed through a radio announcement, confirmed in a publication in the newspapers the following day. All these people had no right of appeal.

4.7.2.0 REACTIONS TO THE PNDC**4.7.2.1.0 The Judiciary**

4.7.2.1.1 One of the first institutions to be attacked by the PNDC government was the Judicial System. The regular courts were accused of being corrupt; biased in favour of the rich and their work characterised by undue delays. The persistent negative publicity in the media helped to create an atmosphere of hostility to the courts.

4.7.2.1.2 As mentioned earlier, on 30th June, three High Court Judges and a retired Army Officer were abducted from their homes and murdered. These judges had been involved in reviewing cases of AFRC convicts, and their murder gave evidence to suggestions

targeted because of their review of the cases of AFRC convicts contrary to the Transitional Provisions in the 1979 Constitution.

4.7.2.1.3 The effects of these murders on the judiciary were far-reaching. Most judges became apprehensive and felt threatened, as rumours persisted of the existence of a list of persons to be assassinated. Some fled the country, and those already outside did not return. Some cases were never heard because the judges feared for their lives. Even the

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commemorative events of the murder that were organized by the GBA were, for some years, studiously avoided by most members of the judiciary, including the Chief Justice of the time.

4.7.2.1.4 On Tuesday, June 1983, a mob attacked the Supreme Court buildings after a workers' demonstration. Judges fled for their lives, and courts situated in the Supreme Court buildings did not function for a few days.

4.7.2.1.5 In 1986, the government passed PNDC (Establishment) Proclamation (Supplementary and Consequential Provisions) (Amendment) Law 1986 (PNDC L 145) and summarily dismissed 17 judges and one magistrate without reference to the Chief Justice or the Judicial Council.

4.7.2.1.6 At the same time, it promoted other judges to the Superior Courts, thereby disabling the Judiciary from complaining of victimization and criticizing the modalities adopted for the dismissals.

4.7.2.1.7 Soon after taking over power, the PNDC enacted the Public Tribunals Law, 1982 (PNDC L 24) establishing the Public Tribunals. These were to coexist with the

regular courts to try criminal cases with dispatch, as against the regular courts, which were characterized by undue delays. They were not obliged to observe the regular rules of evidence and criminal procedure. Originally cases tried by them were not subject to appeal, but this was changed in 1984.

4.7.2.1.8 It can be seen from the above, that the Judiciary came under attack and severe criticism during the PNDC era. The persistent criticisms in the media, the attack on the Supreme Court buildings, the summary dismissal of some judges and, worst of all the murder of the three High Court Judges were more than enough to make judges fear for their lives and therefore unable to openly protest against themselves and against the rest of the population. Moreover, the PNDC's extension of Mr. Justice Sowah's appointment as Chief Justice after he had reached the compulsory retiring age in 1986, and the appointment of Mr. Justice Archer as Chief Justice in 1991 after he had retired, had the effect of undermining the independence of the head of the judiciary.

The Bar

4.7.2.1.9 The PNDC seized power on 31st December, 1981, and in January, 1982, the GBA called on the new government to hand over to a National Government. Every year,

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the GBA adopted resolutions at the Annual Conferences, which called upon the PNDC to make arrangements to hand over power to a democratically-elected government. They also passed resolutions calling on the PNDC to either bring all detainees to trial or release them, and end all arbitrary arrests and detentions. Resolutions passed in 1984 criticized the PNDC's control of the media, and demanded that there should be free dissemination of information, and free expression of opinion. That resolution also called on the PNDC to lift the curfew that had been in place since 31st December, 1981.

4.7.2.1.10 When the Public Tribunals were established, the GBA expressed its opposition to them. The reasons were among others, the fact that the panel was made up of one lawyer and two or more lay persons; that the votes of the lay panel members and that of the lawyer had equal weight in deciding the fate of an accused; that persons tried by the tribunals did not have the right to appeal. The GBA therefore refused to appear before the public tribunals. Some of the members, however, defied the ban and practiced law before the tribunals. The tribunals often passed unreasonably long terms of imprisonment, hence contributing to the human rights violations and abuses of those who appeared before them.

4.7.2.1.11 Following the murder of the judges, the GBA decided to honour their memory, by instituting the "Martyrs' Day" programme that originally consisted only of a memorial service, and the recounting of the incident under the title "Lest we forget".

This determination of the GBA not to let the event be forgotten brought it into conflict with the government. In both 1986 and 1989, the leadership of the GBA were arrested, detained, subjected to ill-treatment, and released without charge.

4.7.2.1.12 Some individual lawyers, offered free legal services to detainees and other persons suffering human rights abuses under the PNDC, at great risk to themselves.

4.7.2.2 Labour Movement

4.7.2.2.1 The TUC came under attack from its own members, especially the Teachers and Educational Workers' Union (TEWU). As early in the PNDC days as 7th January 1982, a group of workers calling itself "Workers Solidarity Front" attacked and seized the headquarters of the TUC. The building was closed down and sealed off by the police for nearly a week. Shortly after this incident Alhaji Issifu Ali, the TUC Secretary-General, left the country and went into exile.

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4.7.2.2.2 On 29th April, 1982, again workers stormed the TUC headquarters and sacked the leadership. An Interim Management Committee (IMC) was formed with E.K. Aboagye as Chairman to run the affairs of the TUC. Some of the “dismissed” leaders fled the country, and those who remained were detained for about two weeks, released and told that they had been dismissed.

4.7.2.2.3 The ILO protested the appointment of the IMC insisting that workers should elect their own leadership. Eventually, at the TUC conference in October 1983, the National Unions elected August K. Yankey as their Secretary-General.

4.7.2.2.4 In their fight for workers’ rights the TUC had confrontation with the government in relation to a number of issues, namely, the minimum wage, governments attempt to cancel some allowances, such as leave allowance and refund of hospital fees. The Union also protested against the law that indemnified COCOBOD from any court action over its retrenchment of staff without paying proper severance award. On this last issue, when the TUC organized a big meeting, the Mounted Police was called in to suppress the agitation and disperse the crowd.

4.7.2.2.5 On the political front, the TUC started by calling on the government to allow multi-partyism into the country, as a result of which the head of Political Education in the TUC was arrested. This was in 1987. The following year the TUC called on the government, this time, to return the country to constitutional rule. This irritated the government, which then went ahead to frustrate efforts of the TUC to fight for the rights of some of its members. For example, when 36 Union Leaders and Activists of Ghana Broadcasting Corporation were dismissed and banned from entering the premises, the TUC failed to have them reinstated. The same thing happened when 200 striking workers of the Ghana Italian Petroleum Company (GHAIP) were dismissed without recourse to law in 1990.

4.7.2.2.6 On the whole, the relationship between the PNDC government and the TUC was a hostile one, characterized by harassment of its leaders, some of whom went into exile. The high-handed manner in which the government dealt with labour issues made the TUC ineffective in defending workers’ rights. However, in spite of these difficulties, TUC’S persistent agitation for a return to multi-partyism and constitutional rule, and its decision in 1992, to prohibit TUC executive officials from active party politics to ensure that the TUC remained independent, must be commended.

4.7.2.3 Chiefs

4.7.2.3.1 As had happened in previous instances when the military seized power, chiefs declared their support for the PNDC coup, and urged their subjects to embrace the 31st

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December Revolution. They supported the government's efforts at uprooting kalabule, and also the cocoa evaluation exercise.

4.7.2.3.2 In an attempt to win the support of the chiefs, the PNDC passed the chieftaincy (Restoration of Status of Chiefs) Law, 1983 (PNDC 75) which sought to restore to their respective stools and skins, those chiefs that the NLC had removed. In the event, only 16 of the 133 chiefs affected by NLCD 112 were reinstated. However, this action was bound to encourage chiefs to foster close links with the government of the day to retain their position.

4.7.2.3.3 There is therefore no evidence of chiefs speaking out against the killings, disappearances, seizure of private property, harassment of citizens, wrongful dismissal of hundreds of workers, the kidnapping and murder of the three High Court Judges and the retired army officer and other human rights violations that took place during the PNDC era.

4.7.2.4 Religious Bodies**Muslim Religious Group**

4.7.2.4.1 During the PNDC era, the Federation of Muslim Councils was formed with support from the President of Libya, Col Muamar al-Gathafi was inaugurated by Chairman Rawlings on 4th April 1987, to be the umbrella body for all Muslim

Organizations. As in previous regimes, the Muslim religious groups were more concerned with issues of Muslim unity, than with human rights issues.

Christian Religious Groups

4.7.2.4.2 The Christian Council and the Catholic Bishops' Conference, either separately or together, issued statements denouncing violence of all kinds, including arbitrary killings, emphasizing that each Ghanaian had the right to security of life and legitimate prosperity.

4.7 After the killing of the three High Court Judges and the Retired Army Officer, the Christian Council and the Catholic Bishops' Conference in separate memorandum called on the government to publish the interim report of the Special Investigation Board (SIB) that investigated the kidnapping and

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murder of the four people. They also urge the government to consider the immediate possibility of handing over power to a representative government.

4.7.2.4.4 In a document entitled “20 points for study”, the Christian Council complained that “never before in our history have so many Ghanaians disappeared in suspicious circumstances as in the period since 31st December, 1981”.

4.7.2.4.5 *The Standard*, a newspaper of the Catholic Church, also consistently criticised the government on the atrocities that were being committed at the time. The government took exception to this and banned the paper on 13th December 1985.

4.7.2.4.6 In 1989, the government sought to control Religious Bodies by requiring that they should all be registered under the Religious Bodies Registration Law, 1989, (PNDC L 221). In a joint memorandum dated 11th August, 1989, the Christian Council and the Catholic Bishops’ Conference expressed their objection to the law which they felt was an infringement on the fundamental human rights of the freedom of worship. They were concerned that the registration would make it possible for the government to deny legal existence to some Religious Groups. Indeed, the Jehovah’s Witnesses; the Church of Jesus Christ of Latter Day Saints; the ‘Lord is My Shepherd Church’ in Kumasi; and Prophet Ekwam’s Church at Gomua Buduburam were banned. However, the other religious bodies did not protest on their behalf.

4.7.2.4.8 It is worth noting that, considering the harassment and persecution suffered by bodies like the TUC and the GBA, it was surprising that the Christian Council and the

Catholic Bishops’ Conference were able to openly criticise the government and get away with it, except for the banning of *The Standard* newspaper.

4.7.2.5 The Media

4.7.2.5.1 As had happened each time the military took over power from a civilian government, the media made it their responsibility to justify the military intervention by sustaining vilification of the Constitutional Government. The Limann Administration was criticised on a number of fronts, namely the shortage of consumables on the market; for spending too much money buying cars for sale to parliamentarians; for not clamping down early enough or strongly enough on the courts that heard the habeas corpus cases of AFRC convicts in spite of the Transitional Provisions in the 1979 Constitution; and for

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the bickering within the PNP over the disbursement of the Chiavelli loan that resulted in one member taking the party leadership to court.

4.7.2.5.2 The PNDC on the other hand was welcomed and encouraged to continue with the AFRC policies of price control, anti-*kalabule* activities, and punishment of corrupt officials who had made themselves rich at the expense of the ordinary Ghanaian.

4.7.2.5.3 The PNDC's policy toward the media was to control them and use them to further the aims of the revolution. As had happened in previous military regimes, the PNDC appointed new editors for the state-owned newspapers – the *Daily Graphic*, *The Mirror*, *Ghanaian Times* and the *Weekly Spectator*. The PNDC proclaimed a policy of “non – neutrality” of the media, and the newly appointed editors took their cue from this and imposed censorship on themselves, suppressing stories so as not to incur the displeasure of the PNDC and thereby jeopardise their positions. It was said at the time that the Castle Information Bureau, the information and publicity unit under Mrs. Valerie Sackey, sometimes sent already-written editorials to the state-owned press houses for publication.

4.7.2.5.4 The GBC suffered a similar fate. Editorial staff were replaced, and there were reports of direct interference in the day-to-day running of the GBC, and direct censorship at the newsroom as well as oversight control from the Castle and the Ministry of Information. All these changes in Editorial Staff ensured that the state-owned media printed or broadcast information that was complimentary to the PNDC and in favour of activities that promoted the revolution.

4.7.2.5.5 The private press in particular came under constant harassment, as they dared to criticize the government for the various human rights violations and abuses that occurred during this period. In July 1982, angry workers attacked the offices of *Echo* and

The Believer in Accra and destroyed their equipment because they had used their columns to incite the people against the government. In June 1983, the offices *The Free Press* and *The Citadel Daily* were similarly attacked by a group of protesters. Later in the year, three senior staff of the *Free Press* – Tommy Thompson, John Kugblenu and Mike Adjei were arrested and detained, and the paper was closed down for its critical stance against the government.

4.7.2.5.6 Indeed, one of the first laws passed by the PNDC was to confiscate Unipress, publishers of *The Palaver*, the *Herald Tribune* and *The Chronicle* and ban these newspapers. This was the Forfeiture of Assets and Transfer of Shares and other Property Interests (Unipress Limited) Law, 1982 (PNDC L3). These newspapers had been very

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critical, in previous years, of Flt Lt Rawlings and what had happened during the AFRC era. In January 1985, the *Ghanaian Voice* was banned for allegedly distorting news. Three months later, the suspension order was lifted. As noted earlier, *The Standard*, a weekly publication of the Catholic Church was banned in 1985 for consistently speaking against the atrocities that were taking place. The *Christian Messenger* also was critical of the PNDC. In March, 1989, the PNDC passed the Newspaper Licensing Law which revoked the registration of all newspapers and magazines published in the country, and asked all publishers to apply to the Ministry of Information for re-registration.

4.7.2.5.7 All these acts against journalists and the private press, as well as the newspaper licensing law, made it virtually impossible for newspapers critical of government to survive. Indeed, it is an indication of the PNDC Government's hostility towards the media and journalists.

4.7.2.5.8 After the abduction and murders of the three High Court Judges and the retired Army Officer, the Ghanaian Times reported the proceedings of the Special Investigation Board (SIB) in a manner calculated to cast doubt on the eventual conclusions of the SIB. The Chairman, Mr. Justice Azu Crabbe in particular, came under hostile attacks in the state-owned media. The worst offender in this was the Ghanaian Times, which had editorials that consistently had an anti-SIB stance.

4.7.2.5.9 On the whole, the state-owned media was used, not only to actively support and defend government policies and actions, but also to denigrate those who dared criticise or protest against any acts of the government.

4.7.2.6 Professional Bodies (Other Than Legal Profession)

4.7.2.6.1 The lack of a human rights culture in Ghanaian society that had been noted elsewhere, was poignantly clear during the PNDC era. People were assaulted, maimed,

arrested, detained, tortured, abducted and killed. Properties were seized or destroyed. Even the abduction and gruesome murder of the three High Court Judges and the Retired Army Officer, which shocked the rank and file of Ghanaian society, did not generate mass protests throughout the country.

4.7.2.6.2 Indeed it may be fair to say that opposition to the PNDC regime from the GBA and ARPB was driven as much by the demand for a return to constitutional rule as by a commitment to defend human rights.

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4.7.2.6.3 However, it is also true to say that the level of violence and ruthlessness of the PNDC regime systematically cowed the citizenry to the extent that it became accepted that there was a ‘culture of silence’ with respect to the lawlessness and atrocities that became the norm in the country, especially in the early years of the PNDC era.

4.7.2.6.4 The GBA’s struggle against the PNDC has been noted elsewhere. On the part of the ARPB, it held a Press Conference on 21st July, 1982, at which it read a resolution calling on the government to hand over power to a “Government of National Unity” while making arrangements to return the country to a constitutionally elected government by 1983. The ARPB also called for the lifting of the curfew, because it had provided a cover for killings and robbery. It condemned the murder of the Judges and the retired Army Officer and the destruction of the Army hierarchical structure by introducing the Defence Committee System into the Ghana Armed Forces.

4.7.2.6.5 The ARPB on 28th July, 1982, issued a list, Region by Region, of over 200 names of persons who had, by that date, been killed by soldiers, and for which no prosecution had taken place, or was likely to take place.

4.7.2.6.6 For all these acts by the ARPB, the Association came under attack as workers, of the People’s Revolutionary League and the June Four Movement (JFM), organised demonstrations or issued statements condemning the ARPB. The newspapers, especially the state-owned *Daily Graphic* and *Ghanaian Times*, also published articles criticizing and sometimes insulting members of ARPB, attributing all kinds of selfish motives for their opposition to the PNDC. As a result of the sustained harassment and arrests of some of its members some professionals left the country.

4.7.2.6.7 During the periods of military rule, in particular, the professionals of this country that is members of GBA and ARPB, asserted a level of influence over national affairs which was far more profound than their limited numbers might suggest.

4.7.2.7.0 Student Movements

4.7.2.7.1 When the PNDC came into power, students readily supported the “Holy war” that was declared by the new government in the belief that they were helping to “arrest the deterioration and the decadence in Ghanaian society”, and to contribute to nation building.

4.7.2.7.2 Various task forces were formed for various activities, the most notable being the Student Task Force for cocoa evacuation, that helped evacuate cocoa from the

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hinterland to the urban centres to be transported to the harbours for export. They were prepared to suspend their studies in the national interest.

4.7.2.7.3 When on 24th September the GBA announced its intention not to appear before the Public Tribunals, students and other youth demonstrated against the lawyers, accusing them of arrogance.

4.7.2.7.4 However, by December, 1982, the student front was clearly divided. Some had become disenchanted with the PNDC. They joined the call by the Religious Bodies for the government to hand over power to a national government. . When some students of the University of Ghana went on a demonstration on 14th December, some of their placards read “Down with dictatorship”, “No more detention without trial”, PNDC hand over to National Government”.

4.7.2.7.5 Some other students who called themselves “concerned students” and some Workers’ Defence Committee members staged a counter demonstration against the ‘anti-government’ students. This split in the students’ front also occurred in the University campuses in Kumasi and Cape Coast, and it continued until the return to constitutional rule, thus effectively breaking down the support that the PNDC had enjoyed in the initial stages.

MATTERS OF THE MOMENT: THINGS TO WATCH**4.8.0 PROFILE OF THE GHANAIAN**

4.8.1 anaians have always prided themselves on being loving, kind, hospitable, friendly, generous and what have you. Whereas this assertion may be true, the unique experience of the National Reconciliation Commission has brought to the fore, the very negative attitudes of the same Ghanaian.

4.8.2 Some of these are envy, greed, selfishness, ethnocentrism, sycophancy, lack of sensitivity, cowardice and other vices.

4.8.3. These negative attributes are the focus of this section of the social context.

4.8.4 As individuals, evidence received by the Commission showed that envy of others’

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attainments and acquisitions was a major trait which made people welcome what had befallen those others as their just deserts. Others were unconcerned about what those they perceived as “guilty” of corruption or misuse of position of power, or whatever the new ‘crime’ that the powers that be had identified, were suffering because they had unduly benefited from the system. A large number of those whose goods were seized by soldiers and sold at ridiculously low prices had been reported on by neighbours, colleagues or even relations who were envious of the apparent wealth of such people. They therefore had no sympathy for those people when their businesses collapsed, neither did they have a feeling of remorse for being the ones who caused the brutalities that soldiers inflicted on them. They were satisfied that at the end of the day, the ‘wealthy’ people had been brought to their level.

4.8.5 This envy played out in other ways. At the official level, there were also the soldiers who seized goods at the Airport, at the harbours and in the markets for their personal use; or those who took the money from the sale of goods for their personal use. Evidence before the Commission indicated that soldiers, including the Officer corps, carted away, in trucks and cars, a lot of valuable goods – household items, clothing materials, etc. from the Makola No. 1 Market in the early hours of the morning before it was demolished. In the mean time, the traders who had gone there to salvage some of their goods were stopped by armed soldiers who were firing warning shots around the market. Some young men who had sneaked into the market to also loot whatever they could get were shot and killed by the soldiers.

4.8.6 The same story was repeated in Tamale before the Tamale Central Market was burnt. Traders who had new sewing machines for sale did not see any charred remains of the sewing machines. However, tailors who had old sewing machines that they were using for their trade saw the charred remains. One of them who had kept the charred remains of his three sewing machines brought them to the Commission when he came to give evidence. He is now a poor peasant farmer. He said he had kept the useless charred remains since February, 1982, to let his children and grandchildren know that he had been reasonably rich sometime ago, so that they would give him the respect he deserved.

4.8.7 Another trait of some individual Ghanaians that became evident from the cases brought before the Commission was greed. There were those who, out of greed, lost hoards of goods which they had kept for sale at exorbitant prices at a time of general shortages. Although many of such goods were intended for the market, the owners kept them, in order to create artificial shortages for higher prices. At the other end of the spectrum, those whose goods were sold at “controlled prices” to the public said they were shocked to see people: friends, neighbours and even those living in the same household and with whom they had very cordial relationship line up, sometimes till after midnight, to buy the goods that were being sold at those ridiculous prices. It was only on rare

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occasions that friends and relatives tried to be of assistance. For instance there was one person, a Tema shop owner, who in her narration, spoke of a friend who went to buy the goods in order to return them to her, so that she could later sell them to recover a little of what she had lost.

4.8.8 The third trait that came across from the evidence before the Commission was

selfishness. This may be stated as: “once the problem or the human rights violation or abuse affects somebody else, and not me, it really is not my business”. This kept coming up each time the military took over power, and a new group of people were sent into prison without trial, ostensibly for their own good, as the “Protective Custody” Decrees seemed to imply. Those who had been imprisoned under Dr. Nkrumah’s PDA, said they teased the CPP Ministers, Parliamentarians and party functionaries as they were being brought to replace them in the prisons. It is very instructive, for example, that Victor Owusu, who had himself suffered detention without trial under PDA, had, as Attorney-General during the NLC regime, helped in drafting the Protective Custody Decrees passed by the NLC, which sent some people into detention for having jubilated upon hearing of the abortive coup in April, 1967.

4.8.9 The fourth trait of some individual Ghanaians that has allowed the human rights

violations and abuses to occur was cowardice. People generally are afraid to confront officialdom on any issue. Most people do not openly criticize governments or people in authority for fear of losing their jobs or being punished. This trait in individuals is bad enough, but when it surfaces in groups, as have been shown in the main sections of this chapter, where accounts of the reaction of various organized bodies have been given, it is only the Ghana Bar Association and, at times, the Religious Bodies, that have raised their voices against human rights and abuses meted out against the people of this country. This is a sad comment on our sensitivity to human rights issues in this country. In this connection, the boldness of the three High Court Judges who were murdered must be highly commended.

4.9.0 ETHNOCENTRISM

4.9.1 Ample evidence before the Commission, spanning the mandate period, testifies to the fact that ethnicity and ethnocentric considerations and perceptions of ethnocentrism have often been the undercurrent of certain historic events and happenings in pre- and post-Independence Ghana.

4.9.2 In fact, tribalism and its various manifestations such as nepotism, cronyism, favouritism, “old boyism” and even religious bigotry, have played and interplayed on the

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political scene constantly, and consistently, sometimes covertly and others overtly. This issue must be addressed.

4.9.3 The first such perception or apparent tribal/ethnocentric differentiation is found in the historical events that led to the absorption of part of the former German Togoland into the British mandated territory of Trans-Volta Togoland and later into Ghana by 1957. The people of the said German protectorate, to date, feel their ethnic differences as well as colonial past have often played to their disadvantage in the “tribal” politics of post-Independence Ghana.

4.9.4 This sensitivity has shaped positively or otherwise, actively or passively, the political choices of the peoples of Trans-Volta Togoland, today’s Volta Region and parts of Northern Ghana. In the years of political agitation for Independence, several political groupings sprang up and grew around tribal and ethnic interest. Examples abound, such as *Ga Shifimo Kpee*; *Ablode*; Northern People’s Party; National Liberation Movement (*Mate Me Ho*) etc. These beginnings would later cloud the political arena of post-Independence Ghana.

4.9.5 In the Volta Region also one could perceive the ethnic divide between the Southern Anlo and the Northern Ewe enclaves, as well as between the Akan-Guan peoples and the Anlo-Ewe, in the same region. For instance, the fact that the Akan Guans of Northern Volta Region were forced by the Germans to learn Ewe as the lingua franca even to date causes some resentment among the peoples there.

4.9.6 Much as one cannot fault the CPP government of any negative tribal undertones in its post-Independence governance of the country, there was a perception that a majority of Ashanti’s were of the UP tradition and this played a strong role in the anti-CPP sentiments in post-Independence Ghana, and the antagonism between the CPP and the UP.

4.9.7 Despite the strong stance of President Nkrumah against ethnocentrism, the Presidential Detail Department (PDD), and the President’s Own Guard Regiments (POGR) that provided the President with personal security, were made up overwhelmingly of Nzemas, people from the tribe of the first President. It was thus no surprise, that there was an anti-Nzema backlash after the 1966 coup. It is believed that

even parts of Nzemaland suffered further political, social and economic neglect after the overthrow of Kwame Nkrumah.

4.9.8 The unfortunate murder of Gen E.K. Kotoka and other Ewe officers during the abortive coup of 1967 led by three Akan Officers, Lt Arthur, Lt Yeboah and 2nd Lt Osei Poku, went to heighten ethnic animosity and resentment in the GAF during the NLC regime. Some read an Akan-Ewe power struggle into this murder and the elevation of Gen Afrifa as Chairman of the NLC.

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4.9.9 The campaign for return to constitutional rule was marred by ethnic animosities between the Progress Party led by Dr. Busia, an Akan and K.A. Gbedemah, an Ewe. The ethnic profile of the government was also affected by the Westminster model of government prescribed by the 1969 Constitution, which made it impossible for the ruling Party to have representatives from the Volta Region as it had won no seats there. When that Administration was overthrown, one of the accusations carried on placards as published in the newspapers was one of tribalism.

4.9.10 Things were no better during the NRC. The problem was muted until a reorganisation to make the government reflect Military Hierarchy caused the dropping of three Majors who were part of the original plotters of the 1972 coup. Two of these, Maj Agbo and Maj Selormey were Ewe, and the move was seen as a ploy by Gen Acheampong, an Ashanti, to rid the government of Ewes. A major coup plot in 1976 was made up of Ewes, and led by Brig. Alphonse Kattah, an Officer who was reputed to have been involved in every coup plot since 1966, led to the trial and imprisonment of a number of Ewe Officers and civilian associates. These events did not minimise ethnic animosities.

4.9.11 When the AFRC came to power, the intention was to avoid the tribal pitfalls of earlier governments. However, tribalism reared its ugly head in the composition of the AFRC and its activists. The AFRC was split into Akan and Ewe camps, even though there were members and activists from other tribes. The execution of the former Heads of State and other Senior Military Officers unfortunately was seen and interpreted in terms of the ethnic equations.

4.9.12 Evidence before the Commission attests to the fact that other non-Akans were added to the “guilty”, such as Gen Utuka and Maj Felli, in order to mitigate the apparent mono-ethnic imbalance of those who were to be executed.

4.9.13 Again, evidence before the Commission shows that, before the AFRC handed over power to the incoming PNP government, it was seriously divided into two ethnic camps.

4.9.14 Whether tribalism played a major role in the Limann Administration will be difficult to ascertain. Nevertheless, one cannot close ones eyes to the fact that the PNP itself suffered from fratricidal “warfare,” which was tearing asunder the government to the detriment of national cohesion. That most of the PNP stalwarts were southerners, and overwhelmingly of Akan extraction cannot be overlooked. Feelings of tribal complexes

were often heightened even by media insensitivity, rendering the Limann administrative machinery inoperative.

4.9.15 Evidence before the Commission further testifies to the fact that soldiers of Northern extraction were probably lured into joining the plotters of the coup against the government, which took place on 31st December, 1981, by the fanning of anti-Akan sentiments.

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4.9.16 Under the PNDC regime, tribalism coloured many political decisions. The composition of the PNDC surely cut across the tribal divide of Ghana, but as time went on, lines were drawn along north-south divide, as well as along Akan-Ewe ones too.

4.9.17 Evidence before the Commission points to the fact that the presence of one particular tribe was predominant and over-emphasised particularly in the Command Structure of the GAF. Heading nearly all the sensitive command positions in the Army, Navy, and Air Force, as well as the Police Service were persons from one particular tribe or with that tribal affiliation.

4.9.18 The accusation of tribalism came to a head with the abduction and murder of the three High Court Judges and the retired Army Major in June, 1982. The four victims were all of one ethnic extraction, and the perpetrators mostly of another one tribe. Whether deliberate or not, a further ethnocentric spin was put on the murder plot as the four murderers were allegedly instructed to wear northern Ghanaian smocks. This later led to a heightened tribal tension and even confrontation between the northern Ghanaian members of the PNDC and the southerners.

4.9.19 Again, evidence before the Commission pointed to the fact that most of the victims tried to attribute their sufferings to not belonging to the tribe of the perpetrators of those human rights abuses and violations. It was believed because of their tribal affiliation, such perpetrators did whatever they did with impunity.

4.9.20 These are just some of the historical cases that one can enumerate from the work of the Commission. It means that Ghanaians have strong ethnocentric feelings. Invariably, thanks to the proverbial Ghanaian wisdom of not confronting hard or sensitive issues, or not wanting to exacerbate volatile situations, the problem of ethnocentrism has always been felt, but never been dealt with as should have been.

4.9.21 Ethnicity is a God-given gift and must be cherished; ethnocentrism is an evil that must be confronted and properly tackled, if this country is to enjoy lasting peace.

4.10.0 CONCLUSION

4.10.1 The evidence from the foregoing analysis of the social context, in which human rights violations and abuses occurred in Ghana during the period from 6th March, 1957, to 6th January, 1993, indicates a painful lack of awareness of human rights values among Ghanaians, both as individuals and as groups.

4.10.1 The social context in which the human rights violations and abuses occurred was, to a considerable extent, created and fanned by the media. It has already been noted that, invariably, every new government changed the Editors of the state-owned media, to

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ensure that they would support their cause and propagate whatever ideology the new government had. The Editors then went out of their way to vilify the former government by cataloguing all the ills - real and imagined – that the previous government had been guilty of. This was particularly true whenever the military take over power.

4.10.2 It must also be said that the media has had the tendency to complain about the slow pace at which government business is executed during constitutional rule, as compared to military rule, without clearly showing appreciation for the fact that due process takes time, but it ensures that things are done properly, according to law and established practice. In our attempt to establish a firm foundation for democracy to survive in this country, the press must be more circumspect in their reportage of issues that come up, as they do influence public opinion on national issues.

VOLUME 1 CHAPTER 5**CHAPTER FIVE****HIGHLIGHTS OF HUMAN RIGHTS VIOLATIONS
AND ABUSES DURING THE MANDATE PERIOD****REVIEW OF PETITIONS****5.0 Introduction**

5.0.1 Over a period of 18 months – between 14th January 2003 and 13th July 2004 – the Commission conducted hearings into the petitions received and heard 1,866 witnesses. Of the 4,240 petitions, about 400 were non-jurisdictional, either because they fell outside the mandate period (i.e. before 6th March, 1957 or after 6th January, 1993) or because there was no public official or public institution involved in the complaint, eg claims against Ashanti Goldfields Corporation, or Carl Ploetner Ltd (later Construction Pioneers).

5.0.2 The categories of serious human rights violations and abuses the Commission investigated and/or heard concerned:

1. **Killings** – including the killing of many soldiers during most of the various coup d'états in the country; the massacre of about 36 people in Yendi in September 1969; the execution of eight Senior Military Officers, including three past Heads of State in 1979; the abduction and murder of three fetish priests in the Volta Region in February, 1982; the abduction and murder of three High Court Judges and a retired Army Officer in June, 1980; the instant killing of unarmed defenceless civilians for breaking curfew or “for being rude” to soldiers; and the extra-judicial killing of many treason suspects in various parts of the country and at the Airforce Base in Accra;
2. **Abductions** – including the kidnapping and murder of three fetish priests in the Volta Region, and three High Court Judges and a retired Army Officer in June 1982;
3. **Disappearances** – including the dawn abduction of a man and his nephew by soldiers at Tarkwa and their subsequent “burial” alive in a disused mine shaft (Fanti Mines) in that town; and the burial alive in the same shaft of the unconscious female victim of alleged gang rape by soldiers following her arrest for “breaking curfew” at the Tarkwa Railway Station where she was passing the night and had gone out to urinate);

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4. **Maiming** – Deliberate acts of shooting etc that caused permanent physical damage to the victims.
5. **Torture** – including floggings, repeated slapping, prolonged beatings, subjection to mock executions, forced cannibalism; having one's hair shaved with broken bottles or other crude objects; pulling of genitals; burning of the genitals of treason suspects standing trial;
6. **Detentions** without trial – including the rampant use of the infamous Preventive Detention Act to crush political opponents in the early 1960s; use of the Protective Custody Decrees in the mid-1960s to detain former CPP functionaries; detention of journalists for opposing government positions in the early 1970s; detention of opponents of the Unigov concept in the 1970s; incarceration of senior military personnel in the late 1970s following patently unfair "trials"; and large scale detention of Military Intelligence personnel in the 1980s;
7. **Ill-treatment** – including a wide assortment of degrading treatment and punishment such as subjection of civilians to military drills, being forced to roll on the ground in the scorching sun. Under this rubric, the Commission also heard horrible accounts of maiming and destruction of property (including the wanton destruction of the Makola No. 1 Market and the burning of the Tamale Market); and
8. **Invasion of property rights (seizure/confiscation of property)** – including confiscation of factories, houses, vehicles, goods, cash crops and food crops, and various sums of money.
9. **Interference with the right to work** – Wrongful dismissals, eg by radio announcement, and non-payment of pension benefits and emoluments); arbitrary dismissals by government, eg "Apollo 568".
10. **Hostage-taking** – The taking of relatives and friends into detention in order to compel the appearance of a wanted person;
11. **Abuse Of Judicial Process** – Secret trials; trials by "kangaroo courts" and other improvised tribunals; the passing of perverse or ridiculously long sentences.
12. **Violation of the right to die in dignity** – Public executions, filming of persons being executed or undergoing severe torture, public display of corpse after killing.

5.0.3 Highlights of Petitions

5.0.3.1 The following are highlights and illustrations of some of the different kinds of violations and abuses the Commission found to have occurred between 6th March, 1957

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and 6th January, 1993 – the period covered under its mandate. The highlights are arranged in chronological order mirroring the sequence of post-Independent governments within the Commission’s mandate period. Details on the Commission’s findings in respect of individual petitions are contained in Chapters Five to Nine of Volume Two of this Report.

5.1 6TH MARCH, 1957 – 23RD FEBRUARY, 1966 - The First Republic**5.1.1 Detention without Trial**

5.1.1.1 Under the PDA, leading members of the parties opposed to the CPP were arrested and thrown into prison without trial. Among the prominent opposition figures were: Dr. J.B. Danquah, Chief S. D. Dombo, S. G. Antor, Atttoh Okine, Atttoh Quarshie, Baffour Osei Akoto, Oheneba Kow Richardson, Osei Baidoo, Victor Owusu, R.R. Amponsah, Modesto Apaloo and Joe Appiah.

5.1.1.2 The Commission received and considered petitions from 74 PDA detainees or by others on their behalf. They were detained without trial for periods ranging from seven months to seven years and three months. Some of the detainees were admitted to various prisons, especially the Nsawam Medium Security Prisons, as “unclassified detainees”, and some died in detention. The following petitioners were in detention for an inordinate length of time (i.e 7 years, 3 months):

Amarkai Laryea Amarteifio

Albert Kpakpo Allotey

William Kpakpo Allotey

Joseph Ayithey Kortor Quartey

Emmanuel Odartey France

Kwablah Danquah

Odartey Lamptey; and

Samuel Tettehfiio Tetteh (wrongly called Tettey Bonarparte)

5.1.2 Exile

5.1.2.1 Some supporters of opposition political parties fled the country rather than submit to detention without trial. Many, such as **Raphael Larbi** and **Henry Kwaku Afake**, remained in exile until the overthrow of the Nkrumah government in February, 1966. Some died in exile. The Commission received and considered petitions in respect of 25 Ghanaians who were forced into exile.

VOLUME 1 CHAPTER 5**5.1.3 Bomb Outrages**

5.1.3.1 The violence, which marred politics of the period and the frequent and indiscriminate use of preventive detention to stifle dissent, bred plots to assassinate Dr. Nkrumah or to overthrow his government. In the confrontation that followed, innocent citizens suffered, not at the hands of the government, or persons acting on its behalf, as set out in Section 3 (2) of Act 611, but by persons who were using violent means to bring about a change of government.

5.1.3.2 The Commission received and considered petitions from nine victims or their representatives. The petitions concerned the 1962 bomb blast at the Flagstaff House, Dr. Nkrumah's residence, such as the cases of **Comfort Okai**, then a 16-year-old Young Pioneer who suffered amputation and **Salifu Bawku**, an employee of P&T stationed at Flagstaff House; the July 1962 bomb explosion at Kulugungu, near Bawku, in which Nkrumah and many people were injured; the 20th September 1962 bomb explosion at the 'Arena' in Accra, where Nkrumah was scheduled to address a public gathering, such as **Susanna Kumi** and **Emmanuel Ofori-Sasu**, who still has shrapnel in his leg; the 1962 bomb outrage near Lucas House, an electrical firm, in Accra, such as **Theophilus Kwasi Owusu**, a passer-by, then a student at Abuakwa State College; and the 1963 bomb blast during a football match at the Accra Sports Stadium, which Nkrumah attended, such as nine-year old **Michael Hammond** who was killed, and **Elizabeth Hammond**, a Security Officer on duty at the Stadium.

5.2 24TH FEBRUARY, 1966 – 30TH SEPTEMBER, 1969
The National Liberation Council

5.2.0.1 Although the overthrow of the Nkrumah government was generally welcomed as rescuing the nation from a suffocating dictatorship, it brought in its train significant human rights abuses. In the course of overthrowing the government, grave human rights violations were committed by the coup-makers, led by Col E.K. Kotoka, Commissioner of Police J.W.K. Harlley and Maj A.A. Afrifa, especially against members of Nkrumah's security apparatus in the Presidential Detail Department (PDD), who had offered some resistance. The insurgent soldiers surrounded the block of flats, took the men, such as **Ernest Kojo Nyan** away, forced women such as **Ekuba Eduku** and children, at gun point, to leave their homes. Some of these women's husbands had accompanied the President on his trip to Hanoi. The soldiers also shot dead some of the males, including boys, e.g **George Bartels** then 17 years old. Others were subjected to various forms of cruelty and molestation. They were beaten, made to crawl on their knees and to lie on the ground facing the scorching sun. Some claimed that hot tea were poured into their eyes. These incidents took place even though Kotoka, Harlley and Afrifa, leading architects of the coup, were present at Flagstaff House and the Police Headquarters where the prisoners were congregated.

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5.2.0.2 The National Liberation Council (NLC) and the leaders of the coup must bear responsibility for the excesses committed by troops under their command.

5.2.1 Killings

5.2.1.1 Many people were killed at the Flagstaff house during the 24th February, 1966 coup. The Commission received and considered petitions in respect of eleven killings that took place on that day, including some who were killed by rampaging soldiers in other parts of the city of Accra, such as **Note Dowuona**, Member of Parliament, his wife **Peace** and their son **Nii Noi**.

5.2.1.2 The Massacre At Yendi

5.2.1.2.1 When Ya Na Abdulai III died on 14th September, 1967, a dispute arose between the Abdulai and Andani families over the person to succeed him. The Andani family put up Mion Lana Andani while the Abdulai family put up the Regent who was the eldest son of Abdulai III. The Mion Lana was enskinned as Ya Na Andani III, and protests from some Chiefs of the area led to the establishment of a Committee, chaired by Nene Azu Mate Kole to look into the matter. The Committee subsequently submitted a report on 8th August, 1969, which was accepted by the government. The main recommendation was that the enskinment of Ya Na Andani III was a nullity.

5.2.1.2.2 On 8th September, 1969 detachments of police were sent to Yendi to dislodge members of the Andani family who had occupied the Ya Na's Palace. After a 24-hour ultimatum to disperse had expired, the police moved in with force and, in the process, several persons were killed and many others injured. Post-mortem reports of the time, submitted to the Commission, confirmed the killing of 19 persons, although petitioners reported that 36 persons were killed, and a newspaper report of the time put the figure at 23. Forty-one persons were injured.

5.2.2 Maiming

5.2.2.1 Some of the injured at Yendi during the Police attack were **Sana Imoru**, **Asana Mahama**, others such as **Amidu Alhassan** who suffered amputation of a limb as a result of the injuries.

5.2.2.2 Many people, such as **Joseph Techie-Menson**, who lost sight in the left eye when hit on the eye with the butt of a gun while in custody, were maimed as a result of atrocities unleashed on them by soldiers. Some, such as **Kodwo Anfan**, became paralysed, or sustained various degrees of permanent physical impairment or disabilities.

VOLUME 1 CHAPTER 5**5.2.3 Ill-Treatment**

5.2.3.1 Members of President Nkrumah's entourage to Hanoi, who returned to Ghana following the overthrow of the CPP regime, were subjected to gross forms of ill-treatment. On his return, Boye Moses was placed in an iron cage and paraded through the principal streets of Accra on his way to Ussher Fort prison. **Matthew Narh Tetteh** testified as follows about his reception at the airport in Accra:

...there was repeated commands from the tarmac through loud speakers that my team and I should undress, leave our dresses behind in the plane, come out in only our pants with our palms open and showing to them and carrying a white handkerchief showing to them that we had surrendered. ...

I led my team of 12 men out and we were ordered to stop at the base of the ladder. Many machine guys (sic) were pointed to our faces and at the command of one Major E. A. Baidoo we were carried like sacks of sand or something (by our hands and feet) and thrown into the back of the trucks at the tarmac. After hitting the floor of the truck, we were commanded to jump down from the truck and we would be thrown to the next. This continued until we had been thrown into all the 6 trucks around the plane. ... We were taken from the airport to the Police Headquarters. ...

At the Police Headquarters, both the Police and Army personnel there beat us severely for over thirty minutes. We were made to crawl on all fours on a newly spread stone chippings without our dresses for well over an hour. We were all bleeding at our hands and knees and were weak as well. Our hands were tied behind our backs...

5.2.4 Detention

5.2.4.1 By virtue of the Protective Custody Decrees, many CPP government officials, functionaries, activists, supporters and sympathisers were detained, some of them up to two years. Some who fled into exile were detained upon their return.

5.2.4.2 Lt Arthur and Lt Yeboah led a coup to overthrow the NLC. The coup failed, although the insurgents managed to kill Gen Kotoka. Not only were Arthur and Yeboah tried, convicted and publicly executed for treason, but most disturbingly, the NLC arrested and detained hundreds of people across the country who were alleged to have jubilated following the announcement of the coup. One of these was **Emmanuel Asamoah**, a Police Sergeant who was not only detained for eight months, but was also dismissed from the Police Service.

VOLUME 1 CHAPTER 5**5.2.5 Invasion of Property Rights**

5.2.5.1 Members of the PDD and their wives, such as **Ama Konadu**, the wife of a member of PDD lost all their personal effects following the 1966 coup. It is not clear whether their belongings were looted by soldiers or by common thieves. What is clear is that the victims were obliged to vacate their homes at short notice, and the authorities did not take any measures to ensure that their rights over their honestly acquired properties were not infringed.

5.2.5.2 In addition, the properties of many CPP functionaries were seized by the State, following findings of Commissions of Enquiry.

5.2.6 Interference with the Right to Work

5.2.6.1 Following the 1966 coup, CPP government officials and functionaries were prohibited by a Decree promulgated by the NLC from holding public office in Ghana for 10 years. Many members of Presidential Detail Department (PDD) lost their jobs. Many citizens were wrongfully dismissed from the public service on account of their association with the CPP.

5.2.7 Violation of right to dignity in death

The architects of the abortive coup, **Lt Samuel B. Arthur** and **Lt Moses Yeboah** were executed in public, and this event attracted a large crowd, including children. It was a violation of their rights for the agony at time of death and their dead bodies to be made the subject of public display and ridicule.

5.2.8 Sexual Abuse

There were reported cases of rape by soldiers who invaded the homes of CPP functionaries. **A**, the wife of a Minister in the ousted regime, was in her home when a soldier came in to conduct a search of the premises. After conducting the search the soldier hurled insults at her that she, a young woman, had married a much older man out of greed. The soldier then raped her.

5.3 **1ST OCTOBER, 1969 – 12TH JANUARY, 1972**
The Second Republic – The Progress Party Government

5.3.0.1 The introduction of a new, democratic Constitution on 22nd August 1969 raised high hopes for the development of a peaceful and prosperous nation. In the general

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elections held on 29th August, the Progress Party (PP) led by Dr. Busia won an overwhelming number of seats. The PP government was inaugurated on 1st October, 1969.

5.3.1 Expulsion of Aliens

5.3.1.1 The Aliens Act, 1963 (Act 160) regulating the stay of aliens in the country, among other things, required all aliens to have a visa or permit to enter Ghana, and made it an offence for any alien whose permit had expired or been revoked, to remain in Ghana. However, these laws had been consistently disregarded by aliens with impunity. The new government was determined to enforce the laws as a way of controlling the influx of aliens into the country. It issued an order, the Aliens Compliance Order, requiring all aliens in the country to regularise their stay or face expulsion. Panic broke out when the government set a time limit of two weeks.

5.3.1.2 Faced with financial and economic ruin, some aliens committed suicide; others sold their houses and businesses for a song. Some greedy Ghanaians seized the properties of aliens or entered into unconscionable agreements with them as to their disposal. Much suffering was caused by this attempt to enforce laws which had been left dormant for years in recognition of the mobility of the population in West Africa. It left considerable bitterness and destroyed many homes.

5.3.1.3 Even though none of the aliens affected by the Order petitioned the Commission, it is necessary to record the event and acknowledge the hardships and injustices it caused.

5.3.2 Invasion Of Property Rights

5.3.2.1 The Commission received two petitions alleging invasion of properties during the Government of the Second Republic. The petition of **Kwadwo Subunu** concerned the destruction of a cash and food crop farm during the construction of the Barekese Dam in 1970, for which he alleged he was not compensated as the farm owner. Another petition concerned the seizure of foreign currencies, detention, beating and ill-treatment of a businessman by officers at the Takoradi Harbour Police Station.

5.3.3 Interference With The Right To Work

5.3.3.1 One petitioner alleged that he was wrongfully dismissed by the PP Government on 20th February, 1970 in purported exercise of the power conferred on the Government by section 9(1) of the Transitional Provisions of the Constitution of Ghana, 1969. The relevant portion provided that all posts in the public services and corporations became vacant after six months, unless a fresh appointment was made. The government purported to dismiss the affected public and civil servants numbering about 568 persons, one of whom was **Matthias Wolana Ofori**, the Managing Director of Graphic Corporation.

VOLUME 1 CHAPTER 5**5.4 13TH JANUARY, 1972 – 3RD JUNE, 1979**
The National Redemption Council and the Supreme Military Council I & II

5.4.0.1 The military-cum-police coup d'état of 24th February, 1966 had the unfortunate effect of whetting the appetite of the men in uniform for political power. From then on, the talk among young officers in the Military Academy was about overthrowing governments and installing themselves in power. They had seen Lt-Gen Kotoka, a Colonel, become a Major-General and then Lt General. Ocran, a Lt Colonel, was promoted to Major-General. Afrifa, a Captain, became a Colonel, and then a Brigadier. Two years later, he was promoted to the rank of Major-General. In early 1970, Afrifa became a Lieutenant-General at the age of 34 years.

5.4.0.2 On 13th January, 1972, Ignatius Kutu Acheampong, a Colonel and Commander of the 1st Brigade Group, made his move. With the support of Majors Agbo, Selormey and Baah, he overthrew the PP government and set up a National Redemption Council (NRC) to rule the country. Col Acheampong became Chairman of the NRC and promoted himself such that by the time he was forced out of office, he was of the rank of full General. Maj Agbo, Maj Selormey and Maj Baah became members of the NRC and became Colonels.

5.4.1 Killings

5.4.1.1 The Commission received petitions in respect of the killing of five people by soldiers during the NRC/SMC regime. Four of them were killed while the fifth died in prison custody as a result of severe ill-treatment to which he was subjected.

5.4.1.2 The first victim, **Samuel Kusi Addai**, the Brong Ahafo Regional Manager of the Co-operative Society, died on 30th March, 1972 while in the custody of soldiers at the Liberation Barracks, Sunyani.

5.4.1.3 In October, 1972, soldiers investigating a theft of money at Esumegya, near Bekwai, by a cocoa purchasing clerk, arrested **Ama Nyamekye** and her husband **Kwadwo Achamfour** on suspicion of complicity, and took them to the Military Barracks in Kumasi. Achamfour died while in custody.

5.4.1.4 Emmanuel Eworyi, a student of Sogakope Secondary School in the Volta Region, was shot by a soldier on duty at the Lower Volta Bridge on 22nd June, 1978. He died at Adidome Hospital the next day.

5.4.1.5 Peter Agyei Barimah, a student of the University of Ghana, was shot and killed by Police Constable Bedzra on 5th May, 1979, at the Accra Railway Station during a

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student demonstration. Following the release of the report of a Committee of Enquiry set up to examine the circumstances leading to the shooting, it was announced that Barimah's family would be compensated, but this was not done.

5.4.2 Maiming

5.4.2.1 In 1972, while in custody at the Takoradi Airforce Station, **David Kobina Osei**, a trader of Assin Sibenso, was struck by a soldier on the eye with a belt. He lost sight in that eye.

5.4.2.2 Paul Kofi Agyimah, a bar owner who had gone to town for supplies of drinks, was caught up in what had become a riot resulting from a confrontation between supporters and opponents of the Unigov campaign at the Kejetia Lorry Park, Kumasi. He received a bullet wound in the jaw when shots were fired. The bullet went through his mouth knocking out some teeth and emerging through his nose. He now has difficulty in breathing through his nose.

5.4.3 Torture

5.4.3.1 Naaba Ayamdo Abane's mother, **Atinpoka**, now deceased, sold kola nuts at Akayonga in the Bongo District. In 1977 soldiers went to the market and claimed that she was selling the kola nuts at an excessive price. They ordered Atinpoka to remove her *kaba* and flogged her on the bare back with their belts.

5.4.3.2 Joseph Smith Amankwah, an officer of the Centre for Civic Education based at Saltpond, was subjected to severe beatings by soldiers at the grounds of the Central Regional Administration, Cape Coast, on the instructions of Col Frank G. Bernasko, the newly-appointed Regional Commissioner. He was accused of lateness to work, although he was, in fact, only visiting the Regional Office on official business, an explanation that did not satisfy the Commissioner who was on an inspection tour of the offices. When Col Bernasko told a soldier to "Discipline him!", he was taken outside to the quadrangle, made to jump, hold his ears and hop, then roll on the ground, which was full of gravels, from one end to the other. When he became tired and could no longer carry on with their instructions, they beat him up with their belts and kicked him with their boots. They also slapped him many times. He bled from his wounds, fell unconscious, and was hospitalized. He bears the physical scars of the beatings and suffers from a spinal cord injury.

5.4.3.3 Davis Ayiku, a businessman, was arrested and taken to the Castle, Osu after the goods in his wholesale had been seized by soldiers. At the Castle, he and his friend, Addo, who was arrested with him, were ordered to slap each other. When Ayiku expressed surprise at the order, a soldier slapped him over his right eye, and he fell down. While on the ground, the soldiers kicked him several times. He was then raised to his feet, and he and Addo engaged in slapping each other several times.

VOLUME 1 CHAPTER 5**5.4.4 Ill-treatment**

5.4.4.1 At the hands of soldiers, many civilians suffered considerable forms of ill-treatment. Some like **Osman Bawa**, a dealer in foreign exchange was beaten at the Takoradi Harbour and his money was seized after he had been stripped naked, and been made to roll on the ground. Some were subjected to military drills; kicked in the groin, beaten with sticks, belts and boots; made to carry sandcrete blocks in both hands while crawling on the ground; forced to lie on their backs and stare at the scorching sun without blinking; paraded around; and had their hair shaved with broken bottles.

5.4.5 Hostage Taking

5.4.5.1 The Commission heard petitions alleging hostage taking. For instance, **Asare Panti** was taken prisoner in place of his brother, Emmanuel Kofi Amoah, who could not be found. On the way to the Castle, Osu, the soldiers made him lie down in their vehicle while they put their feet on him. They beat him on the way. At the Castle, he was placed in a guardroom and beaten by the guards who questioned him about the whereabouts of his brother. The beatings affected his left eye.

5.4.5.2 In 1975, soldiers took **David Okyere**, a fitter's apprentice, into custody at the Kumasi barracks and detained him overnight, during which they beat him up, resulting in the loss of a tooth. They took Okyere in place of his master, Kofi Nti, whom they could not find.

5.4.6 Detention

5.4.6.1 The bad precedents set by the Nkrumah Government and the NLC regime in the matter of detentions without trial were followed by the NRC. A new Preventive Custody Decree was passed and on the strength of this Decree, 265 PP Ministers, Parliamentarians and Party functionaries were taken into custody for varying periods.

5.4.7 Abuse Of The Judicial Process

5.4.7.1 A couple of petitions were filed with the Commission as instances of ill-treatment arising from the abuse of the judicial process. For example, on 21st August, 1972, **Emmanuel Kwaku Badasu** and one other were charged with stealing telephone cable wires. They were first sent to the Tema District Court where the charge was laid under the Criminal Code, 1960. Later, they were sent to a Military Tribunal and charged with subversion under the Subversion Decree, 1972 (NRCD 90). They were found guilty and sentenced to death. The sentence was later commuted to 30 years imprisonment. Badasu was released after serving 10 years in prison.

5.4.7.2 Contrary to legal norms, Section 6 of NRCD 90 made the Armed Forces Act, 1962 (Act 105) applicable to civilians. Further, the Subversion (Amendment) (No. 2) Decree, 1973 barred all courts from entertaining legal challenges to the decisions of military tribunals set up under section 4 of the Decree. In other words, their decisions,

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right or wrong, were final. This was a draconian enactment which showed scant regard for the liberty of the individual.

5.4.8 Price Control

5.4.8.1 The Price Control Decree, 1974 (NRCD 305) gave the Commissioner responsible for Trade, power to fix the maximum price at which specified goods may be sold. It also made hoarding and smuggling of goods illegal. Any person who contravened a price control order, or hoarded or smuggled goods, was liable to prosecution. The Decree was more often than not abused as there were hardly any prosecutions. The goods were either seized and taken away or sold to the public without accounting for the proceeds. The Commission received 23 such petitions.

5.4.9 Invasion of Property Rights

5.4.9.1 The Commission received the 36 petitions on seizures of property during the NRC/SMC era.

5.4.9.2 John Alex Hammah was convicted of treason in 1974 and sentenced to death. An amount of ₵56,000 he was alleged to have given to Col. R. E. A. Kotei to induce him to support him in the plot was confiscated. The death sentence was commuted to life imprisonment. In 1978 he was released from prison and in 1979 given a pardon. His request is that his ₵56,000.00 be returned.

A pardon implies that all penalties imposed for the offence are nullified. Thus, if for example, the conviction disqualifies the convict from holding a public office or voting at an election, those disabilities are removed. It stands to reason, therefore, that money confiscated as a result of the conviction ought to be returned to its owner when the conviction is nullified.

5.4.9.3 Kofi Abrefa Busia was Prime Minister of Ghana from 1969 – 1972. On the overthrow of his government, his properties were confiscated. Among these were a house in Accra, four houses in Wenchi, Brong Ahafo, which had been built long before he became Prime Minister, as well as five cars. The houses were returned to his estate in July 2000 by a letter written by the Attorney- General to the Lands Commission. After 28 years confiscation and use by the State, the houses are all in a state of disrepair.

5.4.10 Interference With The Right To Work

5.4.10.1 The Commission also received and heard numerous petitions alleging interference with the right to work. For instance, **Alexander Saka Ansong** was a Construction Manager in the Ministry of Youth, Rural Development & Social Welfare. By a letter dated 7th January, 1972 he was asked to proceed on transfer to Bolgatanga as Regional Works Superintendent. He did not obey that instruction. Accordingly, by a letter dated 3rd February, 1972 he was declared to have vacated his post. Ansong

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protested at the decision. The letter of 3rd February, 1972 was withdrawn and he was placed on interdiction pending a final decision. He was informed that during his interdiction he would be placed on half-salary. A final decision was not taken until 18th December, 1974 when he was informed that his appointment had been terminated with effect from 11th December, 1974.

Placing Ansong, or any worker for that matter, on interdiction for 2 years 10 months was an abuse of his rights. Placing him on half salary during the period when the applicable regulation, the Civil Service (Interim) Regulations 1960, Section 54(3), required that he be paid two-thirds salary, was equally wrong.

5.4.10.2 Maguerita Accad petitioned on behalf of her father, **Samuel Azu Crabbe**. On 15th June, 1977 Azu Crabbe, then Chief Justice, was removed from office by the Judicial Service (Amendment) Decree 1977 (SMCD 101) and compulsorily retired. This extraordinary Decree which was tailor-made for him, forced him to go on retirement at 59 years instead of 70 years, thus being put on a reduced pension. It was a most unfair exercise of executive power.

**5.5 4TH JUNE, 1979 – 23RD SEPTEMBER, 1979
(AFRC)**

5.5.0.1 On 5th July, 1978, Gen Acheampong's colleagues removed him from office and stripped him of his rank and military entitlements. They accused him and, by necessary implication, themselves, of mismanaging the affairs of the nation. They also accused him of running a "One-Man Show" in the indiscriminate issuance of import licenses, outside the officially recognized machinery, to his "favourites and close associates"; of "awarding contracts to incompetent favourites"; "interfering in the normal operations of the Bank of Ghana including causing the overprinting and over-issue of cedi notes"; of "taking dubious foreign loans to the detriment of the State"; and of personally "granting undeserved concessions to the favourite business houses in contravention of existing government policy and regulations." They said that "in furtherance of his inordinate ambition for power", Acheampong had "manipulated and vested all executive power in his person to his own advantage"; that he "employed at State expense the services of numerous unofficial personal advisers and aides of dubious competence, character and intention who only sought their own good in government to the detriment of the nation"; and that he "adopted the habit of maintaining spurious religious advisers with substantial foreign exchange from the nation's scarce resources and used their advice as subterfuge for doing wrong to the detriment of the nation".

5.5.0.2 Turning to the military, they said that "through a systematic use of cunning and subtle interference Acheampong brought the Armed Forces to the brink of disintegration and showered generous favours on certain officers and men known to be closely associated with him to the disadvantage and annoyance of other officers of merit and of

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the rank and file which acts contributed materially to the breakdown of discipline in the Armed Forces”; that he “appointed into sensitive jobs certain favourite serving and retired officers of questionable competence whose performance badly tarnished the image of the Armed Forces in the eyes of the public”

5.5.0.3 On 15th May, 1979 there was a mutiny among a section of the Armed Forces. The nation heaved a sigh of relief when this was put down. However, things took a dramatic turn when at the trial of the mutinous soldiers, George Aikins, Director of Public Prosecutions (DPP), went out of his way to defend their conduct. He praised them as young men who seeing the corruption going on in the society tried to do something about it. Overnight, the band of conspirators became heroes. On 4th June, some soldiers released those standing trial. This act developed into a full-scale revolt resulting in the overthrow of the military regime.

5.5.0.4 The explanation for the extraordinary behaviour of the DPP was that he was angry with the members of the Akuffo-led SMC whom he accused of taking a bribe of US \$2million and a Mercedes Benz car to stifle a prosecution. By that singular act of indiscretion, Aikins unwittingly set in motion a train of events leading to the deaths, not only of those he accused of corruption, but also of many innocent persons.

5.5.0.5 This revolt of the rank-and-file of the Armed Forces against their officers was not motivated by any desire to see democracy restored in the country; rather, it was to afford them an opportunity to punish those they held responsible for their own and the country’s woes.

5.5.0.6 What the new regime came to do has been recorded for us in its own words in section 16 of the Transitional Provisions of the 1979 Constitution. The revolt was “an exercise undertaken ... to purge the Armed Forces of corruption and graft and to restore the image of the Military and to deal with the accomplices of the guilty members of the Armed Forces and other persons guilty of malpractices to the detriment of the economy of Ghana or the public interest or both”. The means used to achieve these ends were the so-called special courts set up under the Armed Forces Revolutionary Council (Special Courts) Decree, 1979 (AFRCD 3), and the tribunal established by the Armed Forces Revolutionary Council (Special Tribunal & Other Matters) Decree, 1979 (AFRCD 23).

5.5.0.7 There was also the Armed Forces Revolutionary Council (Special Courts) (Amendment) Decree, 1979 (AFRCD 19), which introduced into our trial procedure for the first time, trial of persons *in absentia*.

5.5.0.8 The insurrection of 4th June 1979 replaced one military dictatorship with another. At the time it took place, the Constituent Assembly set up under SMCD 203 had completed its work, political parties had been formed and electioneering was well under way. Not only that, the date for electing the President and members of Parliament had been fixed and the entire nation was looking forward to the dawn of a new era slated to begin 1st July, 1979. But that date was to pass without so much as a whimper.

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5.5.0.9 The Commission disagrees with the assertion made by Maj Boakye Djan in his evidence before it that the insurrection was to restore constitutional government. The Commission is satisfied that far from doing so, it impeded its restoration. Its effects were felt throughout the period of office of the Limann Administration until that government was overthrown by the very persons who had handed over power to him.

HUMAN RIGHTS VIOLATIONS AND ABUSES UNDER THE AFRC

5.5.0.10 The AFRC arrested and detained persons without trial, summarily executed others and hounded many more into exile. For those who remained in the country, life became a shadow of its former self. In Hobbesian terms, they lived in a state of “continual fear and danger of violent death” in which the life of man had become “solitary, poor, nasty, brutish, and short.”

5.5.1 Killing Of The Senior Military Officers

5.5.1.1 Until the 4th June, 1979 insurrection, Ghanaians had prided themselves that they were a peace-loving people. Even though the death penalty had remained on our statute books, it was very rarely used. It is known that Nkrumah, for example, confirmed only one death sentence imposed by the courts. It had to all intents and purposes fallen into disuse.

5.5.1.2 During the NLC regime two death sentences were confirmed. Those were the death sentences passed on Lt Arthur and Lt Yeboah for their part in the attempted coup of 17th April, 1967 and which had resulted in the killing of Gen Kotoka. The old pattern of showing clemency in capital cases continued throughout the period of office of Dr. Busia and the NRC/SMC regimes.

5.5.1.3 The killings of the Senior Military Officers marked a turning point in our history and heralded a long period of blood-letting which stretched into the PNDC era.

5.5.1.4 At the time of the insurrection, Acheampong was confined to the village of Trabuom in the Ashanti Region. He was apprehended, as were other high officials of the SMC regime. In the early hours of 16th June, 1979, “**Mr**” **Acheampong** and **Maj-Gen Utuka** were dragged from their places of confinement and shot. There was no pretence of any trial to establish their guilt. Sqn Ldr Dargbe, who was Chairman of the People’s Court, and Capt Baah Achamfour, a member of the AFRC, confirmed this in their testimony before the Commission.

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5.5.1.5 On 26th June, 1979, **Gen Akuffo, Lt-Gen Afrifa, Air Vice Marshal Boakye, Maj-Gen Kotei, Rear Admiral Amedume and Col Felli** were similarly taken out and shot at the Teshie Military Range, Accra.

5.5.2 Violation of right to dignity in death

The killing of the Senior Military Officers in public and the photographing of the process was a violation of their rights. For permitting public display of their agony at time of death and permitting photographs to be taken of their dead bodies still tied to the stakes was a violation of their rights as well as needless mental cruelty to their families.

5.5.3 Abuse Of The Judicial Process

5.5.3.1 Following the 4th June, 1979 coup, a tribunal was set up at Peduase Lodge, Aburi for the trial of Senior Officers of the Ghana Armed Forces. Prior to being sent to the tribunal, the officers were made to appear before a board known as the Pre-trial Investigation Team (PIT) where they were subjected to crude methods of interrogation designed to elicit admissions and confessions from them. In his book, *When Gun Rules*, **Col Kofi Abaka Jackson** describes the procedure of the PIT. He writes at pages 123 – 127:

As soon as I sat down, one of the Other Ranks, a Corporal, came to stand behind me. The other Other Rank stood behind...The Chairman asked the Pilot Officer to bring out my file...The chairman and the secretary glanced through the folder then started questioning me: "You alone have three houses. Why?" Before I could open my mouth to answer, the soldier who was standing behind me gave me a slap on my right cheek and across my face. ...Another slap landed on my left cheek and a third on my right...I explained: "Out of my reconditioning of vehicles and other machines from 1963, I started to run a family transport business in 1968..."

At this stage, the slaps intensified in both strength and rapidity...

I continued to answer their questions..."My second house..."

The slaps continued...

I was given a few more swift slaps, a clear warning to me to shut up. My interrogators then turned their attention to my cars. With all the hatred he could muster, a member asked: "You, you have a Benz and a BMW car. Why?" Before I could utter a word, two hefty slaps landed on my right cheek and eye, followed by another slap on my right cheek...The questioner asked me how I could afford both a Benz and a BMW car?

The random slaps continued... The chairman gave me a stern look as if he was signaling for me to be given more slaps. Two heavy slaps landed on my right jaw in rapid succession.

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“Why are you looking so fine?”...The soldier, who was standing behind me, gave me more blows to my head...My answer drew three heavy slaps – first on my right cheek, the second on my left and the third on my right cheek...Why are you still looking so fine? The chairman asked.

I ignored the question this time...”Hey, you corporal, you are not slapping him properly; come this way!” the chairman ordered. Looking into the face of the other corporal who was standing immediately to his left, he shouted at him to change places with his colleague who was not ‘performing his duties properly’.

Just as the chairman was about to ask me a question, the new corporal standing behind me unleashed a sharp, stinging slap across my right eye. This was immediately followed by another slap from his left hand. Then, as if he was clapping, he fired both left and right slaps across my face, obviously demonstrating to his boss that he could hit harder, better, and in style too.

5.5.3.2 The Chairman of the PIT was Capt Sammy Michel with Capt Koda and Capt. Okai Kwei as members and Pilot Officer Ebenezer Odoi as Secretary. Odoi was also the prosecutor at the Special Court which sat at Peduase Lodge under the chairmanship of Squadron Leader Dargbe. At a later date Squadron Leader Darko Kumi joined the PIT.

5.5.3.3 At Peduase Lodge, Sqn Ldr Dargbe and his panel sat behind a screen. Odoi, as prosecutor, sat in front. After having been ‘softened’ up at the PIT, the mock trial at Peduase Lodge, which often took place at night, lasted no more than a few minutes.

5.5.3.4 The Paymaster-General of the Armed Forces and one-time Commissioner for Trade, **Col Kobina Quashie** gave this graphic account of his appearance before the PIT and the tribunal:

While I was on admission at Military Hospital Flying Officer Odoi came for me and other officers. We were taken to Arakan Barracks where I was taken to the PIT. There I received at least fifty slaps from behind from an NCO who had been placed there as part of the exercise. Capt Sammy Michel was in the chair together with Capt Koda and Capt Okai Kwei. Capt Michel told me when he came to me for an Import Licence to import a Terrazzo-making machine I refused, today he was in power. I replied that he told me he needed a terrazzo machine to do up the floor of his new house so I gave him the particulars of the man who did my house but if he meant importing a machine to set up a Terrazzo-making Company, then he lied to me, hence my refusal. For saying this he signaled to the NCO who gave me at least 6 slaps in the ear. Capt Okai-Kwei asked me for my income and expenditure. I replied that I had submitted a comprehensive one to Capt Nimako, Military Intelligence. Capt Okai Kwei replied,”This is not a School of Accountancy. This is a revolution!” He drove pins into my waist bone and I bled.

Capt Michel asked me to address him “Sir”. I replied that that was not the military tradition. For this I was severely beaten up. Then he asked me to go on Television and denounce the late Gen Acheampong, because people respect me and would believe me. I replied “You have killed him, so as a priest and lawyer I can’t denounce a person who

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cannot defend himself”. For this I was given the longest serves of slaps and told by Michel “You will face the People’s Court”.

So about three days later, Flying Officer Odoi came for us and we were taken to Peduase Lodge. There, a Staff Sergeant who was smoking a long cigar and drinking Chevas Regal whisky, ordered me to crawl on my hands to face the court. I crawled under armed guard for about 20 yards in a covered passage. I was ordered to stand up when the swimming pool came in sight. When I entered the swimming pool area, I saw a square made up of dark brown cloth. A voice from behind ordered me to sit down. I did. They read my charges to me. I asked to see the 252 Charge Sheet so I could defend myself. A voice replied, “Shut up! This is a Revolution!” I continued to argue until another voice shouted “You are wasting our time. You are sentenced to 25 years imprisonment. Take him away”. So I was taken back to the Lodge from where Flying Officer Odoi conveyed us back to Military Hospital.

5.5.3.5 Among the more than seventy military and police personnel and civilians who appeared before the PIT, or were ‘tried’ by the Special ‘Kangaroo’ tribunal, 19 applied to the Commission for relief, or had applications made on their behalf.

5.5.3.6 Most victims of the abuse of the judicial process were sentenced to ridiculously long prison terms. For instance, **Lt Col Gabriel Korku Amevor** was sentenced to 105 years imprisonment, while **Sqn Ldr George Tagoe** and **Joseph Tweneboa Kodua**, a businessman, received 95 years imprisonment each. **Col Kofi Abaka Jackson** was given 60 years. **Benjamin Samuel Kofi Kwakye**, former Inspector General of Police, received a 25-year prison sentence, as did **Col Kobina Quashie** and **Col Charles Tachie-Menson**, among others.

5.5.3.7 Those who happened to be outside the country, such as Col Tachie-Menson, or who managed to escape arrest, such as B.S.K. Kwakye, were tried in absentia and sentenced. All had their properties confiscated.

5.5.4 Killings

5.5.4.1 Killings were rampant during the 112 days of AFRC rule. Below are examples of the horrendous circumstances under which innocent people lost their lives during the AFRC era. A fuller account of petitions relating to killings in that era appear in Chapter Six, Volume Two of this Report.

5.5.4.2 On 4th June, 1979 soldiers attacked **Col Joseph Enninful**, President of the Court Martial trying those involved in the 15th May mutiny, at his bungalow in Burma Camp, Accra, and killed him and his wife, **Josephine**.

5.5.4.3 On 5 June, 1979, **Paul Mpiani**, a driver at the British Council, Accra, went on an errand for his employers. His vehicle was hijacked by a soldier who later shot him dead at Asylum Down, Accra. A post mortem report gives the cause of death as gun shot

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wound of the abdomen with extensive laceration of the spleen and left kidney, fractured ribs, massive haemoperitoneum.

5.5.4.4 Soldiers went to the home of Comfort Debrah's mother, a trader, at North Kaneshie, Accra to search for hoarded goods. While there, they attacked Comfort and other inmates of the premises. One **Selina** who tried to run away was shot dead. Comfort was taken to the barracks where her hair was shaved off. She also received injuries on her shin.

5.5.4.5 On 22nd June, 1979 Cpl Boateng of the Ghana Army who was on an anti-hoarding operation in Suhum, Eastern Region, went to a house and ordered all the inmates to come out of their rooms. Some 40 persons came out. Boateng lined them up and shot at them killing **Benjamin Obeng** and **Jasper Amoh Owusu** and injuring Grace Yomeley.

5.5.4.6 Kwabena Amoah was a shop-keeper at Kunso, near Mankranso, Ashanti Region. He sold spirits and cigarettes. On 14th September, 1979 one Kwaku Akowuah went to the shop to buy cigarettes. Akowuah later reported Amoah to the Police as having sold the cigarettes to him above the controlled price. Amoah was arrested by the police and then granted bail. The next day, Akowuah returned to the shop in the company of three soldiers. Amoah and one of his suppliers, Yaa Tweneboah, were arrested and taken to the military barracks in Kumasi. Later, Yaa Tweneboah returned to Kunso and informed the petitioner that her husband died after being flogged by the soldiers. The petitioner and her husband's uncle, Kwaku Amoah, went to Komfo Anokye Teaching Hospital to inspect the body. They later removed it for burial.

5.5.5 Disappearances

5.5.5.1 Theophilus Opape Obuobisa, a soldier in the Ghana Army based at Takoradi, has not been heard of by his family since the 4th June, 1979 coup.

5.5.5.2 Soldiers went to the shop of Samuel Yaw Asumadu at the Kumasi Central Market to conduct a forced sale of his goods. When he resisted, he was attacked. His son, **Kofi Peter**, a student, who went to his aid was mercilessly beaten up and taken away. Peter has not been seen since.

5.5.5.3 Ataa Amoah's husband, **Osei Kwame**, was a bodyguard of Lt Gen Afrifa. He was with Afrifa when, following the 4th June insurrection, he was arrested at his home at Krobo in the Ashanti Region. He came to live in Accra. While in Accra he was arrested twice and taken to Burma Camp for interrogation. One afternoon at about 2 p.m. Kwame left the house. He was later seen boarding a military vehicle at the Nkrumah Circle, Accra. He has not been seen or heard of since then.

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5.5.5.4 James Agana's brother, Cpl Robert Alhassan Konyibo, was a soldier in the Ghana Army. At the time of the 4th June, 1979 insurrection he was believed to be stationed at the Castle, Osu. Since that day, he has not been seen or heard of.

5.5.6 Maiming

5.5.6.1 Edward Somuah Adofo, a Naval Rating, was on guard duties at the residence of Rear Admiral Joy Amedume, a member of the SMC, on the night of the insurrection on 4th June, 1979. Insurgents sent to arrest the Admiral shot and wounded Adofo in the leg, neck and abdomen. He was discharged from the Navy in October, 1981 on medical grounds.

5.5.6.2 Ellen Osei, On 4th June, 1979, at about 6:30 pm, Ellen was being driven home to Dansoman, Accra by her brother-in-law and her sister when at Randolph Motors, near Nima Police Station, their vehicle was overtaken by two military vehicles. Soldiers in the second vehicle shot at the vehicle conveying Ellen. The glass in the window was shattered and fragments became embedded in Ellen's head. Drenched with blood, she was taken to the 37 Military Hospital where she was pronounced dead and taken to the mortuary. Her shouts made the attendant aware she was still alive, and she was brought out and taken to the ward. She was in hospital for three months. She now suffers from chronic headache.

5.5.6.3 Gifty Adom was almost nine months pregnant when a soldier went to her at the market in Mampong, Ashanti, and ordered her to sell her fish in smaller parcels. As she bent down to comply with the order, the soldier removed his belt and began to beat her with it. The iron hook of the belt hit Gifty on the stomach. Gifty delivered eleven days later. The impact of the belt on her stomach affected the child, **Ibrahim Afrifa**, who was born blind.

5.5.6.4 On 4th June, 1979 soldiers went to the residence of **Moustapha Kobina Sangari** in East Cantonments, Accra, Sangari and demanded to be given one of his cars. He offered them a Mercedes Benz 200. At their request, he drove the vehicle to his gate. As he was leaving the vehicle he was shot in the chest. It was not until the next morning that he received medical attention. Three days later, he was flown to London for treatment.

5.5.6.5 Sammy Sampson Manu, a stenographer, travelled from Gambaga to Bimbilla in the Northern Region. On arrival at Bimbilla he saw soldiers beating a friend of his. When he intervened to plead for his friend the soldiers set upon him with their belts and fists. He sustained an injury on his left eye which has rendered him blind in the eye.

5.5.6.6 Jones Sarpong was a trader at the Sunyani lorry park. He sold provisions. He and other traders were arrested and taken to the barracks. He was made to pull up elephant grass with his bare hands. While he was doing this a soldier struck him with a

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belt over the head. The hook of the belt hit Sarpong's right eye completely damaging it. Sarpong was operated upon in 1998 to remove the eyeball and replace it with an artificial one.

5.5.7 Torture

5.5.7.1 The experience of **Elizabeth Mensah**, a dealer in beer and provisions at Esikafo Ambantem, Takoradi, illustrates how indisciplined soldiers used the control of prices and decrees on hoarding as a pretext for stealing and perpetrating human rights violations. This is how she described her ordeal:

The soldiers brutally assaulted me, applying their fists, boots and the butt of their guns, they drove me to the Airforce station where I spent three days. There were other people also had been arrested (sic). We were continuously beaten all the time.

Thereafter I was transferred to the Aprembo Barracks. I spent 5 days there. The beating was worse than what took place at the Airforce station. ...

The soldiers set upon me and brutally assaulted me until I begun bleeding from my private part and even eased myself in their full view. I had totally lost control of everything. ...

On the fifth day the soldiers drove me to my house. They put me on a table and four of their number stretched me out. They then flogged me with belts mercilessly until I collapsed.

5.5.7.2 On 15th June, 1979 two men approached **Kodzo Fomevor**, a driver, at Ho lorry station, and offered to hire his vehicle for a journey to Kpong. When Fomevor refused the offer the two men fell on him and beat him up. They then took him to the barracks of the Ho Mortar Regiment where he was placed in the guardroom. He was later brought out, given 36 strokes of the cane on his back and released. The beating resulted in the loss of some teeth and damage to his hearing.

5.5.7.3 Victor Hozame; Prosper Kojo Siabi: Soldiers acting as vigilantes intervened in a quarrel between members of a family at Adidome-Atsenfo, Volta Region, over the sale of a tractor. They seized Victor and Siabi, took them to the market place and caned them. **Anthony Hozame**, who made the complaint to the soldiers, was also caned when he refused to participate in caning his brothers.

5.5.7.4 William Dusu of Kpando intervened and argued with soldiers who were selling his girl friend's kenkey at a reduced price. Two days later the soldiers, led by Simon Adza of the Department of Social Welfare, arrested Dusu, beat him up and subjected him to cruel and inhuman treatment. He was made to crawl on his knees up the steps of an old German colonial building at Todzi. While doing so, he would be kicked and made to fall down the steps. He would then be ordered to climb up again on his knees. He did

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this several times and sustained injuries to his forehead, shin bone and knees. After this gruesome treatment he was brought to the taxi-rank where he was made to do press-ups and to roll on the ground. Finally they made him lie down on the ground and look at the sun.

5.5.7.5 Albert Kweku Cudjoe was the owner of an electrical appliances shop in Market Circle, Takoradi. On 23rd June, 1979 soldiers went to the shop and carted the goods away to the Airforce Base, Takoradi. They took Cudjoe to the Barracks at Aprembo, shaved off his hair and subjected him to beatings. A few days later, he was brought to the Market Circle and publicly caned. The soldiers then demolished his shop and the adjoining one even though he was not the owner of the building. The incident was reported in the *Ghanaian Times* of 28th June, 1979.

5.5.7.6 On 5th July, 1979 soldiers led by Lt Patrick Donkor arrested **Alhaji Bawa Ayamga**, now deceased, at Bolgatanga on an allegation that he was hoarding lorry tyres. While singing a profane Hausa song, Lt Donkor hit the Alhaji on the head several times with a hammer. In September, 1979 the Alhaji was convicted of hoarding by an improvised public tribunal constituted by Lt Pattington, Lt Donkor and other soldiers and sentenced to three years' imprisonment in hard labour. He was taken ill and was transferred from Navrongo Prison to Tamale Prison where he died on 17th January, 1980.

5.5.7.7 In September, 1979, **Richard Kwabena Abugumzio** came upon some soldiers in Bolga who were beating one Amenasah, now deceased. When he exclaimed 'Oh!' in sympathy with the victim of the attack, the soldiers emptied the contents of a coal pot onto the ground and forced him to sit in the embers of the fire. He sustained burns and blisters on his buttocks.

5.5.7.8 Habibata Amadu, a baker at Wa, was arrested by soldiers for selling bread at too high a price. She was taken to the soldiers' camp where part of her hair was shaved off, leaving the other in order to make her an object of public ridicule. She was flogged with a belt, leaving her with bruises on her back. The soldiers then hung a loaf of bread round her neck and paraded her in the streets. At one point she was made to dance for the spectators who had gathered to watch her being humiliated. She was also made to roll on the ground. By the time the soldiers were through with her an amount of ₵300,000 she had in her waist band was missing.

5.5.7.9 While in detention, **Benny Ashun** was taken to the Teshie Military Firing Range and subjected to a mock execution.

5.5.8 Sexual Abuse

5.5.8.1 Soldiers looking for M's husband placed her under arrest in her home to await his return. When night fell, the soldiers left one of their number to watch over her. During the night the soldier raped her in the presence of her young children.

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5.5.8.2 On 4th June, 1979 soldiers went to a popular entertainment joint in Accra owned by **D**, who was known in military circles as the girl-friend of a senior officer. They turned the place inside out and carried away drinks kept there for sale to the public. The soldiers then went to the residence of the petitioner and took away drinks, cash and other goods. Several of the soldiers raped her. After her ordeal she was taken to Gondar Barracks, but her condition saved her from further sexual assault. She was later released, but a few days later three military officers (two Majors and a Captain) came for her and took her to an isolated place and raped her. One of her assailants told her it was for the record. A further attempt, this time at Nsawam where she had been taken by three other soldiers, was foiled when a Capt Owoo came to her aid.

5.5.8.3 Ekua Bentil, On or about 7th June, 1979 soldiers went to a store at Agona Swedru run by Kodwo Addison and his wife, Ekua Bentil, now deceased, and got hold of Ekua. They put her on a table, face upwards, stripped her naked, opened her legs and beat her with a military belt between her thighs while the public, including young children, looked on and sang in unison “Eye hann, eye kanea” meaning “It is clear, it is light.” Ekua bled from her genitals. She was taken to Cape Coast Regional Administration where the soldiers were based. Addison followed them and got Ekua released. Ekua was treated at hospitals in Ghana and Nigeria without success. She also tried herbal treatment. She continued to bleed from her genitals and was unable to resume sexual relations with her husband up to her death in 1991.

5.5.8.4 Jacqueline Acquaye alias Ama Akuffo petitioned that when on 17th July, 1979 she was arrested for hoarding flour a soldier mixed gun powder and pepper and used the solution on her as a douche. She later underwent a surgical operation to remove her uterus.

5.5.9 Ill-Treatment

5.5.9.1 A few days after 4th June, 1979 soldiers went to **John William Opoku’s** departmental store at Bawku and over some days sold most of the goods in it. Later they alleged that Opoku had sold a pair of shoes at an excessive price. One Lt Patrick Donkor came to Bawku and ordered Opoku to open his wholesale. On seeing the goods in the wholesale Donkor exclaimed, ‘Hoarding!’ and fired a shot in the direction of Opoku. Donkor poured petrol on the goods in the building and set them ablaze. He placed Opoku in police cells at Bawku and later collected him for a trip to Bolgatanga. On the way, Donkor slapped Opoku several times and ordered soldiers to throw him into the White Volta from a bridge. The soldiers refused. Opoku was taken to Bolgatanga and then to Tamale and kept in a guardroom for four months, during which he was made to undergo physical exercises as punishment. Donkor then took Opoku and Alhaji Bawa Ayamga to the BNI office at Bolgatanga. After that, Opoku spent three weeks at Navrongo Prisons and then was brought back to Bolgatanga, where a Peoples’ Court comprising, Lt

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Pattington, Lt Donkor and other soldiers, tried Opoku and sentenced him to nine months imprisonment.

5.5.9.2 On 15th June, 1979, soldiers led by L/Cpl. Peter Tasiri went to the Accra Kotobabi branch of the Meat Marketing Board. Tasiri mistook **Omink Mensah Asigbe** for lawyer Mensah, the Managing Director, and questioned him as to why meat was being distributed to the workers. Tasiri ordered soldiers with him to punish the petitioner. Asigbe was made to do physical exercises and to lie on the ground and look at the sun for over an hour. The vision in his left eye is now blurred and that in the right is fast deteriorating.

5.5.9.3 Nana Boakye Tromu III; Kwame Boateng: Nana is the chief of Duayaw Nkwanta, Brong Ahafo and Boateng was Secretary to the Town Development Committee. On 6th August, 1979, a group of soldiers led by Lt Sagbuul arrested Nana and Boateng for allegedly failing to organize communal labour in obedience to a directive of the AFRC. They beat them up and forced Nana to drink dirty water from a gutter. They took them to the Military Barracks at Sunyani and released them the following day.

5.5.9.4 Kwame Ofori-Yentumi was a Commander of the Ghana Navy and lecturer at the Staff College. On 4th June 1979 his house at Burma Camp was raided by three soldiers who collected all his personal belongings and those of his wife. His car was also seized. When the wife resisted she was badly beaten up in front of her 11 year-old son. The soldiers took the effects away in the wife's car. Yentumi's wife developed a mental problem which persists to this day. His 11 year-old son suffers from the effects of the trauma.

5.5.9.5 Victoria Lankai Aniagyei, a trader at Makola Market, Accra, was arrested for selling hair cream above the controlled price. On the way to the military's operational base, she was slapped several times. After the demolition of the market she was arrested for selling in the street. She was made to scoop filth from a gutter with her bare hands. She was slapped and hit on the hand and on her back.

5.5.9.6 Comfort Quayson, was a trader at Makola No. 1 Market, Accra. After soldiers had raided her shop and seized her goods she was taken to Nima Police Station. Although she was five months pregnant, she was subjected to beatings with belts and canes. At a place of detention opposite the 37 Military Hospital she was hit on the head with the butt of a gun and cut with what appeared to be a bayonet. She was later taken to hospital where she had a miscarriage.

5.5.9.7 Samuel Addo Yeboah a shopkeeper at Adum, Kumasi was paraded through the streets with the inscription "I deserve to die" pinned to his chest. Two other persons with him had the inscriptions "I am a cheat" and "I am chief of Kalabule". Their goods had been seized by soldiers who told them they were to be shot.

VOLUME 1 CHAPTER 5**5.5.10 Hostage-taking**

5.5.10.1 A disturbing feature of the atrocities committed during military regimes was the practice of taking hostages. Soldiers sent to effect arrest quite often arrested wives, children, relatives, friends and even complete strangers either with or without the person to be arrested. Such cases include:

5.5.10.2 John Kwabena Adom: Soldiers sent to Hohoe to effect the arrest of Daniel Kwaku Addae Ameyaw took his son John instead when he told them his father was old and infirm.

5.5.10.3 David Kofi Buahin: Soldiers looking for Nana Anim Bedwai, who was alleged to have defaulted in making travel arrangements for the brother of Darko Kumi, a Naval Officer, arrested his friend Buahin and took him to Gondar Barracks. There, he was slapped, kicked and caned. A lighted cigarette was put in his ear. He was released the next day.

5.5.10.4 When **Emmanuel Kwaku Atuahene**, a driver and salesman of the Pioneer Tobacco Company in Kumasi, heard that some soldiers were looking for him to arrest him, he went into hiding. The soldiers arrested his cousin **Kwaku Asante**, his wife, **Abena Aso** who was then pregnant and his sister **Akua Serwaah** and detained them for one week. The petitioner did surrender himself to the soldiers.

5.5.11 Detention

5.5.11.1 Mathias Komla Anku, a taxi driver based at Ho, was arrested on 2nd August, 1979 and detained at the Mortar Regiment Barracks on an allegation that he had installed a second petrol tank on his vehicle. An examination of his vehicle showed that the allegation was false. In spite of this, he remained in the guardroom for one month before being released.

5.5.11.2 Juliet Serwaah's husband, **Dwomoh**, who was also married to General Afrifa's sister, was arrested and detained in various prisons for one year nine months.

5.5.11.3 Anthony Kwabena Appiah, a driver of the Ministry of Health, Koforidua, was arrested in August, 1979 and detained at Nsawam Prisons until early 1984. He appeared to have been mistaken for one Kwaku Appiah who was alleged to have been convicted by the AFRC Special Court.

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5.5.11.4 Kenneth Assan Dadzie a shopkeeper of Sunyani was arrested on 12th June, 1979 when his assistant sold two bulbs to a soldier at 75 pesewas each. After having been flogged with a flexible electrical cable and released, he was arrested again two days later and detained at the Military Barracks for six weeks.

5.5.12 Price Control

5.5.12.1 During the AFRC period, price control measures were intensified: traders were arrested and placed in guardrooms, shops raided and goods sold. More often than not, the proceeds of these forced sales, which were attended by acts of cruelty perpetrated on the shop-owners, their spouses, and even their children, were taken away by the soldiers. Sometimes lives were lost. The Commission received petitions from many people, including the following:

5.5.12.2 George Kojo Addai, owned a shop in Takoradi called 'Pennywise'. Sometime after 4th June, 1979, he was summoned before a Committee at the Barracks. Thereafter, his house and shop were searched and goods, mainly foam, seized and sold by auction. Later, soldiers from Aprembo Barracks dynamited his four-storey block causing considerable damage to the property.

5.5.12.3 Rebecca Aryee, a trader of Takoradi, sold 10 refrigerators to the Effia Nkwanta Hospital, Sekondi. Two days later, the refrigerators were seized by personnel from the Airforce Base, Takoradi who claimed that the prices were too high. They raided Rebecca's shop and seized various goods, including refrigerators, florescent tubes, carpets and suiting materials.

5.5.12.4 Georgina Appiah had a wholesale in Accra in which she kept building materials. Among her customers were the PWD, A Lang Limited, State Housing Corporation and the State Construction Corporation. In 1979 soldiers surrounded her premises and carted her stock away. It was enough to fill 17 articulator vehicles. After investigations she was cleared of hoarding and promised that she would be paid. She was eventually given c20 million as compensation in 1990.

5.5.12.5 Kwesi Amiaku owned a shop at Tarkwa where he sold various items, including bowls, roofing sheets, sugar, flour and rice. Soldiers raided the shop and auctioned off the goods.

5.5.12.6 Grace Ama Abartey owned a shop in Bolgatanga. Among her suppliers were Akosombo Textiles, GTP, Pioneer Aluminum Factory and Danafo. In July 1979 soldiers raided her shop and carried away all the goods. The petitioner became indebted to her bankers and had to sell her two vehicles to pay her debt.

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5.5.12.7 Mohamadu Kaleem was a cement distributor in Tamale. Soldiers in an army truck went to his depot and carted away 600 bags cement.

5.5.12.8 Mahama Yahaya was a storekeeper at the Wa market. In August 1979 when soldiers entered the shop in a threatening manner, the petitioner ran away leaving his wares behind. When he returned, the shop had been cleared of the goods.

5.5.12.9 Agnes Amori In July, 1979 soldiers went to Agnes' bar in Bolgatanga and seized 10 drums of akpeteshie and 50 cartons beer. This was after a customer had bought some gin and complained of the price. The drinks were taken to the Residency where the soldiers were based. A few days later the empty drums were returned to her. The bottles were not returned. Agnes became indebted to her creditors and was reduced to poverty.

5.5.13 Invasion Of Property Rights

5.5.13.1 Apart from the harassment of shop-owners, there were also seizures of property. Petitions were received from the following:

5.5.13.2 Ellison Owusu-Fordwouh on 7th September, 1977 Ghana Commercial Bank granted petitioner a loan of ₵95,000 for the purpose of building a house on a plot of land at Kwadaso, Kumasi. Following the 4th June, 1979 coup, the petitioner, then Director of the Special Branch, was arrested and taken into custody. While in custody, he was put before a kangaroo court at Peduase Lodge which ordered the confiscation of his house as having been unlawfully acquired. Since it is not unlawful to take a bank loan the decision to confiscate the house was clearly wrong.

5.5.13.3 Prof. Agyeman Badu Akosa's brother, **James Charles Akosa**, was a businessman of Accra. After 4th June, 1979, he went into exile for fear of persecution. Security personnel raided his establishments and carried away 17 vehicles of various makes, among them were two Land Rovers and six Toyota pick-ups. None of these have since been recovered.

5.5.13.4 Alhaji Abubakari Suley, In May, 1979, Suley bought a Datsun car from a Yugoslav diplomat for US \$3,000. The vehicle was seized from him on the instructions of the military authorities. When he went to Burma Camp to enquire of the vehicle, the Peugeot car he was driving was also seized.

5.5.13.5 Joseph Apeadu is the executor of the estate of late **Joshua Kwabena Siaw**, majority shareholder of Tata Brewery Limited. Following allegations that the company had evaded tax, the Government of Ghana in 1978 took certain measures against the company. One, was the making of the Assets & Bank Accounts (Schedule) (Amendment) (No. 20) Instrument, 1978 (LI 1188) freezing the assets and bank accounts

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of Tata Brewery Limited, two other companies in which Siaw had an interest and the personal assets and bank accounts of Siaw, his wives and other specified relatives. Another was the Taxation (Amendment) Decree, 1979 (SMCD 222) cancelling duty and tax concessions granted to the company. When the AFRC came to power, it enacted the Transfer of Shares & Other Proprietary Interests (Tata Brewery Limited) Decree, 1979 (AFRCDD 9) transferring all the shares of the company to the State. Even if, as a temporary measure, the freezing of the assets and bank accounts of Tata Brewery under LI 1188 was justified, it was wrong to extend its reach to other companies and the personal assets and accounts of Siaw, his wives and relatives. Further, while fines and other penalties may be imposed on companies for failing to honour their tax obligations or for other infringements of the law, in a democracy expropriation is not an option. The Commission therefore finds the expropriation of the company to be a breach of the right to own property, and therefore, illegal.

5.5.13.6 Grace Tetteh and her diplomat husband returned to Ghana from the United States on re-posting. They lived in Accra above some shops. Soldiers who raided the shops for hoarded goods went to their flat and carried away all their personal effects, including furniture, cooking utensils and their children's clothes.

5.5.13.7 Soldiers went to the house of **Apea Bempong** alias Nana Twum Ampofo II at Agona Nsaba and seized six vehicles, including a Mercedes 230, an Audi 80 LS and a Nissan Patrol 4WD. They used them for so-called operations and later returned them in a run-down state. Bempong was obliged to sell them as scrap.

5.5.13.8 Rosa Mills, a former Army-Nursing officer, was the wife of **Charles Osah Mills**, a licensed moneylender of Accra with a reputation of being wealthy. Following the 4th June, 1979 insurrection, soldiers went to his house, took the entire family hostage and demanded money. After giving them all the cash he and his wife had, they insisted on taking a cheque from him warning him that if it was not honoured by his bankers he and his family would pay dearly for it. Mills issued a cheque and gave it to the soldiers. The family vacated the house shortly after they had left.

5.5.13.9 Baiden Amissah, returned to Ghana after a long sojourn in Germany. He brought with him household effects and equipment for farming. On arrival he cleared his goods at Takoradi Harbour and was proceeding to the town when he was stopped by soldiers. They took him to his home for a search and then seized the goods he had cleared. These included electric cookers, television sets, sound systems and clothing. The soldiers later came for his bulldozer, tipper truck and tractor. They used these in carting cocoa and forest products until they broke down. The items were abandoned at Samreboi.

5.5.13.10 Alhaji Ibrahim's Toyota car No. GK 4434 and Bedford Truck No. UR 3605 were seized in Kumasi by soldiers. The car was said to have been taken to Sankore in the Brong Ahafo Region and the truck to Nandom in Upper West Region. They were never returned to him.

VOLUME 1 CHAPTER 5**5.5.14 Interference With The Right To Work**

5.5.14.1 Beatrice Acheampong's husband, **Hanson Owusu Acheampong** was a Chief Superintendent of Police. On 23rd September, 1979 he was dismissed by the AFRC from the Service on the strength of the recommendations of the Huppenbauer Committee. He appealed to the Court of Appeal, but the appeal was never heard. He died in 1997 without having received either gratuity or pension.

5.5.14.2 Michael Ayawo Kubunyah, an Assistant Superintendent of Police in charge of Audit and stationed in Kumasi, was arrested on 9th June, 1979 when a carton of whisky was found on one of the vehicles in his outfit. He was taken to the military barracks and detained in the guardroom for a month after which he was given a letter of dismissal from the Service, signed by the Inspector General of Police. No formal enquiry was held to determine responsibility for the presence of the whisky in the vehicle.

5.5.14.3 After **Kingsley Amoah**, a Treasury Administrator and other employees of the Kumasi City Council, had been brutalised by soldiers, he spent one week in hospital. When he returned to work, he was told to go home and that he would be called back later. He was never permitted to resume work. At the time of the incident, he had been in the employment of the Council for 18 months.

5.6 24TH SEPTEMBER, 1979 – 30TH DECEMBER, 1981 (Third Republic)

5.6.0.1 At the time of leaving office, the AFRC was deeply divided between those who, having enjoyed the trappings of office, wished to cling to power, and those who desired to see constitutionalism and democracy restored. With their civilian collaborators, the former group began to plot the overthrow of the Limann Administration even before it had settled down to govern the country. The Commission received evidence from Maj Boakye Djan, a leading member of the AFRC, that it was William Adumua-Bossman, a lawyer and confidante of Flt Lt Rawlings, who inserted in the speech delivered by Rawlings at the handing over ceremony the now infamous threat to the incoming Administration that the military were ready to resume power if things were not done the way they wished.

5.6.0.2 A number of human rights violations and abuses occurred which were mainly perpetrated by the security agencies, notably the Military and the Police.

5.6.1 Maiming

5.6.1.1 Kwaku Tawiah On 26th January, 1981, Tawiah, a commercial driver plying his trade along the Adukrom-Awukugua road in the Eastern Region, was involved in an accident with a VW Golf car. The Golf car turned round and caught up with him. One of

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three soldiers who were in the VW car hit Tawiah on the right eye with his belt. As a result of the attack, Tawiah lost the sight in the eye and was obliged to give up driving.

5.6.1.2 Isaac Tetteh Quarcoo was Organising Secretary of the People's National Party (PNP) in Okaikwei Constituency, Accra. On 21st February, 1981 he and others were arrested by the police. While they were being conveyed to the Police Station in a vehicle, a policeman fired a shot at one of the arrested persons. The shot hit Quarcoo in the leg seriously injuring him.

5.6.1.3 Felix Ofori Oduro On 20th December, 1979, Oduro was driving a taxicab in the evening along High Street, Accra, when he was hailed by two ladies. He agreed to take them to Labadi. Along the route a soldier stopped him and asked to be taken to Arakan Barracks. Oduro refused but the soldier joined the two ladies on the understanding that he would be dropped at Labadi. When the ladies arrived at their destination and alighted, the soldier told Oduro he was under arrest for overcharging the ladies. He ordered Oduro to drive to Arakan Barracks. Oduro refused and came out of the taxicab. The soldier then brought out his rifle and fired at Oduro hitting him in the shoulder. The soldier fled and was never found. Oduro received medical attention at Korle Bu Hospital.

5.6.2 Torture

5.6.2.1 Emmanuel Asante, a trader of Chindari, near Kete Krachi, was arrested by soldiers along the Red Volta while conveying 200 cartons of cigarettes to Chindari for sale. He was taken to Esukawkaw where he was beaten up and subjected to ill-treatment. He was then taken to Jasikan where again he was subjected to ill-treatment. Among other things, the soldiers, numbering about nine, beat him severely, kicked and stamped him all over, used the soles of their boots to step on top of his shin and dragged it down. They also used the butt of their rifles to hit him repeatedly just below his right shoulder and his back until he went down on his knees. They used their belts on him as well. One of the soldiers used his bayonet on him, giving him a deep cut on his left wrist. He still has that scar and other scars on his head, face, back, arms, etc. His girlfriend, Akos, who was about two months pregnant, collapsed and miscarried when she arrived at the scene and saw the brutalities to which he was being subjected.

5.6.3 Ill-Treatment

5.6.3.1 Faustina Ardua Aryee was arrested by soldiers in Accra while she was conveying home cloth she had bought through a third party from PZ Company Ltd. Her supplier, one Doris Fofu Addo, was also arrested. They were paraded through the streets amid beatings and slaps. They were subjected to public ridicule when, fully clothed, Faustina was compelled to lie on the ground while Doris lay on top of her simulating sex. A report on the arrest of the petitioner appeared in the *Ghanaian Times* of 17th October,

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1979 and the *Daily Graphic* of 18th October, 1979. Faustina's face shows obvious signs of the assault.

5.6.3.2 Ayanga Tindana and **Lamisa Busanga**, watchmen, and **Charles Aidoo**, a driver, now deceased, were arrested on charges of being implicated in the theft of a motor vehicle belonging to the Town & Country Planning Department, Cape Coast. They were ill-treated while in custody. Tindana sustained a fracture of the arm; Busanga was hit on the head with a truncheon; Aidoo had his testicles squeezed.

5.6.3.3 Samuel Emmanuel Percival Oddoye, a petrol dealer at Labadi T-junction, Accra was frog-marched to the Military Barracks at Teshie by armed soldiers who accused him of profiteering.

5.6.4 Detention

5.6.4.1 Wisdom Adika was remanded in custody on 31st December, 1979 by a Magistrate's Court Grade II at Dunkwa-on-Offin to await trial on a charge of murder. He was released on 12th September, 1987 after eight years in custody without being tried.

5.6.4.2 Following the arrest of the petitioner, **Yaw Barimah**, in 1981 by soldiers and a policeman at Adoe Nkwanta on suspicion of dealing in fake currency, he was taken to the Military Barracks in Kumasi. He was detained for two weeks.

5.6.5 Invasion Of Property Rights

5.6.5.1 In October, 1980 Police and soldiers mounted what they called 'Operation Fair Deal' against shop owners. They were led by DSP Cartey and Capt Nsiah. During the operation, soldiers went to Akosmar Enterprises at Tudu, Accra, owned by **Joseph Kenneth Addoh** and his sister Mary Osei. The team seized and sold 21 dozen ladies' panties to the public for ₵25.20. They took the money away.

5.6.5.2 Joseph Nyarko, a baker who had dealings with the Army and several educational institutions in Kumasi, had 600 bags of flour in his wholesale. In October/November 1979 soldiers accused him of hoarding and seized the flour as well as his building materials, mainly iron rods, paints, roofing sheets and floor and wall tiles.

5.6.5.3 Malam Issifu Musa On 23rd September, 1981 soldiers raided the village of Adeiso Domeabra, Eastern Region and seized 123 bags dried cocoa beans, a double barrelled gun, a gold wrist watch and ₵234 cash belonging to Musa. A report in the *Ghanaian Times* of 22nd October, 1981 showed that several farmers in the Adeiso area were attacked that day. Even though Musa went to court and got judgment for the recovery of the price of his cocoa, he was unable to enforce it.

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5.6.5.4 John Albert Elephant Ansah, On 16th September, 1981 Ansah, a sailor, arrived at Tema Harbour on board M.V. Tano River. He brought with him his personal effects which included a deep freezer and a bicycle. He paid the required duty. As he was leaving the Harbour with his goods, he was stopped by soldiers who had been placed at vantage points at the Harbour to re-check goods for the payment of duty. He was taken to a guardroom where he remained for some eight hours. On his release his effects were seized.

5.6.5.5 Ama Owusu: In July 1981 soldiers seized 500 bags flour belonging to the petitioner at Kwadaso, Kumasi. They carried them away to a military-run bakery at Kwamo. The petitioner complained to the Ashanti Regional Minister, but he was unable to grant her any relief.

5.6.5.6 Witty Heartwill Quao's late mother, **Agnes Amegashie Quao,** was a trader at Keta market. In 1980 she was arrested by the police who took her goods mainly clothing away and sold to the public. They searched her home and took other items which were also sold. The Police told Agnes that the proceeds of sale would be paid into government chest.

5.6.6 Interference With The Right To Work

5.6.6.1 Lawrence Bruce Kyei Following the submission of the Report of the Committee of Enquiry into the operations of GEA & Associates, the appointment of Kyei as a Principal Commercial Officer in the Ministry of Trade was terminated. On 12th January, 1980, Kyei applied to the Abban Tribunal for relief but his petition was dismissed. An extract from the report submitted by the Committee showed that there was no malfeasance on the part of Kyei. What he was accused of was negligence in the supervision of a subordinate staff, Margaret Voyie, who was apparently responsible for the processing of the customs entries which resulted in the loss of ₵692,779.23. For a senior officer to lose his job and pension rights for the misdeeds of his subordinates is an extreme measure which the facts of his case do not support. Demotion in rank, or at worst, termination would have been enough punishment.

5.6.7 Abuse Of The Judicial Process

5.6.7.1 Alhaji Abubakari Suley, a citizen of Niger, was admitted into prison custody in March, 1981 for an unspecified offence but with a sentence of 25 years in hard labour. He was released from prison on 12th April, 1984 on the orders of the Director of Prisons.

5.6.8 Killing

5.6.8.1 Zakari Salifu On 24th November, 1979, the petitioner's brother, **Ishahaku Halida,** was travelling by road from Adwira to Ahiao in the Ashanti Region when at

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Adwumakona he came upon some soldiers who were molesting a lady he knew. Halida intervened on behalf of the lady. One of the soldiers threatened to shoot Halida if he went any nearer to them. Just as Halida took another step towards them the soldier fired several shots at him. The soldiers left the scene. Halida died on the way to Mampong Hospital.

5.6.9 Disappearance

5.6.9.1 Azurg Alapelum's brother **John Atanga** was a police constable stationed at Savelugu. He had a history of mental illness. On 31st March, 1981 he took his annual leave. He was to report for duty on 11th May, 1981. When he did not report he was declared to have vacated his post and was formally dismissed from the Service with effect from 12th May, 1981. To date his relatives have not found him. However, there is no evidence of foul play.

5.7 31ST DECEMBER, 1981 – 6TH JANUARY, 1993**Provisional National Defence Council**

5.7.0.1 During the short period of AFRC rule, the men in uniform had been a law unto themselves. They had killed, maimed, abducted, tortured and ill-treated their fellow citizens without fear of any sanctions whatsoever. They had burnt down markets built with public funds and robbed both the well-to-do and the poor alike. Many of them had enriched themselves at the expense of their victims. After the return to the barracks, they looked back with nostalgia to those days and plotted and schemed for their return to power. Unable to contain them, the Limann government.

5.7.0.2 The Provisional National Defence Council (PNDC) which was formed after the 31st December, 1981 coup was greeted with joy by the rank-and-file of the military who saw it as another opportunity to commit acts of brutality against their fellow citizens with impunity and, in the process, enrich themselves. The period of rule of the PNDC saw a continuation of the killings, abductions and disappearances, maiming, torture, ill-treatment, hostage taking and the other abuses associated with the AFRC.

5.7.1 Killings

5.7.1.1 The killings started almost immediately and were directed mainly at the military and other personnel of the Security Services. The following are examples:

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5.7.1.2 Victoria Joyce Osei's husband, **WO I Kingsley Sarpong**, was shot dead on 1st January, 1982 by Private Adjei in the Mystery School compound near Aprembo Barracks, Takoradi.

5.7.1.3 Mary Ansong, a Policewoman, lived in a block of flats at Kanda, near Broadcasting House, Accra with her children, mother and other members of her family. Her husband, a Police Officer, was on transfer to Hohoe. On 31st December, 1981, while she was at home, what appeared to be a rocket-propelled grenade was fired through her window into her flat. The resulting explosion killed her son, **Matthew**, and her brother, **Kofi Nkrumah**. Her other son Francis sustained injuries to his legs; her maid servant was left with a gaping wound in her head, and her mother was injured in the ribs, chest and under her breast.

5.7.1.4 Gifty Boham's husband, **George Kwesi Hughes**, was a Chief Petty Officer in the Ghana Navy. On 4th February, 1982 he left home to attend to his duties at the Naval Base, Sekondi. Mutinous seamen shot him and two officers, Commander Barnor and Commander Adjavon, dead. The bodies were conveyed to the mortuary at the Effia Nkwanta Hospital.

5.7.1.5 The worst atrocities committed by the PNDC were against members of the Military Intelligence. These men, who had done their best to check the subversive activities of the coup plotters, were hunted down and killed. Many were obliged to flee from the country; those who remained were either shot on sight or, if they were lucky, kept in prison where they were subjected to brutal treatment.

5.7.1.6 Seidu Azaah was a Staff Sergeant attached to Military Intelligence at Burma Camp. In the night of 31st December, 1981, he was called by a colleague to investigate what was going on at Gondar Barracks. He was killed by the insurgents. The body was deposited at 37 Military Hospital and buried on 30th January, 1982.

5.7.1.7 Sgt Edmund Peprah, a soldier serving with Military Intelligence, was taken into custody after 31st December, 1981 coup. Following an abortive attempt to overthrow the PNDC on 19th June, 1983, he escaped from James Fort Prison. When the coup attempt failed he reported back at the Prison. Prison Officer Wemegah, now deceased, telephoned the Castle, Osu to report of Preprah's return. A group of soldiers from the Castle went to the Prison and shot Preprah dead.

5.7.1.8 Cpl Samuel Gyimah, a soldier in the Military Intelligence, was taken into custody after the 31st December coup. He was detained at Nsawam Prisons. On 19th June, 1983 he escaped from the prison when the attempt to overthrow the PNDC took place. He made for the Ivory Coast border in the company of another soldier, **Sgt**

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Emmanuel Arthur, and three civilians, **Stephen Ofori**, **Napoleon Kofi Kyei** and **Patrick Kwadwo Panti**. They were arrested and brought to the Border Guards Headquarters, Accra. WO I Adjei Boadi, a member of the PNDC, went to the place of detention, brought out six prisoners held there, and shot them dead. In all probability, Cpl Gyimah, Sgt Arthur and the three civilians were among them. The petitioner, John Gyimah, submitted a letter No. MOD/1528/CAMP signed by Lt J.Y.J. Dewotor, dated 27th July, 1984 inviting him to attend a meeting of a Committee of Adjustment at Burma Camp on 31st July, 1984 in connection with the death of his brother, Cpl Gyimah.

5.7.1.9 Joseph Gyekye, a Leading Seaman serving with Military Intelligence, went into exile in the Ivory Coast after the 31st December, 1981 coup. In March, 1984, he was arrested while crossing the border into Ghana. He was summarily executed at the Liberation Barracks, Sunyani a few days later.

5.7.1.10 The PNDC was merciless in dealing with attempts to remove it from office. It had little respect for the rule of law: it permitted torture and ill-treatment as a means of extracting confessions; and, to ensure that its will prevailed, it appointed persons of dubious character and doubtful competence to head public tribunals where it churned out its own brand of ‘popular’ justice. Suspicion was as good as proof, and many an innocent man was sent to his death.

5.7.1.11 Flt Lt Samuel Asiedu (Rtd), a businessman, was arrested by soldiers on 23rd March, 1983 and taken to the Castle, Osu, Accra where he was placed in the guardroom. The Commission received an eye-witness account that while Asiedu was in the guardroom, a soldier came in with a 2” x 2” plank of wood and hit him across the face. He fell down unconscious with blood splattering the walls and the floor. From the nature of his injuries it is unlikely that he survived this grievous assault. Asiedu has not been seen since and is presumed dead. Unconfirmed reports have it that the body was dumped into the sea by a helicopter flown by a pilot of the Ghana Armed Forces who is now dead.

5.7.1.12 Cecilia Afriyie’s husband, **Rockson Manu**, was a soldier in the Ghana Army based at Takoradi. In 1982, he and other soldiers were arrested on suspicion of involvement in a plot to overthrow the PNDC. He was later released. Six months later he was called to duty in Accra. One evening, he was removed from his living quarters in Accra. Cecilia was later informed of his death. The family removed the body from the 37 Military Hospital and buried it.

5.7.1.13 Anthony Kofi Yeboah was a Corporal in the Ghana Army stationed in Kumasi. In February, 1985 he and other soldiers, including Sawundi, were arrested and sent to Accra on suspicion of being involved in an attempt to assassinate the Chairman of the PNDC. He was detained at the BNI Headquarters. In the night of 28th March, 1985, Yeboah and Sawundi were removed from the Bureau of National Investigations and taken to a place where they were subjected to torture. Yeboah died.

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5.7.1.14 Alex Apana was a soldier in the Ghana Army based at Burma Camp. Late one evening in 1984, soldiers went to his quarters and called him. He left his wife Abiba Frafra and their children and went away with them. When after two days he had not returned, Abiba went looking for him. His body was eventually found in the mortuary at Korle Bu Hospital. He had been shot in the forehead and chest.

5.7.1.15 Christian Mawuli Dra-Goka, Kyereme Gyan, Yaw Brefo Berko, Samuel Boamah Panyin, Private Charles Koomsoon and WO I Aforo were charged with subversion before a Public Tribunal, convicted and sentenced to death. The sentences were carried out on 21st June, 1986.

5.7.1.16 William Kofie Domie was a Flight Lieutenant in the Ghana Air Force. Originally stationed at Takoradi, he had been brought to Accra to join the security apparatus of the government of the PNDC. He was later arrested and placed in the custody of the BNI on suspicion of being involved in a plot to overthrow the government. On 29th September, 1989, while still in custody, he died. An 'Interim' post mortem report signed by Lt Col Wadhwani gave the cause of death as "Asphyxia by hanging" and expressed the opinion that Domie committed suicide. For unexplained reasons, the body was not released to the family until some ten months later. Photographs of the body show wounds in the right armpit, the arm and cuts on the back. His ribs and jaw were said to be broken and he had lost some of his front teeth. The Commission is satisfied that if, indeed, Domie hanged himself, this was after he had been subjected to the most cruel tortures. However, the possibility cannot be ruled that he died while under torture and that the hanging was stage-managed as a cover-up.

Killing of Civilians

5.7.1.17 Joseph Ocansey Numo, a Ghanaian resident in Italy, came home on holidays. On 6th March, 1989 he was arrested at the Accra Sports Stadium on suspicion of plotting to assassinate the Chairman of the PNDC. He was shot and killed while allegedly trying to escape from custody at the BNI. He was unarmed. In 1995, the government made an ex-gratia payment of one million cedis to his family.

5.7.1.18 The soldiers showed the same lack of respect for human life when it came to dealing with private individuals. Sometimes civilians were shot and killed for no apparent reason; sometimes it was done in the course of stealing.

5.7.1.19 In 1982, after he had seen his wife, a white lady, off at the airport, Accra, **Anthony Kwaku Boakye** was returning home when soldiers stopped his vehicle, shot him dead and took the vehicle away.

5.7.1.20 Isaac Kweku Johnson, popularly called 'Boye Johnson', a sailor by profession, also traded in electrical appliances which he bought at the harbour. On 21st January,

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1982 soldiers from the Aprembo Barracks went to Boye's house in Takoradi to look for him. When they did not find him they arrested his wife Georgina. As they were leaving with Georgina, Boye came to the house. The soldiers shot and fatally injured Boye. He was conveyed to the Effia Nkwanta Hospital where he died.

5.7.1.21 A soldier went to the house of **Joseph YinYE** at Effiakumah, Takoradi, at about 8.30 p.m. when a curfew was in force. He knocked on the door and when it was opened fired a shot which passed through YinYE's left arm and went on to hit his wife, **Dansuruma**, in the stomach, killing her.

5.7.1.22 Patrick Kodzo Dzakpasu, a teacher, was travelling with pupils from Dzodze to Agbozume on 6th June, 1983 when, at a road barrier mounted by Border Guards at Kpoglo, he was attacked by Christian Sokpoli who hit him several times in the abdomen with a gun. Patrick underwent a surgical operation at the St. Anthony's Hospital at Dzodze. He died a day later.

5.7.1.23 Simon Agbomadzi and his brother, **Roger Agbomadzi**, were farming at Gangan in the Assin District. Following an exchange of words between them and Nana Kwadwo Fri, Chief of the village, in November 1982 over the destruction of their farm, soldiers from the Achiase Jungle Warfare Training School went to arrest them. In the course of the arrest, a soldier shot Roger in the back. Roger was seriously injured, but did not die. Three days later, the soldiers went back to Roger's cottage and shot him in the head and killed him.

5.7.1.24 On 21st January, 1982, soldiers and airmen went to Kokompe in Takoradi, rounded up some of the artisans and began to maltreat them. Salifu Nombre's son, **Seidu Salifu**, who had gone to Kokompe to visit a friend, was made to join the artisans who were forced to roll on the ground and drink dirty water from the gutters. When Seidu refused to drink the dirty water, he was shot and killed by one of the airmen.

5.7.1.25 On 20th May, 1983, Agnes Okyere and her husband, **Ahmed Kuta**, were being driven by a friend at Nima, near the taxi rank, when a dispute ensued between their friend and the occupants of a leading vehicle over the right of way. The occupants who were soldiers shot and killed Kuta. Agnes sustained a hip injury when, after being kicked, she fell down. Agnes now limps on the left leg.

5.7.1.26 Ama Ampofowaa's husband, **Kwame Nkrumah**, a druggist, was arrested by soldiers for selling paracetamol tablets above the controlled price. He was brutally assaulted and taken to the Military Barracks in Kumasi. He died at the barracks on the same day.

5.7.1.27 Paul Kofi Korang, also known as **Nana Antwi Komaa**, Dabehene of Manso Nkwanta, was arrested on 21st September, 1984 on suspicion of stealing stool regalia belonging to the Omanhene of Manso Nkwanta. He was brought down to the Military

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Barracks in Kumasi. He is reported to have been subjected to torture and other forms of ill-treatment at the Manso Nkwanta Police Station, Central Police Station, Kumasi and finally at the military barracks, Kumasi. Among other things, he is said to have been forced to sit on a coal-pot with embers, to drink dirty water from the drains, and taken to the cemetery and forced to eat the decomposed body of a person whose remains were dug up. The soldiers also pulled his genitals. He died on 3rd October, 1984.

5.7.1.28 Akosua Tonko lived at Nsawam with her son **Kwadwo Obeng**. In the middle of the night on 20th April 1983, they were woken up by three soldiers. The soldiers arrested Obeng took him out of the house and shot him dead. The soldiers re-entered the house, collected Obeng's personal belongings and set them on fire. Out of fear, Akosua stayed indoors and came out the next morning to collect the body for burial. A report was made to the police at Nsawam but nothing came of it.

5.7.1.29 Robert Quarshie, a Principal Accounting Officer of the Produce Buying Company, lived at Nungua, Accra. On 1st February, 1987, he was seen loitering about at the Trade Fair Site, Labadi, in the early hours of the morning. Security men arrested him and took him to WO 1 Salifu Amankwah at his base at the Nkrumah Circle. After accusing Quarshie of being a thief, Amankwah ordered him to be flogged. Quarshie died in the course of the flogging. Amankwah was charged with murder, tried and convicted. On 12th November, 1987, he was sentenced to death. On 24th December, 1987, the Chairman of the PNDC granted him a full pardon and he returned to his post at the Nkrumah Circle. In 1995, the PNDC made an ex gratia payment of ₵1,500,000 to his widow, Dora Borteley, and his children.

5.7.1.30 Kwabena Agyenim Boateng: In 1982 during curfew hours, soldiers led by Commander Sowah chased a young man into a house at Kwabena Nkwanta, near Manso. The petitioner's nephew, **Yaw Asare**, who was asleep in the house, woke up and on hearing of the presence of soldiers tried to run away. He was shot and died instantly. The body was conveyed to the AGC Hospital at Obuasi.

5.7.2 Murder Of Odiyifo Asare And Others

5.7.2.1 The late **Odiyifo** or **Prophet Asare** was the founder of 'The Lord is my Shepherd Church' based in Kumasi. On Sunday 7th February, 1982 while a Church service was in progress, a Maj Joe Darko of the Ghana Army Medical Corps, Kumasi entered the Church while brandishing a pistol. He ordered the Odiyifo and members of the congregation to go out and fill potholes in the street. The Odiyifo remonstrated with him and asked to be allowed to complete the service after which the congregation would go out to undertake the task the Major demanded of them. The Major agreed and left the Church premises along with his military driver.

5.7.2.2 After the Major had left, the Odiyifo sent a delegation to the military barracks to lodge a complaint about the conduct of the Major. The complaint was lodged with an

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officer who questioned the Major about the incident. The Major got angry and went back to the Church still brandishing a loaded gun. In a confrontation with the Church members, the Major discharged the gun and seriously wounded a Policewoman who was attending the Church service. The Church members thereupon disarmed the Major and in the process, inflicted wounds on him resulting in his death at the Church premises. The driver of the Major fled and narrated what had transpired to the soldiers at the barracks.

5.7.2.3 The soldiers fanned out into the town to look for the Odiyifo and the Church members. Meanwhile an announcement was put on the state-owned radio that the Odiyifo and all members of the Church should surrender to Police or to the military authorities.

5.7.2.4 The soldiers went to the Church and burnt it down. They fired their guns indiscriminately killing or wounding passers by, including football fans, who were leaving the nearby Kumasi Sports Stadium. They searched for, killed and subjected several persons to torture and ill-treatment. Among others, Policewoman Constable **Joana Essien**, who had been admitted to the Komfo Anokye Hospital, was shot dead in her hospital bed by the rampaging soldiers. She had tackled and disarmed the Major and been wounded in the process.

5.7.2.5 Alfred Avorgah who was leaving the football stadium after watching a match between Kotoko and Hearts of Oak football club was also shot dead.

5.7.2.6 The soldiers also stole, seized, destroyed or burnt properties belonging to the Church, members of the Church, landlords and landladies of members of the Church and co-tenants and neighbours of members of the church.

5.7.2.7 Following these unfortunate incidents, a committee was set up at 4Bn Uaddara Barracks, Kumasi to carry out an investigation. Some of the victims appeared before the committee. There were no prosecutions and no compensation was paid to anyone.

5.7.3 Burning Of Tamale Central Market

5.7.3.1 On 8th February, 1982 fire broke out at the Tamale Central Market resulting in the complete burning down of all the stalls and stores in the market. The Regional Administration appointed a Committee to investigate the cause of the fire. The Committee submitted its report on 22nd April, 1982. As to the cause of the fire, the Committee eliminated several possibilities including (a) electrical fault, (b) accident caused by mad men who were said to be living within the vicinity of the market and were prone to lighting fires, (c) burning of tables and chairs by supporters of the government, (d) lightening, (e) hoarded petrol or other inflammable chemicals, (f) use of hurricane lanterns. Having eliminated these as possible causes of the disaster, they came to the

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‘safe ‘ conclusion that the fire outbreak was probably the work of the opponents of the government.

5.7.3.2 There was evidence before the Commission that on Friday 5th February, 1982 an announcement had been made warning all traders at the Tamale market not to go to the market before Monday 8th February. The excuse was that soldiers were going to supervise the sale of goods. However, in the early hours of Monday morning fire broke out at the market while soldiers looked on and prevented the traders from entering the market to retrieve their wares.

5.7.3.3 The presence of the soldiers at the scene of the fire was confirmed by the report of the Committee which found that they were there long before 8:00 a.m. when the Acting Commander of the 6th Battalion claimed he instructed that soldiers be sent to the market to prevent looting. For his part the Assistant Commissioner of Police stated that he went to the scene of the fire outbreak at 6.30 a.m. and found that armed soldiers had surrounded the market. What is more, the Fire Service personnel were not called in until 8.30 a.m. These facts suggested that the burning of the market was the deliberate act of soldiers who, in their indisciplined way, thought they were pursuing the aims of the government.

5.7.3.4 The Commission received over one hundred petitions in connection with this incident.

5.7.4 Murder Of The Fetish Priests

5.7.4.1 Three famous fetish priests from the Volta Region were abducted and murdered in apparently mysterious circumstances in the early part of 1982, prior to the carbon-copy abduction, murder and burning of the remains of the three High Court Judges and the retired Army Officer on 30th June, 1982. In each case, the charred remains of the victim were found in the bushes a day or two after their abduction.

5.7.4.2 On 24th February, 1982, a murderous gang left Accra for the Volta Region. Among them were Sgt Agoha, L/Cpl Samuel Kwaku Amedeka and Bombadier Mathias Cudjoe. Their mission was to kidnap and murder **Torgbui Akakpo Ahiaku**, a fetish priest and transport owner popularly called Yeye Boy, of Atidzive in the Akatsi District. His crime was that he was suspected of plotting with others to use juju or fetish to kill the Chairman of the PNDC. The team arrived at Atidzive where they were received by the unsuspecting Ahiaku who, at their request, followed them to Ho for a meeting with Dr. Yao Fiagbe, the Regional Secretary. At the Residency, Ahiaku was detained till about 10.00 pm when his captors informed him that he was being taken to Accra to meet the Chairman of the PNDC. They drove out in a military vehicle. On the outskirts of Sokode Gbogame, the vehicle stopped. Ahiaku was taken out and shot dead. The body was burnt, leaving only charred remains which were later taken by the police to Korle Bu

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Hospital mortuary, Accra. Ahiaku's son, Samuel Agbeko Ahiaku was able to identify the remains as those of his father by four rings and an iron armlet he wore.

5.7.4.3 The murder of Ahiaku was followed by the harassment of his relatives and the looting of his properties. The Peugeot car in which Ahiaku was driven to Ho was seized from his driver. A Police Officer at Anyirawase seized another Peugeot vehicle in which his son, Agbeko, and others travelled to the station to enquire of the body deposited at Korle Bu Hospital. Police at Abor also impounded a Universal tractor owned by Ahiaku.

5.7.4.4 On 15th March, 1982, seven of Ahiaku's elders were arrested and detained for 19 days at the Ho Medium Mortar Barracks. They were later taken to Atidzive where they were made to destroy Ahiaku's shrine. The soldiers also broke into safes and made away with money belonging to Ahiaku's company Yeye Boy Transport Services.

5.7.4.5 Torgbui Kpe, Fetish Priest of Tsiamé, was murdered on 24th February, 1982 by the same murderous gang. The modus operandi was the same. His body was burnt.

5.7.4.6 Sampson Daniel Quao, also known as Togbe Kwawu Akpe, was arrested on 26th February, 1982 and taken to the Residency, Ho ostensibly to meet Dr Fiagbey, the Regional Secretary. He went in the company of one Sappor. At the Residency they were told that Quao was being taken to Accra. Sappor left and Quao was taken away. The gang took Quao to an isolated spot near Adaklu and shot him dead. They then set fire to the body and left. The remains were recovered by the CID, Ho who conveyed them to the mortuary. Like Ahiaku and Kpe, Quao was a fetish priest and founder of the National Association of Priests of African Religion.

5.7.4.7 Although he was not a fetish priest, **Harrison Boniface Ankrah** became another victim of a callous murder which bore the hallmarks of those who murdered Ahiaku, Kpe and Quao. On 16th May, 1982, Ankrah, a businessman, was arrested by soldiers at his home at Agotime Afegame in the Volta Region. His rooms were searched and moneys belonging to him and his wife, Comfort Agbozo, seized. The soldiers took him away. The next day his charred remains were found near a village called Takla. He was identified by the sandals he wore.

5.7.4.8 Mathias Cudjoe gave evidence before the Commission on these killings. In his evidence, he stated:

Sometime in February or so 82, I was invited by Brigadier Wallace Gbedemah. He was then a Major... He was the Chief Operations Officer at Gondar Barracks... I met a woman and L/Cpl. Avudzivi ... It was the woman who was talking when I got there. She was talking she said some people were performing some rituals to kill Ex-President Rawlings. After her narration Brigadier Wallace Gbedemah, said he wanted me...he would get a team, he would like me to go with them you know, to Ho, meet the then PNDC Secretary, arrest the people and then for interrogation. ... It was then Dr. Yao Fiagbe ... Let me place on record that anytime one was to go on any assignment, a permit was

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given out by the Chief Operations Officer, but on that occasion we were to take a letter to the Volta Regional PNDC Secretary, Dr. Yao Fiagbe. I then told them that I will take the lead, I could not wait for the letter because I would like to see my daughter in Ho. So, I took the lead. And then when I got to Ho, I went straight to the PNDC Secretary and informed him that we were to come to him to assist us in an operation but then the leader will be bringing the letter, so I went to town to do my private thing and when I came back the other people who were supposed to join me had already come... So, in the evening when those people arrived, the PNDC Secretary invited us into a meeting and then I saw the late Togbui Adedza, Awomefia of Anlo and you know they started questioning him... At that meeting or at the so-called interrogation or so, they started beating the late Togbui Adedza, and he was brutally assaulted. The Field Engineer soldier was using an SMG weapon to hit his head and I could see from the face of the PNDC Secretary that he was very very sad and at one time he had to plead on his behalf. And I think it was at that place or so they said there were some other people, one was at Keta, and the PNDC Secretary said he would send a message and they said there was one too known as Akakpovi (Yeye Boy) and another one, they said he was a juju man at Tsiamé or so near Abor. And the PNDC Secretary promised to invite Togbui and the other man from Keta but the other two people, Akakpovi and the other juju man from Tsiamé, we were to go and then bring them... So, the PNDC Secretary later on released his Peugeot to us to go and bring other people... When we first went to Yeye Boy's town and then Amedeka told him he was wanted by the Regional Secretary for a meeting he said they were all wanted – some special juju men were wanted for some important meeting, and the man Yeye Boy offered to come in his own car. So, I remember we all drove together... that the Engineer Regiment soldier was supposed to have hailed from Tsiamé where we were going and he was giving the direction... And when we got there he led us to the juju man's place. We entered the house and we went and greeted the man, I remember he shook us with his left hand and once again he was also told of a supposed meeting. He prepared and then he joined us... On our way back, I was occupying the front seat with the driver and then the three of them: Amedeka was on one side; the Engineer Regiment soldier on one side and then the man was in the middle and then I was seating on the front seat with the driver... then somewhere along the road, Amedeka ordered that the car should stop, it stopped and then he ordered the man "Get down". Then when he got down they were behind us. When they got down, I was in the front seat by the driver of the car and by then it had gotten dark – it was dark, so all that we heard was firing. They fired and I think after firing there was silence and then they set fire to the man and then they came back and sat and ordered drive on, drive on and then we drove back to Ho... From there we drove back to Ho ... it was late, so I went to take my rest. Then whilst I was sleeping they came back to call me... Amedeka came to call me that the other man too from Keta had come and said he had come, how did he come, he said he had come. Before I came out, they were already on the Pinzguar I was using. So, that night, I was driving myself. They said we should drive towards Adaklu... They were then sitting in the Pinzguar I was using, so, I got on the steer and they said we should go towards Adaklu. So, we were going then they asked me stop, I stopped. They were behind, jumped down, opened the tail-board, then they shouted on the man "Come down". When he got down, I overheard because all was going on behind me - the Pinzguar, the door was

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behind, when they opened and the man got down, they said come down and the man got down then I heard him saying, this I always remember, “so are you going to kill me because of hear say?” then I heard come on move! and then firing and then he was killed... They burnt the body... As far as I am concerned, I left before them and we weren’t asked to go and kill anybody, that was not the instruction given to us but then I always had spare petrol on my car, on my Pinzeguar, because it was difficult at that time to get fuel, so I always had spare fuel on my car. So, after they have shot him, one of them brought the spare petrol out, pour it on him and then I saw fire. And then they asked me to turn, from there they asked me to turn and then we came back to Ho... When we came back from Adaklu Road, somebody said Yeye Boy have been killed. So, may be I was only in the dark or something, ... From what I heard later... he was killed somewhere in Sokode... They said his body was burnt.

5.7.4.9 The first port of call of the hired gang of killers on each occasion was the residence of Dr. Fiagbe, the Regional Secretary and representative of the PNDC in the Volta Region. Indeed, Dr. Fiagbe admitted that he met them. Knowing the sort of person they were dealing with, the murderers showed Dr. Fiagbe little respect. They told him their mission. Powerless, he telephoned Flt Lt Rawlings to find out if the swaggering band of killers had his authority. Flt Lt Rawlings told him not to interfere. Dr. Fiagbe then left them to carry on with their murderous intents. From the evidence adduced before us, we are satisfied that these murders were carried out on the orders of the Chairman of the PNDC.

5.7.4.10 The only person Dr. Fiagbe was able to save was his uncle, Togbe Adladza, Paramount Chief of Anlo who had also been abducted and brought to Dr. Fiagbe’s official residence. He was accused of being in league with the fetish priests. But for the pleas of Dr. Fiagbe the gang would have dealt with him in the same short, sharp and cruel manner. Instead, they gave him a severe beating.

5.7.4.11 The Commission finds it surprising and extraordinary that a Paramount Chief should be subjected to such humiliation by these young men. Even more so, that three of the perpetrators – Sgt Agoha, Cpl Amedeka and Bombardier Matthias Cudjoe – like the chief are ethnic Ewes. Filled with ‘revolutionary’ fervour these young men had lost all sense of shame. Dr Fiagbe told us that he went later to apologise to his uncle. In the circumstances, he should have resigned from his office.

5.7.5 Murder Of The Judges And The Major

5.7.5.1 The murder of the fetish priests was a dress rehearsal for what was to happen on 30th June, 1982 when armed men led by L/Cpl Amedeka, abducted three High Court Judges – Mr. Justice Fred Poku Sarkodee, Mr. Justice Kwadwo Agyei Agyapong and Mrs. Justice Cecilia Koranteng-Addow (nee Gaisie) - from their homes. Also abducted was Maj Sam Acquah (Rtd.), Director of Personnel of the Ghana Industrial Holding Corporation (GIHOC). They were abducted at night when a curfew was in force. The

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abducted persons were murdered in cold blood and the bodies set ablaze. On 3rd July, 1982 the charred remains were found at the Bundase military range.

5.7.5.2 What the judges had in common was that they had adjudicated on some of the cases in which, during the period of AFRC rule, certain persons had been sentenced to long terms of imprisonment, and ordered their release. Mrs. Justice Koranteng-Addow and Maj Acquah also had this in common: workers of GIHOC, where Amartey Kwei worked and where Maj Acquah was Director of Personnel, had brought an action which was dismissed by Mrs. Justice Koranteng-Addow.

5.7.5.3 On 15th July, 1982 the PNDC set up a Special Investigation Board (SIB) to investigate the abduction and killing. The Chairman of the Board was Mr. Justice Samuel Azu Crabbe, a retired Chief Justice. The Board was assisted by a Police Investigation Team.

5.7.5.4 No sooner had the members of the Board commenced their work than it became apparent that the authorities were determined to frustrate them in their efforts to unearth the truth behind the killings and bring the culprits to justice. The setting up of the Board was mere window dressing designed to deflect public criticism and suspicions of officials in high positions for supposed complicity in the murders. When it became apparent that persons at the centre of the highest levels of power might be implicated in the murders, the faint-hearted backed off, leaving a handful of determined Police Officers to unearth the truth. But this was to be at a high price for some of them.

5.7.5.5 By the time the members of the Board completed their work, their Police Investigation Team had been decimated by various acts of intimidation leading to the flight or the arrest and imprisonment of a number of officers. Sgt Selby escaped arrest and left the country; so did DSP Oheneasah; ASP William Oduro of the BNI, who had disobeyed instructions to spy on his colleagues, was forced to flee. He was condemned as a foreign agent, tried in absentia and sentenced to ten years imprisonment.

5.7.5.6 CSP Jacob Yidana was arrested. Yidana, the leader of the team, was put before a Public Tribunal and convicted of harbouring an alleged coup plotter. He was sentenced to 8 years imprisonment. So vengeful were the powers that be, and so fearful were they of him, that after he had served the full term as a prisoner he was kept in detention without charge or trial for a further four years. His release came only after the Constitution of Ghana, 1992 had come into force. COP Daniel Nzeh (Commissioner, CID) who set up the Team and selected its personnel was forced into exile. He died as a refugee in the United Kingdom in 1993.

5.7.5.7 In its report, the Board recommended that the following persons be charged with complicity in the abduction and killing of the judges and the retired Army Officer:

1. Joachim Amartey Kwei, member of the PNDC
2. L/Cpl Samuel Amedeka

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3. L/Cpl Samuel Michael Senyah
4. Johnny Dzandu, ex-soldier
5. Tony Tekpor, ex soldier
6. L/Cpl Gordon Kwowu
7. L/Cpl Nsurowuo
8. L/Cpl Gomeleshio
9. Sgt Alolga Akata-Pore, member of the PNDC
10. Capt Kojo Tsikata (Rtd.), National Security Advisor to the PNDC

5.7.5.8 On receipt of the Report, George Aikins, the Attorney-General, took the view that the evidence against L/Cpl Kwowu, L/Cpl Nsurowuo, L/Cpl Gomeleshio, Sgt Alolga Akata-Pore and Capt Kojo Tsikata (Rtd) were insufficient. He decided not to prosecute them.

5.7.5.9 The decision not to prosecute these persons surprised many who thought that the only sure way for the PNDC to erase the suspicion that it had a hand in the murders was to accept the recommendations of the Board. Further doubt was raised in the public mind when Aikins went back on his declared intention to put the accused persons on trial before the High Court rather than the Public Tribunal. The Public Tribunal commanded little respect among the populace in general and the Ghana Bar Association (GBA) in particular for its erratic approach to the administration of justice. It was feared that with the GBA boycotting proceedings at the Public Tribunals, it would be easier for the PNDC to exercise control over the trial.

5.7.5.10 On 19th June, 1983, while the trial of Amartey Kwei, L/Cpl Amedeka, L/Cpl Senya, Dzandu and Tekpor was in progress, there was a jail break at the prisons and L/Cpl Amedeka, Dzandu and Tekpor escaped. L/Cpl Amedeka managed to flee from the country, but Dzandu and Tekpor were re-captured.

5.7.5.11 Meanwhile the trial continued at the Public Tribunal. Amartey Kwei, L/Cpl Amedeka, L/Cpl Senyah, Dzandu and Tekpor were found guilty and sentenced to death. L/Cpl Amedeka was tried, convicted and sentenced to death in his absence.

5.7.5.12 Tekpor was executed some days before the Tribunal found him guilty and sentenced him to death. According to George Agyekum, Chairman of the Public Tribunal which tried him, another Public Tribunal had tried, convicted and sentenced Tekpor to death for acts committed in connection with the 19th June jail break and that it was in execution of this sentence that he was executed before the second trial had been concluded. The absurdity of condemning a dead man to death appears to have escaped the minds of the prosecutors and the Tribunal. Or, was it a case of silencing him before he had done more damage to persons in authority? Speaking on his own behalf on 9th August, 1983 he had said:

My full name is Evans Hekle Tekpor alias Tony. Mr. Chairman and members of the panel, I would like you to know that I, Tony Tekpor never knew these judges nor the retired Major in my life. I have never had any grudge with any of them. Therefore I

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want you the panel, Ghanaians and the whole world to know that I Tony Tekpor I am never a murderer but there should be a brain behind. I knew very well that I was taking part in a national assignment which was authorized by the PNDC Government for the arrest of these three High Court Judges and the retired Major which later turned to be the mysterious end of their lives or death. Now I know that I have been used wrongly against these people. I therefore send my sympathy to their families and may their souls rest in perfect peace.

Now to the Attorney General, I would ask him if he really feels sympathy for his own colleagues who were murdered in the cold blood. If yes, then I would like to know why he has managed to deny us of our rights and justice. I would like to remind him that there is no smoke without fire. Therefore there is a brain behind the killing of these people. If he the Attorney-General tried to hide facts behind this case then I don't know how his end will be. Because I have been denied all my rights and justice I am therefore not prepared to open my defence in this Tribunal. But rather prefer to sacrifice myself and die at the Teshie Range on my truth. Before then I once again call on the 30th Operational Commander, L/Cpl. Amedeka, Mr. Amartey Kwei, Sgt. Alolga Akata Pore, the Chairman of the PNDC who I know very well and I trusted before as J.J. Rawlings, Capt. Kojo Tsikata, Special Advisor to the Council and by then Members of the PNDC to come out and tell Ghanaians and the whole world the truth behind the killing of these 3 High Court Judges and the retired Major. I therefore emphasise on it again that I would like to die on my mother and fatherland on my truth than to be a slave in someone's land.

5.7.5.13 The dead Tekpor was sentenced to death on 15th August, 1983. His execution two days earlier when the trial was still in progress constituted a gross violation of his right to a fair trial.

5.7.5.14 What, then, was the truth? The truth was that the murderers knew that they were on an assignment which had the blessing of the PNDC. Of course, there is no evidence to suggest that the PNDC held a formal meeting at which it was decided to abduct and, perhaps, murder the judges. For a decision of such moment, Rawlings looked to a small coterie of advisors which included Capt Kojo Tsikata and Tsatsu Tsikata.

5.7.5.15 A few hours before Amartey Kwei's execution, a prayer meeting was held for him at Nsawam Prisons. According to Sqn Ldr George Tagoe, in the course of the meeting, Kwei made a statement about his role in the whole sordid affair. Speaking in the Ga language, Kwei said:

“Mifee esha, Mifee esha, Civilian ji mi. Flt Lt. Jerry John Rawlings ke Kojo Tsikata ke mi fatahe ni wō plan, ... wō plan ake wō baamōmō kojoloi le (Judges) ni eteshi ewowō revolution le.

Captain Kojo Tsikata le ji mōni fee nō feenō, le ji wō master.

Le ji mōni feemi PNDC member, le Flt Lt. Jerry John Rawlings ke Kojo Tsikata amēji mei ni feemi PNDC member, nohewō nōfianō ni amēkēōmi le esani mafee.

“Mifee esha, Mifee esha, mifata he”

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Amekēē akē mikwē nitsumō lē no shi gbekēbū lē hiē yē lan lan. Amekēē mikwē koni amē ka kpata niibi ahie. Amēke mikwē nōfeenō pēpēpē.

“Mifēē esha, Mifēē esha”

“Mi, niji Civilian lē mihala Retired Army Officer lē, ni Flt Lt. Jerry John Rawlings kē Kojo Tsikata hala judjifo etē lē. Mifēē esha! Mifēē esha!”

Kaa kēmi kēemō Yehowa Obōlō lē!

“ekēē Captain Kojo Tsikata ji moni fēē nōfeenō. Ejaakē lejionuka nikwēō National Chief Security nō, nohewōlē nōfeenō ni afeōlē, lē ekwēō nō.

“Mifēē esha, Mifēē esha”

“Mifēē esha, Yehowa miikpabo fai esaa ni mafēē nakai. Nōni akēē miyafēē lē ehii shi mifēē. Mifēē esha, miikpafai, mifēē esha, “ni wōgbē jēmenaa ni wō la.

Translated into English, it reads:

I have done a wrongful act. I have done a wrongful act.

I am a civilian; Flt Lt. Jerry John Rawlings and Kojo Tsikata and I planned the operation,

We planned to arrest the Judges who had opposed the revolution.

Captain Kojo Tsikata was the master mind for the operation. Kojo Tsikata and Flt Lt. Jerry John Rawlings appointed me as a member of the Provisional National Defence Council government; as a result whatever instructions they gave me I am compelled to obey.

I have done a wrongful act. I have done a wrongful act

They instructed me to supervise the operation because the boys were aggressive and indisciplined.

They instructed me to ensure that everything went on smoothly according to plan.

I have done a wrongful act. I have done a wrongful act.

I, a civilian, selected the retired Army Officer and Flt Lt. Jerry John Rawlings and Kojo Tsikata selected the three (3) Judges.

I have done a wrongful act. I have done a wrongful act.

Captain Kojo Tsikata organised the entire operation. He was the National Security Advisor. He was in charge of national security.

I have done a wrongful act. I have done a wrongful act.

God forgive me, I should not have done what I did. What I was ordered to do was wrongful, yet I carried out the instructions.

I have sinned, I beg for forgiveness, I have sinned.

5.7.5.16 Kwei was right: without official backing, he had neither the capacity nor the means to commit such a heinous crime. The observed behaviour of Amedeka at the Prisons also confirmed that he knew that the ‘operation’ was authorised by those who wielded power at the time.

5.7.5.17 When after the deed had been done, it blew up in their faces, the band of conspirators did what they could to rescue their victims. At a hastily summoned meeting

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at Gondar Barracks, at which Capt Tsikata and Tsatsu Tsikata were present, Rawlings sent for Kwei whom they all knew had carried out the abduction. According to the then Attorney- General, George Aikins, when Kwei came and was told to go and release the captives he responded that they had ‘finished’ them, meaning, they had killed them. If Rawlings did not have foreknowledge of the murder, he certainly had foreknowledge of the abduction.

5.7.5.18 When the Commission confronted Flt Lt Rawlings with the evidence, he turned to his mentor Tsatsu Tsikata to get him out. In a written response dated 11th March, 2004, he said:

What is being described by Justice G. E. K. Aikins, as contained in your letter, seems natural enough to me as what may have happened. I would however suggest you cross-check with Mr. Tsatsu Tsikata for confirmation. What I find rather puzzling is the mention of the name of the late Amartey Kwei by me, seemingly out of the blue. I would suggest that another invitation is extended to Mr. Aikens and any other persons who may have been around then, whether or not the late Amartey Kwei’s name did not emerge as part of the rumours making the rounds.

5.7.5.19 After the deed was done and it became public, Flt Lt Rawlings and Capt Tsikata went to great lengths to distance themselves from the event. Capt Tsikata approached the Attorney-General and asked for his help, and set about hounding the investigation team of the SIB. Flt Lt Rawlings tried to get Amartey Kwei to make a statement clearing them of responsibility for the act. He tried to use Commander Assassie Gyimah, the Security Co-ordinator who worked under Capt Tsikata, for this purpose. He dispatched him and Rev. Fr. Damoah, a renegade priest, to Ussher Fort where Kwei was taken on the eve of his execution. According to Assassie Gyimah, the recorder Rawlings gave him to use failed. More likely, Kwei either refused to make a statement at all, or made one which did not meet the expectations of Flt Lt Rawlings.

5.7.5.20 On being informed of the failure of Commander Assassie Gyimah’s mission, Flt Lt Rawlings picked up a tape recorder and rushed to the execution grounds at the Police Firing Range, at Ofankor, behind the John Teye Memorial School where the execution party had gathered. He brought proceedings to a temporary halt, walked over to Kwei and tried to get him to talk. Flt Lt Rawlings played back to some of those present what Kwei was supposed to have said. It was later flaunted about that Flt Lt Rawlings played the tape to some journalists, among them, Kojo Yankah editor of the *Daily Graphic* who reported in his paper that Kwei had cleared Capt Tsikata, against whom the SIB had made adverse findings, of complicity in the murders.

5.7.5.21 To assist the Commission in arriving at the truth of the matter, Flt Lt Rawlings was invited to produce the tape. His answer was that he could not find it. From evidence given by a witness who was present at the execution site and heard the tape as played by Flt Lt Rawlings immediately after he had spoken to Kwei, the Commission is satisfied that Kwei did not make any statement clearing Capt Tsikata of complicity in the murders.

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What this witness heard Amartey-Kwei say in the recording was that he had a wife and child who needed to be looked after and requested that they be provided with an estate house.

5.7.5.22 The version which was played to the journalists must have been a doctored copy of the original. It seems the object in playing that tape was to influence the minds and conduct of the journalists themselves and not to provide information which might be put to the test.

5.7.5.23 The SIB found Capt Tsikata to be a co-conspirator in the abduction and cold-blooded murder of the Judges and the retired Army Officer. But, like Amartey Kwei, Capt Tsikata could not by himself have carried out the deed because he was not even a member of the PNDC. It needed the authority of someone higher up, and that person was Flt Lt Rawlings who, according to evidence before the Commission, had, months before he succeeded in overthrowing the Limann Administration, threatened to punish the Judges who had freed so-called AFRC convicts. Without his express orders, or tacit approval, the operational pass would not have been issued to Amedeka and his gang.

5.7.5.24 It was the public reaction to the abduction that led the cabal to beat a retreat and try to undo what had already been done. The search for a scape-goat began and the misguided Amartey Kwei was found to fill the role. Like the man who rode on the back of the tiger, he did not know how to get off and ended up in its mouth.

5.7.6 The Treason Trial Of 1986

5.7.6.1 In the early hours of 30th October, 1985, a team of Police Officers led by Chief Superintendent Victor Agbenatoe went to the home of Evelyn Djan at Tema. They conducted a search and found under a bed, a sack which they said contained guns and ammunition. They arrested Evelyn, her nephew Atta Boakye, her brother Kyereme Djan and his friend Mawuli Dra Goka. On 5th March, 1986 Mawuli Dra Goka, Kyereme Djan and thirteen others were charged with conspiring to overthrow the government of Ghana. They pleaded “Not Guilty” to the charges.

5.7.6.2 At the trial the prosecution sought to tender in evidence confession statements alleged to have been made by the accused persons. When the defence objected to the statements going in, George Agyekum, Chairman of the Public Tribunal decided to admit them. At the end of the trial, he convicted all but one of the accused persons. He sentenced **Mawuli Dra Goka, Kyereme Djan, Yaw Brefo Berko, Samuel Boamah Panyin, Ahmed Braimah Kankani, WO II Samuel Charles Aforo and Pte Charles Koomson** to death. The sentences were carried out on 21st June, 1986 and the bodies buried in two unmarked graves.

5.7.6.3 The confession statements were taken by Detective Inspector James Kofi Atopley. When he produced the confession statements, objection was raised to their admission, on

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the ground that they were not voluntary, but were extracted under a series of tortures administered to them over a long period between their arrest and the making of the statements.

5.7.6.4 The procedure to be followed when such objections are taken is for the adjudicating body to rule on the admissibility of each document there and then and to exclude it if it is found to be inadmissible: Evidence Decree, 1975 (NRCD 323) section 6(1)(2)¹¹.

5.7.6.5 Instead of complying with this legal requirement, Agyekum stated that he would allow the documents in and rule on their admissibility later. He said:

The Public Tribunal's Law enjoins us to look at rules of law in deciding whether the statement will be admitted or be rejected. In our opinion, even though prima facie the statement is alleged to be voluntary in the course of trial both the prosecution and defence could lead evidence to support their contention as to the voluntariness of the statement. The tribunal then in our evaluation of the case will take into consideration the sort of weight to be attached to such evidence. On our hearing the statement, hearing the accused version and circumstances under which it was taken together with the entire evidence before us we shall then be in a position to evaluate it in the consideration of the final judgment. This ruling will apply to all the other statements and we shall continue to record any such objections raised. The objection is therefore overruled.

5.7.6.6 This was most irregular and prejudicial to the accused, as, if the documents were inadmissible, they ought not to have been taken into account at the end of the case for the prosecution when considering whether the accused persons should be called upon to put up their defence. In the proper administration of justice, Agyekum ought to have taken evidence on the admissibility of each confession statement before admitting it in evidence. It was to turn the procedure upside down to admit the statement and then take evidence as to its admissibility at a later stage in the proceedings.

5.7.6.7 At the close of the case for the prosecution, and with the confession statements in, the Tribunal had no difficulty in finding that a case had been made against the accused persons. They were called upon to open their defence. They gave evidence of the tortures and ill-treatment they had undergone and how they had made the statements under all kinds of crude, cruel and inhuman tortures and pressures.

In his evidence Goka said:

...we were whisked off to the police headquarters and handed over to some policemen on duty. There, I was handcuffed and my legs were chained and was left behind the

¹ 6(1) In every action, and at every stage thereof, any objection to the admissibility of evidence by a party affected thereby shall be made at the time the evidence is offered.

(2) Every objection to the admissibility of evidence shall be recorded and ruled upon by the court as a matter of course.

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counter...After about fifteen minutes...Jack Beble...came near the counter...He then said how could an Ewe like me be plotting with an Akan by name Boakye Djan to overthrow an Ewe government. He beat me...At about 8 – 9 p.m. the same evening, Jack Beble returned with about eight men dressed in military uniform. I was called from my cell when the chains on my legs were removed and I was sent into a waiting Land Rover from there they drove to the other side of the building and brought back Kyereme Djan, 3rd accused...

... He drove further on the dirt road. We were ordered to go down from the Land Rover. Kyereme and I complied. There the handcuffs were removed and we were both handcuffed behind our backs. We were then blindfolded and we were told to run into the bush at this point. Kyereme Djan told MAWULI these chaps are out to kill us. I asked him if he could do anything about it. He said no, then I said let us give it to God. We started running. We were told to stop. We were then dragged and transferred to what seems to be the back of a vehicle. From this point, we couldn't see anything, since we had been blindfolded earlier on...after a while the vehicle came to stop. We heard some exchanges. Someone got down from the vehicle. Later came and banged the door and we continued the journey. We went on for about 40/50 kilometers.

... We eventually got to a destination where we were told to get down from the truck. Kyereme and I were separated, I was told to stand after being sent somewhere then shots were fired all around me...I was sent into a room where I was instructed to sit on the floor and they started beating me with what appeared like a barb wire because I could feel it pricking me. The beating went on for about an hour then I felt Kyereme had been brought into the room because I heard his voice. I was told to remove my shirt so my handcuffs were opened. I removed my shirt and I sat down.

Later, I was told to open my mouth and something that tasted like meat, raw meat was put in my mouth. Prior to this Kyereme was shouting that his back was being cut.

... After that, I was given something to drink and it tasted like and smelt like urine. I was kicked in the abdomen. My private part was burnt in the process. I lost control of myself and urinated. Kyereme and I were told to lick the urine which we did...

My private part was taken and tip of it was slashed to make it longer. Then a series of questions were asked me. e.g. Are you not planning with Major Boakye Djan to overthrow the government of Ghana? ... Whenever I gave them the answer which was no, I was subjected to further beating. I was told until I agree to these things, they will not stop beating me... a couple of hours later, I was sent into a waiting van and I reckon it was dawn because I could hear the cocks crowing. We were then driven to another unknown destination where I was forced to drink a glass of local gin, Akpeteshie and that they were preparing me for my death...We were dragged from the truck and sent into a hole then we were told to say our last prayers and I recited Psalm 23 aloud...We were then fired above our heads...

We were... later given some food to eat but we were unable to do so because we realized the gari given to us had been mixed with sand... I was given certain guidelines. I was told I will be meeting their bosses in the evening. I didn't see them. I was still blindfolded...

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Certain names were given to us some of the names are KOOMSON, AFORO, one DANJUMA, one ANABA, ALANKO, ADONTEN and other names ... is ATA-PANYIN so Kyereme and I was told to incorporate in our story a brief account of our backgrounds and how series of meetings were held with some of the names, monies given out, monies promised...

... I was then separated from Kyereme Djan and put in what appeared to be a tank with water in it. I was taken out later and I was given about three injections and I was dragged to another destination...There, I met about nine men seated. In the middle was the Deputy Director of BNI [Peter Nanfuri]... I was told to start my story and then I asked the Panel Members I would like to know why I have been brought before them. I was warned by the Deputy Director that if I wasted their time, I will go back to where I came from so I retold the story the way I was told when I was being tortured...I was escorted to a very dark cell. There, I sat on the floor because I could not lie down either on my back nor on my front.

... I lost track of the days. I complained I wanted to see a Doctor since I was in so much pain and my private part was stuck to my shorts...A couple of days later, whilst in the cell, I was called out and just as I stepped out of the cell, I heard footsteps from the side. They turned me to face the wall, I was handcuffed behind my back. I was blindfolded and sent away to an unknown destination. There, my left shoulder was burnt with what seemed to be a hot and hard substance and I was told I had not performed well during interrogation. I was brought into company with a man whom they called KOOMSON. There, I was instructed to say I had a meeting with him in Lome. I was subjected to further beating and sent back to BNI.

Some days later, I was called and sent upstairs where I met the 4th accused ATTA-PANYIN. I was told to take him to my cells and advise him what will happen to him if he failed to cooperate...At the entrance I took off my shorts and showed my private part to him and my back and he told me MAWULI why should I say something I have never done or known in my life? I made it clear to him that he could not withstand what I had been through so I told him the story I had recounted to the panel earlier and I was locked back in my cell...I was picked up again and sent to an unknown destination. I had been blindfolded and handcuffed behind my back. There at the unknown destination, I was told to say my last prayers again. I was stripped naked and subjected to yet the series of torture. I was told to get ready with my story because soon, I will be called upon to put down what I had said and the torture into writing before an investigator. I was sent back to the BNI. There I cannot recollect the date but I was called and sent to one of the offices downstairs, where I met two gentlemen one was the investigator. He introduced himself to me. He said he was ATOPLEY...I asked him who the independent witness was. He introduced him to me...

... I asked Mr. Atopley if it would be possible to get me among other things, a Counsel of my choice and an independent witness of my liking. He told me I was aware of the consequences that would follow if he was to report this dialogue to his superiors. Knowing the implication of this since I had been subjected to series of torture I said he should allow me to have a man of God, Rev. Minister to be my witness... After arguing with him for quite a length of time about the unsuitability of the private witness, I gave up.

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Kyereme Djan said:

... When I was arrested, I was taken to Police Headquarters on the Ring Road in Accra. I was kept in cells at the Police Headquarters. I was called to the counter around 8:00 pm or thereabout and one Jack Gbeble asked the counter man to release me to him and four other soldiers all holding guns...I was practically dragged into a waiting Police jeep where I saw Mawuli Goka in the jeep...We were driven off from the yard and somewhere around the Star Hotel, we stopped and two military vehicles joined us. We drove till we came around Tetteh Quarshie Round About just after the head rail line they branched right into an untarred route, few meters later they stopped. Our handcuffs were released and Mawuli ordered to come down first. He was blind folded and later I was asked to come down too. I was then asked to come down too. My glasses (optical lenses) were removed by Jack Gbeble and crushed. I was then blind folded and handcuffed behind me as was done to Mawuli Goka before. We were told to run for our lives...Then somebody held me...and dragged me into what seems to be the floor of the vehicle...They took off...when the car finally stopped, I was beaten up with what felt like a barbed wire, something like iron rod and the butt of a gun from all angles. Then when this had ceased after fifteen or so minutes, or so somebody said this is the beginning of what is in store for you if you don't admit the following:-

That the Gokas have been plotting or financing a coup plot and also we had come to town (myself and Mawuli) to purchase arms and ammunitions for this purpose...the beating that followed was unimaginable and at one stage I felt like a block hit my left forehead and that was the last thing I saw, I lost consciousness...

When I recovered, I heard Mawuli crying from beatings. Somebody else said I had been very difficult and almost immediately I felt my back being cut and I shouted, oh God, my back being cut and it was put into mouth with the orders I should chew my own flesh. I spat it off...

After a while, we were left on the floor. After asking me to lick something from the floor, something that tasted like urine, I was sent back into the vehicle together with Mawuli. All this time, I was naked. Then were sent to yet another destination. Then we were pulled into a pit and asked to say our last prayers. I heard Mawuli recite Psalm 23 whilst I said in my heart that Lord if it be your will, let this cup pass by and as if by a miracle the shootings that had been going round above our heads stopped.

We were taken back into the waiting vehicle and sent to another unknown destination...Later, I was given some gari mixed with sand to eat. I felt a second hand in the pan and that was where I realized it might be Mawuli...Then somewhere along the line somebody came to me and told me to co-operate with him...he said some guns have been found in my house...he said...I was to admit knowledge of those guns and he further gave me a list of names...Names like ANABA, ATA KULULU, AFORO and others I cannot remember. I was told to tell them that the Gokas had been plotting and in fact he gave me guidelines as to what to tell the bosses.

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Then I lost track because I had been blindfolded but I think in the evening or so, Mawuli was brought to meet me...We were asked to say our stories according to the guidelines we had been given before...we were separated again. I was kept under a water tank... During all these times, my urine was the only water I had. For about a week people came for me...and asked me to rehearse a story. When I was finally perfect by their standard, I was grabbed into a vehicle and sent to the BNI headquarters...

At the BNI headquarters it was there my blindfold was removed for the first time and taken upstairs to meet a panel of investigators. There, I was asked to say my story. When I asked what story, somebody whom I later realized to be Mr. Tinga Naba [Peter Nanfuri] said I shouldn't waste his time and that I knew the story I was to tell them. If I didn't want to go back to where I had come from, so I said there as I had been told to do...

...one day I was called from my cell and the 2nd accused Mr. Berko was brought in. We were asked to show our backs to him and without uttering any words. He was sent back...

...I was called to an office where I met Detective Inspector Atopley and one other gentleman. The Detective Inspector who I was seeing for the first time told me the other gentleman was to be a witness to my statement. I objected and asked for a Reverend Minister to be my witness...

... I started to write the statement after the Rev. Minister has been refused me...Mr. Atopley said...he was working for the government and so I had no option but to write the story I had been schooled to write. I therefore wrote it."

The other accused persons, too, came under physical and mental pressure to confess to a role in a plot to overthrow the PNDC, and to implicate others.

Koomson also said:

I was asleep when the guard called me to come there. I met a WO II and two other soldiers. He asked me to join the vehicle... immediately we passed Congo Junction, he parked the car, took a duster and blind folded me... When the engine was started with my experience in the Army, I got to know it was a military pinzgeur... We went for a long time on both rough and smooth surface road. Later on we got to some point and the Pinzgeur stopped... They opened the gate and pulled me out of the vehicle and they asked somebody to go for the keys. Later on the person came, they opened the door and somebody escorted me into the room... All of a sudden, I was slapped and I fell on the floor... From there others came into the room... When the others came, they came and joined the first man and started beating me up. After beating me up for say fifteen minutes, they stopped and told me that that was phase one. They asked me to be thinking and that they were going to come back again. Later on they came back and started mentioning some names to me and they asked me whether I knew them I said I don't even know them that was the first time I was hearing such names. They jumped on me and stated beating me again... I was asked to strip naked and I did then later they handcuffed my hand at my back. They jumped on me and started beating and said I should admit the names they have mentioned... I heard one tell the other to go and put the bayonet on fire... From there they started beating me again and they told me now they are

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coming out with some guidelines so that we make a story out of the guidelines... Later on they sent someone to go and bring the bayonet from the fire. Then I felt a sharp pain so I shouted, the pain was at my back and it was something like a burn that I heard someone saying we should do more. Then they ordered the one burning me to send the bayonet back to the fire. From there they came out with a story and they asked me to say the same thing but I made some mistakes and they jumped on me again. From there they started caning my penis. I told them I beg them they should stop. I will do whatever they want me to do... All of a sudden I heard shots around me and I told them that they should stop it. I will do whatever they want me to do... I heard one of them asking the other to bring the bayonet out of the fire again. When the bayonet was brought they started burning me. My buttocks and foot... Then they said I should say my last prayers they are going to finish me off. All of a sudden, I heard shots around me and I told them to stop and anything they asked me to do I will do it... I urinated and I was lying in the urine... They stopped and told me to lick the urine on the floor...

Yaw Brefo Berko said;

Whilst at the BNI, I saw the 1st and 3rd accused persons and I was told to see what had been done to them. At the time I was being told the 1st accused was in a dark cell then he was brought from his cell to a bathroom... I had to sign the statement because of the circumstances under which I was kept and the atrocities that had been meted to some of the junior boys who were in the cells with me...

Samuel Boamah Panyin said:

They started hitting me with things like iron, sticks and barbed wire on my joints and this was done for about thirty minutes... I was beaten with an object like a barbed and some hot metal plate being used on my body and something like a knife being used in cutting my chest. My nails were removed both fingers and toes. My penis was lashed and I shouted for a while and I heard something being pushed down my throat... I felt something like a lighter to burn the penis and I felt the tip being slashed then I felt something like a needle being pushed into it. I urinated and eased...

Braimah Kankani said:

I felt my blindfold being removed and I saw two gentlemen standing naked with their hands in their backs in handcuffs bleeding seriously from their backs. Of them I could recognize Mawuli Goka and beside him was a fair coloured gentleman. I started crying... After the backs of the two Goka and Kyereme were shown to me after two days I was taken to BNI ACCRA REGION...

5.7.6.8 If he had kept his promise to consider the issue of admissibility after all the evidence was in, Agyekum would have had no choice but to reject the statements first, because the prosecution led no evidence in rebuttal and, secondly, the harrowing experiences the accused persons, in particular, Mawuli Goka and Kyereme Djan went through pushed them to the limits of human endurance. It was enough not only to make them confess to whatever crimes their tormentors laid at their doors, but to persuade others to do the same. Man's inhumanity to man was displayed here at its worst.

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5.7.6.9 Two respected journalists, Kweku Baako, Jnr and Ben Ephson, testified before the Commission that during the trial they had the opportunity of examining some of the accused persons as to the nature and extent of their injuries. Kweku Baako, Jnr said:

Mawuli Goka, who was the first accused on the charge sheet, had had the tip of penis split open slightly; he said by a certain object. So, it was bigger than normal and we are all men, so we know how it is. But obviously, it was bigger. His penis appeared to have been torched, that is, burnt. He suggested, he told me, that there was something like cotton, like a candle, it looked that way; and it never really extinguishes, I mean it doesn't burn out. That was what was used in torching his penis. The tip also was opened by a certain object that he wasn't sure what it was.....With regard to Atta Kululu – Boama Panyin, he also had had a similar experience. The tip of his penis had also been split open slightly bigger than all of us had there. He hadn't had his torched but it kept on leaking off and on. So most times he was in cloth instead of wearing pants. According to him any time he wore pants and the object touched the pants he felt some pains.... Kyeremeh Djan had had his back cut. I saw it with my own eyes. According to him his back was cut and the flesh was given to him to chew. He refused. He shouted: "my back is being cut, my back is being cut." He said he wouldn't eat it. The flesh then was given to Mawuli Goka to chew; he also said he refused... Warrant Officer Aforo, his back had been cut. I just couldn't believe it. Some tribal marks had been made at his back – so many of them. I just didn't understand the rationale.

Ben Ephson also said:

Kyeremeh Gyan showed me his back, the left shoulder blade. There was a palm size cut and he told me that they used hot metal to cut the flesh and they asked Mawuli to chew. I asked Mawuli and he confirmed it. Mawuli also undressed to show me his male organ, which had been slit and he said they had tried to pull it out....W.O. Aforo also showed me the hand, which he said they had tied at a table and had used as target practice. ...Then Atta Panin who was always in cloth at the tribunal, opened and showed me what was left of his genital. It looked like the male organ and the testicles had been lumped together like, pardon my want of better use of the word, 'grilled' because there was always pus coming out.

5.7.6.10 In his book, *The Treason Trial of 1986*, Agyekum makes light of the fact that prisoners could be taken away from the custody of the security agencies to be tortured. He writes at page 11:

I agree with Amnesty International that those responsible should be punished but it was also true that those to hand out the investigation and punishment were the same persons responsible for those actions. Why say so? The BNI Director [Kofi Bentum Quantson] was a Police Commissioner the most senior of those who took the suspects away [Jack Beblie] was an RSM, if an RSM could enter a well fortified institution as the BNI and the Police Information room and take away suspects, not only once or twice, but on several occasions with impunity, any reasonable man should know the source of where the culprits drew their power from. Did they expect the people to cut their nose to spite their face? To be frank Peter Nanfuri [Deputy Director, BNI] after the trial had bitterly

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complained to me about the activities of the commandos and how they were powerless to restrain them.

5.7.6.11 By turning a blind eye on the tortures that went on under their very noses, not only Quantson and Nanfuri, but also Dr Koranteng who treated them of their injuries and made no protest, and Agyekum, who tried and convicted them, became accessories to the human rights abuses committed by the PNDC regime.

5.7.6.12 Agyekum, himself a former detainee, rationalises his own role thus at page 23:

“The treatment and experience that I went through gave me the inspiration to work to stabilize the legal order. I had realized that without dealing with any one without fear or favour and especially dealing with military atrocities against civilians, the safety of the populace was at risk. In all modesty and humility Ghana will not be what it is today if some of us had not taken the actions and decisions that we took in the early days, anarchy and disorder in the PNDC era would have been worse than Idi Amin era. Indiscriminate killings and atrocities unprecedented in our history would have characterized the era. For the majority of soldiers closer to the PNDC, their understanding of revolution was to terrorise, intimidate and maim the civilian population and disregard authority.”

5.7.6.13 The question arises whether, apart from the confession statements, there was sufficient evidence of the guilt of the accused persons. The salient points made in the evidence of the prosecution witnesses were as follows:

1. Evidence of Francis Asante Mensah that at Boamah’s request he kept suitcases containing guns for him and that Kankani and Goka came to inspect them on different dates.
2. Evidence of John Anaba Chrimsah that Alanko who was being tried in absentia sought his assistance in procuring a single-barrelled gun.
3. Evidence of Staff Sgt. Samuel Yaw Bediako that Kankani sought his assistance in procuring ammunition.
4. Evidence of Cpl. Kwabena Owusu that Alanko, Kankani and one Adamu called on him and asked him to procure ammunition in furtherance of the plot to overthrow the PNDC.
5. Evidence of Cpl. Owusu Kwabena that Alanko and Djan went to see him, that Djan was holding a polythene bag which Alanko said contained ₵50,000 and that the bag was given to him.
6. Evidence of Evelyn Osei Owiredu that on a visit to her husband, Edusei, in Lome she found that he was living in the same house as the Goka brothers – Christian, Frank, Eric and Mawuli.
7. Evidence of Captain Robert Ofei Sackey that during a search of the residence of W O II Aforo an amount of CFA 30,000 was recovered from his wife.

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8. Evidence of Victor Agbenatogbe that during a search of the house of Evelyn Djan, sister of Kyereme Djan, a sack containing guns was found under her bed.

5.7.6.14 Evelyn Djan was called as a witness for the prosecution. She disclaimed all knowledge of the sack and said that when the police showed her the sack as having been found under her bed they did not show her its contents. Aforo was not present when his rooms were searched. Apart from the CFA 30,000 which the BNI operatives collected from his wife nothing incriminating was found. Boamah denied asking Mensah to keep any guns for him. If that evidence is true then he could not have shown any such guns to Kankani and Goka. Corporal Owusu's evidence called for an explanation from Alanko but not from Goka as it amounted only to a suspicion that Goka knew the purpose for which the money was handed over to him. For the rest, neither the alleged visit by Boamah to a diviner, nor the fact that the Goka brothers lived under the same roof with Edusei was proof of a conspiracy of any kind. Evelyn was in custody when she testified as a prosecution witness, and remained in custody for more than four years afterwards, without charge or trial.

5.7.6.15 Even if Goka, Kyereme Djan and their co-accused were engaged in a plot to overthrow the PNDC, their actions were lawful since the PNDC had usurped the authority of the State and constituted itself into a government. Article 1 Clause 3 of the Constitution of Ghana, 1979 stated:

- 1(3) All citizens of Ghana shall have the right to resist any person or persons seeking to abolish the constitutional order as established by this Constitution should no other remedy be possible.

This call on citizens to resist all those who would want to ride rough-shod over their rights and liberties has been couched in even stronger language in Article 3 clauses 4 – 7 of the Constitution of Ghana, 1992. They provide as follows:

- 3(4) All citizens of Ghana shall have the right and duty at all times –
 - (a) to defend this Constitution, and in particular, to resist any person or group of persons seeking to commit any of the acts referred to in clause (3) of this article; and
 - (b) to do all in their power to restore this Constitution after it has been suspended, overthrown, or abrogated as referred to in clause (3) of this article.
- (5) Any person or group of persons who suppresses or resists the suspension, overthrow or abrogation of this Constitution as referred to in clause (3) of this article, commits no offence.
- (6) Where a person referred to in clause (5) of this article is punished for any act done under that clause, the punishment shall, on the restoration of this Constitution, be taken to be void from the time it was imposed and he shall, from that time, be taken to be absolved from all liabilities arising out of the punishment.
- (7) The Supreme Court shall, on application by or on behalf of a person who has suffered any punishment or loss to which clause (6) of this article relates, award him

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adequate compensation, which shall be charged on the Consolidated Fund, in respect of any suffering or loss incurred as a result of the punishment.

5.7.6.16 If the execution of these young men was intended to deter others from seeking to overthrow dictatorial and unconstitutional governments, as indeed it was, it is equally incumbent on us to encourage others to follow their worthy example by acknowledging the supreme sacrifice they made in the cause of liberty.

5.7.7 Mayhem At Agotime – Afegame

5.7.7.1 In 1987, the District Organising Assistant of the CDO at Ho opened a militia station at Afegame to check smuggling across the border into Togo. On 24th September, 1988 there was a confrontation between militiamen and a citizen of the town over a pot of palm wine which had been brought to Afegame from Kpordzahor across the border. Although in Togo, Kpordzahor is part of the Agotime Traditional Area. The confrontation was followed by another incident in which a citizen of Afegame was alleged to have stolen some items from the militia post. The District Administrative Officer, WO II Tornyeviadzi, who was on his way to a funeral in his mourning cloth went to investigate the incident. In the course of arresting the alleged culprit his cloth was stolen.

5.7.7.2 While the matter was being dealt with by the District Security Council, Tornyeviadzi sought permission from the CDO Headquarters in Accra to mount an operation in the town. Without waiting for clearance, he decided to lead the operation. In the early hours of 4th October, 1988 the militiamen led by Tornyeviadzi entered the town, beat up and injured the citizens and stole or destroyed property worth over ₵9 million. A committee of enquiry appointed by the Regional Administration to enquire into the disturbances laid the blame fully and squarely on Tornyeviadzi.

5.7.7.3 The Commission received petitions from 59 residents of the town, but hundreds of people were victims of the atrocities, as family members were also viciously attacked. Many of the petitioners complained about losing money, in one case as much as ₵1 million. Even though the amounts stated are approximations and, in some cases, possibly exaggerated, there is no doubt that the militiamen helped themselves to whatever sums of money they could lay their hands on. After attacking the people of the town the militiamen tied the hands of those they had captured behind their backs and led them to the Junior Secondary School. There they poured kerosene on them and threatened to burn them to death. Eventually the District Secretary and Police arrived at the scene to calm matters. It was only then that the people were released.

5.7.8 Abductions and Disappearances

5.7.8.1 Cpl Timothy Anapalum of the Ghana Army returned from peace-keeping duties in the Lebanon in 1982 and reported to his unit, the Field Engineers, at Teshie. Later, his

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family received information that he had disappeared. When his brother, Gregory, went to the Barracks, the disappearance was confirmed and he was given his brother's belongings to take home to Bolgatanga.

5.7.8.2 Emmanuel Asiedu, a friend of Capt Edward Ampofo (Rtd), was arrested on 16th June, 1983 by soldiers searching for the Captain who was alleged to be plotting to overthrow the PNDC. He was taken to the Castle and detained in the guardroom. Duut, Ampofo's servant, who had also been arrested and was detained at the Castle, saw him there. Emmanuel never returned home. The case of Flt Lt Samuel Asiedu, who disappeared in similar circumstances, is sufficient reason for believing that he died or was killed at the Castle and the body disposed of.

5.7.8.3 Emmanuel Owiredo Aboagye, a soldier serving in the Military Intelligence, was taken into custody after the 31st December, 1981 coup. He escaped from Ussher Fort Prison on 19th June, 1983. When the attempt to overthrow the PNDC was foiled, Aboagye reported back to the Prison. He was last seen boarding a military vehicle, and has not been seen since. He is believed to have been shot.

5.7.8.4 Joseph Larbi, a Staff Sergeant attached to Military Intelligence, was taken into custody after the 31st December, 1981 coup and detained at Nsawam Prisons. He escaped on 19th June, 1983 when the gates were forced open by those involved in the attempt to overthrow the PNDC. Nothing has been heard of him since. The summary executions of escapees which took place at the Border Guards Headquarters and at the James Fort Prisons, as well as the evidence of Twumhene, satisfy us that in all probability, he was executed on surrender or capture.

5.7.8.5 Gladys Botchey's husband, Francis Oppong Adu, was arrested at his home in Nsawam in 1983 and taken to the Koforidua Police Station. Gladys visited him there. When on the fifth day she went to pay him a visit, she was informed that he had been sent to Accra. Since then Adu has not been seen and his whereabouts are unknown.

5.7.8.6 Mariama Iddisah's husband, Victor Kapambu Iddisah, an employee of the National Investment Bank, Bolgatanga, disappeared without trace in 1986. He was last seen in the Bolgatanga branch of the Bank where he had reported for duty on transfer from Accra. The only clue to his disappearance was that he had stated on a number of occasions when he appeared to be drunk that he would become President of Ghana in 1987.

5.7.8.7 Kwame Adjimah was a staunch supporter of the PNDC. He was what was then known as a 'cadre of the Revolution'. By 1983, he had fallen out with the regime. He was arrested and incarcerated at the Ussher Fort Prison. On 19th June, 1983 following the abortive attempt by Gyiwa and others to overthrow the PNDC, Kwame escaped from

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prison. He was re-arrested while making his way to Togo and has not been seen or heard of since.

5.7.9 Maiming

5.7.9.1 Apart from the deliberate, and sometimes, negligent killing of persons, there were instances of shootings resulting in serious injury to many persons. Sometimes it was the incompetent use of firearms; sometimes it was in furtherance of a robbery; and, at other times, it was the work of insurgents or ‘trigger-happy’ members of the security services. In all of these cases, grievous bodily-harm was caused.

5.7.9.2 Anthony Erzuah, of the Police Armoured Car Squadron was seriously injured when insurgents attacked Broadcasting House, Accra on 31st December, 1981. His left leg was amputated. He was given an artificial leg and paid compensation which the Commission considers adequate. He was retained in the Police Service and now enjoys the rank and salary of a Sergeant. Having regard to the sacrifice he has made for his country his request to be promoted to the rank of an Inspector should be favourably considered.

5.7.9.3 Abotsi Martei, a fisherman of Teshie, was sitting in front of his house on 31st December, 1981 when Nii Darko, a soldier serving with the 48 Engineers Regiment, went to him and demanded to be given money. Martei went to his room and called his father. As they approached the soldier, he shot Martei in the waist. Martei received treatment at the 37 Military Hospital.

5.7.9.4 On 1st January 1982, soldiers who had mounted a barrier at the General Post Office, Accra fired at a driver who had failed to stop. The bullet missed its target and, instead, struck the head of **Nii Ayi Plange**, a 21 year-old student, now deceased, who was buying food for his breakfast. Plange lost part of his skull and brain tissue. He became unconscious and was taken to Korle-Bu Hospital where he was operated upon. He regained consciousness after six months. By then he had lost his power of speech. After five more months, he began to utter a few words with considerable difficulty. He developed fits. He was discharged from the hospital after 14 months. To prevent the recurrence of fits, Plange was put permanently on drugs which he took until his death on 27th May 2003. During his lifetime, government paid compensation of ₵2 million. Plange was looked after by his sister Grace who acted as his representative at the hearing of the petition.

5.7.9.5 Margaret Kpomli, a resident of Nima, Accra, was hit by stray bullets in both legs on 1st January, 1982. She was admitted to 37 Military Hospital for treatment and later received a token payment of ₵100,000 from the government.

5.7.9.6 Addai Amoako, a leading member of the People’s National Party, was shot at and seriously injured by a murderous gang which invaded his house in early January,

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1982 in an attempt to kill him for opposing the insurgents who overthrew the Limann Administration on 31st December, 1981.

5.7.9.7 On 15th January, 1982, soldiers from Accra led by Capt Kofi Abugabe went to Wa Market to check on prices. A soldier went to the shop of **Mahama Umoru Dumba** and bought a mosquito coil. The soldiers claimed that the price was excessive and arrested Dumba. While escorting him, the soldiers attacked Dumba. He received gunshot wounds on the back, thigh, hand and leg.

5.7.9.8 On 21st January, 1982, soldiers and airmen on a rampage went to the Zenith Hotel, Takoradi, dragged out clients from their rooms and shot them dead. **Emmanuel Akrofi**, who escaped with his life, was shot and injured in the right arm.

5.7.10 Torture

5.7.10.1 There was systematic torture of persons suspected of plotting to overthrow the PNDC.

5.7.10.2 Damasus Kwabena Bogee, a Captain in the Ghana Army based in Tamale, was arrested in April, 1985. He was brought down to Accra and severely tortured to extract a confession from him that he was involved in a plot to assassinate the Chairman of the PNDC in Kumasi. He was struck with a wire, cut on the chest with a knife and his genitals were manhandled. His left big toenail was forcibly removed, followed by the removal of two other toe nails from each foot.

5.7.10.3 John Kwame Appiah, a BNI officer, was arrested on 14th May, 1985 after the escape of L/Cpl Adongo, who had been seriously injured in a shoot-out in Kumasi and taken into custody following an alleged attempt to assassinate the Chairman of the PNDC. He was held at Gondar Barracks for two months. During this period, he was taken to Asutuare Camp where the Commandos were based. He suffered various forms of torture. When he was brought to Ussher Fort Prison, his brother, Johnson, visited him and saw his condition. He had bruises on his body and blood flowed from his nostrils. His face was swollen and he had a black eye.

5.7.10.4 In August, 1985 **Amepofio Mensah** was arrested when he went to the Secretary of Interior, Kofi Djinn, to ask for payment for goods supplied to Hajia Baby Ocansey who claimed to have taken the goods on behalf of the PNDC. He was taken to Gondar Barracks and subjected to cruel and inhuman treatment. He describes his ordeal as follows:

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I was at Ministries Police Station for almost two months. I have forgotten the day and there was a time they came down with a military vehicle and picked me up to the Gondar Barracks. ...

So, at the Gondar Barracks I was asked to naked myself. In fact, there, it was almost getting to about 1:00 am. I was there when they brought some women. In fact, a lot of them, they were more than twenty and the women also were asked to strip themselves naked but they were asked to perform bedmatics (simulate the sexual act) on the floor. ...

And with me there were some bricks packed and I heard one young man saying in Ga that, ... they would ask me to dance around with this bricks. So, I didn't know how they were going to do it and later on the young man came close to me and tied the bricks to my penis and I was asked to dance around. In fact, there was a man following me with a rifle and the other one also was smoking profusely. So, as I dance around, I will show you some scars I had at the Gondar Barracks.

Anytime the cigarette brightens, then they would use it to tap my body, even my face, meanwhile, I was dancing around with the brick around my penis. In fact, beatings and all that and I had protruding teeth... In fact, my footsteps changed into the style walk of somebody with a rupture.

5.7.10.5 In some cases, acts of brutality appear to have been committed for nothing more than the sadistic pleasure of causing pain.

5.7.10.6 A drunken soldier, who had gone to Mankessim Market with other soldiers to sell the goods of the traders, took **Beatrice Nkrumah** to her house, made her to stand in front of her gate and fired three shots at her. Although the shots missed their target, the incident was enough to make her faint.

5.7.10.7 Yaa Adoma, a trader, was arrested at Kintampo for selling cloth above the controlled price. She was taken to the lorry station where she and other traders were publicly flogged. Yaa was struck on her back 18 times with a soldier's belt.

5.7.10.8 Mary Yaa Serwaah, a trader at the Kumasi Central Market, was arrested by soldiers and taken to the Military Camp. She was caned and slapped.

5.7.10.9 Soldiers based at Forifori in the Afram Plains arrested **Joseph Hayford Kwame Osei**, a petrol dealer. They alleged he had refused to sell. He was taken to the barracks, shaved, slapped and caned. The soldiers were under the command of Capt Acheampong.

5.7.11 Price Control

5.7.11.1 Grave abuses were committed in the enforcement of price control laws. Goods were seized in circumstances in which it could not be said that there was hoarding or a sale above the controlled price. Soldiers fixed their own prices and used them as a pretext

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for plundering shops. Sometimes, goods in respect of which no maximum prices had been laid down, were arbitrarily seized amidst beatings and other forms of ill treatment. In all this, the PNDC looked on unconcerned: indeed, they encouraged the abuses by organising soldiers on so-called operations to harass traders. Commanders of Military barracks were permitted to set up their own 'kangaroo' tribunals to try traders their men had arrested. Among the petitions received by the Commission were:

5.7.11.2 In 1982, soldiers led by Major Ameyibor of the Ho Mortar Regiment seized 600 bags of sugar and 24 cartons of yeast **Afi Madonunawo Dzamesi** had imported from Togo through the Aflao border.

5.7.11.3 Mabel Kaitoo In 1983, Mabel, Chairperson of the Pernadzi Bakery Enterprise, an association of bakers at Agona Swedru, had a consignment of 342 bags of flour seized from her.

5.7.11.4 Mary Adukwei Allotey In 1982, soldiers arrested a number of Makola traders, including the petitioner, and took them to the Border Guard Headquarters where they were interrogated amidst beatings. A few days later, the petitioner was taken to her house where some 20 half-pieces of cloth were seized from her wardrobe. Her warehouse was also broken into and various items, including flour, sugar, rice and milk were seized.

5.7.11.5 Anachie Daboda kept a shop at Adum, Kumasi where he sold trouser materials. In 1982 a team of Prison Officers, Police and members of the PDC went to the shop and seized all the goods in it.

5.7.11.6 Abukari Salifu was at the Aboabo market, Tamale when John Ndebugre, the Regional Secretary, arrived with soldiers. He ordered the traders to stop selling their goods. Shortly thereafter, more soldiers arrived and carted away all the goods. Salifu lost 20 bags rice, 11 bags groundnuts and 16 bags maize.

5.7.11.7 Memunatu Saibu traded in beans at Nalerigu. Her 25 bags of beans were seized on the instructions of Azumah Mankwa, PDC chairman and sold to the public at a reduced price.

5.7.11.8 Azara Wuni a trader of Walewale was with other traders when they were intercepted by soldiers while on their way to Techiman market. She lost 10 bags of maize when their vehicle was diverted to Sunyani Military Barracks. At Techiman her 38 bags fertilizer were also seized.

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5.7.11.9 In 1982, members of the CDR arrested **Samuel Kwabena Boateng** in his shop at Takoradi for selling steel trunks above the controlled price. They seized 50 of the trunks in the shop and took them to Apremo Barracks. The trunks were never returned to him.

5.7.8 Violation of right to dignity in death

5.7.8.1 The extra-judicial killing of the following persons termed “dissidents” at the Airforce Base in public and the filming of the event on videotape was a violation of their rights:

5.7.8.1.1 Carlos Halidu Gyiwa, a soldier, was arrested and placed in custody on suspicion of involvement in a plot to overthrow the PNDC. He escaped from prison on 19th June, 1983 and went to Broadcasting House to announce that the PNDC had been overthrown. He went into exile in the Ivory Coast when the attempt to overthrow the government failed. In 1984, he and others who entered Ghana were arrested and summarily executed.

5.7.8.1.2 Martin Adjongbah, Gabriel Apatinga, Bamfo Sarkodee Addo, and Abdul Mumini Malik Ibrahim were soldiers in the Ghana Army who took part in abortive attempts to overthrow the PNDC. They were arrested and summarily executed at the Air force Base, Accra, along with Halidu Gyiwa on 24th March, 1984. Corporal Daniel Opare Sarpong who was an eyewitness gave a chilling account of this incident. The account is reproduced in Volume Two of this Report

5.7.8.1.3 John Ofori Wilson was arrested by soldiers in his house in Accra on 24th March, 1984 and taken away. Members of his family mounted a search for him. At Gondar Barracks in Burma Camp the family saw Wilson’s Mercedes Benz which was taken away at the time of his arrest parked in front of the PNDC office. Further enquiries by Wilson’s brother, Staff Sgt Emmanuel Oko Wilson, took him to the 37 Military Hospital, Accra, where he found the body of Wilson in the mortuary. He had a bullet wound in his left breast and some of his fingernails had been removed. For the role he played in discovering the body of Wilson, the Staff Sergeant was immediately ordered to proceed on posting to 2 Brigade in Kumasi. The body was not released to the family, nor was the Benz car. Evidence received by the Commission from a former member of the security services indicates that Wilson was suspected of complicity in a plot to overthrow the PNDC and that he was executed.

5.7.8.2 It was also a violation of the right to dignity in death for the body of **Tom Kuunuo**, who was shot and killed at Nandom allegedly for being a smuggler, to be displayed to the public as “meat”, as well as being a needless infliction of mental cruelty on his family.

VOLUME 1 CHAPTER 6**CHAPTER 6****STATISTICAL PROFILE****6.0 Introduction**

6.0.1 The Commission collected 4,240 statements from Ghanaians between 3rd September, 2002 and 13th January, 2004. By the end of 30th September, 2004, a total number of 3,114 statements had been coded and captured in the Commission's database for statistical analysis. This represents over 70 percent of the total number of 4,240 statements taken. Out of the number of statements entered into the database, 2,457 (79%) contained violations perpetrated within the Commission's mandate period. The patterns and figures discussed in the Commission's Report cover the mandate period and are representative of the 3,114 statements studied.

6.1 SUMMARY OF FINDINGS

6.1.1 The summary of findings were the following:

1. The overall trend of violations and abuses revealed that they were not confined to unconstitutional governments. However, significantly higher violations and abuses were registered during periods of unconstitutional governments than during constitutional ones. The entrance of unconstitutional governments always led to sharp rises in violations with peaks at the beginning of the rule of these governments. Similarly, abductions and detentions were not confined to unconstitutional governments but were higher under these governments than under the elected governments.
2. Abductions and detentions remained remarkably high in the AFRC and PNDC regimes compared to other regimes. The Preventive Detention Act and Protective Custody Law impacted greatly on detention violations as it was found out that the passage of the laws corresponded to peaks in detention violations.
3. The Military, the Police Service and the Prisons Service were found to be the main perpetrators of the violations over the period. In the statements considered by the Commission, 66.3 percent of the violations were attributed to the Military.
4. Overall, there was a greater concentration of violations and abuses in the Greater Accra and Ashanti regions. Executions happened mainly in the Greater Accra, Ashanti and Western Regions. Significant proportions of all the violations happened in and around Military facilities (Table 10).

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5. The victims of the violations were mainly males. In all the statements containing violations, about 81 percent were male victims. In the case of forced sales and sexual abuse, the proportions of the abuses were about the same for both sexes (Table 5). Also, the violations were perpetrated mainly against adults but in the cases involving “other killings” and sexual abuse, significant proportions of the victims were children.
6. Even though the violations were not confined to unconstitutional governments, about 84 percent of all the violations occurred in the AFRC and PNDC eras. Wealthy and influential people in society suffered a larger proportion of the violations during these two periods.
7. Guns, boots, sticks and canes and the hand were the main weapons or means used in the violations. Guns were mostly used, compared to the others.
8. There were three main reasons why people petitioned the Commission. These were: (1) to get monetary compensation, (2) to obtain material compensation and (3) to set records straight. Getting monetary compensation was indicated by most of the statement makers as their primary reason for petitioning. Only a small proportion of victims petitioned the Commission to demand justice against perpetrators.
9. Economic hardship, bankruptcy, family disintegration, lack of education for children and health problems were the main long-term effects of the violations on the victims as indicated in their statements.

6.1.2 Statistical Highlights

6.1.2.1 Below are selected highlights of the statistics. The full Statistical Report appears in Volume 3, Chapter Three of this Report.

6.2 OVERALL PATTERN OF VIOLATIONS

6.2.0.1 Figure 1 shows that violations were not confined to periods of unconstitutional governments. Counts of violations peaked in the Convention People’s Party (CPP) era (1957 – 1966) in 1960 and, thereafter, were on a downward trend until the National Liberation Council (NLC) era (1966 – 1969) when violations peaked again in 1966. The period 1968 – 1971, covering part of the NLC and Progress Party (PP) eras, recorded relatively very few violations. Another peak in violations was recorded in 1972, and that was in the National Redemption Council (NRC) era of 1972 – 1975. The period of the Supreme Military Council (SMC) I & II (1975 – 1979) recorded a relatively very low number of violations.

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6.2.0.2 The count of violations from 1979 to the beginning of 1993 remained high with very high peaks in 1979 (the entry of the Armed Forces Revolutionary Council (AFRC)) and 1982 (the entry of the Provisional National Defence Council (PNDC)). An exception over this period is the period that spanned the rule of the People National Party (PNP), where abuses were relatively low. Violations seemed to have reduced from 1984 with the exception of 1988 when they increased again. Thereafter, violations decreased.

6.2.1 Detentions

6.2.1.1 Detentions were not confined to unconstitutional governments although the numbers were significantly higher under these governments. The first peak in detentions occurred in the CPP era in 1958 followed by another peak in 1960 and thereafter decreased until the 1966 coup when the number of detentions rose sharply again to about 150 counts. The AFRC/PNDC eras recorded very high counts of detention until 1989 when the number began to reduce. It is interesting to note that even on the eve of democratic governance, there were still detention violations.

6.2.1.2 The first peak in detentions occurred in 1958, a year in which the Preventive Detention Act (Act 17) was passed. The 1960 peak could be explained by other factors which were not related to any Act. The 1966 peak corresponded to the Protective Custody Decree (NLCD 2) and the 1972 peak corresponded to the Preventive Custody Decree (NRCD 2). The Preventive Custody Law (PNDCL 4) also explained the peak of detentions in 1982. All the other peaks, except that of the 1960, mark the years where there were coups or attempted coups but not any detention Act. Aside the Detention Acts, 1966 marked the entry of the NLC government, 1972 the NRC and 1975 the palace coup that brought the SMC II into being. The 1979 and 1982 peaks marked the entry of AFRC and PNDC respectively. The other peaks after 1982 may be attributed to suppression of perceived opponents and attempted coups.

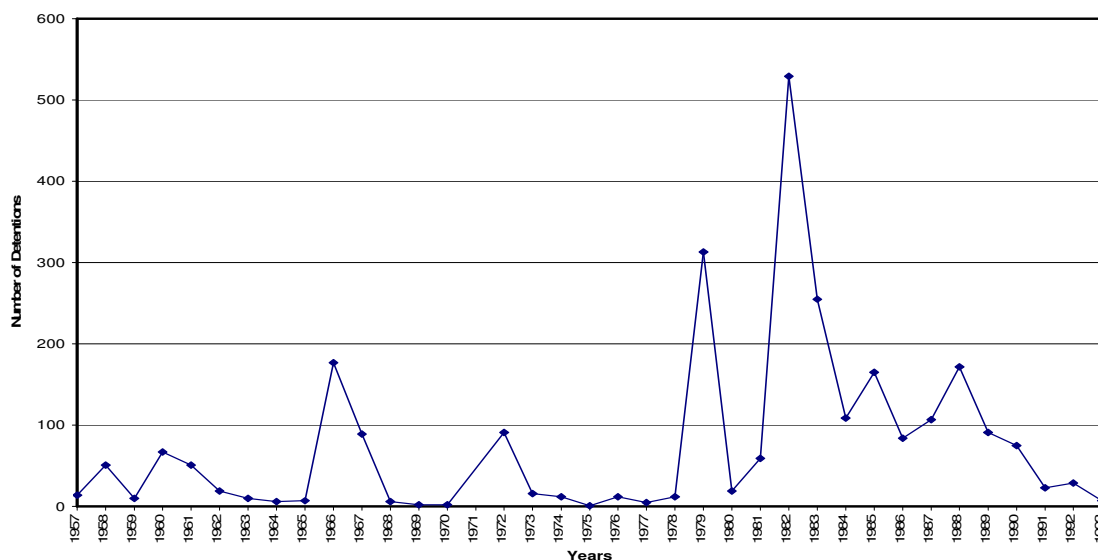


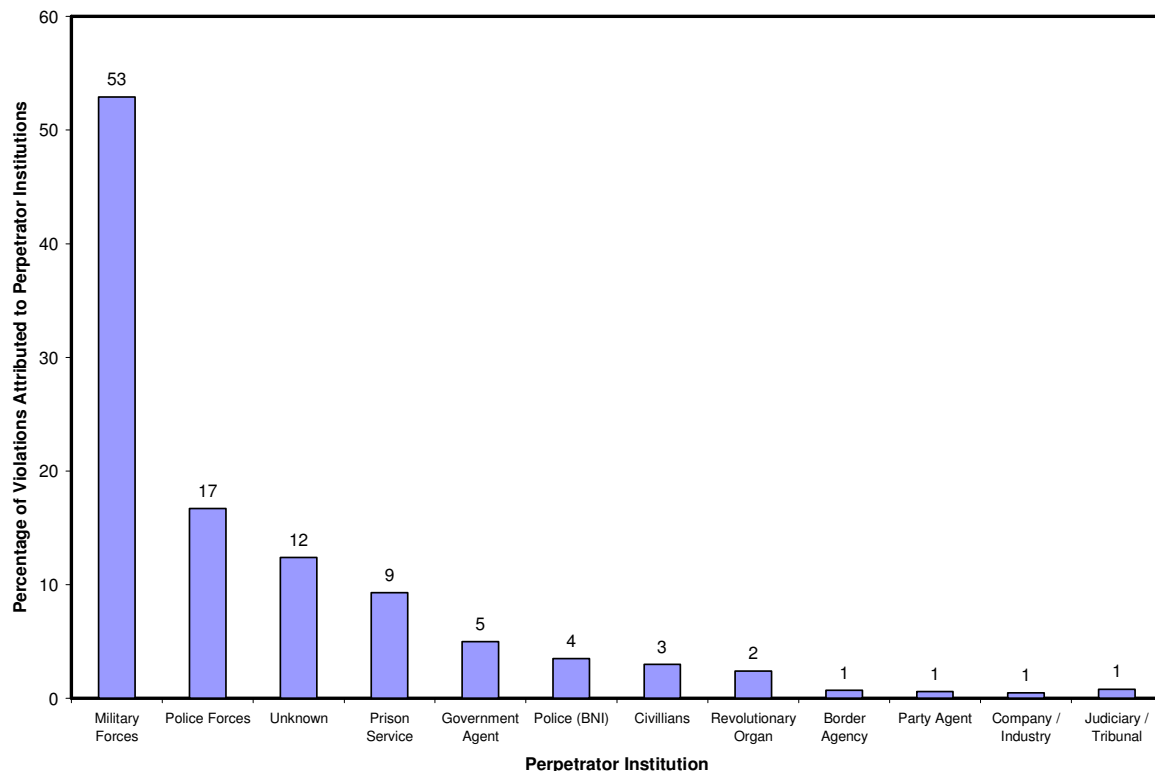
Figure 1 Detention Violations over the period

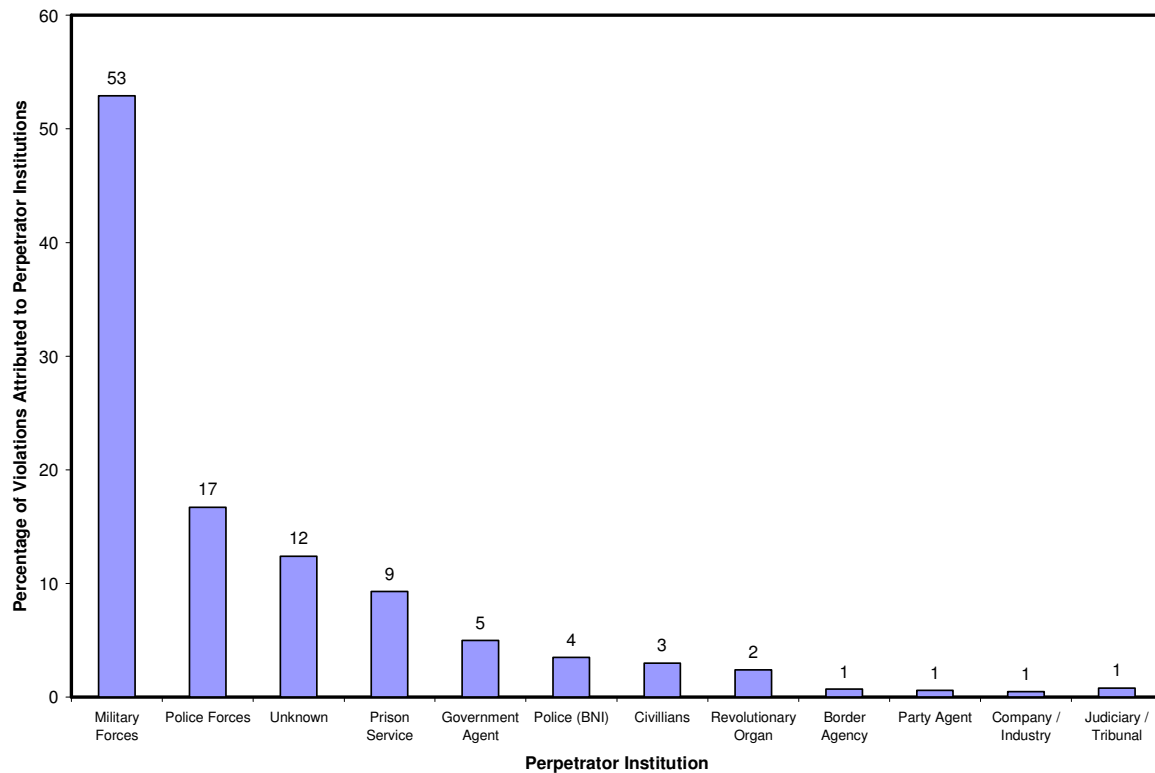
VOLUME 1 CHAPTER 6**6.2.2 Perpetrator responsibility**

6.2.2.1 Considering all the violations recorded in the statements under review, Figure 4 shows that the Military Forces, the Police Service and the Prison Service stood out as the main perpetrators. The Military, according to the institutional aggregation, used for this database, was made up of Army, Navy, Air Force, Military Intelligence, Special Forces – the Search and Destroy Team and 64 Bn (Commando). The Military had about 53 percent responsibility, the Police Service and the Prisons Service had about 17 percent and 9 percent perpetrator responsibility respectively. There was a significant proportion (12%) of violations perpetrated by institutions that were not known to the statement makers or the victims. The percentage of perpetrator responsibility, according Figure 4, sums up to more than 100 percent. This could be explained by the fact that responsibility for some violations was attributed to more than one institution, since some of these institutions collaborated in perpetrating some of the violations.

6.2.2.2 Government agents which were made up of Borders Guards/Customs and Excise, Immigration Service, National and Local Governments also perpetrated some significant proportion of the violations. Similarly the BNI, civilians and revolutionary organs (Peoples Defence Committee (PDC), Committee for the Defence of the Revolution (CDR), Workers Defence Committee (WDC) and, Citizens Vetting Committee (CVC)) perpetrated some significant proportion of the violations.

Figure 2 Perpetrator responsibility for all violations



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6.2.2.3 From Table 2, on average, 48.2 percent of the violations were done by the Military and 15.8 percent by the Police. Throughout all the regimes, the Military forces were mostly used to perpetrate the violations except in the CPP regime where the Police Forces and the Prison Service were mostly used.

6.2.2.4 As high as 79.3 percent of the violations perpetrated in the AFRC era were by the military, and 54.9 percent and 53.2 percent in the NRC and SMC regimes respectively.

Table 1 Perpetrators in the different regimes

Regime	Military Forces	Police Forces	Unknown	Prison Service	Government Agent	Police (BNI)	Civilians	Revolutionary Organ	Judiciary / Tribunal	Border Agency	Party Agent	Company / Industry	Total
CPP	4.2	34.6	15.9	35.2	7.1		1.2	0.0	1.5	0.2	11.0	0.0	111
NLC	37.5	26.1	17.3	21.5	4.0	0.1	0.0	0.0	0.2	0.4	0.0	0.1	107
PP	36.4	27.3	12.1	15.2	6.1		0.0	0.0	9.1	0.0	0.0	0.0	106
NRC	54.9	16.2	12.3	13.7	4.9	0.2	0.5	0.0	1.2	1.2	0.0	0.5	106
SMC	53.2	17.9	14.7	7.1	5.1		1.3	0.0	0.0	0.6	0.0	0.6	101
AFRC	79.3	5.8	8.8	2.5	4.2	0.1	0.5	0.8	0.1	0.6	0.0	0.2	103
PNP	45.3	33.6	9.4	13.3	10.2	0.0	0.8	0.0	0.8	1.6	0.0	0.0	115
PNDC	51.2	16.8	12.5	7.6	4.9	5.5	4.4	3.5	1.0	0.8	0.0	0.7	109
NONE	69.0	12.8	12.8	2.2	7.4	0.0	0.7	1.5	0.7	0.0	0.0	0.2	107
TOTAL	52.9	16.7	12.4	9.3	5.0	3.5	3.0	2.4	0.8	0.7	0.6	0.5	108

Figure 5 shows the perpetrator responsibility of the three institutions for abductions, while Figure 6 shows the same for detentions. The Military have a very high

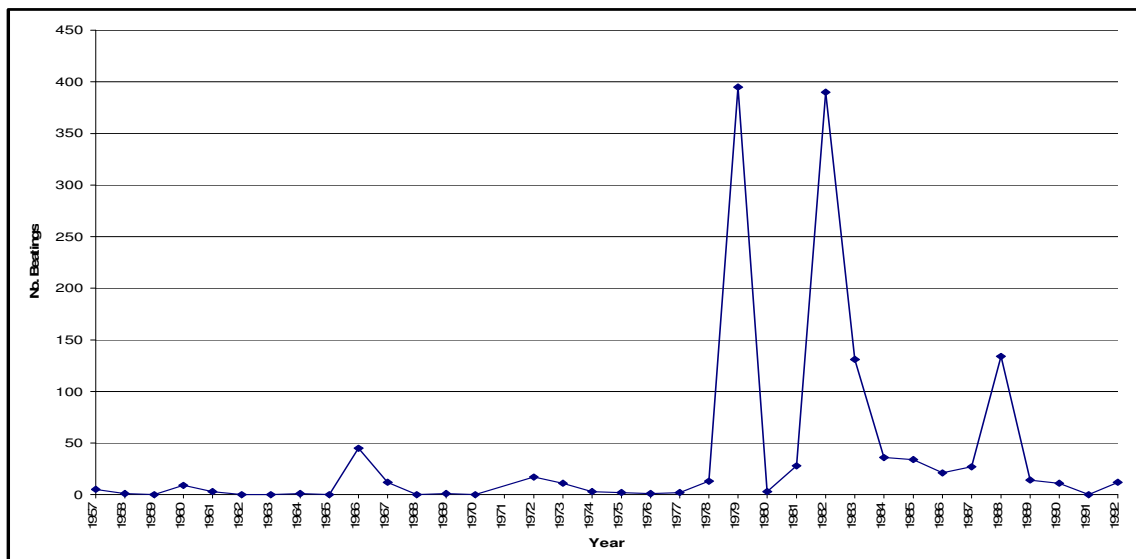
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responsibility of 43.6 percent for abductions; the Police Forces have 23.2 percent while the Prison Service has virtually no perpetrator responsibility (0.1%) for the abductions.

6.2.3 Beating violations

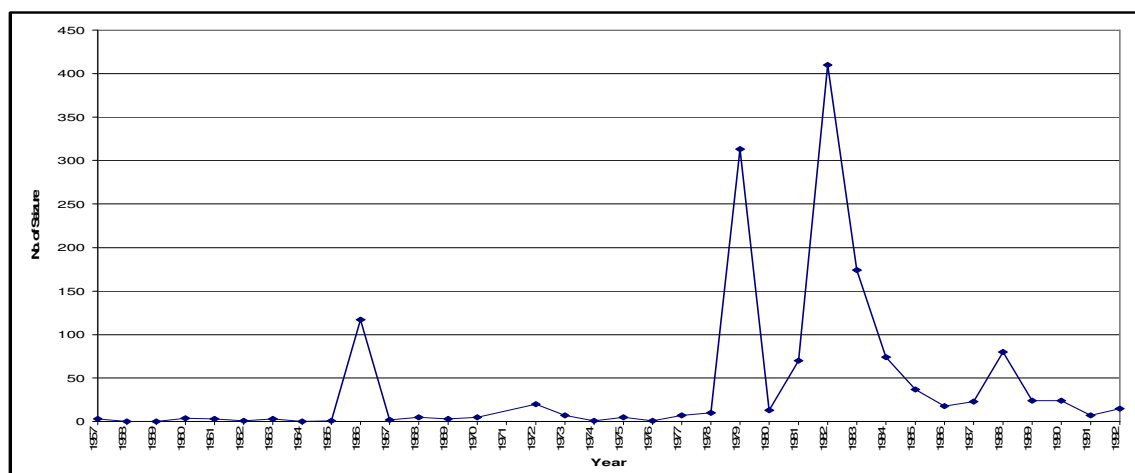
6.2.3.1 Beating violations during the mandate period occurred almost entirely under unconstitutional governments. Remarkably very high number of beating violations happened in 1979 the beginning of AFRC rule, 1982 the beginning of PNDC rule and 1988 which may be due to some other disturbances of the military government at the time.

Figure 3 Beating Violations over the period

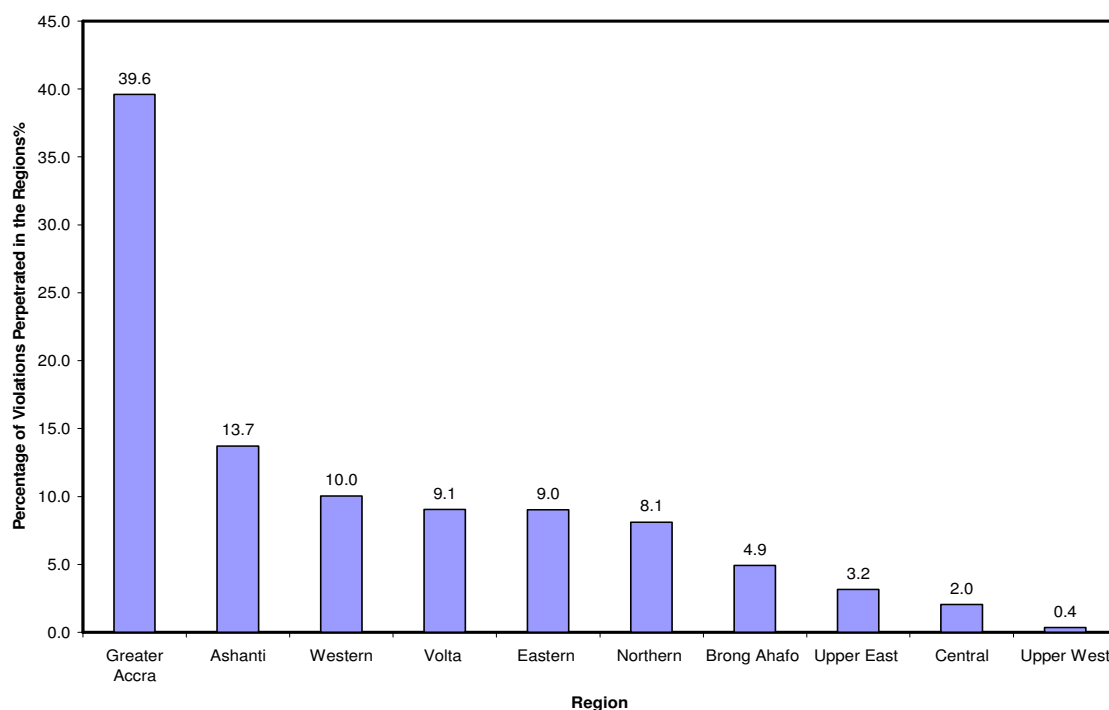


6.2.4 Seizure violations

6.2.4.1 Just like the beatings, seizure of properties happened almost entirely in the military governments where the peaks marked the beginning of new unconstitutional governments.

VOLUME 1 CHAPTER 6**Figure 4 Seizure of Property Violations over the period****6.2.5 Violations in the Regions**

6.2.5.1 There were a significant number of violations for which their regions of occurrence were not known. The presentation in Figure 5 represents the violations for which their regions of occurrence were known. Greater Accra recorded the greatest number (39.6%) of violations followed by Ashanti (13.7%). Upper West was the region where the least number (0.4%) of violations were reported to have occurred. This is to be expected, among other reasons, because Greater Accra is the seat of government and tends to experience the greatest impact of major national political disturbances.

Figure 5 Violations in the Regions

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6.2.5.2 Almost all the execution-style killings (81.8%) and media dismissals (93.8%) were recorded in Greater Accra. Most of the destructions (53.5%), price control (34.5%) and forced sales (20.2%) happened in the North¹. These are shown in table 8.

Table 2 Violations by region

Violation type	Greater Accra	Ashanti	Northern	Western	Volta	Eastern	Brong Ahafo	Central	Total
Abduction	34.3	18.3	9.9	11.4	9.8	7.3	6.1	2.8	100
Beating	36.1	11.7	10.6	13.0	13.6	7.9	5.0	1.9	100
Control Price	9.4	17.0	34.0	18.9	3.8	0.0	13.2	3.8	100
Destruction	10.8	14.4	53.5	4.5	13.6	1.6	0.4	1.2	100
Detention	49.7	11.7	5.7	7.6	5.5	13.7	4.4	1.6	100
Disappearance	41.2	17.6	5.9	0.0	11.8	23.5	0.0	0.0	100
Execution Style Killing	81.8	9.1	0.0	9.1	0.0	0.0	0.0	0.0	100
Extortion	45.5	12.1	9.1	3.0	9.1	12.1	3.0	6.1	100
Forced Displacement	13.3	40.0	6.7	0.0	33.3	0.0	6.7	0.0	100
Forced Sale	13.2	14.0	20.2	15.8	8.8	7.9	13.2	7.0	100
Head Shaving	34.9	19.8	8.1	17.4	7.0	4.7	4.7	3.5	100
Media Dismissal	93.8	6.3	0.0	0.0	0.0	0.0	0.0	0.0	100
Other Dismissal	62.1	5.7	5.7	4.6	8.0	6.9	6.9	0.0	100
Other Killing	43.6	15.4	6.7	12.8	4.0	6.7	6.7	4.0	100
Psychological Torture	37.1	12.4	11.3	20.6	10.3	6.2	1.0	1.0	100
Seizure of Property	39.4	16.5	9.5	10.4	10.1	7.0	4.3	2.8	100
Sexual Abuse	34.1	22.7	4.5	11.4	6.8	6.8	9.1	4.5	100
Specified Torture	30.3	13.4	13.9	8.9	11.1	12.4	8.9	1.1	100
Unspecified Torture	46.9	10.4	15.1	11.3	4.9	5.6	5.1	0.7	100
Total	39.6	13.7	11.6	10.0	9.1	9.0	4.9	2.0	100

6.2.6 Gender of victims

6.2.6.1 Table 4 shows that 8,686 victims suffered 12,517 violations. This indicates that some victims suffered more than one violation. On the average, a victim suffered about 2 violations. The minimum number of violations a victim suffered was 1 and the maximum was 55.

6.2.6.2 About 79 percent of the victims were males, 19 percent females and the rest were victims whose gender was not specified by the statement makers. The victims of executions in particular were all males. The type of violations in which the female victims were about the same as their male counterparts were forced sale (43.9%), sexual abuse (42.9%), head shaving (33.7%) and psychological torture (30.4%).

¹ In this study, the "North" includes Northern, Upper East and Upper West regions

VOLUME 1 CHAPTER 6**Table 3 Victims by gender**

Violation Category	Violation	Victims							
		Count				Percentage			
		Total	Female	Male	Unknown	Female	Male	Unknown	Total
Killing	Disappearance	31	1	28	2	3.2	90.3	6.5	100
	Execution Style Kill	43	0	43	0	0.0	100.0	0.0	100
	Other Killing	228	20	205	3	8.8	89.9	1.3	100
Mistreatment	Abduction	1621	268	1335	18	16.5	82.4	1.1	100
	Beating	1148	276	857	15	24.0	74.7	1.3	100
	Detention	1886	204	1647	35	10.8	87.3	1.9	100
	Forced Displacement	258	39	217	2	15.1	84.1	0.8	100
	Psychological Tortu	112	34	77	1	30.4	68.8	0.9	100
	Specified Torture	278	43	231	4	15.5	83.1	1.4	100
	Unspecified Torture	449	54	385	10	12.0	85.7	2.2	100
	Head Shaving	98	33	64	1	33.7	65.3	1.0	100
Dismissal	Sexual Abuse	56	24	32	0	42.9	57.1	0.0	100
	Media Dismissal	76	2	74		2.6	97.4	0.0	100
	Other Dismissal	354	5	347	2	1.4	98.0	0.6	100
Property	Control Price	67	17	48	2	25.4	71.6	3.0	100
	Destruction	463	175	282	6	37.8	60.9	1.3	100
	Extortion	53	8	44	1	15.1	83.0	1.9	100
	Forced Sale	148	65	82	1	43.9	55.4	0.7	100
	Seizure of Property	1317	353	939	25	26.8	71.3	1.9	100
	Total	8686	1621	6937	128	18.7	79.9	1.5	100

6.2.6.3 In the violations and abuses described in the statements filed with the Commission, over 80% were suffered by male victims. The killing of victims by military-style execution was entirely perpetrated against males. This is consistent with the view that abuse in Ghana was targeted against males.

6.2.6.4 Table 4 shows the percentages of male and female victims of each type of violation. In all instances, the percentage of male victims is significantly higher than that of the female victims. Looking at the abduction violations, about 83 percent were male victims. There were four of the violations where the percentage of the female victims was significantly comparable to their male counterparts. These are sexual abuse (43.1%), forced sale (41.7%), destruction (36.6%) and head shaving (34.0%). These are shown in Table 4. This supports the view that many women suffered sexual abuse, forced sale of wares at controlled price, destruction of private property and shaving of heads, especially during periods of unconstitutional governments where these violations mainly occurred.

VOLUME 1 CHAPTER 6**Table 4 Violations by gender**

Violation Category	Violation	Victims	Violations							
		Count	Count				Percentage			
		Total	Total	Female	Male	Unknown	Female	Male	Unknown	Total
Killing	Disappearance	31	31	1	28	2	3.2	90.3	6.5	100
	Execution Style Kill	43	43	0	43	0	0.0	100.0	0.0	100
	Other Killing	228	228	20	205	3	8.8	89.9	1.3	100
Mistreatment	Abduction	1621	1803	284	1498	21	15.8	83.1	1.2	100
	Beating	1148	2002	392	1576	34	19.6	78.7	1.7	100
	Detention	1886	3348	303	2979	66	9.1	89.0	2.0	100
	Forced Displacement	258	271	40	229	2	14.8	84.5	0.7	100
	Psychological Torture	112	121	35	85	1	28.9	70.2	0.8	100
	Specified Torture	278	435	61	367	7	14.0	84.4	1.6	100
	Unspecified Torture	449	599	54	532	13	9.0	88.8	2.2	100
	Head Shaving	98	100	34	65	1	34.0	65.0	1.0	100
	Sexual Abuse	56	58	25	33	0	43.1	56.9	0.0	100
Dismissal	Media Dismissal	76	76	2	74	0	2.6	97.4	0.0	100
	Other Dismissal	354	359	5	352	2	1.4	98.1	0.6	100
Property	Control Price	67	75	21	52	2	28.0	69.3	2.7	100
	Destruction	463	631	231	392	8	36.6	62.1	1.3	100
	Extortion	53	62	8	53	1	12.9	85.5	1.6	100
	Forced Sale	148	168	70	97	1	41.7	57.7	0.6	100
	Seizure of Property	1317	2107	536	1513	58	25.4	71.8	2.8	100
	Total	8686	12517	2122	10173	222	17.0	81.3	1.8	100

6.2.6.5 Looking at violations by age group, it is clear that the violations were mainly perpetrated against adults. However, 4% “other killings” were children and 4% of the sexual abuses were children (Table 6). We can therefore say, generally, that the violations were not targeted against children.

Table 5 Violations by age group

Violation Category	Violation	Count				Percentage		
		Unknown	Adult (18+)	Child (0-17)	Total	Adult (18+)	Child (0-17)	Total
Killing	Disappearance	6	25	0	25	100	0	100
	Execution Style Killing	6	37	0	37	100	0	100
	Other Killing	35	186	7	193	96	4	100
Mistreatment	Abduction	288	1506	9	1515	99	1	100
	Beating	263	1711	28	1739	98	2	100
	Detention	471	2858	19	2877	99	1	100
	Forced Displacement	35	233	3	236	99	1	100
	Psychological Torture	20	101	0	101	100	0	100
	Specified Torture	46	386	3	389	99	1	100
	Unspecified Torture	85	507	7	514	99	1	100
	Head Shaving	10	88	2	90	98	2	100
	Sexual Abuse	7	49	2	51	96	4	100
Dismissal	Media Dismissal	2	74	0	74	100	0	100
	Other Dismissal	40	318	1	319	100	0	100
Property	Control Price	7	68	0	68	100	0	100
	Destruction	81	535	15	550	97	3	100
	Extortion	7	54	1	55	98	2	100
	Forced Sale	20	145	3	148	98	2	100
	Seizure of Property	269	1821	17	1838	99	1	100
	Total	1698	10702	117	10819	99	1	100

6.2.6.6 In total, 67.6% of the violations recorded in the statements received by the Commission for the mandate period were perpetrated during the PNDC era and 16.9% in

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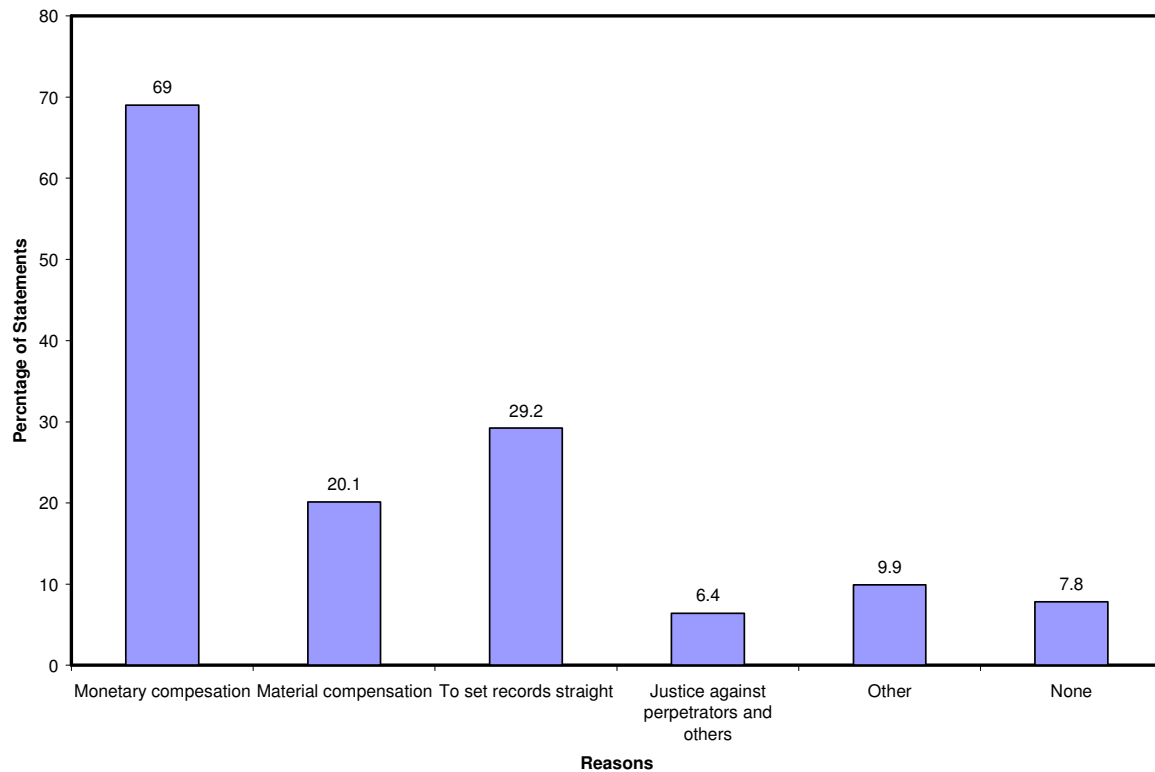
the AFRC era. Even though the CPP era was far back into the past, it recorded a significant percentage (5.7%) of the violations. With the exception of controlled prices, where the highest percentage (45.8%) was recorded in the AFRC era, the highest percentage of all violations and abuses was recorded in the PNDC era.

Table 6 Violations in different regimes

Violation Category	Violation	CPP	NLC	PP	NRC	SMC	AFRC	PNP	PNDC	NONE	TOTAL
Killing	Disappearance	9.7	0	0	0	0	9.7	0	80.6	0	100
	Execution Style Killing	0	0	0	0	0	20.5	0	76.9	2.6	100
	Other Killing	0.9	0.5	0.9	0.9	0.9	15.3	1.9	74	4.7	100
Mistreatment	Abduction	9.8	0.2	0.4	4	1.2	14.4	1.1	66.2	2.6	100
	Beating	2.4	0.1	0.2	2.8	1.1	23.6	0.9	63.8	5.2	100
	Detention	10.6	0.4	0.3	4.1	1.4	11.1	1.2	69.4	1.6	100
	Forced Displacement	19.6	0.4	0	0.4	0.4	9.8	2.4	65.7	1.2	100
	Psychological Torture	0.8	0	0	1.7	0	24.6	0	72.9	0	100
	Specified Torture	2	0.2	0	10.5	0.5	26	1	59.1	0.7	100
	Unspecified Torture	4.3	0.4	0.4	5.8	1.3	19.1	0.7	64.2	4	100
	Head Shaving	0	0	0	6	4	34	0	50	6	100
	Sexual Abuse	1.7	0	1.7	5.2	0	24.1	6.9	55.2	5.2	100
Dismissal	Control Price	0	0	0	0	2.8	45.8	1.4	44.4	5.6	100
	Destruction	2.1	0	0	0.3	2	5.2	0.3	83.1	6.9	100
Property	Extortion	0	0	0	5	1.7	20	0	73.3	0	100
	Forced Sale	0.6	0	0	4.9	1.8	34.1	2.4	47.6	8.5	100
	Media Dismissal	0	0	0	0	1.3	5.3	0	93.4	0	100
	Other Dismissal	1.2	0.6	0.3	3.5	3.5	6.7	3.2	77.2	3.8	100
	Seizure of Property	1.3	0.1	0.4	2.6	1.3	21.7	1.1	67.5	4	100
TOTAL		5.7	0.2	0.3	3.5	1.3	16.9	1.1	67.6	3.4	100

6.2.7 Reasons For Petitioning The Commission

6.2.7.1 The main reasons why people petitioned the commission were (1) to receive compensation and (2) to set records straight. In all, about 89 percent of the statement makers indicated compensation as one of their reasons for petitioning the Commission. Setting the record straight was one of the reasons for 29.2 percent of the statement makers. A significant proportion (6.4%) also came to demand justice against perpetrators and others. The figures describing the proportion here total more than 100 percent because statement makers typically gave more than one reason for petitioning the Commission.

VOLUME 1 CHAPTER 6**Figure 6 Reasons for making statements at the Commission****6.2.8 Long-term Effects Of The Abuses**

6.2.8.1 In about half of the violations, statement makers or the victims did not indicate any long term effects. Economic hardship and bankruptcy accounted for 26 percent of the long term effects of the violations while family disintegration and lack of education for children accounted for about 21 percent of them. A significant percentage (16%) of the long term-effects was also health-related.

VOLUME 1 CHAPTER 7**CHAPTER 7****REPARATIONS****7. REPARATION AND REHABILITATION FUND****7.1 Establishment Of Fund**

7.1.1 In accordance with section 20 (2) (h) of the National Reconciliation Commission Act, 2002 (Act 611), the Commission recommends the setting up of a Reparation and Rehabilitation Fund from which, among others, monetary compensation will be disbursed.

7.2 Sources Of Funds

7.2.1 The following are recommended as sources of generating cash to build the fund:

1. The government should make provision in the national budget towards paying reparation.
2. In addition some provision can be made as part of poverty alleviation.
3. The government should apply a percentage of the HIPC funds to the reparation.
4. Perpetrators' Contribution - At least one perpetrator has given an indication of his willingness to go beyond an apology to do more to show remorse and work towards healing and reconciliation. The Commission recommends that provision should be made for perpetrators who are willing to contribute to the fund. Perpetrators who wish to make anonymous contributions should be encouraged to do so.
5. Corporate Bodies may be encouraged to make voluntary contributions to the fund. Such contributions should be tax-deductible.
6. Voluntary Contribution from the public - an appeal should be made to the general public for those who are willing to contribute towards an effort to cleanse our past and reconcile the nation.
7. The Commission also recommends that the proceeds from the sale of the Commission's Report and other memorabilia should go into the Reparation Fund.

VOLUME 1 CHAPTER 7**7.2 LEGAL BASIS FOR REPARATION**

7.2.1 The legal bases for the Commission's recommendation on reparation are, first and foremost, derived from the National Reconciliation Act, 2002 (Act 611) section 20(2) specifically:

- 20 (2) (d) recommend the appropriate response to the specific needs of each victim or group of victims;
- (f) recommend reforms and other measures whether legal, political, administrative or otherwise needed to achieve the objectives of the Commission;
- (g) promote healing and reconciliation ; and
- (h) setting up of a reparation and rehabilitation fund.

7.2.2 Even though the Act does not mandate the Commission to disburse reparation, having investigated complaints of human rights violations and abuses and having identified victims in accordance with section 4 of Act 611, it is better suited to recommend appropriate reparations for implementation by any body or bodies that would be established in accordance with section 20 (2)(h).

7.2.3 Secondly, Chapter 15 of the Constitution, 1992, entrenches the fundamental rights and freedoms of every person in Ghana and same shall be respected by the State, its agencies as well as individuals. It also provides specifically for circumstances under which victims of human rights violations shall seek redress as well as provisions for the payment of compensation by violators. Reparation for human rights violation is, therefore, a right the individual is entitled to, and not a favour.

7.2.4 Best practices in international law provide another legal basis for the Commission's recommendation on reparation. Within the framework of international human rights, a consensus is evolving regarding the obligation to protect fundamental human rights and freedoms, and the right to seek redress when these rights are violated. A right to seek redress implies a duty to ensure that appropriate steps (including reparation) are taken to address any violation.

7.2.5 Lastly, Ghana is a party to major international treaties that assert the inviolability of fundamental human rights, the same rights that the Commission was set up to investigate. All of these treaties have provisions regarding the right of victims to remedy, such as compensation.

7.3 OBJECTIVES OF THE COMMISSION'S REPARATION POLICY

7.3.1 The objectives of the Commission's reparation policy are captured in the following:

VOLUME 1 CHAPTER 7**7.3.1.1 RIGHT**

The 1992 Constitution entrenches the fundamental rights and freedoms of the individual, which shall be respected by the State, its agencies and individuals and a corresponding right to seek redress when these rights are violated. A principal objective of this reparations policy is to reinforce the citizen's right to redress as well as the responsibility of the State to conduct itself in a manner based on respect for human rights, the rule of law and democratic accountability.

7.3.1.2 RECOGNITION

Another major objective of the reparations policy is to achieve two forms of recognition: recognition of victimhood and recognition of accountability. The first means acknowledging that the treatment to which the victim was subjected constitutes a serious human rights violation or abuse. The second means that, no matter how long it takes, the State, and for that matter, responsible actors, shall be called upon to account for their acts of commission and omission.

7.3.1.3 REPAIR AND REHABILITATION

Through reparations, the Commission seeks to, somehow alleviate the suffering of victims (direct or indirect) of human rights violations and to help them carry on with their lives.

7.3.1.4 REFORM

While the award of reparation, by its very nature is backward-looking, it also serves a forward-looking purpose, to the extent that it provides a basis for non-repetition. In that respect it is the objective of the Commission that through the reparations package, the nation will be motivated to resolve that "Never Again" shall the State facilitate or preside over such gross human rights violations.

7.3.1.5 RESPECT

Reparation will be recommended for everyone against whom human rights violations will be established, there will be no distinction between the well-placed in society and the ordinary victim, who is usually voiceless and lacks the means to take on the highly-placed and powerful in society. One of the objectives of the reparations policy is to underscore respect for all individuals, irrespective of their social or economic status.

7.3.1.6 REALISM

In making its recommendations for reparation, the Commission is striving to achieve a balance between the need to redress human rights violations and the resource constraints

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that confront the nation. As already stated, reparations can never fully repair the damage caused to victims nor restore them to the *status quo ante*. However, recommendations, which do not take account of the resource limitations of the nation, will make implementation a difficult and a long drawn-out enterprise and therefore exacerbate the pain of victims.

7.4**FORMS OF REPARATION****7.4.1 SYMBOLIC MEASURES**

7.4.1.1 The point cannot be over-emphasized that no reparation, monetary or otherwise can restore victims (direct or indirect) to the *status quo ante*. It is also a fact that some victims find monetary reparation rather offensive, as it appears like payment for their suffering.

7.4.1.2 There are yet some victims, who have managed, somehow, to put their pain behind them, moved on with their lives and have stated expressly that they do not want monetary compensation. For some petitioners, they are only looking for the truth regarding the disappearance or killing of their loved ones. The Commission therefore regards symbolic reparation as probably the most significant of all forms of reparation and should be awarded together with other forms of reparation that are considered appropriate. In the light of the above, the Commission recommends the following symbolic reparations:

7.4.1.3 Apology

- ❖ Letters of apology signed by the President, couched to reflect the category of violation suffered by specific victims of egregious human rights violations.
- ❖ Apology (radio and television broadcast) by heads of public institutions that are identified as main actors in the violation of the rights of individuals. For example an apology from the President as the Head of State and Commander-in-Chief of the Ghana Armed Forces.
- ❖ A special apology from the President to the Ghanaian woman for the indignities and the atrocities she has endured.

7.4.1.4 Monuments And Commemorative Events

- ❖ A national monument in Accra, in honour of the killed, disappeared (all those who lost their lives as a result of human rights violation) and to the unknown victim of human rights abuse during the Commission's mandate period. On the monument shall be engraved the names of the victims who fall in this category, such as the Generals, the three High Court Judges and retired Army Officer, those executed after sham trials fraught with severe torture and serious procedural irregularities and the unknown victims.

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- ❖ A monument to be erected in honour of the Ghanaian woman.
- ❖ Monuments in the regional capitals in honour of traders, and other civilians.
- ❖ A National Reconciliation Day: a one-off commemorative day, not an annual affair, when monuments are unveiled, apology letters delivered and broadcasts made by the President and heads of responsible institutions.
- ❖ An Annual Remembrance/Thanksgiving Day.
- ❖ National Reconciliation memorabilia:
 - National Reconciliation Stamps
 - National Reconciliation coins
 - National Reconciliation badges

These could be sold to raise money for the Rehabilitation Fund.

- ❖ Annual Reconciliation Lectures to foster respect for human rights, rule of law and democratic principles

7.4.1.5 Scholarships

- ❖ Scholarship for one child (in public school up to SSS level) of the following category of victims
 - Persons who lost their lives as a result of human rights violation
 - The disappeared
 - Persons disabled as a result of human rights violation
 - Traders whose goods were seized

An eligible child is a child born to a victim– petitioner or for whom a petition was made to the Commission. Valid birth certificates to be produced to prove parentage and age.

7.4.1.6 Health Benefits

7.4.1.6.1 For those living with health problems as a result of human rights violation, the NHIS, which is about to take off, should take care of their concerns.

7.4.1.6.2 The Commission also recommends the establishment of a Trauma and Counselling Centre in every Regional and District Hospital.

7.4.1.7 Namoo Market

The Commission recommends the building of a market for Namoo as a kind of community reparation. Namoo is a border town in the Upper East Region, which had a vibrant market. However, following frequent unlawful seizure of goods from the traders and the atrocities meted out to them in the process, the market is now located on the

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Burkina Faso side of the border, thereby, depriving the people of Namoo in particular, and the Ghanaian economy in general, of much needed income

7.4.2 RESTITUTION

7.4.2.1 Those who suffered unlawful confiscation of property, such as lands and buildings should, in principle, have their properties restored to them.

- ❖ Where third parties have acquired bona fide interests, it is recommended that the government enters into negotiations with both sides to arrive at a solution without appearing to be confiscating property from the present owners.
- ❖ SHAPIC Confiscations – these were based on the State Housing Allocation Policy Implementation Committee (SHAPIC) Law, 1984 (PNDCL 83) which, itself, was based on an existing government policy that no one was to own more than one house built by the State, under the State Housing and Tema Development Corporations (Ownership of Houses) Decree, 1979 (AFRCD 50). However, over the years, people with influence and connection had multiple allocations. Those caught by this law had the additional houses confiscated. The Commission endorses this position.
- ❖ Those who suffered violation based on false charges or accusation should have their good name restored. The Commission recommends a declaration and an apology letter signed by the President.

7.4.2.2 Vehicles

The Commission recommends the payment of a flat sum of money (rather symbolic) to all those who had their vehicles confiscated or seized, irrespective of the make, or number. The reason being, that these vehicles are either not available for restoration or if available, not in a condition that would enable restoration. However, in view of current market trends, any attempt to pay the current market value of the vehicles could jeopardize the overall implementation of monetary reparation.

7.4.3 MONETARY COMPENSATION

7.4.3.1 This is by no means payment for human rights violations because money, like any other form of compensation, can never restore victims to the *status quo ante*. Besides, it is impossible to quantify in money or money's worth, losses as well as the physical, emotional, mental and psychological agony that victims and/or families have been through.

7.4.3.2 The following general recommendations are made:

- ❖ A one-off payment for eligible victims.
- ❖ Monetary compensation should be available for those willing to access it.

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- ❖ Victims whose violations fall into more than one category shall not be awarded cumulative compensation. They shall be awarded compensation for the severest of the violations. However, those who suffered multiple violations under different regimes may be considered for a top up of about 2-3 million cedis.
- ❖ In proposing the amounts to be paid, the Commission has tried to maintain a balance between assuaging the pain of victims and the reality of the Ghanaian economy (i.e. ability to pay and to do so promptly). This will enable the victims to have closure and carry on with their lives.
- ❖ Victims who have already received compensation will not be eligible for further compensation.
- ❖ Those who have received partial compensation for the violations suffered will have the amounts of compensation topped up.

7.4.3.3 PROPOSED AMOUNTS

- ❖ Loss of life resulting from human rights violation – killings disappearance etc.
¢20m – ¢30m
- ❖ TORTURE to DEATH ¢15m - ¢30m
- ❖ TORTURE ¢5m - ¢15m
- ❖ DISABILITY (physical, including maiming and mental/ psychological) resulting from:
 - Torture} ¢5m - ¢10m
 - Shooting}
 - Bomb outrage}
- ❖ DETENTION(including being taken Hostage) Range
 - Over 5 years ¢2m - ¢15m
 - 2 to 5 years ¢15m
 - 6 months to up to 2 years ¢10m
 - Up to 6months ¢5m
- ❖ EXILE ¢2 - ¢10m
 - Over 5 years ¢10m
 - 2 to 5 years ¢7m
 - Up to 2 years ¢3m
- ❖ RAPE ¢10m
- ❖ GANG RAPE ¢15m
- ❖ Other sexual violations ¢5m
- ❖ ILL-TREATMENT ¢1m - ¢5m
- ❖ SEIZURE OF PROPERTY ¢1m - 10m
 - Big time traders – wholesalers, importers/exporters ¢10m
 - Petty traders ¢1m - ¢3m

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- Vehicles regardless of type or make
- (seizure/confiscation/totally wrecked,) ₺3m - ₺10m
- ❖ **CONFISCATION/DESTRUCTION OF PROPERTY** ₺1m - ₺10m
 - Buildings – **Restoration** where possible
 - Frozen Accounts
 - Confiscation of money in frozen Accounts
 - Burning
 - Bombing of building
 - Demolition of building on allegation of hoarding
This is meant to be a symbolic gesture towards cost of renovations as most of such buildings might already have been renovated.
- ❖ **DISMISSALS**
Employers to pay entitlements plus compensation
 - Wrongful / arbitrary release from military MOD to pay entitlements plus compensation for those who do not qualify for pension. Those who qualify for pension to be put on pension. All entitlements to be paid at values calculated as at the time of payment.
 - Wrongful release from other Security Services, same principle to apply to affected institutions.
- ❖ **PEACE-KEEPING VICTIMS (CIF items)**

MOD to pay dollar equivalent of cost of goods not delivered, since the arrangement with Ofori Electronics was done under the authority of the Officers-in-Charge.

7.5 CATEGORISATION OF VIOLATIONS**7.5.1 KILLINGS**

- a) Extra-judicial executions
- b) Death from torture
- c) Death from forced labour --- those who were forced to load cocoa into trucks and died as a result and victims of the cocoa evacuation task forces.
- d) Death from action of Security Services personnel: targeted shooting, stray bullets and those who died from bomb blasts by non-State actors.
- e) Those who were executed following sham trials during which severe torture and other forms of serious irregularities were alleged.

VOLUME 1 CHAPTER 7**7.5.2 DISAPPEARANCE**

The Commission presumes that all the disappeared are dead

7.5.3 TORTURE

7.5.3.1 This includes physical and mental torture such as mock executions and the general mental agony of not knowing what next is about to happen

7.5.4 DETENTION

- Up to 6 months
- 6 months – 2 years
- 2 years – 5 years
- Over 5 years

7.5.5 EXILE

- Up to 2 years
- 2 years – 5 years
- Over 5 years

7.5.6 DISABILITY/MAIMING/INJURY FROM ACTION OF SECURITY SERVICE PERSONNEL

7.5.6.1 This includes those who are living with disability as a result of

- Torture
- Shooting
- Bomb outrages

7.5.6.2 This also includes those who sustained injury from targeted shooting or stray bullets as well as bomb blasts.

7.5.7 SEXUAL VIOLATION

7.5.7.1 The Commission believes that this violation deserves special mention because of the loss of self-worth and the emotional and psychological trauma that victims, especially women have to deal with:

- Rape and gang rape
- Interference with genitalia
- Extortion of sexual favours in exchange for visitation rights
- Men forced to simulate sexual intercourse with the ground / forced to push their genitals into holes
- Women to perform oral sex.

VOLUME 1 CHAPTER 7**7.5.8.0 ILL-TREATMENT**

7.5.8.1 This is when a person is subjected to one or more of the under-mentioned in circumstances where they are not sustained or severe enough to be considered as torture

- a). Violation of Dignity
 - Stripping people naked or to near nakedness
 - Stripping women of their tops
 - Shaving of hair with broken bottles / cutting hair in rough patches
- b). Cruel and Degrading Forms of Punishment
 - Flogging in public
 - Slapping / beating
 - Parading people through streets
 - Rolling on the ground/crawling on gravel
 - Drills
 - Being forced to lie in a coffin
 - Forced labour
 - Being forced to perform menial tasks such as scrubbing of toilet with bare hands; being forced to eat/lick faeces or drink urine
 - Being forced to drink cement mixed with water
 - Forced cannibalism
 - Being forced to eat carcass
 - Being forced to chew raw salt
 - Being forced to slap one's parent/close relation
 - Being forced to engage in slapping contest
 - Using ear for ash tray
 - Singeing
- c). Beating
 - Beating leading to Disability such as blindness, hearing impairment --- the Commission has heard a lot of witnesses who are blind in one eye or have impairment in one or both ears as a result of having been beaten with belt buckles or from heavy slaps
 - Beatings resulting in miscarriages and injury to unborn babies – the Commission has come across quite a bit of this evidence and the Commission thinks they deserve special treatment in reparation

7.5.9.0 SEIZURE /CONFISCATION OF PROPERTY

7.5.9.1 Those whose goods were seized for allegedly hoarding or selling above the controlled price:

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- Village of Namoo (Upper East Region) and Badu (Brong Ahafo Region) Cases
- Seizures of foodstuffs in the Northern Regions, etc.

7.5.9.2 The Commission thinks these two cases require special mention in the report because most of them had their goods seized under very bizarre circumstances such as trucks loaded with foodstuffs which were intercepted on major highways on mere suspicion that the goods being conveyed would be smuggled into neighbouring countries.

7.5.10.0 CONFISCATION OF PROPERTY

- This implies confiscation of lands and landed property
- Freezing of Accounts
- Confiscation of Monies in Accounts
- Confiscation of cars
-

7.5.11.0 DESTRUCTION OF PROPERTY

- Demolition of Makola (No.1) Market
- Burning of Tamale Market
- Burning and Destruction of property
- Bombing: the Teshie case and the resultant destruction in property, bombing of buildings on suspicion of hoarding, Takoradi, Tamale
- Destruction of Ekwamkrom
- Destruction of 'The Lord is my Shepherd Church' and other Churches in Kumasi

7.5.10.1 DISMISSALS / ARBITRARY RELEASE FROM THE SECURITY SERVICES

- This includes those dismissed over the radio
- Service personnel who were arbitrarily released from the military and other security services

7.5.11.0 ARREST, HARASSMENT, TORTURE AND DETENTION OF MILITARY INTELLIGENCE PERSONNEL**7.5.12.0 NON-DELIVERY OF CIF ITEMS FOR PERSONNEL ON PEACE-KEEPING OPERATIONS**

VOLUME 1 CHAPTER 7**7.5.14.0. ADA SONGHOR LAGOON SALT MINING****7.6 CONCLUSION**

Implied in any award of reparation, is an attempt to repair the harm and damage caused to victims. The Commission acknowledges that reparations, no matter how generous or well-intentioned cannot restore the victim to the *status quo ante*. That is why everything should be done to guard against human rights violation.

VOLUME 1 CHAPTER 8**CHAPTER 8****RECOMMENDATIONS FOR RECONCILIATION AND
INSTITUTIONAL REFORM**

8.0.1 International law as well as domestic law oblige government to protect its citizens, and provide redress for those whose human rights are abused, impose sanctions on those whose conduct caused the violation, and prevent a re-occurrence of the conditions that produced the violation.

8.0.2 To this end, the Parliament of Ghana passed an Act, the National Reconciliation Commission Act 2002 (Act 611), to establish a National Reconciliation Commission.. The main function of the Commission was to investigate abuses and violations that occurred particularly during periods of unconstitutional rule, and to seek and promote national reconciliation among the people of the country by recommending appropriate redress for persons who have suffered any injury, hurt, damage, grievance or who in any other manner have been adversely affected by the violations and abuses of their human rights arising from the activities or inactivities of public institutions and persons holding public office during periods of unconstitutional government. The Commission was also to make recommendations that would ensure the non-repetition of the conduct that produced the injury or violation.

8.0.3 The Commission is expected to do the following:

- Produce proper documentation establishing the nature and causes of serious violations and abuses of human rights;
- Provide an accurate historical record of matters investigated by the Commission;
- Identify victims of violations and abuses of human rights;
- Recommend the specific needs of each victim or group of victims;
- Suggest measures to prevent and avoid the repetition of such violations and abuses;
- Recommend reforms and other measures whether legal, political, administrative or otherwise needed to achieve the objects of the Commission;
- Promote healing and reconciliation; and
- Recommend the setting up of a Reparation and Rehabilitation Fund.

8.0.4 The Commission investigated the social background of the human rights abuses under the following sectoral themes:

- The Security Services;
- The Legal Profession (including the Judiciary);
- The Media (both print and electronic);
- The Labour and Students Movement;

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- The Professional Bodies (other than Legal) and civil society groups; and
- The Religious Bodies and Chieftaincy Institution.

8.0.5 These thematic researches provided a kaleidoscopic view of the human rights terrain since Ghana attained Independence, and the information obtained has formed the basis of the recommendations made.

8.0.6 The recommendations for healing and reconciliation are set out first, followed by the institution-specific recommendations for reform, and then the general recommendations. The institution-specific recommendations for reform are also arranged in the order in which the Commission has published the reports in Vol. IV of the Commission's Report

8.1 RECOMMENDATIONS TO PROMOTE HEALING AND RECONCILIATION

8.1.1 All Ghanaians are obliged to seek and promote the good of Ghana, whatever our particular circumstances. We must recognise and accept that nation-building requires effort, sacrifice, self-sacrifice, time and patience. For the sake of our nation's future, we must endeavour to make our individual contributions to the nation-building effort so that we shall leave "footprints in the sands of time".

8.1.2 Many Ghanaians have suffered great wrongs at the hands of fellow citizens as well as the State itself through its office-holders at various points in time. The record of the Commission's work has told a miserable tale of the grievous wrongs and heinous crimes that have been perpetrated on Ghanaians by fellow Ghanaians. Office-holders have wielded the power of the State with little compassion, with the result that a lot of harm has been done to many Ghanaians. Many have suffered and many homes have been destroyed. Some Ghanaians have been killed with impunity, some have disappeared and families, to date, do not know whether they are dead or alive. Some Ghanaians have suffered severe tortures, both physical and psychological, from which they died, or have emerged with serious physical disabilities or mental illness. Some Ghanaians have suffered detention without trial, some for many years, for no just cause. Women, the mothers of the nation, have been humiliated in public and suffered acts of indignity that disgraced womanhood, and many prosperous businesses have collapsed, leaving their owners with debts from which they have been unable to recover. "Might makes right" has been the dominant philosophy of the leaders, "Keep yourself out of trouble" has been that of those who were in a position to make a difference to the victims of the atrocities. The recital of past woes could go on, until it drowned out hopes of a brighter future.

8.1.3 We must not be tied down to our past mistakes or misfortunes. Doing so would produce nothing but further suffering. Instead, we have to make serious efforts to put all the pains behind us, and help to build a new Ghana where the conditions that produced such pain and suffering would not be permitted to recur. Every Ghanaian must make a personal pledge that 'NEVER AGAIN!' shall such wrongs be a feature of governance or a feature of life in this beautiful land of our birth.

8.1.4 The State of Ghana must acknowledge the wrongs perpetrated against some of its citizens in its name, and in a spirit of true reconciliation, take steps to right the wrongs,

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however late or inadequate such measures might be. “It is never too late to mend” must be our nation’s guiding principle as we seek to lay the ghosts of the past to rest.

8.1.5 The Commission therefore makes the following recommendations, fully mindful of the difficulties ahead, but assured that Ghanaians appreciate the need to make reparation for what has been suffered, and to initiate reforms that would enhance the sense of well-being and citizenship that many Ghanaians have lost.

8.1.6 Certain events have traumatised the spirit of the nation and have produced shocks within the system whose impact transcend the time and place of their occurrence, as well as even the generations of Ghanaians affected by them. The effects of the Preventive Detention Act of the early years of Independence, the Protective Custody Decrees and Protective Custody Law of NLC, NRC, SMC I, SMC II and PNDC eras, will take a long time to wear off. So also would be the effects of the cataclysmic events of the 112 days of AFRC rule as well as the abduction and murder of many citizens including three Judges of the High Court of Ghana, and a retired Military Officer on 30th June, 1982.

8.2 Specific Recommendations

8.2.1 The President, as Head of the Executive and Commander-in-Chief of the Ghana Armed Forces, should make a formal apology to all victims of violations and abuses perpetrated by holders of public office from 6th March, 1957 to 6th January, 1993.

8.2.2 Proposals for reparation to be made and those requiring medical treatment or institutional care have also been made, in the hope that the apology would be made real in the lives of the affected persons.

8.2.3 The three High Court Judges and the retired Army Officer were murdered on 30th June, 1982, on the orders of the highest Executive authority in the land. The Executive branch must make a full and unqualified apology to the families of the murdered Judges and the retired Army Officer.

8.2.4 An apology is owed to the families of those who were killed in the Yendi massacre of 1969. The President should make a full apology to the families of those who died and those who were injured or maimed in the incident.

8.2.5 An apology is owed to the families of all those who were killed, as well as those who have disappeared and whose whereabouts, to date, are unknown.

8.2.6 The Police Investigation Team that investigated the incident swiftly and thoroughly must be given national Honours for their persistence in carrying out the investigations to the end, in the face of official harassment and intimidation.

8.2.7 Members of the Police Investigative Team who suffered victimisation must be rehabilitated. Those still in exile must be assisted to return home and resettled. This would send clear signals to the Police that the State of Ghana expects, and appreciates professionalism and dedicated service from its Service men and women.

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8.2.8 The existence of indemnity clauses under the Transitional Provisions to the 1992 Constitution has remained a sore point with many whose rights were abused by the PNDC government and its appointees. These clauses were not permitted to be debated by the Consultative Assembly in 1992 before insertion into the Draft Constitution. Although the Draft Constitution was later subjected to a referendum, the mode of its handling made it impossible for those who wished for a return to constitutional government, but who disapproved of the clauses, from expressing that preference. A stable constitutional order cannot be founded on injustice and impunity on the part of wrong-doers, matched by a deep sense of grievance by many citizens. The indemnity clauses must be subjected to a referendum once again, so that the democratic mechanisms might assist the nation to resolve this matter for all time.

8.2.9 The Commission strongly recommends the establishment of a Trauma and Counselling Centre in every Regional and District Hospital.

INSTITUTIONAL REFORMS**8.3 THE SECURITY SERVICES****THE GHANA ARMED FORCES****8.3.1 Working Relationship between Political and Military Authorities**

It is imperative that the working relationship between the Political and Military authorities at the top echelon of Command and Control should be cordial at all times. It is important that there is mutual understanding and respect between

- a) The Commander-in- Chief and the military High Command
- b) The Minister of Defence and the Chief of Defence Staff (CDS); and
- c) The CDS and his Service Commanders.

To this end, it is recommended that orientation and training be given to the Commander-in-Chief and Ministers on the one hand and the CDS and his Service/Unit Commanders on the other. Joint training sessions should be encouraged to enable each group appreciate the mode of working of the other.

8.3.2 Upholding Military Chain of Command

It is important that Political Authority, in the exercise of control over the Armed Forces and should know, respect and uphold the Military Chain of Command to avoid undermining Command Authority, and avoid undue interference. The Minister of Defence should appreciate the necessity of dealing with the Military through the established Command Structure, and discourage contacts with other levels of the Military Hierarchy, except as prescribed by the Chain of Command.

VOLUME 1 CHAPTER 8**8.3. 3. Cohesion of the Command Structure and the Officer Corps**

8.3.3.1 Breakdown of discipline in the Armed Forces resulting from the collapse of the Command Structure and the Officer Corps generated a reign of terror and the many acts of brutalities that the civilian population was made to suffer at the hands Junior Ranks, during periods of military regimes.

8.3.3.2 Collapse of Command and Control was also evident in the insecurity that was bred when allegations of coup plotting were made in such a fashion that trust and confidence among troops were undermined, with severe consequences for morale.

8.3.3.3 It is extremely important that in the supreme interest of the nation, cohesion of the Command Structure and the Officer Corps should be guarded in all circumstances to provide leadership and maintain discipline.

8.3.4 Operational Imperatives

8.3.4.1 It is imperative that appropriate measures are taken by the CDS and his Service Commanders to ensure that under no circumstance; in particular, in times of operational crises and emergencies, such as the situation of 31st December, 1981, should the command structure be allowed to disintegrate, to the extent that the CDS loses complete contact with his Service Commanders.

8.3.4.2 Contingencies to militarily contain or oppose, by the use of force, any attempt to destabilize the State by a coup, should be well planned and instituted. Procedures for activating these contingencies should be fully detailed and understood and rehearsed by appropriate Commanders and Principal Staff Officers who ought to know about the existence of such contingencies and the procedures to activate them.

8.3.5 Use Of Intelligence

8.3.5.1 The success of an attack on the system, as happened on the 31st December, 1981, would be determined largely by the absence of effective coordination among the political authorities, security establishments and the Military High Command. Intelligence is supposed to provide the necessary information to produce coordinated action. Therefore use of intelligence should be given top-most priority.

8.3.5.2 Systems should be instituted to enable intelligence to be shared by all parties requiring same, for action to be taken. It is important that all Intelligence Reports, especially those that affect the security of the State, be thoroughly investigated and the results shared with the relevant security institutions, to enable appropriate and coordinated action to be taken. No Intelligence Report pertaining to threats to State security should remain un-investigated, however apparently trivial. Failure to handle Intelligence information with despatch, should be treated as a major dereliction of duty, and sanctioned accordingly.

VOLUME 1 CHAPTER 8**8.3.6 Political Education**

8.3.6.1 Officers, Men and Women in the Armed Forces require political education as part of their training. They should be educated to understand that the Armed Forces operate under civilian political authority as represented by the President of the Republic as the Commander-in-Chief, and the Minister of Defence as the Government's political representative in the Armed Forces.

8.3.6.2 Training Curricula should be developed to effect a re-orientation. Such Training should aim at educating them on the role of the Military in constitutional governance; inculcate in them respect for the Constitution; emphasize traditional Military values of loyalty to the State; and cultivate respect for civilian authority.

8.3.6.3 In designing the Curricula and training, use should be made of the expertise of experienced retired Military personnel and resources in existing educational institutions.

8.3.7 Discipline

8.3.7.1 Members of the Armed Forces should be made to appreciate the value of the existing Military Regulations against non-participation in partisan politics. These Regulations should be strictly enforced by the Military High Command. Service personnel should be constantly reminded that those interested in holding political office, must resign from Service.

8.3.7.2 Military personnel should be educated to understand that they are subject to the civil law and so must conduct themselves in an orderly manner outside barracks. Military Police should perform their policing duties with diligence, to control behaviour of Service personnel, especially outside barracks.

8.3.7.3 Commanders at all levels should enforce Military Discipline in barracks in order to maintain the image of the Ghana Armed Forces as a disciplined Institution.

8.3.7.4 Misuse Of Military Personnel By Civilians

8.3.7.4.1 Service personnel involved in irregular interventions in civilian matters should be severely disciplined.

8.3.8. Communication

8.3.8.1 It is important that good channels of communication are established within the Security Institutions to promote better understanding between the High Command which constitutes the decision-making echelon and the rest who implement the decisions. The holding of Durbars by Commanders with their Officers, Men and Women should be made an administrative imperative and practised regularly.

8.3.8.2 Mechanisms for providing redress for grievances should be respected and implemented.

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8.3.8.3 It is equally important that the Parliamentary Oversight Committee responsible for Defence interact more often with the Armed Forces to promote better understanding and to enable Parliament to have better knowledge of the operations of the Ghana Armed Forces.

8.3.8.4 In the same vein the Armed Forces, Police and Prison Councils should establish procedures to enable them have better information on the workings and state of affairs of the Security Institutions over which they have oversight responsibilities.

8.3.9. Recruitment

8.3.9.1 Detailed vetting of prospective soldiers should be conducted in all recruitment exercises to ensure that only the best are recruited. Positive vetting, as practised in the Police Service, should be carried out in the Armed Forces during recruitment. Candidates selected for training as Service personnel, should be subjected to serious high level security screening before commencement of Recruit Training.

8.3.9.2 Selection of candidates for training as Officers should take into account moral quality, as well as a thorough screening and verification of individual's character before being accepted for training as Commissioned Officers.

8.3.10 The Need To Maintain Ethnic And Regional Balance

8.3.10.1 To ensure the maintenance of ethnic balance in the GAF, regional quota system for recruitment of Officers, Men and Women should be implemented. This is best facilitated by recruitment undertaken at the regional centres.

8.3.10.2 There should be a conscious policy to address issues of ethnicity and nationhood to improve the "national aspects" of military personnel. Educational programmes to address the dangers of ethnic biases and prejudices in a national army, should be developed to build morale better esprit de corps and patriotism within the institution..

8.3.11 Training

8.3.11.1 It is the duty of the Armed Forces to have good training schools with efficient instructors. Adequate training facilities should be made available to train Armed Forces personnel. Training schools should be equipped with modern gadgets to enable trainees benefit from their training. Advantage should be taken of advanced technology, to bring soldiers up to world-class standards. Anything short of this will spell disaster for the Armed Forces, as there is no shortcut to efficiency.

8.3.11.2 Training of Officers should inculcate into them good leadership, qualities of courage, competence and ability to exercise initiative, make decisions, and to take responsibility for them.

8.3.11.3 A policy of continuous character assessment should be pursued throughout the training period. An Officer Cadet assessed to have a questionable character should be withdrawn from training at the Military Academy.

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8.3.11.4 Continuation or in-service training should go on for as long as the Officer, Men and Women continue to serve. This is vital to help him/her cope with his or her assignment as he or she progresses in the service and assumes more weightier responsibilities.

8.3.11.5 Training for Officers, Men and Women should cover the sensitive but important issues of Lawful Order. Other Ranks, in particular, should be educated enough to appreciate what order is lawful or unlawful and be capable of differentiating between the two.

8.3.11.6 The culture of bullying and abuse of the vulnerable in military training institutions should be discontinued.

8.3.11.7 Training should reflect humanitarian values and therefore include courses on the Geneva Conventions on Humanitarian Law as well as Rules of War regarding the treatment of civilians and Prisoners of War. Early introduction to certain aspects of Military Law, Criminal Law and Civics would be beneficial.

8.3.12 Service Conditions**8.3.12.1 Salary**

8.3.12.1.1 It is important that in view of the enormous risks that service personnel face in the performance of their duties, they should be adequately remunerated, relative to prevailing salaries in the country. Discontent over salary and other conditions of service open service personnel up to temptation.

8.3.12.1.2 Service personnel are not permitted to unionise. Therefore, a mechanism for periodic review should be put in place to ensure that there is no room for agitation occasioned by stagnation in salary levels.

8.3.12.2 Accommodation

8.3.12.2.1 Suitable accommodation in barracks should be provided to all service personnel. This is to ensure that service personnel are reasonably settled and that the burden of running around to settle their families is eliminated to enable them to concentrate on the official duties. Accommodating service personnel in barracks would also facilitate general mobilization in times of emergencies.

8.3.12.3 Counselling

8.3.12.3.1 The risks to which Service personnel are exposed on a daily basis, require the intervention of counsellors. Counselling services, especially trauma counselling, should be instituted to address the mental health of Service personnel.

8.3.12.3.2 Specialised career-guidance services within the Service should be made available to enable personnel pursue fulfilling careers and thus eliminate career-related frustration, and burnouts that produce substance-abuse.

VOLUME 1 CHAPTER 8**8.3.12.4 Promotions**

8.3.12.4.1 Regulations on promotions should be strictly adhered to, in order not to create disaffection within the Service.

8.3.12.5 Compensation For Deaths And Injuries

8.3.12.5.1 To motivate Armed Forces personnel to perform their duties conscientiously, and with total loyalty and commitment, compensations paid to them and their beneficiaries when death occurs and when serious injuries are sustained on national duties should be adequate. Regulations governing such compensations should be regularly reviewed to ensure that they retain realistic values.

8.3.12.6 Release

8.3.12.6.1 Armed Forces Regulations make provision for releasing from service, those who cannot pass their promotions examinations, and those who have been overtaken in rank by their subordinates. The Regulations should be strictly enforced such that those who are required to be released, would be so released without delay. This will prevent those who are frustrated on account of lack of promotion from continuing to remain in the service, and adversely affecting morale. Such service personnel also constitute a danger as they become open to negative external influences.

8.3.12.6.2 All officers and men who display incompetence, or exhibit frustration, disaffection or discontentment, must, in accordance with the Armed Forces Regulations, be released immediately from the Armed Forces.

8.3.12.6.3 Commanding Officers should appreciate the value of Discharge Books, and should complete the documentation with due sense of responsibility. Discharge books should accurately reflect the reasons and circumstances for the premature release of service personnel.

8.3.12.7 Resettlement And Rehabilitation

8.3.12.7.1 Pre-release counselling should be instituted as an integral part of release and resettlement procedures.

8.3.12.7.2 The existing policy of resettlement and rehabilitation of officers, men and women should be implemented with consistency. In this regard, it is absolutely essential that those who lack employable skills be re-trained and thereby offered the opportunity for easy re-integration into civil life.

8.3.12.8 Messes And Canteens

8.3.12.8.1 It is strongly recommended that life in the officers' messes and the WOs, SNCOs and Other Ranks (ORs) canteens should be reactivated. This will help bring the service men and women together and thereby strengthen the *esprit de corps* within the

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Units, Bases and Stations. Service Commanders and Commanding Officers should ensure their reactivation, and encourage patronage.

8.3.12.9 Schools For The Children Of Service Personnel

8.3.12.9.1 To a very large extent, there are good facilities for the education of children and dependents of Service personnel, but there is plenty of room for improvement. When children of service personnel have good schools to attend in barracks, parents are free to concentrate on their job of defending the nation.

8.3.13 Secondment To Civil Institutions

8.3.13.1 The practice of seconding officers and SNCOs to civilian organizations should be discouraged. The bearing and orientation of military personnel tend to be adversely affected when they are placed in civilian establishments which have different work culture and orientation.

8.3.13.2 The enjoyment of the perquisites of civilian office had adverse effects on their fellow soldiers who did not have access to such facilities. This bred envy and destroyed morale in the Service.

8.3.15 Human Resource Issues And Logistics

8.3.15.1 It is the responsibility of Government to ensure that the GAF have adequate manpower and logistic support, especially transportation, communication, engineering, and medical equipment, maintenance facilities, clothing and other important operational stores to professionally execute their functions as enshrined in the Constitution and prescribed in National Defence Policy.

8.3.16 Officer-Man Relationship

8.3.16.1 Officers should ensure that their relationship with Other Ranks is good. The Men and Women constituting the Other Ranks must first and foremost be treated humanely. The officer should ensure that the welfare of the service personnel and their families is well taken care of.

8.3.17 Use Of Intelligence

8.3.17.1 Intelligence gathering organizations of the Security Services in the country should critically and meticulously check information received and when found to be fabricated, the originators of such false information should be severely dealt with. Training of Personnel for Intelligence duties should emphasise the need to treat information with circumspection until its veracity has been confirmed.

VOLUME 1 CHAPTER 8**8.3.18 Military–Civilian Relations**

8.3.18.1 The military as an institution should intensify its efforts in improving relations between it and the civilian population. Open days should be held more often to afford civilians an opportunity to experience life in the Armed Forces and to better appreciate their role as their protectors and not their oppressors.

8.3.18.2 Seconded military personnel also undermined the work the culture of the civilian organisations into which they were introduced, with the result that they became the objects of hatred. These negative feelings were this extended to the military institution as a whole

THE POLICE SERVICE**8.3.19 Modernisation Of The Police Service-Justice Archer Commission**

8.3.19.1 Since Independence, the Police Service has not undergone any major transformation. It is in imperative that the Report of the Justice Archer Commission on the structure, organization and operation of the Ghana Police Service be reviewed and the recommendations implemented.

8.3.20 Decentralisation Of Police Command

8.3.20.1 The Police Service is over centralized with over-concentration of power in the hands of the Inspector General of Police (IGP). This must be reviewed and decentralisation embarked upon with power, authority and responsibility devolving on the Regional Commanders to police their own regions. The Police Headquarters should become the centre for policy formulation and analysis and monitoring of the Regional Commands.

8.3.20.2 Decentralisation must impact on the decision-making mechanism and sharing of responsibility with local and administrative authorities at the Regional and District levels.

8.3.20.3 Decentralisation of operational Command must be pursued. For instance, the situation on 31st December 1981 when the Armoured Car Unit of the Police Service could not be mobilized to fight in support of Government because the IGP was not available is strategically and operationally unacceptable. The command structure should be reviewed and decentralized to make it possible for one of his deputies to assume Operational Command responsibility.

8.3.20.4 The inclusion of the IGP on the Advisory Board which also considers promotions creates concentration of power in one person's hand. This should be reviewed.

8.3.20.5 The promotion of Junior Ranks in the Police Service should not involve the IGP directly although he may remain the authority to whom complaints of unfair dealings and appeals in respect of promotions may be made.

VOLUME 1 CHAPTER 8**8.3.21 Recruitment****8.3.21.1 A National Police Service**

8.3.21.1.1 Efforts must be made to ensure that the Police Service has representation from every ethnic group in the country, as policing involves every community. Marginalised groups should be identified and given special encouragement to provide suitable candidates for enlistment.

8.3.21.2 Vetting Of Candidates

8.3.21.2.1 All persons entering the Police Service must undergo Positive Vetting to ensure their moral integrity.

8.3.22 Training And Education

8.3.22.1 With the rapid social transformation and democratic governance in our contemporary times, the Police Service must be aware of the necessity to provide good, qualitative and professional training and awareness programmes, if the personnel are to properly fulfil their mission. Training should educate Police Officers, Men and Women that he or she is the custodian of the law and not above it and it is expected of them to conduct themselves within the law.

8.3.22.2 The training curriculum must be redesigned to include intelligence gathering, awareness and training modules more closely linked to social realities, such as ethnic relations, human rights, common local problems of chronic lawlessness, street delinquency, domestic violence and youth problems.

8.3.22.3 The existing poor training infrastructure and facilities must be replaced with modern and up-to-date equipment to provide for a healthy training environment.

8.3.22.4 Re-training and other forms of in-service training should be instituted to ensure that all serving personnel are equipped with skills and up-to date information on modern policing.

8.3.22.5 Training For Senior Police Officers

8.3.22.5.1 There is the requirement for a senior training institution to provide Senior Police Officers with the requisite professional skills and knowledge which will prepare them to effectively and efficiently assume Senior Command and Staff Appointment in the Police Service. It is important to review the social content within Police Training Institutions, which inculcate the culture of abuse of power in service personnel.

VOLUME 1 CHAPTER 8**8.3.23 Service Conditions****8.3.23.1 Salary**

8.3.23.1.1 Police personnel are not permitted to unionise, nor to embark on industrial action. Therefore, a mechanism for periodic review of salaries allowances and other emoluments should be put in place to ensure that they keep pace with economic trends in the country.

8.3.23.2 Accommodation

8.3.23.2.1 The state of police accommodation in this country is deplorable. Efforts must be made to provide suitable accommodation, and also keep maintained, premises for the use of Police personnel. This is to ensure that Police personnel are reasonably settled, particularly in rural areas or other difficult locations. There should be more construction of barracks, as living within the community provides too many opportunities for corruption and poor enforcement of the law.

8.3.23.3 Counselling

8.3.23.3.1 The risks to which Service personnel are exposed on a daily basis, require the intervention of counsellors. Counselling services, especially trauma counselling, should be instituted to address the mental health of Service personnel, and reduce the incidence of substance-abuse.

8.3.23.4 Promotions

8.3.23.4.1 Regulations on promotions should be strictly adhered to, in order not to create disaffection within the Service.

8.3.23.5 Compensation For Deaths And Injuries

8.3.23.5.1 To motivate Police personnel to perform their duties with diligence and commitment, compensations payable to them and their beneficiaries when death occurs and when serious injuries are sustained on national duties should be reviewed to ensure that the provisions of the Workmen's compensation Law adequately respond to the emerging needs of the Service.

8.3.23.6 Discharge

8.3.23.6.1 The Regulations governing discharges should be strictly adhered to, in order to prevent abuse of the system and other forms of victimisation being perpetrated against personnel.

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8.3.23.6.2 Superior Officers should appreciate the value of Discharge Books, and should complete the documentation with due sense of responsibility. Discharge books should accurately reflect the reasons and circumstances for the discharge of personnel.

8.3.23.7 Resettlement And Rehabilitation

8.3.23.7.1 A policy of resettlement should be designed for serving personnel. Arrangements should be made to enable those who are unsuitable for active service to be discharged and resettled. Counselling should be instituted as an integral part of life in the Police Service, to reduce the number of burnt out personnel whose activities bring dishonour to the Service.

8.3.24 Professionalism And Police Ethics

8.3.24.1 Identification of role of the Police Service as a public service, in accordance with democratic values, must transcend all organizational levels and demonstrate a professional ethic based on accountability, impartiality, Police dignity and recognition of the value of their work.

8.3.24.2 Abuse of power continues to be a problem. The training of officers should emphasise the importance of respecting the bounds of their authority and using the power conferred on them by the State responsibly.

8.3.24.3 The raising of unauthorised barriers for the purpose of extorting money from drivers and passengers as well as the use of Police vehicles to facilitate the commission of crime are problems that must be tackled by the Police administration in earnest. Officers-in-charge of areas where unauthorised barriers are found must receive official censure for inadequate supervision of subordinate staff.

8.3.25 Corruption

8.3.25.1 Corruption in the Police Service is a major obstacle that must be overcome in working towards an efficient and responsive Police Service. The inefficacy of laws are traceable to poor enforcement occasioned by corruption. Strenuous efforts must be made to tackle this problem. Police authorities must devise mechanisms for monitoring the lifestyles and conduct of Police personnel to ensure that the transaction costs of corruption would be raised to levels that would discourage corrupt practices.

8.3.25.2 A new Code of Conduct must be formulated to check corruption. The Police administration must establish an office of Internal Policing. This office, whose existence should be widely publicised, should be tasked to receive complaints of corruption and extortion from the general public, and act on them.

8.3.25.2 It is further recommended that regular spot-checks must be instituted by the Police Administration at the various barriers to check extortion and corruption.

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8.3.25.3 Service personnel must be motivated with improved conditions of service, including provision of adequate equipment and emoluments, to improve their self-respect and institutional loyalty.

8.3.26 Standing Orders

8.3.26.1 The Police Standing Orders must be reviewed in the light of the history of Human Rights violations and abuses in Ghana and the need to nurture democratic culture.

8.3.26.2 Modern techniques on crowd control and conduct of Police Investigations should be studied and incorporated into the reviewed Standing Orders.

8.3.26.3 Live ammunition should not be used to control crowds, and the Standing Orders must prohibit this.

8.3.27 Community Partnership

8.3.27.1 New community and problem-solving approaches to policing, based on closer contact and co-operation with society, through institutions, community organizations or the citizens themselves, must be encouraged and sustained.

8.3.27.2 The Police Service should open to the public to improve police-public relations, and thereby improve policing in general.

PRISON SERVICE**8.3.28 Human Rights Education For Prison Officers**

8.3.28.1 Prison Officers should be given human rights education to enable them to appreciate the rights of prisoners. They should also be trained to perform their duties in a humane manner.

8.3.29 Enhancing Career Prospects For Prison Officers

8.3.29.1 The Prison Service has enough well-trained personnel to run the institution at its highest level. Care should therefore be taken in introducing into the Service, persons from other institutions who block the career progression of professional Prison Officers, and thereby affect institutional morale.

8.3.29.2 Persons introduced into the Service from other institutions tend to bring with them orientations different from those of the Prisons Service, as well as a lack of appreciation of the essence of the Prison system.

VOLUME 1 CHAPTER 8**8.3.30 Advanced Training For Senior Prison Officers**

8.3.30.1 Facilities should be developed for the training of the senior core of the Prison Service and the practice of sending Senior Prison Officers to train with the Military in the Senior Staff Course should be discouraged in order to enhance institutional self-confidence and identity.

8.3.30.2 Home grown programmes for the formation of the Senior Command should be developed to facilitate the managerial competence of the Superior Officers.

8.3.31 Service Conditions**8.3.31.1 Salary**

8.3.31.1.1 As all persons in the Security Services, Prison Service personnel are not permitted to unionise. Consequently, there should be a mechanism for periodic review of salaries allowances and other emoluments to ensure that they keep pace with economic trends and with those of the other Security Services in the country.

8.3.31.2 Accommodation

8.3.31.2.1 Accommodation for Prison Officers must receive attention as the nature of the job requires that they live close to the prison facility. Existing accommodation facilities are in a poor state and must be refurbished to improve morale in the Service.

8.3.32.3 Counselling

8.3.32.3.1 The risks to which Prison Service personnel are exposed as a result of the now more sophisticated nature of the prison population, require the intervention of counsellors. Counselling services should be instituted to address the mental health of personnel, and thereby reduce the incidence of substance-abuse.

8.3.32.3.2 The modern system and philosophy of Prisons would require that Prison Officers be properly equipped with the necessary counselling skills to be able to help in the reform and rehabilitation of prisoners in their care.

8.3.32.4 Promotions

8.3.32.4.1 Regulations on promotions should be strictly adhered to, in order not to create disaffection within the Service.

8.3.32.5 Compensation For Deaths And Injuries

8.3.32.5.1 An appropriate compensation system should be designed for Prison Officers who get injured on duty, such as injury resulting from handling prison riots, jailbreaks and dealing with violent inmates.

VOLUME 1 CHAPTER 8**8.3.32.6 Discharge**

8.3.32.6.1 The Regulations governing discharges should be strictly adhered to, in order to prevent abuse of the system and other forms of victimisation being perpetrated against personnel.

8.3.32.7 Resettlement And Rehabilitation

8.3.32.7.1 A policy of resettlement should be designed for serving personnel. Arrangements should be made to enable those who are unsuitable for active service to be discharged and resettled.

8.3.32.7.2 The provision of trade skills training should not be limited to prisoners, but be open to Officers as part of a resettlement scheme to enable those who ought to be discharged from the service, to take advantage of existing facilities. There is the need for more re-training resources.

8.3.32.8 Transportation

8.3.32.8.1 There is a need to provide adequate transportation facilities for all Prison establishments. Reliance on private taxis for transporting prisoners to court, opens up Prison Officers to unnecessary risk.

8.3.32.8.2 Lack of transportation in prison Establishments for conveying Service personnel as well as prisoners to hospitals must be urgently addressed.

8.3.33 Medical Facilities

8.3.33.1 Facilities in prisons do not create atmosphere for good and quick medical response. Provision of adequate transportation facilities and manpower to cater for the medical needs of prison inmates, including prisoners, detainees and those on remand, especially for their movement to and from hospitals should be addressed as a matter of utmost urgency.

8.3.33.2 Clinics attached to various Prison establishments should be re-activated to offer health services to both Officers and prisoners. The State should revisit the idea of providing a full complement of Medical Staff at the major Prison Clinics, which have all the necessary basic structures such as Out Patient Department, Laboratory, Dispensary, Consulting Rooms, Theatre and Wards.

8.3.33.3 Joint medical and judicial teams should be put in place and charged with the sole responsibility of moving around all the prisons, and police cells, within the country, once or twice a year, not only to ascertain the health condition of inmates, but also to survey the facilities.

VOLUME 1 CHAPTER 8**8.3.33.4 Visits To Prisons**

8.3.33.4.1 The Prison-Visiting Committee programme must be re-activated to enable judicial oversight of prisoners and prison conditions to ensure humane conditions in the Prisons. Visits of this Committee also enable longstanding, sometimes even forgotten, cases of remand prisoners, to be brought to the attention of appropriate authorities.

8.3.34 Burial Of Executed Persons

8.3.34.1 Until capital punishment is formally abolished in Ghana, specific rules and regulations should be observed to make the execution of death sentences by hanging or execution by firing squad, as humane as possible. These regulations must be in conformity with the United Nations Minimum Standards on Treatment of Prisoners.

8.3.34.2 Even in death, those executed deserve the ultimate respect and dignity required in burial rites forms; i.e. burial in coffins, in properly marked graves and according to properly accepted customs and religious sensitivity.

8.4 LEGAL PROFESSION (INCLUDING THE JUDICIARY)

8.4.1 Human Rights education should form part of Continuing Judicial Education to make them more sensitive to human rights issues.

8.4.2 Judges need to appreciate the role of the courts in a new nation so that they would be able to maintain the necessary balance between the government and the citizen.

8.4.3 Judges need to appreciate their role in maintenance of constitutional government. They should not swear any usurper into office. The usurpation of State power must remain an illegitimate act for all time.

8.4.4 Lawyers need to appreciate the role of the courts in governance so that they do not lead the way in ousting the jurisdiction of the courts.

8.4.5 The Ghana Bar Association (GBA), and its leaders deserve commendation for remaining steadfast in pointing out the need to respect the human rights of the citizenry, and for helping to defend those rights, particularly for the indigent.

8.4.6 The GBA deserves commendation for instituting the Martyr's Day celebration, and maintaining it in the face of official harassment and intimidation.

8.4.7 Lawyers, particularly ambitious young lawyers, have often been the ones who flocked to the banner of usurpers and lent them the image of legitimacy. In turn, such young lawyers also attained prominence out of proportion with their personal achievements in the profession. Accepting an appointment to serve in a usurper government must be condemned as an immoral act, and an affront to the Ethics of the profession. All such persons must be sanctioned when constitutional government is restored.

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8.4.8 Lawyers, in particular the GBA, should be encouraged to make their voices heard even during periods of constitutional rule, so that the government would receive necessary direction and dispassionate criticism in its conduct of governance, and its respect for human rights.

8.4.9 Discipline from within an independent arm of government, is better for the maintenance of institutional independence, than discipline from outside the institution. The Office of the Chief Justice should institute effective mechanisms for policing the conduct of Judges and Magistrates and instituting disciplinary measures. This is necessary in order not to make the discipline of Judges and Magistrates an item on the political agenda of any government.

8.4.10 Judges, especially Judges of the Superior Courts, should live above reproach to prevent putting themselves in the power of the Executive, and so being open to improper influences by the Executive.

8.4.11 Appointments to the Judiciary must involve a good and objective system of assessment of character, as the requirements of fair adjudication demand a high degree of personal integrity.

8.4.12 The convention regarding assumption of positions in the Judiciary by seniority, should be respected and adhered to, as far as the requirements of efficiency would permit, as such conventions remove the incentive for ambitious juniors to jockey for positions by currying favour with the Executive.

8.4.13 The Law Reporting systems should be overhauled to enable judgments to be available for comment and criticism within a reasonable time. Reporting judgments within a reasonable time provides an invaluable mechanism for learning by Judges as well as for self-criticism in pursuing the difficult task of adjudication.

8.4.14 Merit should be the means for upward progression and not political patronage. To this end, mechanisms for fair assessment of output should be devised, instituted and applied in a transparent manner. In like manner, those found to be consistently below standard should be removed or permitted to take early retirement. This would ensure the maintenance of standards that retain the respect of the citizenry.

8.4.15 Continuing judicial education involving emerging socio-economic trends, should be instituted to improve the knowledge-base, intellectual approach of Judges and familiarity with emerging social issues and socio-economic trends in the country. This is necessary as many Judges tend to live secluded lives that are shielded from the realities of the lives of ordinary citizens.

8.4.16 Respect for Law should be cultivated in the legal profession, through legal education.

8.4.17 Speedy gazetting of new legislation serves a useful function, and should not be abandoned as a means of publicizing the effective date of application of new legislation. It

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is difficult to believe that a Law purportedly made on 3rd December, 1991 would be gazetted only on 12th February, 1993.

8.4.18 Access to justice is a basic right in a democracy, and so all facilities needed to reduce the length of delay that cases suffer should be instituted as a measure to improve Judiciary-citizen relationship.

8.4.19 There should be better accountability within the Office of Attorney-General, for the use of ministerial discretionary such as the decision to prosecute or not prosecute a case, as well as the use of *nolle prosequi* to discontinue prosecutions. Some of these powers have been abused, usually for personal profit, and caused disaffection for the legal system in general, and the system of criminal justice in particular.

8.4.20 The Parliament that re-enacted the PDA deserves censure for failing to keep a check on the Executive, when it became clear that the PDA was a dangerous weapon in the hands of the Executive.

8.4.21 The exercise of the Prerogative of Mercy should be done with circumspection so as not to feed notions of impunity among members of the Security Services.

8.4.22 The rights of accused persons should be respected at all times. The maxim “It is better for ninety-nine guilty persons to escape, than for one innocent person to suffer” should be remembered at all times, and therefore securing a conviction at all costs must not be seen as a virtue, as this encourages the resort to unorthodox methods to secure same.

8.4.23 Torture in all its manifestations must be outlawed within the legal system by specific municipal legislation as Ghana is signatory to the United Nations Convention Against Torture.

8.4.24 The use of torture to extract confessions must be seen as a means that is unworthy of a civilized legal system. The rules on admissibility of voluntary confessions should be strictly upheld and applied, in order to remove the incentive for investigators to use unorthodox methods to extract confessions.

8.4.25 There should be more accountability of the BNI for the suspects processed by the institution. To this end, there must be a system of reporting between the BNI and the courts, to ensure that anyone processed but not charged, would feature on the Returns that must be made to the courts, in much the same way as the Police are required to do under the Criminal procedure Code, 1960 (Act 30). This would reduce the extent of abuse of the BNI’s powers of detention

8.4.26 In making laws, lawmakers should observe the tradition and practices in existence and ensure that all legislation, particularly penal legislation, is prospective. Although Article 107 of the Constitution, 1992, prohibits retroactive legislation, the importance of it must be generally accepted and appreciated by the citizenry, that justice requires that laws do not take retrospective effect. Such acceptance would ensure that the constitutional provision is respected in its letter and spirit.

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8.4.27 Laws have to be given their own numbers instead of being tagged onto others. For instance PNDCL 305 is the Illegal Seizure of Ivorian and Ghanaian Farms (Abatement of Proceedings) Law, 1992; PNDCL 305A is Patents Law, 1992; PNDCL 305B is Food and Drugs Law, 1992; PNDCL 305C is Veterinary Surgeons Law, 1992 and 305D is Refugees Law. These Laws have nothing in common and should have been dignified with numbers of their own. Such practice would also preserve the appearance of orderliness in the drafting of legislation.

8.4.28 Laws have to be numbered serially, according to the chronological order of when they were made. This would ensure the appearance, again, of orderliness in the drafting of legislation. It should never happen for an earlier enactment to take a number subsequent to one that was purportedly made later, as in the case of PNDCL 315 purportedly made on 3rd December, 1991 whilst all the preceding ones were made in 1992 or early 1993. Nor should it be the case that a later law would bear an earlier number as in the case of Trustees Incorporation (Amendment) Law, 1993 (PNDCL 311), made on 6th January, 1993 but, Council for Indigenous Business Association Law, 1993 (PNDC L312) purportedly made on 5th January, 1993 and Ghana Institute of Management and Public Administration Law, 1993 (PNDCL 318) also made on 5th January, 1993.

8.4.29 Laws targeted at particular individuals, i.e *ad hominem* legislation should not be the feature of a civilised legal system. The governments of NLC, SMC and PNDC passed too many such Decrees and Laws. They are a blot on the statute-books.

8.5 RECOMMENDATIONS/ REFORMS – MEDIA (BOTH PRINT AND ELECTRONIC)

8.5.0.1 The Media is known as the ‘Fourth Estate of the realm’. This means that it has a role in governance just as the Executive, Legislature and the Judiciary. It is the platform on which and through which the citizenry express approval or otherwise of how it is being governed; it is the means through which the populace can make known to politicians and to each other its concerns and convictions in matters of the common good in democratic governance; it is the political estate which informs the public of its rights and responsibilities; and above all; it is charged with the constitutional mandate to hold government accountable.

8.5.0.2 It therefore requires safeguards of its rights and tutelage of its responsibilities. It also, therefore, requires actors – media women and men – who know these human and social rights and responsibilities and are prepared to uphold them at all costs.

8.5.0.3 On the current media landscape, thanks to the existence of the National Media Commission and the repeal of the Criminal Libel law, the media are safe from threats of human rights violations and abuse that past practitioners suffered, in the course of executing their professional duties. and to the imminent enactment of the Freedom of Information Bill,

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8.5.0.4 What remains to be done is how to help the media make responsible use of the various freedoms, rights and means given them towards upholding the common good of the citizenry and enhancing democratic governance. The enactment of the Freedom of Information Bill should also advance this cause.

Recommendations/ Reforms

8.5.1 The passage of the Freedom of Information Bill (FOI) be hastened to give journalists access to official information to disseminate to the public because government business is public business and the public have a right to know.

8.5.2 Courts should appreciate the work of journalists so as not to issue orders that may have the effect of gagging editors and preventing them from publishing information aimed at exposing corruption or human rights violations by officialdom.

8.5.3 The UN Declaration of Human Rights that allows persons to receive and disseminate information must be respected. People must be encouraged to provide accurate information to journalists, whilst at the same time discouraging false and malicious information, in order to facilitate the performance of their role in holding government to account.

8.5.4 The government, as the dominant player in the economy, should not use advertisement as a tool to intimidate editors of independent media houses either by refusing to place advertisement in their media or stop placing them in a bid to influence their editorial policy.

8.5.5 The government, as the dominant player in the economy, should also be seen to be supporting the development of the privately-owned media as they provide alternative perspectives to government and to governance issues

8.5.6 To prevent vilification and de-legitimization of constitutional governments in power, it is suggested that journalism training institutions intensify teaching of constitutional principles and the importance of constitutional governance and its processes.

8.5.7 The Management of Media Organisations must be seen providing support to journalists who offend the government in the course of their work. Leaving journalists alone to face the might of the Executive can offer no incentive to good investigative journalism, or the exhibition of courageous journalism.

8.5.8 The teaching of media social responsibility must be strengthened to produce journalists, conscious of the need to exercise discretion and responsibility in the publication of news items that can undermine national stability in a young and developing democracy. Ultimately, however, the sense of ownership and patriotism should inform the exercise of the media's social responsibility.

8.5.9 The curricula of journalism training institutions should be reviewed to include human rights education, as well as the value of a free and independent press.

VOLUME 1 CHAPTER 8**8.6 RECOMMENDATIONS /REFORMS ON LABOUR**

8.6.1 Trade Union leaders must recognize that they function better under constitutional rule as there is little effort to emasculate or undermine them. Consequently they should be slow to encourage disruptions in the due political procedures in their fight for their rights, as Labour Unions form an indispensable part of civil society in a developing country.

8.6.2 Workers in dispute with the government should be encouraged to respect the rules relating to strikes, sit-down actions, etc.

8.6.3 Trade Union leadership must strive to maintain their independence from government, and be mindful of co-optation strategies that governments might adopt to neutralize their activities. Co-optation by governments undermine their ability to properly represent their constituency.

8.6.4 Trade Union leaders must ensure that they do not lose touch with their constituency, as they represent the hope of workers that they have protection against employer-mistreatment and Executive-high-handedness.

8.6.5 Court cases involving public and civil servants should be speeded up as delays in adjudication tend to cause hardship to persons on interdiction on account of the trial, and so embarrass administrative procedures on discipline.

8.6.6 The government should improve its mechanism for consultation with Trades Unions on major economic policies to secure their understanding and cooperation.

8.6.7 Schemes such as the Workers Brigade and National Reconstruction Corps concept have value in providing opportunities for employment of unskilled persons. However, such schemes have ended up being a mere drain on the national coffers, and have therefore been avenues for pursuing partisan and parochial interests. A properly designed scheme would augment food production, and offer opportunities for skills training

8.6.8 Rampant strikes to pressurise government for salary increases have been blamed for undermining the economy at critical periods, such as the pre-referendum period in 1978 and the pre-election period in 1992.

8.6.9 The process of referring labour disputes and grievances to arbitration or conciliation should be made more efficient to avoid unnecessary labour unrest. In this respect, rules regarding the handling of labour disputes and grievances must be adhered to as provided under the relevant labour laws and Collective Bargaining Agreements.

8.6.10 Dismissals by government by radio and television announcements should be a thing of the past. This mode of removing persons from public office undermines loyalty to the State, creates insecurity in every public officer and destroys reputations that individuals concerned have built over time. Proper procedures for accountability in office and for

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disciplining senior public officers should be developed if the existing ones are inadequate, and they must be evenly applied to avoid destroying careers without just cause.

8.6.11 The Management in Public institutions should respect procedures for discharge of inefficient employees to ensure that there would be no opportunity for victimisation.

8.7 RECOMMENDATIONS/REFORMS - PROFESSIONAL BODIES (OTHER THAN THE LEGAL PROFESSION) AND CIVIL SOCIETY ORGANISATIONS

8.7.1 Professional bodies should not confine themselves to the pecuniary interests of their respective associations only, but also avail themselves of the opportunity to make human rights interventions whenever necessary. Professional bodies should make human rights education and protection an integral part of their professional responsibility and ethics.

8.7.2 Engineers, particularly those employed by the State, must supervise the work of contractors properly. The country has not always derived value for money for construction projects undertaken, thus rendering governments unpopular for the poor state of infrastructure and impoverishing the country further.

8.7.3 Professionals and technicians in the control room in utility companies have also been cited as deliberately sabotaging governments by cutting power and supplies at critical times to make the governments unpopular. Persons with such responsibilities must appreciate the national security implications of such sabotage.

8.7.4 Human Rights education should be made mandatory at all levels of the country's educational system, both civilian and military, from primary to the highest level, with a view to entrenching in generations of Ghanaians deep respect for human life and all other fundamental rights of the person.

8.7.5 The findings of the Commission should be used as teaching materials and scripts for drama, film-making, etc., to educate the nation to avoid similar human rights abuses in the future.

8.7.6 Evidence before the Commission testifies to the fact that there is a general lack of knowledge and consciousness and respect for human rights in the country. This defect should be remedied by a sustained programme of public education by Commission on Human Rights and Administrative Justice (CHRAJ) and National Commission for Civic Education (NCCE).

8.7.7 The CHRAJ which has a human rights advocacy function, should not only be adequately resourced to uphold human rights and fight human rights abuses, but also empowered through legislation to effect expeditious redress whenever and wherever human rights violations occur in Ghana.

8.7.8 The NCCE under the 1992 Constitution should give human rights education priority attention. Its mandate should be properly defined to focus purposefully on human rights education.

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8.7.9 There is the need for institutional reform in the Political Parties to reduce corruption and other types of conduct that produce public disaffection towards political activists.

8.7.10 There must be intensive public education so that the importance of Political Parties in governance would be appreciated by all. Evidence before the Commission showed that some communities were, in the past devastated by partisan politics. Consequently, it is no surprise that partisan politics and Political Parties are perceived as destructive forces. This perception must be altered to encourage more citizens to participate in governance and competitive politics.

8.7.11 Practitioners of party politics also need serious education and training in order to know, respect, uphold and defend human rights in the art and practice of Party politics for the development of the citizenry.

8.7.12 Parties should be compelled to provide appropriate structures for achieving internal democracy, as intra-party fighting increases public disaffection for politicians and partisan politics in general.

8.8 RECOMMENDATIONS ON STUDENTS, STUDENT MOVEMENTS AND TERTIARY INSTITUTIONS

8.8.1 Policies that impact upon student/government relations are usually the cause of unrest. Lack of institutional facilities that government is expected to provide creates tension between students on the one part, and government on the other. Absence of services which government is supposed to provide, makes students begin to compare what they get to what they perceive members of government to be enjoying, and this leads to disaffection towards the government and produces public protests. Governments must strive to provide basic facilities necessary for the efficient running of the institutions.

8.8.2 Policies on education that increase the pressure on students such as changes in syllabuses, etc, are bound to be resisted because the younger generation is always suspicious that the older generations do not want them to achieve the same heights that they achieved. Academic Boards of tertiary institutions should be sensitive to this reality in making changes to existing academic programmes and the formulation and design of new programmes.

8.8.3 Policies deemed to attack future job outlets and opportunities, such as the placement of products of new programmes on the job market, create unhappiness and resentment. In the global village, any attempt to reduce stature on the international market will produce resistance. Consequently care must be taken in formulating policies whose net effect would be to lower the prestige associated with particular academic qualifications, especially those that eventually affect international marketability. Therefore the eventual use to which new programmes would be put on the job market, must be thought through and worked out before the introduction of the programme so that expectations are not unjustifiably raised.

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8.8.4 Students act as the informed mouthpiece of the youth in general, because they consider themselves as spokespersons for the rights of the future prospects of the youth. Consequently, students tend to associate themselves with labour issues because upon completing their programmes, they would become new entrants on the labour market. Policy makers should be conscious of this fact and involve the student movements in broad consultations on policies that could affect the prospect of future generations.

8.8.5 Each of the student leaders interviewed admitted that with the benefit of hindsight, their actions were often born of inexperience, and that given the chance again, they would do things differently. Student leaders also expressed amazement about how much older persons who ought to have known better deferred to them on important national issues even when they were wrong. Student leaders also conceded that opposition politicians often used them to achieve their political ends, particularly during unconstitutional periods when the opposition could not operate legally. Students and their leaders should be aware of the potential for politicians (both civilian and military) and both in government and in the opposition, to use them for their own political ends, rather than the national interest.

8.8.6 There does not appear to have been sufficient democracy within the student movements. Consequently it was easy for particular interest groups to hijack the movements and implement their own political agenda. Institutions should ensure that the student movements develop and maintain intra-movement democratic structures and processes to enable them offer appropriate representation to the entire student-body.

8.8.7 There should be more transparency and accountability within the set-up of the student movement. Student leaders should learn good habits of probity and respect for ethics in public office, because their stint in office as student leaders often becomes the training ground for their participation in national governance.

8.8.8 The various stakeholders in education would need to be proactive especially in revision of conditions of service for staff of educational institutions to forestall unnecessary agitation as these tend to disrupt the academic year and affect national progress and development.

8.8.9 Students are entitled to free expression and activity. However, such expression and activity should be in conformity with the rules and regulations of the universities and other tertiary institutions, and within the limits allowed by the law. The universities and other tertiary institutions should not compromise on disciplining those who flout their rules and regulations. Effective ways of communicating and disseminating information on the campuses of institutions, should be put in place so as to improve information-flow and so minimize the exploitation of student-ignorance by disgruntled persons.

8.8.10 During student riots, the Police should be more restrained when invited to restore order so that fatal accidents do not occur. The principle of minimum use of force in crowd control should always be observed.

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8.8.11 Students need to appreciate the importance of using negotiations as the primary tool for resolving disputes. Demonstrations should be used as a last resort, as its potency as a weapon is higher when threatened, than when resorted to, without much effect.

8.8.12 Student-demonstrations must respect rules of public order, and must be peaceful. Violent demonstrations can lead to unnecessary destruction of property, and even loss of life.

8.8.13 The universities should not allow their campuses to be used as a safe haven for subversionists, and persons who are a threat to national security.

8.8.14 In the past the involvement of academics in treasonable activities on campuses were camouflaged as the exercise of academic freedom. Governments adopted the practice of planting informants on the campuses and in the lecture rooms, to engage in surveillance on lecturers and students. To avoid the recurrence of such practices, there is the need for academics to appreciate the value of academic freedom and to strive to preserve it. They should initiate discussion on issues pertaining to the legitimate exercise of academic freedom and so develop standards that enhance the enjoyment of academic freedom for all.

8.8.15 The development of an independent press has narrowed the space that student leaders had when they were regarded as the alternative voices in the political space. Public space for alternative voices should be preserved so as to reduce the impact of student leaders who concede, years after the fact, that they did not really know what they were playing at when they took a stand against the government.

8.9**YOUTH**

8.9.1 Politically-inclined Youth groups are capable of being exploited as a support-base for subversion of the State. The State must show more interest in its youth. Efforts must be made to tackle the problems of out of school youth, so that they would not be available for easy manipulation and exploitation, as unemployed and under-employed youth form a ready source of support for agitators who promise utopia.

8.9.2 NCCE should design appropriate civic education materials for use by youth organisations registered with the National Youth Council. The programmes should help the youth to develop into responsible and patriotic citizens. However, care must be taken in the design, not to lift partisan objectives above national interests.

8.9.3 All youth organisations that handle out-of-school-youth must provide opportunity for such youth to receive civic education. The National Anthem and the National Pledge must be taught to the out-of-school youth

8.9.4 The National Youth Council should be appropriately resourced provided with appropriate direction to enable it serve the purposes for which it was established.

VOLUME 1 CHAPTER 8**8.10 RECOMMENDATIONS/REFORMS – THE INSTITUTION OF CHIEFTAINCY**

8.10.1 It is observed that through legislation, governments interfered with the independence of Chiefs. In spite of this negative history, it is still necessary for Chiefs as the custodians of our cultural heritage, to regain and sustain their political influence as neutral actors in the political domain. Chiefs must be empowered to play their role effectively through education, especially on the Chieftaincy Act, the rights and responsibilities of Chiefs, land administration as well as well basic management skills.

8.10.2 Chiefs, who are regarded as opinion leaders, should be more vocal on issues of human rights violations in the country.

8.10.3 Chiefs should refrain from inordinate lobbying of politicians, particularly those in government, for projects to be sited in their communities. Such lobbying renders the institution vulnerable to manipulation by the politicians, particularly those in Government.

8.10.4 The Regional Houses of Chiefs should strengthen their capacity to handle chieftaincy litigation more effectively. It is desirable for the National House of Chiefs to be proactive in handling matters likely to get Chiefs locked in prolonged and expensive stool and land litigation.

8.10.5 The Traditional Councils should ensure that the selection and enstoolment or enskinment procedures are simplified to avoid litigation and also enable the Chiefs to save resources for the development of their respective communities.

8.10.6 Traditional rulers must ensure that their communities enjoy the benefits of revenue accruing from stool lands.

8.10.7 District Assemblies must honour their financial obligations to the Traditional Councils.

8.10.8 Partisan politics have caused a great deal of pain to royal lineages as some persons have used their political influence at particular times to obtain stools and skins. This bred litigation and destoolment or deskinment when the political atmosphere changed. It must be remembered at all times that chieftaincy is an institution that is traditional in nature; therefore its norms of nomination/election as well as the status of the stool or skin must be determined by cultural norms and usages.

8.10.9 Chiefs should not call upon the government to create paramountcies for them. Chieftaincy is by customary usages, therefore elevation to paramountcy status should not be the work of central government as this renders the status an artificial one dependent upon the will of politicians in power, and makes the occupant beholden to the government that granted such elevation. The National House of Chiefs should work out modalities for elevation of those whose customary usages make no such provision.

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8.10.10 The recognition clause must never be re-instituted as it undermines the ability of the Chiefs to represent their people.

There is an urgent need for the lineages of all stools/skins to be published by the Traditional Councils and the Regional Houses to reduce conflict and litigation when vacancies occur.

8.10.11 The issues of land and access to land have not been fully explored. There is the need for a formal national project on land and ownership of land in the various areas. This would minimise litigation arising out of wrongful assumption of ownership over land by chiefs. Chiefs must ensure that all lands under their control are surveyed by properly by qualified surveyors registered with the Ghana Institution of Surveyors.

8.10.12 There must be clear guidelines particularly to the public about the requirements of land acquisition in each traditional area.

8.10.13 Land compulsorily acquired must be promptly paid for to prevent dealings in the land with unsuspecting members of the general public.

8.10.14 The system of land administration must be overhauled. Processes of compulsory acquisition must be made to involve the wider community to prevent unscrupulous persons being able to dispose of the lands after they have been compulsorily acquired.

8.10.15 The Houses of Chiefs should determine for themselves what would be appropriate interaction with the Party in power and with the ruling government so as to curtail the propensity of those who would under the guise of ‘hospitality’, court favour with politicians. Such actions tend to create disaffection for the Chiefs and encourage detractors to initiate destoolment actions when that particular administration leaves office.

8.10.16 Land problems in Northern Ghana require special study so as to end the inter-ethnic conflicts that erupt frequently, seemingly over trifles. The State should initiate action on this matter as soon as practicable.

8.10.17 Chiefs must remain barred from participation in partisan politics so that they can maintain the dignity of the institution and sustain the unity of his community.

8.11 RECOMMENDATIONS - RELIGIOUS BODIES

8.11.1 Religion and partisan politics must be kept apart as each of them has a capacity for generating conflict. It is therefore advisable that religion, religious bodies and religious leaders do not allow themselves to be used in partisan politics.

8.11.2 Religion and politics have a lot in common, in that they both aim at serving humanity in the attainment of peace and well-being of the individual as well as of the society. They therefore have to work hand in hand. This calls for religion to know the art of politics and politics to know the philosophy of religion.

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8.11.3 Religion and religious bodies have a duty towards the body politic, namely to be the conscience of society and the moral guide of the State, lest the good of the individual as well as that of the society be sacrificed on the altar of political expediency.

8.11.4 Human and civil rights are fundamental values of humanity, and so in the context of religion, they are God-given. They must therefore be protected, defended and upheld at all times. This is one of the roles that religion and religious bodies are called upon to play in society vis-à-vis politics.

8.11.5 Religion and religious bodies should guard against being used to give legitimacy to illegitimate regimes and governments.

Religious Bodies have a duty to teach respect for human rights and freedoms, and to be the prophetic voice as well as the voice of the voiceless, when these rights are at risk particularly in the art of governance. It therefore behoves religion and religious bodies to know these human rights and freedoms in order to be able to hand them down to their members and to the general citizenry.

8.11.6 The various religious traditions in the country should educate their membership with regards to the past human rights abuses and violations with a view to helping forestall their re-occurrence in the future.

8.11.7 Religious leaders must be discouraged from seeking political office within a particular administration as this undermines their standing in the eyes of non-adherents, thus creating division among members in that religious body.

8.11.8 Religious leadership should be very circumspect in its involvement in matters of politics, and avoid the pitfalls of being manipulated to condone or even support human rights violations and abuses as happened in the past.

8.11.9 In the name of freedom of religion and freedom of association, religion should not be used to discriminate against sections of the citizenry, nor to oppress as well as deprive certain persons of their fundamental human rights and freedoms.

8.11.10 The Forum for Religious Bodies (FORB) and Ghana Conference on Religion for Peace (GCRP) should be strengthened and made into a strong coalition through which religion can effectively contribute to the tutelage of the fundamental human rights and freedoms of the citizenry.

8.12 GENERAL RECOMMENDATIONS**8.12.1 Formation Of Private Army**

8.12.1.1 Any military establishment, such as the defunct Presidential Detail Department (PDD) in particular, the President's Own Guard Regiment (POGR) and the Commando Units, which does not operate under the command of the traditional Security Services, is to

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be considered a private army. The formation of such an army is against the spirit and letter of the national Constitution, and should, under no circumstance, be tolerated in the country.

8.12.2 Politicisation Of The Security Services (Including the Military Institution)

8.12.2.1 Under no circumstance should the Armed Forces, the Police Service and other Security Institutions be politicized.

8.12.2.2 Service personnel, both in the Armed Forces and the Police Service should be made to understand that if they are interested in holding political office, they can resign and go into politics.

8.12.3 Ideological Indoctrination Of Soldiers

8.12.3.1 The Military High Command should be conscious of the danger of certain ideas in the hands of the untutored. Ideological indoctrination of troops should neither be tolerated nor countenanced.

8.12.3.2 The Officer Corps should be continually monitored and screened and when necessary, released and helped to settle into civilian life. This is desirable as the retention of disgruntled service personnel could negatively influence the morale of troops.

8.12.4 Misuse Of Military Personnel By Civilians

8.12.4.1 Military personnel must know the areas of their competence, and not allow themselves to be used for other purposes, and outside their assigned military duties. The use of military personnel to intervene in purely personal and civilian matters, sometimes resulting in people being subjected to assault and other brutal acts of harassment is unlawful. Civilians should refrain from reporting cases to the military rather than to the police, as maintenance of law and order is the responsibility of the police.

8.12.4.2 The civilian population should be educated and sensitized not to lend their support to military take-overs. Sensitisation programmes should be effected nationwide. The media have an invaluable role to play in this exercise.

8.12.5 Reliable Contact Addresses

8.12.5.1 There should be a definite programme for providing proper residential addresses to facilitate contacts within the country. Reliance on postal addresses is no longer sufficient for purposes of establishing identification and tracing persons or locations.

VOLUME 1 CHAPTER 8**8.12.6 Creating And Maintaining Institutional Memory**

8.12.6.1 The mechanisms for storage of official documents are poor and inimical to the maintenance of proper institutional memory. Public agencies must design appropriate systems for storing documents to enable these to be traced in the future.

8.12.6.2 Every public officer must provide formal handing over notes before moving from any schedule. The repetition of institutional mistakes occasioned by loss of institutional memory must be tackled by proper modes of succession to offices.

8.12.7 Recognition For Meritorious Service

8.12.7.1 Service personnel, who distinguish themselves by demonstrating bravery, loyalty and leadership in the course of their national and service duties should be recognised for such meritorious services and be presented with National Honours and Awards. Such Honours should be awarded on National Days, in particular, on Independence Day.

8.12.7.2 The practice of awarding every service personnel a medal when the military has successfully seized power, is highly deprecated. Medals should be won for activities that bring honour to the country, or to the institution, and on merit, and not as a wholesale measure to buy the loyalty of service personnel.

Distinguished service to the country must be rewarded with National Honours to maintain the principle of meritocracy and engender the spirit of patriotism and public-spiritedness.

8.12.8 Tolerance Of Dissent

8.12.8.1 A culture of tolerance should be developed in this country. Ghanaians should learn that it is acceptable for people, even friends, to disagree. Dissent on issues should be encouraged and there should be space for alternative voices to be heard.

8.12.9 Re-presenting Ghana's History

8.12.9.1 The correct facts of Ghana's history must be taught in schools. To this end, school textbooks should be re-written, to ensure that all the patriots of Ghana's Independence get their rightful place in the nation's history. Historical accounts that glorify only those who attained political power at particular points in time do a disservice to dissenters, and those who sought to fight dictatorship and other evils in governance.

8.12.9.2 NCCE should design appropriate civic education materials for use in schools to inculcate patriotism and voluntarism among pupils and students. The National Anthem and the National Pledge must be taught and used in all schools on a daily basis.

VOLUME 1 CHAPTER 8**8.12.10 Standards Of Decency**

8.12.10.1 Ghanaians must strive to develop common standards of morality and decency. These standards would guide the behaviour of citizens in general, as well as holders of public office.

8.12.10.2 Public institutions charged with the protection of Human Rights as well as societal watchdogs such as the press, should not in their turn perpetrate human rights abuses by abusing their power. In a situation of poverty, some persons within these bodies yield to the temptation to abuse their power for personal profit.

8.12.11 Dealing with Ethnocentrism

8.12.11.1 The maintenance of national cohesion is a subject that should engage the attention of all well-meaning Ghanaians. Persistent denials of the existence of Ethnocentrism in the country in general and in public life in particular, will not make the problems disappear. Ethnocentrism must be acknowledged for the great evil that it is, and the dangers it presents to our nationhood, national cohesion and the equitable distribution of national resources must be constantly attacked. The benefits of our national diversity must be celebrated.

8.12.11.2 Specific policies and programmes targeted at addressing issues generated by ethnic animosities, ethnic stereotypes and ethnocentrism as a basis for discrimination must be vigorously confronted. Anti-discrimination legislation must be adopted to give people a remedy whenever they can prove discrimination on any of the grounds set down in Article 17 of the Constitution of 1992. Some countries have achieved a measure of success in combating such problems, not by pious injunctions and exhortations, but by legislation and the conversion of such conduct into wrongful conduct, entitling a wronged person to damages. Ghana must adopt such methods, for nothing short of frontal assault would be effective in tackling ethnocentrism.

THE NATIONAL RECONCILIATION COMMISSION PRAYER

O God Almighty, Creator, Most Merciful, we praise and glorify You! As we begin this sitting of the National Reconciliation Commission, we call upon you to send Your Holy Spirit to bless us, the Commissioners, with Your gifts of wisdom and discernment, of courage and temperance, of prudence and good judgement, of truth, honesty and love, and most especially of profound respect for the dignity and rights of all your sons and daughters in the country.

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We also pray to You, God, Ever-Faithful, and True, to grant all those who come before this Commission, Your spirit of truth, honesty and a deep sense of love and desire for peace, healing and reconciliation in our dear country, Ghana.

Lord, make this Commission an instrument of Your peace and reconciliation, so that at the end of our work, we the people of this nation will accept the mistakes, abuses and violations of our past and enable us to make reparations for them. Endue us with the desire to work for a future in which the gift of life that You have given to each person will be protected, enhanced and made to blossom to the full, for the good of this country and the world as a whole.

May our dear nation, Ghana, know greater peace, love and harmony for the development of all!

Amen.

LIST OF ABBREVIATIONS

AATUF	All African Trade Union Federation
ABASCO	Ashanti, Brong-Ahafo & Sefwi Co-operative Organisation
ACDR	Association of Committees for the Defence of the Revolution
ACS	Armoured Car Squadron
AFDC	Armed Forces Defence Committees
AFF	African Freedom Fighters
AFRC	Armed Forces Revolutionary Council
AFRTC	Armed Forces Recruit Training Centre
ARPB	Association of Recognized Professional Bodies
ARPS	Aborigines' Rights Protection Society
AU	African Union
AWOL	Absent Without Official Leave
AYC	Africa Youth Command
BAG	Bar Association of Ghana
Bn	Battalion
BNI	Bureau of National Investigations
BGs	Border Guards
CAS	Chief of Air Staff
CCDF	Coordinating Committee of Democratic Forces
CDD-Ghana	Center for Democratic Development –Ghana
CDR	Committee for the Defence of the Revolution
CDS	Chief of Defence Staff
CEPS	Customs, Excise and Preventive Service
CIA	Central Intelligence Agency
CID	Criminal Investigation Department
CNS	Chief of Naval Staff
CPC	Cocoa Purchasing Company
CPP	Convention Peoples' Party
CTS	West African Command Clerks Training School
CVC	Citizens' Vetting Committee
ECOWAS	Economic Community of West African States
EU	European Union
ENC	Eastern Naval Command
ERU	Emergency Response Unit
FTS	Flying Training School
GADL	Ghana Association of Democratic Lawyers
GAF	Ghana Armed Forces
GAFCSC	Ghana Armed Forces Command & Staff College
GBA	Ghana Bar Association
GCC	Gold Coast Constabulary
GCMA	Ghana Co-operative Marketing Association

GCMB	Gold Coast Cocoa Marketing Board
GCP	Ghana Congress Party
GCR	Gold Coast Regiment
GFMC	Ghana Farmers Marketing Co-operative
GIHOC	Ghana Industrial Holding Corporation
GMA	Ghana Military Academy
GMRC	Ghana Muslim Representative Council
GNA	Ghana News Agency
GOC	General Officer Commanding
GYP	Ghana Young Pioneer movement
ICJ	International Commission of Jurists
ICTJ	International Center for Transitional Justice
IGP	Inspector General of Police
IMC	Interim Management Committee
IMF	International Monetary Fund
INCC	Interim National Coordinating Council
JCSA	Junior Civil Servants Association
JFM	June Four Movement
JLC	Junior Leaders Company
KNRG	Kwame Nkrumah Revolutionary Guards
LBA	Licensed Buying Agency
LSU	Law Students Union
MAP	Moslem Association Party
MATS	Military Academy & Training School
MI	Military Intelligence
MOPAD	Movement for Peace and Democracy
NAPATS	National Police Academy & Training Schools
NCO	Non Commissioned Officers
NDC	National Defence Committee
NDM	New Democratic Movement
NIC	National Investigation Committee
NLC	National Liberation Council
NLCD	National Liberation Council Decree
NLM	National Liberation Movement
NPP	Northern Peoples' Party
NRC	National Redemption Council
NRCD	National Redemption Council Decree
NUGS	National Union of Ghana Students
ORs	Other Ranks
PDA	Preventive Detention Act
PDC	Peoples' Defence Committee
PDD	Presidential Detail Department

PFP	Popular Front Party
PMFJ	People's Movement for Freedom and Justice
PNDC	Provisional National Defence Council
PNP	Peoples' National Party
POGR	President's Own Guard Regiment
PVO	Private Voluntary Organisations
PP	Progress Party
PRLG	People's Revolutionary League of Ghana
RACCLI	Royal African Colonial Corps of Light Infantry
ROSTS	Regular Officers Special Training School
RWAFF	Royal West African Frontier Force
RWAFFTS	RWAFF Training School
SDF	Social Democratic Front
SIB	Special Investigation Board
SMC	Supreme Military Council
TEWU	Teachers, Educational Workers' Union
TRC	Truth and Reconciliation Commission
TUC	Trades Union Congress
TVT	Trans Volta Togoland
UAC	United Africa Company
UGCC	United Gold Coast Convention
UGFCC	United Ghana Farmers' Co-operative Council
UGMRC	United Ghana Muslim Representative Council
UNDP	United Nations Development Programme
Unigov	Union Government
UP	United Party
USSR	Union Of Soviet Socialist Republics
UTAG	University Teachers Association Of Ghana
WACA	West African Court of Appeal
WACTS	West African Command Training School
WDC	Workers' Defence Committee
WNC	Western Naval Command

VOLUME 1**ACKNOWLEDGEMENTS**

Various individuals and organisations, both local and international, assisted the National Reconciliation Commission in its work.

We thank the thousands of petitioners who came to share with us their harrowing experiences of human rights violations and abuses that are only briefly captured in the pages of this Report. They mustered courage to re-live the pains of the past by coming to share their stories with the Commission and the world. We are grateful to the respondents and many other people who shared information with us at our public and *in camera* hearings, as well as those who appeared before, or submitted memoranda to, the special thematic and institutional committees of the Commission.

We are deeply grateful to the Soros Foundation, through the Open Society Initiative for West Africa (OSIWA), for loaning to the Commission three cross-country vehicles and recording equipment. We are also grateful for its financial grant that enabled the Commission to purchase adequate tapes for recording its proceedings and other official assignments. The grant also covered the cost of providing security to the Commission during its hearings outside Accra and the salaries of camera operators who recorded the proceedings.

The Commission is also grateful for the grant of US\$25,000 provided by the United States Agency for International Development (USAID) of the United States Embassy to meet the cost of medical screening of witnesses and related services, and report writing. Part of the grant also went into some of the Commission's field investigations. The South African High Commission in Accra donated a television set and a video recorder at the start of our work. It was an early show of confidence and encouragement for which we are grateful.

The National Governance Programme donated three computers and monitors to the Commission and contributed funds toward its security. Throughout the life of the Commission, the Ghana Centre for Democratic Development (CDD-Ghana) and the CDD-Civil Society Coalition on National Reconciliation gave us tremendous support, advice and encouragement. CDD-Ghana also provided funds to meet the transportation expenses of out-of-town witnesses. We are particularly thankful to all of them.

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Office of the Government Statistician for assisting in the compilation of the Statistical Report.

From mid-June 2003 to mid-July 2004, the Emergency Response Unit of the 37 Military Hospital, Accra, provided medical screening and related services to witnesses during the Commission's public and *in camera* hearings. We are grateful to the Commanding Officer and his team of dedicated doctors and nurses for their medical support.

For the remarkable professionalism and compassion with which they handled the exhumations of the remains conducted by the Commission in Accra and Tarkwa, the following persons deserve special gratitude: Prof. Edwin Kwame Wiredu, Consultant Pathologist, Dr. Robert Kumoji, Senior Medical officer and Dr. Henry Armah, Medical Officer, all of the Pathology Department, Korle Bu Teaching Hospital, Mr. S. Ramaswamy, Forensic Anthropologist and Anatomist, Kwame Nkrumah University of Science and Technology, Kumasi. The Pathology Department of Korle Bu Teaching Hospital graciously preserved and stored the remains until the respective families of the deceased were able to collect them for fitting burial. The Commission also appreciates the contributions of Dr. Forson of the Tarkwa Government Hospital in identifying the graves of the Tarkwa victims.

We are also grateful for the kind assistance we received from the Ghana Journalists Association and IBIS for sponsoring an orientation seminar for journalists, which resulted in the production of guidelines for media reportage on the work of the Commission – *The Spirit of Akosombo*. The following newspapers gave considerable coverage to the work of the Commission and deserve our gratitude for contributing to a wider societal appreciation of the mandate and work of the Commission: *The Daily Graphic*, *Ghanaian Times*, *The Independent*, *Daily Guide*, *The Daily Dispatch*, *The Crusading Guide*, *Evening News* and *The Accra Daily Mail*. Some of them even carried the Commission's staff recruitment advertisements free of charge.

The Commission is appreciative of the live and delayed broadcast of its proceedings by Ghana Television. The broadcast went a long way in generating public understanding of, and support for, our work. The Commission also appreciates the coverage it received from Metro TV and TV3. The various FM radio stations across the country showed considerable interest in the Commission's work. They gave the Commission free air time to educate the public on its mandate and work, and provided an invaluable platform for a sustained public debate on national reconciliation. These were useful in educating the public on, and maintaining interest in, the Commission's work. The National Media Commission monitored media coverage of the Commission's proceedings. We are grateful for that service.

The Security Services, the National and Regional Houses of Chiefs, the Regional Coordinating Councils and the District Assemblies were useful partners in the Commission's public education efforts. We thank them for their cooperation.

A number of civil society organisations provided urgent medical and other relief to some of the victims who appeared before the Commission. The Aisha Foundation of the

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Ahmadiyya Muslim Mission provided wheelchairs and financial help to some witnesses who needed them; the Catholic Bishop's Conference also provided funds for the medical expenses and rehabilitation of some witnesses; the Reconstructive Plastic Surgery and Burns Centre and the Orthopaedic Centre, both of the Korle Bu Teaching Hospital, and the Holy Trinity Clinic in Accra gave free medical care to some witnesses.

The Office of the National Security Coordinator and the Inspector-General of Police deserve our unqualified gratitude for ensuring the safety and security of members and staff of the Commission in the course of our work.

The public goodwill enjoyed by the Commission was a source of inspiration and comfort. To the Volta Hotel, Akosombo, and all the hotels that so warmly received members and staff of the Commission during our hearings and retreats, we say a big "Thank you".

Finally, we thank all staff of the Commission, both past and present, for their dedication, courage and professionalism in assisting us to fulfill our mandate.

VOLUME 2 CHAPTER 1**CHAPTER ONE****THE NATIONAL RECONCILIATION COMMISSION****1.1.0 BACKGROUND**

1.1.1 Since the attainment of Independence from the United Kingdom on 6th March, 1957, Ghana has experienced four military coups d'état (1966, 1972, 1979 and 1981) and numerous attempted coups. Most of these events have occasioned extensive human rights violations and abuses. The fundamental human rights and freedoms of many people have also been violated or abused during periods of constitutional rule in Ghana. As a result, considerable anguish and bitterness still pervade many segments of Ghanaian society.

1.1.2 The establishment of the National Reconciliation Commission (hereinafter referred to as "the Commission") came in the wake of Ghana's historic elections of December, 2000, which witnessed, for the first time in the country's post-Independence history, a change of constitutionally-elected government effected, not by violent means, but by popular vote. That event was a clear testimony to the strong desire of Ghanaians to live under conditions of democratic accountability, and to forge a society firmly grounded in the respect for human rights and the rule of law. The consolidation of democracy and the sustenance and promotion of constitutional rule and a culture of respect for fundamental human rights and freedoms as enshrined in Chapter five of the 1992 Constitution, demand that Ghana should deal with its history of egregious human rights violations that risk compromising the forward march of democracy and peace in the country. Building a future for a Ghana that is united, secure, peaceful and humane also demands providing redress, including healing, for those who were hurt in the past by serious human rights violations and abuses in the nature of killings, abductions, disappearances, torture, detentions, seizure of property and ill-treatment. The Commission was seen by Parliament as a vehicle to facilitate the attainment of these goals.

1.2.0 ESTABLISHMENT

1.2.1 In December 2001, the Parliament of Ghana passed a law to establish the Commission. The law, known as the National Reconciliation Commission Act, 2002 (Act 611) (hereinafter referred to as Act 611), came into force on 11th January, 2002, when it was gazetted. The goal of the Commission, as expressed in the Long Title to Act 611, was to:

seek and promote national reconciliation among the people of this country by recommending appropriate redress for persons who have suffered any injury, hurt, damage, grievance or who have in any other

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manner been adversely affected by violations and abuses of their human rights arising from activities or inactivities of public institutions and persons holding public office during periods of unconstitutional governments and to provide for related matters.

1.2.2 Thus, the work of the Commission is a major development imperative for Ghana, a country engaged in fostering a culture of respect for fundamental human rights and freedoms, the rule of law, the consolidation and enhancement of democracy, and the strengthening of its governance institutions.

1.3.0 APPOINTMENT AND MEMBERSHIP

1.3.1 Members of the Commission were appointed by the President in consultation with the Council of State, a non-partisan constitutional body of eminent Ghanaians established under Article 89 of the 1992 Constitution, that gives advice to the President on matters prescribed by the Constitution. This was in keeping with the provisions of Section 2(2) of Act 611. In appointing the members, the President was required by Section 2(3) of the Act to have regard to the integrity, sense of fairness and ability of the persons to achieve the object of national reconciliation as outlined in Section 3 of Act 611.

1.3.2 The Commission Comprised The Following Nine Ghanaians:

1. Mr. Justice Kweku Etrew Amua Sekyi, a retired Supreme Court Judge (Chairman);
2. Most Reverend Charles Gabriel Palmer-Buckle, Catholic Bishop of Koforidua;
3. Maulvi Abdul Wahab Bin Adam, Ameer (Head) and Missionary-in-charge, Ahmadiyya Muslim Mission, Ghana;
4. Professor Florence Abena Dolphyne, former Pro-Vice-Chancellor of the University of Ghana;
5. Lt-Gen Emmanuel Alexander Erskine, First Force Commander of the United Nations Interim Force in Lebanon (UNIFIL);
6. Dr. (Mrs.) Sylvia Awo Mansah Boye, former Registrar of the West African Examinations Council;
7. Mr. Christian Appiah Agyei, former Secretary-General, Trades Union Congress (Ghana);
8. Uborr Dalafu Labal II, Paramount Chief of Sanguli Traditional area, Northern Region; and
9. Professor Henrietta Joy Abena Nyarko Mensa-Bonsu, Associate Professor, Faculty of Law, University of Ghana.

1.4.0 INAUGURATION

1.4.1 The Commission was inaugurated by the President on 6th May, 2002, within two weeks of the appointment of its members as required by the provisions of Section 5(1) of Act 611. The President administered the Oath of Office and the Oath of Secrecy to the

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Chairman and Members of the Commission as required by the Second Schedule to the Constitution of Ghana 1992.

1.5.0 APPOINTMENT OF EXECUTIVE SECRETARY

1.5.1 The President appointed Dr. Kenneth Agyemang Attafuah, the Director of Promotion and Anti-Corruption at the Commission on Human Rights and Administrative Justice (CHRAJ), as the Executive Secretary of the Commission.

1.6 OBJECTIVES

1.6.1 The object of the Commission as stated in Section 3(1) of Act 611 is to “seek and promote national reconciliation among the people of [Ghana]”. This object under Section 3(1) of the Act was to be pursued during periods of unconstitutional government namely,

- (i) 24th February, 1966 to 21st August, 1969;
- (ii) 13th January, 1972 to 23rd September, 1979; and
- (iii) 31st December, 1981 to 6th January, 1993.

Apart from the specified periods, Section 3(2) of the Act also empowered the Commission, on an application by any person to pursue the objective of the Commission “in respect of any other period between 6th March, 1957 and 6th January, 1993.”

1.6.2 The mandate of the Commission was to help reconcile the people of Ghana by finding out the truth about past human rights violations and abuses and helping the victims of those violations and abuses to deal with their pain, and to move on with their lives. The mandate of The Commission also included helping the perpetrators of such violations and abuses to come to terms with their past, and seek forgiveness. Section 20(2)(e) and (g) of Act 611 also required the Commission to recommend reforms and measures to prevent and avoid the repetition of such violations or abuses and to promote healing and achieve national reconciliation.

1.6.3 Section 3(1) of Act 611 imposed on the Commission the obligation to seek and promote national reconciliation among the people of Ghana. This objective was to be achieved through two principal means. First, the Commission was required to establish an accurate, complete and historical record of human rights violations and abuses inflicted on persons by public institutions and holders of public office, or persons who claimed to have acted on behalf of the State during periods of unconstitutional government.

1.6.4 Second, the law required the Commission to recommend to the President appropriate measures to assuage the pain of, and make reparation to those whose human rights were violated or abused during the specified periods. The Commission was also required to recommend measures to prevent such occurrences in future.

VOLUME 2 CHAPTER 1**1.7.0 FUNCTIONS**

1.7.1 To achieve its goal, Section 4 of Act 611 mandated the Commission to:

- (a) investigate violations and abuses of human rights relating to killings, abductions, disappearances, detentions, torture, ill-treatment and seizure of properties suffered by any person within the specified periods;
- (b) investigate the context in which, and the causes and circumstances under which the violations and abuses occurred and identify the individuals, public institutions, bodies, organisations, public office holders or persons purporting to have acted on behalf of any public body responsible for or involved in the violations and abuses;
- (c) identify and specify the victims of the violations and abuses and make appropriate recommendations for redress;
- (d) investigate and determine whether or not the violations and abuses were deliberately planned and executed by the state or any person referred to in paragraph (b);
- (e) conduct investigations relevant to its work and seek the assistance of the police and any public or private institution, body or person for the purposes of an investigation;
- (f) investigate any other matters which it considers requires investigation in order to promote and achieve national reconciliation; and
- (g) educate the public and give sufficient publicity to its work so as to encourage the public to contribute positively to the achievement of the object of the Commission.

1.8.0 POWERS OF THE COMMISSION**1.8.1.0 Investigations**

1.8.1.1 By virtue of the provisions of Sections 10 and 11 of Act 611, the Commission had broad powers of investigation. For example, it could enter any place to conduct an investigation, and remove from any place any item or object that it believed was relevant

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to its investigations. Under certain restricted conditions, the Commission could search and remove items without a warrant.

1.8.1.2 Specifically, Section 11 of Act 611 granted the Commission normal powers of the police with respect to entry and search of premises. It provided as follows:

- (1) The Commission shall have the powers of the police for the purpose of entry, search, seizure and removal of any document or article relevant to any investigation under this Act.
- (2) Notwithstanding subsection (1) the Commission or a person authorized by the Commission may
 - (a) with the consent of the occupier of the premises enter, search, seize and remove any document or article; or
 - (b) where in the opinion of the Commission obtaining a warrant will defeat the purpose of the entry, seizure and removal of any article relevant to the investigations, enter, search, seize and remove the document or article without a warrant except that the warrant shall be obtained within twenty-four hours of the search seizure and removal.
- (3) A document, article or information obtained by the investigation unit shall not be made public unless authorised by the Commission.

1.8.2.0. Hearings

1.8.2.1 In conducting its proceedings the Commission had power under Section 13 of the Act to call witnesses and require them to swear an oath or make an affirmation to tell the truth, and under Section 13 of the Act, ask them questions while they were under oath or affirmation. The Commission could also compel, by subpoena, any person to appear before it and testify on oath or affirmation, or to produce any document or article. Although the Commission under Section 16 of the Act had the powers of a court with regard to production of official documents, it was not a court but a fact-finding body.

1.9.0. INDEPENDENCE

1.9.1. Section 8(1) of Act 611 provided that, in the performance of its functions, the Commission would be “independent and not be subject to the control or direction of any person or authority”. In addition, Section 8(2) required the members and staff of the Commission to “serve impartially and independently and perform the duties of office in good faith and without fear, favour, bias or prejudice”, notwithstanding their personal opinions, preferences or party affiliations.

VOLUME 2 CHAPTER 1**1.10.0 STRUCTURE OF THE SECRETARIAT**

1.10.1 The Commission established a Secretariat headed by the Executive Secretary. The Secretariat had five Directorates at the Headquarters. There were also five Zonal Offices located in five Regional Capitals in order to ensure access to the Commission's services throughout the country. The decision to establish Zonal, rather than Regional offices was dictated by financial and logistic constraints.

1.11.0 DIRECTORATES

1.11.1. Each Directorate at the headquarters was headed by a Director as follows:

- | | |
|---|-------------------------|
| 1. Finance and Administration – | Emmanuel Avornto Cooper |
| 2. Investigations and Research– | Johnson Iddisah Abudu |
| 3. Legal– | Edward Allotei Mingle |
| 4. Public Affairs and Community Liaison – | Ms. Eunice Annie Anipa |
| 5. Counselling and Support Services – | Dr. Araba Sefa-Dedeh |

1.12.0 ZONAL OFFICES

1.12.1 Each Zonal Office was headed by a Zonal Manager as follows:

1. Bolgatanga Zonal Office to serve the Upper East and Upper West Regions – Gerald Ajongba Punguse;
2. Ho Zonal Office to serve the Volta and Greater Accra Regions - Emmanuel Charles Setriakor Yao Dey;
3. Kumasi Zonal Office to serve the Ashanti and Eastern Regions - Sampson Amofa-Kra;
4. Takoradi Zonal Office to serve the Western and Central Regions – Jacob Acquaaah-Harrison; and
5. Tamale Zonal Office to serve the Brong Ahafo and Northern Regions - Daniel Nmanga Loriba.

1.12.2 The directors and zonal managers reported to the Commission through the Executive Secretary, who co-ordinated and supervised their activities.

1.13.0 FUNCTIONS OF THE SECRETARIAT

1.13.1 Each directorate of the Commission performed the following functions:

(1) Finance and Administration

- Assisted the Executive Secretary in handling human resource and management issues;
- Prepared budgets and financial returns;
- Facilitated the preparation and payment of salaries and emoluments;

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- Handled the Commission's procurements and supplies;
- Fulfilled the Commission's external financial obligations;
- Made arrangements for facilities and logistics for hearings.

(2) Public Affairs and Community Liaison

- Organized public education activities and events;
- Conducted public education to ensure broad public participation in the activities of the Commission aimed at national reconciliation;
- Served as a channel for the exchange of information between the public and the Commission;
- Liaised and co-operated with the media to publicize the Commission's work;
- Liaised and co-operated with civil society groups to broaden public understanding of the mandate, functions, powers and activities of the Commission.

(3) Investigations and Research

- Received, recorded and processed petitions, statements and memoranda;
- Investigated petitions and prepared investigation reports;
- Provided broad documentation, storage and retrieval services;
- Coded petitions and provided general statistical services;
- Conducted research into the context/circumstances of human rights violations and abuses;
- Prepared research reports;
- Assisted in the location of mass graves and the exhumation of remains.

(4) Legal

- Conducted legal research;
- Reviewed investigation reports and made appropriate recommendations;
- Prepared legal opinions on petitions;
- Prepared and facilitated the service of subpoenas and other correspondence;
- Prepared witnesses for hearings;
- Led witnesses at hearings to give evidence and /or tell their story to the Commission.

(5) Counselling Directorate

- Counselling witnesses before, during and after hearings;
- Assisted witnesses (both victims and perpetrators) to overcome various forms of pain and trauma through counselling;
- Assisted families of victims and perpetrators, through counselling, to cope with and overcome trauma;
- Identified, trained and supported community counsellors to provide sustained victim support services in the home localities of victims;

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- Conducted research into the effects of the trauma on victims;
- Assisted the Commission and staff to deal with the stress of working with trauma victims.

1.14.0 OFFICES OF THE NATIONAL RECONCILIATION COMMISSION

1.14.1 The National Reconciliation Commission commenced its work in May, 2002. It conducted its work from temporary offices located at the Independence Square Building, Accra. The Old Parliament House, which was to serve as the permanent offices of the Commission, was in the process of refurbishment for that purpose. Upon completion of the refurbishment, the Commission officially moved into it on 13th January, 2003.

1.14.2 The Attorney-General and Minister of Justice, Hon Nana Addo Dankwa Akufo-Addo, in his speech at the formal inauguration and maiden sitting of the Public Hearings of the Commission on 14th January, 2003, highlighted the reasons for the selection of the Old Parliament House as the venue for the Commission's hearings. He described the Old Parliament House as the most symbolic of all Ghanaian buildings. He also stated among other things, that:

...the Old Parliament House, where some 16 years ago, after decades of nationalist struggle and agitation, the first leader of our new state, Kwame Nkrumah, received from the representative of the British Monarch the constitutive deeds severing our connection with the Imperial Parliament in Westminster and establishing our own sovereign Nation and Parliament. It served as the location for the sittings of Parliament in the 1st, 2nd and 3rd Republics of our post independent history. Above all other structures, it is associated with our hopes and aspirations of building our new state on the principles of Freedom and Justice, the perennial goals to which the founders of our state dedicated its existence and inscribed on our Coat of Arms as the words of the nation's motto.

...Alas, for too many years of our nation's history, especially during the prolonged eras of unconstitutional government, the attainment of these goals proved illusory, giving way rather to the establishment of a tragic culture of extensive violations, by state actors, of the human rights of the citizenry of this country, leaving in its wake considerable rancour, anguish and ill-feeling within several segments of society. It is, therefore, altogether most fitting and proper when we are, through the instrumentality of this Commission, seeking to come to terms with its unhappy past and forge a new era of reconciliation and unity in our nation, that the National Reconciliation Commission should be housed in this building to undertake its momentous task

1.14.3 With the exception of work in its zonal offices and the regional and in camera hearings, all the business of the Commission took place in the Old Parliament House.

CHAPTER TWO

THE MANDATE OF THE COMMISSION

2.0 INTRODUCTION

2.0.1 Following its inauguration on 6th May, 2002, the Commission took the opportunity afforded by an orientation session, sponsored by the Ghana Center for Democratic Development (CDD-Ghana) and the New York-based International Center for Transitional Justice (ICTJ), to hold its maiden meeting to explore the scope of its work and to consider a draft administrative framework for its secretariat, as well as a budget proposal for its operations.

2.10 ELEMENTS OF THE MANDATE

2.1.1 The Commission considered the scope of its mandate and agreed that, as expressed in the Long Title of its enabling statute, Act 611, its primary purpose was to “seek and promote national reconciliation” among the people of Ghana. These elements require elaboration.

2.1.2 Seeking National Reconciliation

2.1.2.1 In the Commission’s view, seeking national reconciliation meant pursuing the following sets of activities:

- a) educating the public on the purpose, mandate, functions, powers and activities of the Commission;
- b) giving prospective petitioners an opportunity to make a statement outlining the substance of their claim of human rights violation or abuse;
- c) establishing the accuracy of the claims through investigations;
- d) offering petitioners an opportunity to tell their story to the Commission;
- e) providing healing to victims and perpetrators through counselling and other support services; and
- f) recommending appropriate redress for the wrongs found by the Commission to have arisen from the “activities or inactivities of public institutions and persons holding public office” between 6th March, 1957, and 6th January, 1993.

VOLUME 2 CHAPTER 2**2.1.2.2. Promoting National Reconciliation**

The Act imposed a statutory mandate on the Commission to promote national reconciliation. This promotional mandate implies that where the Commission found evidence of such efforts and considered them viable, it had an obligation to further or enhance them. The object of these promotional strategies was to broaden the social and political space for reconciliation throughout the country.

2.2. ACTIVITIES, VALUES AND METHODS**2.2.0 Activities**

2.2.1.1 The Commission construed its mandate broadly to mean that, in order to achieve national reconciliation, it was required to undertake three specific activities, in addition to any other methodological approaches it might pursue, namely, to:

1. establish accurate, complete and historical record of violations and abuses of human rights inflicted on persons by public institutions and holders of public office or persons who claimed to have acted on behalf of the state during periods of unconstitutional government;
2. recommend appropriate redress for persons who had suffered any injury, hurt, damage, grievance or who had in any other manner been adversely affected by violations and abuses of their human rights; and
3. recommend measures, including institutional reforms, to prevent the re-occurrence of such violations and abuses in future.

2.3.0 METHODOLOGY

2.3.1 The Commission regarded the obligation to establish an “accurate, complete and historical record of violations and abuses of human rights” as the cornerstone of its mandate. Fulfilling this obligation demanded that the Commission should be scrupulously fair and thorough in its statement-taking, investigations and hearings.

2.3.2 Statement-Taking

2.3.2.1 The Commission devised two methods for receiving statements from the public. First, it invited prospective petitioners to call at any of its five Zonal Offices throughout the country or at its headquarters in Accra to complete and sign or thumbprint a standard statement form and to make a written statement detailing their grievances. Such persons were assisted by trained statement-takers who took down their statements in English irrespective of the languages in which the persons gave their statements; the statement-takers were fluent in the local language(s) of the regions for which they were recruited. The statements were then read to the petitioners to verify that the statement-takers had properly captured the narratives of the statement-makers. Where they were so satisfied, the petitioners appended their signatures or thumb-printed the forms. Second, in some instances, petitioners who were literate in English wrote down their own statements or brought an already

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prepared statement to the Commission, and then completed and signed a statement form, which was subsequently attached to their written statement. This second option made it possible for petitioners who were resident outside Ghana to write and mail their own statements to the Commission. They then filled out the statement form whenever they visited the Commission, prior to testifying before it.

2.3.2.2 The statement form was designed to elicit information establishing the complete profile of witnesses for statistical purposes.

2.3.2.3 To ensure that no one who wanted to petition the Commission was denied the opportunity simply by virtue of their poverty and residence in a remote rural area, the Commission embarked on a “mopping-up exercise” with the kind financial and human resource support of the CDD-Ghana. Under this exercise, staff of the Commission and of CDD-Ghana undertook special public outreach, statement-taking and counselling exercises in many rural areas of the country. Through this exercise, many otherwise disadvantaged persons were able to file their petitions.

2.3.3.0 Investigations**2.3.3.1 Scope - Mandate Period**

2.3.3.1.1 The Commission was specifically required by Act 611 to investigate violations and abuses of human rights relating to “killings, abductions, disappearances, detentions, torture, ill-treatment and seizure of properties” suffered by any person at the hands of “public institutions, public office holders or persons purporting to have acted on behalf of the state...”

2.3.3.1.2 The Act also gave the Commission the discretionary power to investigate and make appropriate recommendations in respect of any petition alleging similar human rights violations, but which allegedly took place during periods of constitutional rule between 6th March, 1957 and 6th January, 1993. In exercise of this discretionary power, the Commission decided that, to further its aims of national reconciliation, it would not make any distinction between petitions alleging human rights violations during periods of constitutional and unconstitutional rule. It accepted complaints relating to the entire mandate period without the need for any special application by petitioners.

2.3.3.2 Scope – Substance Of Violation Or Abuse

2.3.3.2.1 The Commission gave a broad and liberal interpretation to each of the categories of violations and abuses specified in section 4(a) of Act 611. Thus, it was able to receive, investigate and hear petitions alleging human rights violations and abuses founded on subjection to mock executions and forced cannibalism as instances of torture, while under the rubric of ill-treatment, it accepted and processed complaints ranging from dehumanising treatment to administrative injustice that rose to the level, or met the threshold, of human rights violations. In construing the meaning of the specified violations and abuses, the Commission relied on

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international human rights law and humanitarian law principles, as well as common law understanding of the specified violations.

2.3.3.3.0 Establishing The Context, Causes And Circumstances

Section 4(b) of the Act also charged the Commission to investigate the context, causes and circumstances of the violations and abuses. This meant that the Commission was required to undertake comprehensive investigations that would enable it to uncover the conjunction of factors that underpinned, enabled and accounted for the specified forms of human rights violations and abuses during the relevant historical periods. Thus, the Commission was duty bound to explore and identify the root causes, broad socio-political environment, surrounding circumstances and the precipitating factors, if any, of the violations brought to its attention.

2.3.3.4.0 Identifying And Specifying Individual And Institutional Perpetrators

2.3.3.4.1 The Commission was further mandated to “identify the individuals, public institutions, bodies, organisations, public office holders or persons purporting to have acted on behalf of any public body responsible for or involved in the violations and abuses”. This explicit statutory requirement on the Commission to specify or pinpoint state responsibility both personal and institutional reflected the anti-impunity thrust of Act 611.

2.3.3.4.2. Even so, the Commission was required, in accordance with the principles of natural justice, to respect the rights of all alleged perpetrators to fair investigative and hearing processes. These included the right of alleged perpetrators to: (a) be informed in writing of any allegation against them contained in any petition filed with the Commission or in a petitioner’s testimony before the Commission¹; (b) make a written statement in response to any such allegation; (c) be assisted by counsel of their choice in preparing such responses; (d) be assisted by counsel of their choice in appearing to cross-examine their accusers; and (e) be led by counsel for the Commission to testifying before the Commission, if they so wished

2.3.3.4.3 Indeed, Act 611 contained several explicit provisions relating to the natural justice rights of alleged perpetrators. For instance, section 17(1) of the Act guaranteed the right of any person “subpoenaed or called before the Commission” to legal representation, while section 17(4) obliged the Commission to inform such persons of their right to legal representation. Further, to ensure that prospective respondents who were indigent were not disadvantaged by their lack of financial capacity to engage the services of a lawyer, section 17(3) of the Act gave the Commission power to appoint counsel for such persons. Specifically, section 17(3) of the Act provided as follows:

¹ The allegation would not be brought to the attention of the alleged perpetrator where the Commission determined, upon reviewing a petition, that the alleged violation either happened at a time falling outside the Commission’s mandate period (ie. from 6th March, 1957 to 6th January, 1993) or concerned an event which, even if admitted by the alleged perpetrator or proven to be true, would not constitute a killing, abduction, disappearance, torture, detention, seizure of property or ill-treatment within the meaning of the law as interpreted by the Commission.

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“The Commission may appoint a lawyer to act on behalf of a person appearing before it if it is satisfied that that person is not financially capable of appointing a lawyer and if it is of the opinion that it is in the interest of justice that that person be represented by a lawyer”.

2.3.3.4.4 To this end, the Commission requested for, and obtained from the Ghana Bar Association, a list of lawyers interested in providing legal services to such persons. It made it available to persons who needed such legal services.

2.3.3.5.0 Identifying And Specifying Victims

2.3.3.5.1 Under section 4(c) of Act 611, the Commission was required, through its investigations, to “identify and specify the victims of the violations and abuses”. The Commission saw this provision as a reflection of the victim-centred orientation of the Act. Other reflections of this orientation were to be found in the Long Title of the Act, as well as in section 3(1)(b), which required the Commission to make appropriate recommendations to the President for “redress of wrongs” committed.

2.3.3.5.2 Accordingly, the Commission devised procedures that showed sensitivity, primarily, to basic needs of victims as well as other witnesses. These included the following:

1. undertaking public education and sensitisation activities in English and in numerous local languages throughout the country, on the mandate of the Commission, and emphasising the need for all victims of the specified forms of human rights violations and abuses during the relevant periods to come to the Commission and make a statement/petition;
2. inviting, through various media of public education and sensitization – both locally and internationally – all persons with knowledge of human rights violations and abuses, even where those persons were not the direct victims, to make a statement to the Commission in respect of those violations and abuses they might have heard about, witnessed or observed during the relevant period, whether the events took place at a time of constitutional or unconstitutional government;
3. inviting prospective statement makers to provide such personal particulars of the victim(s) as would assist the Commission in establishing the identity of the victim(s);
4. designing and using a user-friendly standard form for taking witnesses’ statements;
5. giving technical support to petitioners in filing their petitions with the Commission. This took the form of language translation or interpretation services, as well as the taking down of statements of petitioners who could not

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write in English, or who wished to be assisted for whatever reason, by the Commission's trained statement takers;

6. providing professional counselling, free of charge, to petitioners who were burdened by the pain of reliving their painful experiences by recounting them;
7. providing counselling and professional medical screening and, where necessary, first aid treatment or other appropriate medical response (including referral services) to all witnesses, particularly petitioners, prior to their testifying before the Commission². Whenever necessary, appropriate follow-up counselling sessions were undertaken or medical referrals made; and
8. refunding the cost of return transportation to witnesses, particularly petitioners, who travelled from long distances to the venue of hearing to testify at the hearings, and who requested such support. The Commission applied the State Transport Company passenger rate where applicable. This facility was made possible through the kind financial support of CDD-Ghana. The Commission, however, did not re-imburse nor offer any financial support to any of the witnesses who travelled from outside Ghana to testify before it.

2.3.3.6.0 Determining Whether The Violations Were Deliberately Planned

2.3.3.6 The Commission was obliged under Section 4(d) of Act 611 to determine whether a human right violation or abuse was deliberately planned. Where an allegation of human rights violation or abuse was made against any individual, the Commission had a duty to invite the alleged perpetrator or respondent to respond in writing to the allegation. Where the petitioner subsequently testified before the Commission, the Commission was duty bound to give the alleged perpetrator an opportunity to be present at the hearing, provided they had previously submitted a written statement in response to the allegation, to cross-examine the petitioner under oath or affirmation, and to testify on their own behalf if they so wished.

2.3.3.6.1 In establishing the truth or otherwise of an allegation, the Commission applied the civil standard of proof on a "balance of probabilities", as opposed to the criminal standard of proof beyond reasonable doubt. This was in consonance with the

² The necessity for this arrangement was dramatically brought home to the Commission on 5th June, 2003, when Joseph Kwadwo Ampah, a 65-year old Ghanaian barrister-at-law resident in London, England, who had travelled home to testify before the Commission, collapsed and died within three minutes of commencing his testimony. He had suffered from a cardiovascular problem for a long time, but his apparently healthy and pleasant disposition belied his serious medical condition; within seven minutes of the incident, doctors at the Ridge Hospital in Accra pronounced him "dead on arrival" (his pace-maker had failed). With financial support from the USAID of the United States Embassy in Accra, the Commission procured, effective 10th June, 2003, the stand-by services of the Emergency Response Unit (ERU) of the 37 Military Hospital. The ERU comprised a doctor and two nurses, who established a medical bay within the Chamber of the Old Parliament House where the hearings took place. In order to respond effectively and efficiently to any medical emergencies that might arise, an ambulance with the necessary medical supplies and equipment was constantly stationed in front of the Old Parliament House or other venue while hearings were underway. The ERU rendered similar services to the Commission in all the regional capitals where hearings were conducted.

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universally established principle in human rights investigations by quasi-judicial investigative bodies. Where, after considering all the evidence before it, the Commission found it more probable than not that the petition was justified, it was required under section 4(c) of the Act to “make appropriate recommendations for redress”. Section 20(d) also imposed a similar obligation on the Commission, in such a situation, to recommend an “appropriate response to the specific needs of [that] victim or group of victims”. Conversely, where the Commission was persuaded on the above basis that events did not occur as alleged, it was bound to find that the petition was not justified and therefore, to dismiss it.

2.3.3.6.3 Where the Commission, using the above-stated civil standard of proof, found that a human rights violation or abuse had occurred, it had a duty under section 4(d) of the Act to proceed to another level of enquiry, namely, to establish whether or not the violation or abuse was the result of deliberate planning and execution, or a chance occurrence.

2.3.3.6.4 To achieve this end, the Commission, in addition to resorting to traditional investigative techniques, established six special committees of the Commission to examine the role, if any, played by various institutions of state and civil society groups in human rights violations³. The Committees invited several key actors during the relevant periods, or persons who were closely acquainted with the workings of the relevant bodies, as well as experts, to testify before it or to submit memoranda as might be appropriate. The findings and recommendations of these special committees, and a description of their composition and work appear in Volume IV of the report.

2.3.3.6.5 In the Commission’s view, the articulation of this obligation in the statute highlighted Parliament’s conviction that particularly intentional, as opposed to accidental or systemic, acts of human rights violations and abuses must be singled out for special attention, condemnation and prevention.

2.3.3.7.0 Investigating Any Other Matters Requiring Investigation

2.3.3.7.1 The Commission was also permitted, under section 4(f) of Act 611, to investigate “any other matters” which, in its view, required investigation “in order to promote and achieve national reconciliation”. Pursuant to this mandate, and in the course of investigating a number of petitions it received, the Commission exhumed the remains of several persons, some of which had been buried in unmarked graves in some parts of the country.

2.3.3.7.2 Following petitions and/or oral testimonies by the families of six persons requesting the Commission to locate, exhume and hand over for fitting burial, in accordance with Ghanaian custom, the remains of their loved ones who were executed in May 1986, the Commission on 1st September, 2003 carried out its first exhumation at Mile 11, near Weija, Accra. The six persons were:

³ The terms of reference of the Special Committees of the Commission also included an assessment of the potential role of those state institutions and civil society groups in preventing such violations and abuses in future.

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- 1) Godwin Mawuli Kofi Dra Goka
- 2) Yaw Brefo-Berko
- 3) Kyereme Djan
- 4) Samuel Boamah Payin
- 5) Samuel Charles Aforo and
- 6) Richard Charles Koomson

The families of the six had alleged that their executed loved ones were subjected to severe forms of torture during their arrest, interrogation and incarceration, contrary to established human rights standards and norms, including principles for the treatment of detained persons. The exhumation also uncovered the remains of two unknown persons who were later positively identified as:

- 1) Ahmed Denteh Braimah Kankani and
- 2) L/Cpl George Badame Doog.

All eight persons had been buried in two unmarked graves.

2.3.3.7.3 A second exhumation was carried out by the Commission at the Aboso cemetery, near Tarkwa in the Western Region on 17th May, 2004. This exhumation was pursuant to a request by Peter Boafo who testified in respect of the abduction and subsequent disappearance, in 1979, of his father, also known as Peter Boafo and his father's nephew. The exhumation uncovered the remains of five persons buried in two graves at the Aboso cemetery, including that of a female adult and a young male adult believed to be the remains the petitioner's cousin.

The Tarkwa exhumations also assisted the Commission in its investigation into the petition of Ebenezer Mends who had alleged that his elder brother had been tortured and then shot by soldiers and his body dumped into a disused mine shaft at Tarkwa. A fuller report on the exhumations is available in the Appendices.

2.3.4.0 Hearings

2.3.4.1 Petitioners were invited to appear before the Commission to tell their story. In practice, the Commission considered every person who testified before it as a "witness" assisting it in its work, whether the person appeared as a petitioner or an alleged perpetrator, or whether they testified under subpoena or not. For this reason, every witness before the Commission was led in evidence by the Commission's counsel. The hearings also gave the witnesses an opportunity to unburden themselves and to put the past behind them. It also offered an opportunity for interpersonal reconciliation wherever possible.

2.3.5.0 Information Services

2.3.5.1 Through its work, the Commission provided petitioners with information about "disappeared" relations. Again through its work, the Commission provided

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information on the circumstances surrounding the detention and death of some victim, place of burial as well as the identity of some perpetrators.

2.4.0 WORK OF THE COMMISSION

2.4.1 Following its inauguration on 6th May, 2002, and prior to the commencement of the statement-taking process on 3rd September of the same year, the Commission undertook the following sets of activities:

1. designed a work plan;
2. designed the equipment and logistics needs of the Commission and designed a procurement policy;
3. organized a national competition for the design of an appropriate logo for the Commission in order to focus the public mind on the concept of reconciliation;
4. composed a prayer for the hearings;
5. recruited staff for its secretariat;
6. Established a secretariat comprising five departments and five zonal offices across the country; and
7. designed and implemented a comprehensive training programme to equip the Commissioners and staff with the requisite skills and orientation for the effective performance of their duties. The areas covered in the training programme included the following:

2.4.2 Detailed Contextual Information On:

- Principles of fundamental human rights and freedoms
- The International Bill of Human Rights
- General nature and purposes of Truth and Reconciliation Commissions (TRC)
- TRC's : international perspectives and experiences
- Purpose, mandate, functions, powers and independence of the National Reconciliation Commission
- Code of Conduct for Members and Staff of the Commission
- Principles and practice issues in statement-taking
- Questioning, statement-taking and observation
- Showing respect, empathy and support
- Legal representation and advocacy before truth commissions
- Principles and practice issues in counselling in truth commissions
- Methods for coping with stress arising from statement-taking and hearings
- Counselling and referral services for traumatised or distressed witnesses
- Principles and practice issues in documentation and record retrieval

2.4.3 Principles And Techniques Of Investigation

- Principles and techniques of human rights investigation
- Field investigations – methods and skills

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- Investigation planning: reasons and formats
- Dos and Don'ts in interviewing witnesses
- Note-taking and record-keeping skills
- International standards of human rights research and methodology
- The role of research in the TRC context
- Due process issues in human rights investigations
- Forensic investigations and truth-finding
- Exhumations and preservation of evidence: handling delicate materials
- Data gathering, compilation and storage
- Investigative report writing
- Effective summary of cases

2.4.4. Database Development, Documentation And Website Construction**2.4.5 Report Writing**

- Elements and Features of TRC Reports
- Getting It Right: From Notes to Accurate Reporting
- Evaluating Data for Report Writing

2.4.6 Principles And Techniques Of Adjudication In The TRC Context

- Natural justice and due process issues
- Impartiality, fairness and credibility
- Confidentiality and political neutrality
- Principles and practice issues in conducting public and in-camera hearings

2.4.7 Criteria For Appearing Before The Commission

- Screening Procedures, including medical check
- Pre-hearing determinations

2.4.8 Broader Investigations Into:

- Patterns of crime and responsibility
- Special investigations into key events

2.5.0 WORK OF THE SECRETARIAT

2.5.1 In furtherance of the requirement in section 4(g) of Act 611, the Commission pursued several educational and sensitisation services throughout the country, in order to inform the public on the nature and importance of the national reconciliation effort and to enlist the support of the citizenry for the process. Numerous individuals, religious bodies, chiefs, security services, district assemblies, journalists, students, professional bodies, labour groups and other civil society organizations collaborated with the Commission in these efforts.

VOLUME 2 CHAPTER 2**2.5.2.0 Statement-Taking**

2.5.2.1 The Commission started taking statements of alleged human rights violations and abuses from the public on 3rd September, 2002⁴. By the end of statement-taking it had received 4240 petitions from individuals all over the country and abroad.

2.5.2.2 Petitioners came from all walks of life, embracing diverse socio-economic, educational, ethnic, religious and political backgrounds and age groups. A detailed statistical profile of and analyses of petitions and petitioner characteristics appear in Volume III of this report.

2.5.3.0 Counselling

2.3.1 Providing counselling support for witnesses was a major activity of the Commission. This helped victims to come to terms with their pain and move on with their lives; it also helped some of the persons who participated in the abuses to come to terms with their experiences and obtain forgiveness and peace of mind. Counselling was provided during the statement-taking period as well as the public and private hearings. Some needy witnesses were followed up at home and family counselling given as needed. Counselling support was also provided for the Commission's staff to help them deal with the secondary trauma that is often associated with working with traumatized people

2.5.4.0 Petition Processing Procedures

2.5.4.1 To facilitate its work, the Commission developed a basic procedure for handling petitions – from reception to disposition. The procedure entailed the following steps:

1. a review of the statement by the Senior Statement Taker who subsequently referred it to the Commission's Legal Department for a legal opinion, or to the Investigations Department; The Executive Secretary then made and forwarded his comments on the file to the Commission;
2. Where the complaint was referred to the Investigations Department, the necessary investigation was conducted and an investigation report submitted to the Legal Department for a recommendation on the matter to the Executive Secretary, who, in turn, made a recommendation to the Commission; and.

⁴ When staff of the Commission reported for work by 5:00 a.m. on 3rd September, 2002, at the headquarters in Accra, they met over sixty prospective petitioners who had already formed a queue in front of the Independence Square Building in Accra, which served as the Commission's temporary headquarters. The first person in the queue, a gentleman in his late seventies, informed the staff that he had arrived at the premises as early as 3:00 a.m. "in order to ensure that [he] would be the first to file [his] petition. Many petitioners arrived early in the morning at all five Zonal Offices of the Commission across the country.

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3. The Commission made the final decision whether or not a petition was ready for hearing.

2.5.5.0 Criteria For Selecting Cases For Hearing

2.5.5.1 It was the aim of the Commission to hear each and every petition that fell within its jurisdiction. In practice, the Commission was guided by four principles in selecting which cases to hear. These were:

- (i) the principle of first-come, first served;
- (ii) severity of the violation⁵;
- (iii) lack of need for investigations; and
- (iv) readiness of case for hearing due to timely conclusion of investigations.

2.5.5.2 In practice, several considerations affected the extent to which the Commission applied the above criteria. For instance, on account of the fact that the Commission did not pay the transport fare of any witness resident abroad who testified before it, the Commission reasonably accommodated requests from witnesses for early or delayed hearings where it considered such requests legitimate or reasonable.

2.6.0 PUBLIC AND IN CAMERA HEARINGS

2.6.1.0 By virtue of section 12(1) of Act 611 the Commission was required to conduct its hearings in public. However, section 12(1) of Act 611 also granted the Commission the discretionary power to hold *in camera* or private hearings “for good cause”.

2.6.1.0 Hearing Procedure

2.6.1.1 The procedure for the hearings was a standard one. Petitioners were led by the Commission’s counsel to tell their story, including an opportunity to present relevant documentary or other evidence in support of their claim (including calling other witnesses to testify on their behalf), and to indicate what relief they were seeking in order to redress their grievances as a means to promoting healing and reconciliation. This was followed by questioning by members of the Commission for clarification of problem areas in the evidence⁶, as well as an opportunity for the respondents or alleged perpetrators, if present, to cross-examine the petitioners and

⁵ While the Commission considered none of the human rights violations and abuses specified in section 4(a) of Act 611 as trivial, it took the view that killings constituted the ultimate human rights violation to be rated as more severe because of its finality, among other reasons, than some instances of ill-treatment such as delayed payment of pension or retirement benefits that caused suffering. Similarly, the Commission regarded torture as more egregious than wrongful dismissal. Therefore, all things being equal, the Commission gave killings and torture a higher priority in the scheduling of petitions for hearing.

⁶ Commission members also frequently used the opportunity to advise, console, commiserate or empathize with witnesses in order to help them overcome the burden of the pain and suffering they said they had experienced. These opportunities were also used to educate the public on the issues thrown up by the petition, with a view to avoiding a repetition of the impugned conduct.

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their witnesses with the assistance of counsel of their choice, if they so wished. They were then led in evidence by the Commission's counsel, (or counsel provided under the Commission's legal aid scheme) to tell their side of the story to the Commission, if they so wished. Again, the Commission followed the same routine in facilitating healing, forgiveness and reconciliation as appropriate. Alleged perpetrators who did not wish to adduce evidence on their own behalf, were not compelled to do so, although note was taken of such a stance.

2.6.2.0 Public Hearings

2.6.2.1 The Commission started its public hearings in the Chamber of the Old Parliament House in Accra on 14th January, 2003. It subsequently conducted hearings in all regional capitals: Kumasi in the Ashanti Region, Tamale in the Northern Region, Takoradi in the Western Region, Ho in the Volta Region, Cape Coast in the Central Region, Sunyani in the Brong-Ahafo Region, Wa in the Upper West Region, Bolgatanga in the Upper East Region, and Koforidua in the Eastern Region.

2.6.3.0 Private Hearings

2.6.3.1 As pointed out earlier, Act 611 permitted the Commission to conduct some of its hearings in private for "good cause".

2.6.3.2 In deciding whether or not to hear a witness *in camera*, the Commission was guided by three general principles in the common law system that govern the circumstances under which courts and administrative tribunals may hear evidence *in camera*. These circumstances are as follows:

1. Where the security of the state may be jeopardized (eg, evidence relating to the policing strategies used by the security agencies in apprehending persons suspected of subversion);
2. Where the personal safety of a witness or other person may be compromised; and
3. Where public decency or morality may be gravely offended by the nature of the testimony (eg, the potentially detailed and graphic testimony of a victim of sexual assault or rape, where such evidence is warranted). In other words, the Commission decided to hear some evidence *in camera* where it was persuaded that it would be *contra bono mores* to do so in public, that is, where the public hearing of the evidence would be contrary to public good, morality or decency.

2.6.3.3 Where the Commission decided to hear a case in private, it had the power, by virtue of section 12(4) (a) – (c), to direct that:

- a) no information from the proceedings shall be made public;
- b) a person shall not disclose the identity of a witness in the proceedings; and

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- c) records of proceedings be kept in such manner as to protect the identity of a witness.

2.6.3.4 In effect, a decision by members of the Commission to hear a case in private triggered a number of statutory obligations on members and staff of the Commission, as well as any other persons present at the private hearing. Among these were the obligations to observe confidentiality and secrecy as outlined in section 19 of Act 611.

2.6.3.5 In appropriate cases, the Commission could issue an order prohibiting the publication of any identifying characteristics of a witness.

2.6.3.6 Under section 18(1) of the Act, the Commission had power to decide the extent to which the identity of any petitioner, witness or informant could be disclosed in any report it would issue.

2.7.0 THEMATIC AND INSTITUTIONAL COMMITTEE HEARINGS

2.7.1 In addition to the foregoing methods and procedures, and in order to facilitate its work, the Commission established, as pointed out earlier, six special committees to examine the role, if any, played by a number of key state institutions and civil society groups in human rights violations, as well as their potential role in preventing such violations and abuses in future. This was pursuant to the powers granted it by section 7(1) of Act 611. The committees were the following:

1. Security Services Committee
2. Legal Profession (including the Judiciary) Committee
3. Media Committee
4. Labour Movements, Students, Youth and Voluntary Associations Committee
5. Professional Bodies (other than legal) Committee
6. Religious Bodies and Chieftaincy Committee

2.7.2 Each committee comprised a minimum of five persons, including a chairperson who was a member of the Commission, and at least one other member of the Commission. In addition, two persons who were recognized experts in their respective fields, as well as a Research Officer of the Commission who served as secretary. The Chairman, the Executive Secretary and the senior Research Officer, were ex-officio members of each committee. The experts conducted research into thematic issues of interest to the committee and provided such other technical assistance as was necessary in the committee's work.

2.7.3 Many individuals submitted memoranda to the committees and/or testified before them to provide information on matters of interest to the committees. Witnesses before these committees did not testify under oath or affirmation, and the reports of the committees were considered and agreed on by the Commission. Volume IV contains these reports.

VOLUME 2 CHAPTER 3**CHAPTER THREE****THE HISTORICAL CONTEXT****3.0 INTRODUCTION**

The events which led to Ghana becoming a State that achieved Independence on 6th March, 1957, have had a great impact on the course of the nation's history. Problems that had emerged before Independence continued to dog the footsteps of the new nation; problems that had been shelved or side-stepped did not go away; and problems that emerged subsequent to the attainment of Independence, came in to compound the already difficult situation. These legacies of the pre-Independence period have remained of significance in charting the course of the new nation, and on the human rights record of the various governments since Independence.

PRE-INDEPENDENCE**3.1.0 LEGACIES OF THE PRE-MANDATE PERIOD****3.1.1 The Composition Of The State Of Ghana**

3.1.1.1 The nation Ghana is an artificially-created entity, deriving its existence from British colonialism. The artificial entity was made up of four distinct component parts. In the south was the Colony: made up of the coastal states which had come under the British colonial government since the Bond of 1844, as well as kingdoms to the interior such as Akyem Abuakwa and Akwamu. It was not a monolithic entity, as the various states therein had their own disagreements and tensions. In the middle was the kingdom of Ashanti: territory which had been annexed by the British after its conquest at the end of the Yaa Asantewaa War in 1901. To the north were the Northern Territories: kingdoms which had come under British influence by reason of treaties of friendship executed between the British Government and the traditional rulers. These had been put together for administrative purposes as the "Northern Territories" under the Northern Territories Ordinance of 1901. The fourth part was Trans-Volta Togoland: the British Trust Territory which was originally part of the German colony that was lost to the Allies after the First World War, and that was split up between Britain and France and administered under a mandate of the League of Nations. When the League of Nations was transformed into the United Nations Organisation, responsibility for the Mandated Territories was transferred to the Trusteeship Council in 1946. Consequently, the Mandated Territories became known as the Trust Territories.

3.1.1.2 These four parts came under British influence and rule at different times, and the level of development, both social and economic, depended in a large measure, upon the

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British Government's appreciation of the economic worth of the particular area. The Legislative Council which made law for the Colony was given power over the other areas by the Northern Territories Order-in-Council in 1934. This Order-in-Council made the

Chief Commissioner of the Northern Territories a member of the Gold Coast Executive Council, and also gave the Legislative Council power to legislate for the Colony, Ashanti and the Northern Territories as if they were a single territory. Despite this expanded scope of authority, it had no representatives from Ashanti nor the Northern Territories until 1946. The problem of uneven development and uneven access to power within the new political entity was one of the most serious legacies of the pre-Independence period.

3.1.2 The Issue of Trans-Volta Togoland (TVT)

3.1.2.1 In 1952 the British Government decided to put the south-eastern part of the Colony, that had always been administered as part of the Eastern Province, together with the southern part of Trans-Volta Togoland (TVT) as one entity for administrative purposes. This arrangement was adopted in spite of the fact that the TVT, being a Trust territory, had a different legal status from the Colony. Eventually, the TVT became a part of the Gold Coast upon its attainment of Independence, by reason of a combination of events. Political agitation in the Gold Coast had reached such a tempo that the British foresaw that it would soon have to grant the territory independence. In 1954, the British Government informed the United Nations that it would not be in a position to administer the Trust Territory after the Gold Coast gained Independence. This information to the United Nations increased the pace of agitation by Ewe nationalists who had been campaigning since 1946 for the two Trust Territories of Britain and France to merge as one independent country in order to re-unite the Ewe peoples who had been split up by the Mandate of the League of Nations. They feared that the split would become permanent, should separate arrangements be made for the two Trust Territories. The Togoland Congress (TC), under the leadership of S.G. Antor, had emerged to champion the cause of separation from the Gold Coast because they believed that if the British Trust Territory integrated with the Gold Coast upon independence, the French would also annex the French-speaking part, leading to a permanent split of the ethnic group. For this reason, they wanted the British Trust Territory to remain separate until a decision could be taken about the French portion. The issue was made somewhat more complicated by the fact that, whilst some of the agitators wanted the Anlo-Ewe of the south-east of the Colony to be integrated with the Trust Territories in order that all Ewes would be in one political entity, others, fearing domination of that political entity by the Anlo, wanted them to be kept out.

3.1.2.2 A further complication was that the peoples of the northern British Trust Territory preferred integration with the Gold Coast so that they could be with their kith and kin as the split had had tragic results for some of the kingdoms. For instance, the capital of the kingdom of Dagbon, Yendi, was located in the Trust Territory whilst a part of it was in the British-held Northern Territories. Other groups also had blood ties with some of the peoples of the Northern Territories and also felt a closer affinity to them than to those of

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the northern French Trust Territory, since the northern British Trust Territory, had for a long time, been administered as part of the Northern Territories of the Gold Coast.

3.1.2.3. This complicated situation led the General Assembly of the United Nations to decide in December, 1955, that the peoples of the Trust Territory should be given a chance in a plebiscite, to determine if they wished to be integrated with the Gold Coast upon its attainment of Independence, or to remain separate until a decision was taken in respect of the French-administered part. The plebiscite was held on 9th May, 1956, for the peoples of the Territories to decide whether to integrate with the Gold Coast or to remain separate. An overall majority of 58 percent in the North and South voted for integration. However, in disaggregated terms, the picture was different. In the South, where the Togoland Congress had campaigned vigorously, there was a 55 percent majority in favour of separation. Consequently the decision to integrate the TVT with the Gold Coast at its Independence, was a minority decision as far as those in the south of the Trust Territories were concerned.

3.1.2.4 The separatists were dissatisfied with the result of the plebiscite and believed that the decision in favour of integration had been procured by manipulation. Thus, at Independence, there was a large group of persons particularly in southern TVT who did not wish to be a part of Ghana. They did not abandon their agitation, and there were many disturbances in 1957 soon after Independence. Efforts to suppress these agitations led to repression of those political activists who still urged separation. Many were arrested and detained, and others fled into exile in Togo, and remained there until 1966

3.1.2.5 The Trust Territory lagged behind the Gold Coast in terms of development since the British Government did not wish to spend money on a territory it was holding in trust for the United Nations. However, the southern part of the Trust Territory suffered less than the northern part that had been completely neglected. The four northern districts of Kete Krachi; East Dagomba; Eastern Mamprussi and Kusasi received hardly any economic investment.

3.1.3 The Northern Territories

3.1.3.1 British policy discriminated between the North and the South in terms of economic development and the provision of social amenities. As a result of colonial policy, the least economically-developed area was the protectorate of the Northern Territories because the Government did not wish to spend any money on infrastructure or any aspect of development unless they were certain of reaping adequate returns. Governor Hodgson stated:

The country as far as is known is destitute of mineral wealth, it is destitute of valuable timbers, and does not produce either rubber or kola nuts or indeed any product of trade value... For the present I therefore cannot too strongly urge the employment of all available resources of the Government upon the development of the country to the south of

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Kintampo leaving the Northern Territories to be dealt with in future years.... I would not at present spend upon the Northern Territories a single penny more than is absolutely necessary for their suitable administration and the encouragement of the transit trade.¹

3.1.3.2 Consequently, the absence of economic opportunities coupled with extreme poverty, led the young men of the North to seek work in the South. The Northern Territories became the source of migrant labour southwards to the mines and cocoa farms and this was encouraged by official labour recruitment policies underpinned by the belief that men of the Northern Territories were hardworking. This belief was later articulated by Governor Guggisberg to the effect that:

every man of the Northern Territories [was] worth his weight in gold ... for the mines, for private enterprise and for the development of those schemes the completion of which are necessary to secure progress and development.²

3.1.3.3 Mining companies regularly sent agents to recruit new hands with the assistance of the District Commissioners. Although apparently desirous of ending “the career of the Northern Territories as the Cinderella of the Gold Coast”³, Governor Guggisberg did not do much to tackle the factors that produced this result. This phenomenon of southward migration had devastating consequences for social cohesion and community development for the peoples of those areas as their able-bodied young men and women abandoned their homes to seek employment, and then eventually to reside in the South.

3.1.3.4 On account of the need to preserve the North as a reservoir of cheap and unskilled labour a conscious policy not to encourage literacy by the provision of educational institutions evolved. There were thus very few educational institutions in the North that offered education beyond Primary School level, and consequently, very few well-educated people. There was thus a lot of anxiety and unhappiness with the integration of the Northern Territories into the Gold Coast and subsequently into Ghana. The leaders of the Northern Territories felt that it should receive special consideration in terms of development since it had been neglected for a long time. The leaders were also afraid of domination by the south since they had few educated elite to fill public service positions. Some of the chiefs also insisted that the treaties they signed with the British in the 19th century were friendship and protection treaties, and, consequently, the British had no authority to hand them over to another government without ensuring that they had extra protection under the Independence Constitution. Thus the development of the Northern Territories and equitable treatment of persons of northern origin, were issues that demanded attention at the dawn of Independence.

¹ R.B. Bening, *A History of Education in Northern Ghana 1907-1976* Ghana Universities Press, Accra, 1990 p 178, quoting GC Conf. 20th December, 1899, p1-4 PRO/CO 96/346.

² Bening, *supra*, p183.

³ *Ibid.*, p:179

VOLUME 2 CHAPTER 3**3.1.4 Ashanti**

3.1.4.1 There were mutual suspicions between Ashanti and the Colony. With her history of imperialism, Ashanti was disliked by her coastal neighbours, who feared domination should they be put together as one political entity. On its part, Ashanti feared domination by the Colony. In the early 1940s there were efforts at rapprochement. The Joint Provincial Council of the Colony made representations to Ashanti on the issue of working together against the colonial government. In reply the Asantehene stated:

this is not the first time that we have realized or been made to realize the need for cooperation between Ashanti and the colony ... If we were to trace out what has been the chief obstruction to our coming together we would find out that it is selfishness. Selfishness, which is the outcome of a narrow and conservative way of thinking, has kept us poles apart from one another to our own disadvantage, and it is the same evil that will, if we are not careful, undermine the move that we are now contemplating. There has been a lurking in the breasts of some of you in the colony, the fear that if you fall in with Ashanti, we shall seek to dominate you... I would like to dispel any such uncalled for fears for the days of our imperialistic aspirations are past and forgotten. What we aim at now is not that sort of federation which in the past we tried to force on you with the aid of the sword, but one in which all of us, of our own accord, shall freely enter... If in the past we waged war against one another, let us today seek rapprochement.⁴

These mutual suspicions did not die and were fuelled by developments a decade later, as demonstrated by the formation of the National Liberation Movement (NLM) in 1954.

3.1.4.2 In 1954, the NLM was born. The immediate cause was the agitation for higher prices for cocoa, and so it gained popularity in the Ashanti, Akyem Abuakwa and the Krobo areas which had large tracts of cocoa farms. The remote cause was, however, the marginalisation of the traditional ruling classes as a result of the rise of the Convention Peoples' Party (CPP). The chiefs were also suspicious of the centralist policies of the CPP and feared marginalisation in the governance of the country.

3.1.4.3 The NLM's Ashanti base and the obvious support it enjoyed from the Asantehene as well as the fact that its chairman was the senior linguist of the Asantehene – Baffour Osei Akoto - brought to the fore the mutual fear of domination that had existed since Ashanti became a part of the Gold Coast Colony. The NLM's proposal of a federal form of government was a reaction to the highly centralized form of government that they feared would lead to dictatorship from Accra.

3.1.4.4 The pitched battles that were fought in Kumasi between the NLM and the CPP and the political murders that were committed by both sides showed the ugly face of

⁴ F.M. Bourret, *GHANA – The Road to Independence 1919-1957*, Oxford University Press, London, 1966, quoting *Gold Coast Observer*, 15th October, 1943.

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partisan politics. The NLM with its Action Groupers and the CPP with its Action Troopers so terrorised residents of Kumasi that the political scars created took a long time to disappear, and led to many people being unwilling to be associated with partisan politics. By the time the NLM problem was resolved by the amendment of the proposed Independence Constitution to provide for Regional Assemblies, a lot of harm had been done. There was a great deal of bad blood between adherents of the NLM and the CPP especially because many of the NLM leaders were also dissident CPP members; and thus there were personal animosities between the leadership of the two parties.

3.1.5 Conclusion

3.1.5.1 Among the legacies that Ghana inherited at the time of its birth as an independent country were: ethnic animosities and resentments occasioned by a history of antagonism produced by inter-ethnic wars and imperialism; uneven economic development between the North and South and between the colonial holdings and Trust Territory; fears of cultural domination; the emergence of a landless urban poor as a result of urbanization; the integration into the political entity of persons who wished to belong elsewhere or who wished for a different form of government; and political leaders who were in antagonistic relationship to each other.

3.1.6 The Formation Of Political Parties In The Gold Coast**3.1.6.1 The United Gold Coast Convention (UGCC)**

3.1.6.1.1 At the end of the Second World War, the war veterans who had gone to fight in other lands for freedom on behalf of the colonial power, returned home with ideas about the quality of life that they ought to have. However, they were not trained in civil life with appropriate income-earning skills to achieve that standard, nor were they given any financial package to ease their transition into civil life. Their return, coupled with the rapid urbanisation and expansion of social amenities and infrastructure in the urban areas, produced a class of politically-conscious young men and women who began to appreciate the anti-colonial posture of the intelligentsia. It was in the midst of all this social ferment that the first mass party, The United Gold Coast Convention (UGCC), was formed at Saltpond in August, 1947, under the chairmanship and financial sponsorship of George Grant, better known as Paa Grant, a wealthy Nzima businessman. With its slogan of “Self-Government within the shortest possible time”, the UGCC quickly attracted a large following, particularly among the educated persons, chiefs and farmers. The speed with which the party gained numbers made its proper organisation somewhat difficult for the leaders, who were mostly professionals, and therefore only part-time politicians. A member of the UGCC Executive, Ernest Ako Adjei, proposed the employment of an energetic young man he had met in England, Kwame Nkrumah, as General Secretary to do the work of political mobilisation full time. Paa Grant paid the £100 passage for the return of Nkrumah⁵ to the Gold Coast.

⁵ F.M. Bourret, *GHANA – The Road to Independence 1919-1957*, Oxford University Press, London, 1966, quoting *Gold Coast Observer*, 15th October, 1943.

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3.1.6.1.2 The young Nkrumah arrived at the end of 1947, and soon got down to work establishing structures through which the party could function effectively. In February, 1948, barely two months after he took office, Kwame Nkrumah and five leaders of the UGCC – Edward Akufo-Addo, Emmanuel Obetsebi Lampitey, William Ofori-Atta, Ernest Ako Adjei and Dr. Joseph Boakye Danquah - were arrested because they were blamed for the rioting and looting that occurred as a result of the killing of some ex-servicemen who were on a protest march. The ex-servicemen had gone on the march to protest against high prices of goods and general hardship in their living conditions, exacerbated by the failure of the British Government to honour promises made to them on their demobilization benefits. Whilst on the march, they decided to change course and march to the Osu Christiansborg Castle, the seat of government, instead of remaining on the route for which official approval had previously been obtained. At the Osu crossroads, they were fired on when they would not heed an order to halt. Three ex-servicemen, Sergeant Adjetei, Corporal Attipoe and Private Odartey Lampitey, were killed and many others injured. This incident sparked off riots and looting of European and Syrian/Lebanese-owned stores in many of the towns in the Gold Coast. By the end of the day, the death toll had reached twenty-nine (29) with two hundred and thirty seven (237) injured, and property damage to the tune of two million pounds sterling (£2,000,000) had occurred. Although it was not the UGCC that had organized the march, political responsibility for what had happened was laid at the door of the party.

3.1.6.1.3 The six leaders of the UGCC who were arrested, were later named “The Big Six”, and they became national heroes overnight. They were sent to prisons across the country.

3.1.6.1.4 After the release of the “Big Six”, Nkrumah set out to organize in earnest. He linked up with political youth groups and formed the Committee on Youth Organisation (CYO). He also established a Newspaper ‘*The Evening News*’ which he used to great advantage. Conflict over strategy soon developed between him and other leaders of the UGCC. They began to feel that Nkrumah was promoting himself and his personal agenda at the expense of the party that employed him, and he began to feel that they were not ready for his style of organization.

3.1.6.1.5 A break became inevitable, and on 12th June, 1949, Nkrumah broke away from the UGCC and formed the Convention Peoples’ Party (CPP) at Saltpond, taking with him most of the young people he had so successfully mobilised. The period thereafter heralded the nurturing of bad blood between the leaders of the two parties. Attacks in the *Evening News* on the leaders of the UGCC, especially on Dr. Danquah, as well as a whispering campaign of bribe-taking and allegations of other dubious activities made against the leadership of the UGCC, did a lot to embitter the relationships.

3.1.6.2 The Convention Peoples’ Party (CPP)

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3.1.6.2.1 The CPP under the leadership of Nkrumah grew from strength to strength. During the time when he ran the UGCC, he discovered some very energetic and good

organizers who left with him to form the new party. Komla Agbeli Gbedemah and Kojo Botsio were two of these young men who came to be recognized for their organizational abilities as they recruited many other young people to join the fold. Indeed the CPP was virtually a youth movement at its inception, and it had the energy and strategy to match.

3.1.6.2.2 It adopted a slogan of “Self-Government Now” (“S.G. Now”) and this resonated with the youth. In January, 1950, the CPP organized an action of civil disobedience termed ‘Positive Action’ in order to compel the colonial government to grant immediate self-government. Although planned as a non-violent action, it eventually turned violent and the leadership of the CPP was arrested and imprisoned.

3.1.6.2.3 Whilst in prison, Nkrumah’s party won a majority of seats in the 1951 elections held under the 1951 Constitution (Coussey Constitution). Being the leader of the party that had won majority seats in the elections, he was released from prison to head the government under the title of “Leader of Government Business”. The CPP successfully maintained its leadership in the politics of the country, winning majority votes in both the 1954 and 1956 elections. Ghana attained independence on 6th March, 1957, under its leadership, after a bitter struggle with some of its opponents.

Other Political Parties And Groupings**3.1.6.3.0 The Ghana Congress Party (GCP)**

3.1.6.3.1 The remnants of the UGCC suffered other crises as most of its youth had broken away to join the CPP. In 1951, it merged with another party, the National Democratic Party, formed under the leadership of Nii Amaah Ollennu, a barrister. The merged parties came to be known as the Ghana Congress Party with Saki Scheck as the General Secretary.

3.1.6.3.2 The Ghana Congress Party was bedevilled by a leadership struggle between Nii Amaah Ollennu and Dr. Danquah. Ollennu eventually left politics and joined the bench. The next stage of the leadership struggle took place between Dr. Kofi Abrefa Busia and Emmanuel Obetsebi-Lamptey. Eventually the party broke up into two when Obetsebi-Lamptey broke away and formed the Nationalist Party. This break greatly reduced the strength of the GCP. In the 1954 elections Dr Busia was the only one to win a seat on the ticket of the GCP. The Nationalist Party achieved little prominence as it never really attracted a following outside Accra.

3.1.6.4 Northern Peoples’ Party (NPP)

3.1.6.4.1 Chief Simon Diedong Dombo formed the Northern Peoples’ Party (NPP) in 1954. This party quickly attracted a large following from among the traditional rulers and it won twelve (12) seats in the 1954 elections. Considering that it had not been formed for

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very long before the elections took place, it was a remarkable feat. It also showed how attached the people of the North were to their traditional leaders.

3.1.6.5.0 The Anlo Youth Organisation

3.1.6.5.1 The Anlo Youth Organisation was formed by Modesto Apaloo. It operated in the south-eastern corner of the Gold Coast where the Anlo are located. It also won one (1) seat in the 1954 elections.

3.1.6.6.0 The Moslem Association Party (MAP)

3.1.6.6.1 The Moslem Association Party was an Islam-based party. Its leadership and followers were drawn largely from the immigrant group of Muslims from neighbouring West African countries. The ranks of its leadership were decimated by a policy of deportations soon after independence. What was left of it joined up with other political parties and groups to form the United Party.

3.1.6.7 The Ga Shifimo Kpee (Ga Standfast Association)

3.1.6.7.1 *The Ga Shifimo Kpee* was born in Accra in 1954. Its birth was a reaction to social and economic developments occasioned by the status of Accra as the capital of the Gold Coast. As a result of the effect of rapid urbanization and the need to provide social services in the national capital of Accra, large tracts of Ga land were acquired by the government for public purposes. The people rendered homeless by the 1939 earthquake in Accra had still not been properly resettled. In addition to these, there was an influx of people from other parts of the country into Accra, thus putting pressure on the rest of the land. This created a measure of landlessness among the Ga people. They also felt that in consequence of too many “foreigners” in Accra, they were being swamped as their cultural influence was being diminished in their own homeland; their very existence as a people was being threatened. With the slogans “*Ga mei shikpon, Ga mei anoni*” (Ga lands are for Ga people) and “*Gboi mli ngbe wo*” (Foreigners are killing us) they sought to draw attention to their plight.

3.1.6.7.2 Although the Association had a large following, there were two main groups within it, the “Zenith Seven” and the “Tokyo Joes”, made up mostly of young men who often engaged in acts of violence. These acts of violence brought them into direct conflict with the government of the CPP.

3.1.6.7.3 Eventually, the *Ga Shifimo Kpee* joined other political groups to form the United Party. Despite the merger, it was believed that members of the Association continued to carry out acts of violence. It was eventually dealt a death-blow by the mass detention of its members when the Preventive Detention Act (PDA) was passed in 1958.

VOLUME 2 CHAPTER 3**3.1.7 Conclusion**

3.1.7.1 Thus, at Independence, there was one strong party - the CPP - and several others of varying strengths, all of whom were in a relationship of antagonism against the ruling party. All these parties merged to form the United Party when, in 1957, the government passed the Avoidance of Discrimination Act. This Act prohibited the existence of any political grouping that was based on ethnic or religious affiliation.

3.1.8.0 The Security Services**3.1.8.1 The Army, The Police Force And Prisons Department**

3.1.8.1.1 One of the legacies of the British Colonial Government was the Security Services comprising the Army, the Police Force and the Prisons Department. The Police Force was the first to be formed as the Gold Coast Constabulary, followed the Prisons Department. The Army, as it is now known, was formed after World War II.

3.1.8.1.2 The Police Force was made up of British officers with the Gold Coasters and other Africans as Senior Non-Commissioned Officers. The mass of the junior ranks were recruited originally from Northern Nigeria and from parts of the Northern Territories. They were part of the colonial machinery, often used to suppress civil disorder, and were usually associated with the use of brute force in the maintenance of civil order. They were never seen as an institution for the protection of the public. At Independence, the Ghanaian Senior Officers were few, and they had all risen through the ranks.

3.1.8.1.3 The Prisons Department was also carved out of the Gold Coast Constabulary and its principal function was to keep prisoners in secure custody. It was made up mostly of illiterates and Middle School Leavers, and they were known as Warders.

3.1.8.1.4 The Military on its part was born out of the Gold Coast Regiment of the Royal West African Frontier Force that had been very effective in World War II. Its officer corps, however, remained European and it was modelled on the British army. At Independence, the highest-ranking Ghanaian officer was a Major, and he had risen through the ranks.

3.1.8.1.5 In consequence of the fact that the officer corps was almost exclusively British, they enjoyed the privileged lifestyle of British colonial officers. Thus developed a culture of privilege that was eventually enjoyed by the Ghanaian officers. The other ranks, on their part, were filled by local people with minimum education and few entitlements of privilege; their culture was undoubtedly "African". In consequence of this, there was great social distance between the officers and other ranks, and this was to become a source of strife decades later.

VOLUME 2 CHAPTER 3**POST-INDEPENDENCE****EVENTS WITH MAJOR HUMAN RIGHTS IMPLICATIONS****3.2.0 6TH MARCH, 1957 -- 23RD FEBRUARY, 1966
 CPP GOVERNMENT****3.2.1 Preventive Detention Act**

3.2.1.1 The Preventive Detention Act (PDA) was passed early in 1958. This Act, which originally had a five-year life span, was intended to be used to curb the activities of those whose acts were perceived as a danger to the security of the newly-born State. According to the Prime Minister when moving the motion for the First Reading of the Bill,

We have to accept the fact that at present there are in this country a number of people who, if they cannot succeed by lawful democratic means, are perfectly prepared to resort to violence and terrorism. It is true that their efforts in this respect have been up till now ineffective. The attempted revolt in Trans-Volta/Togoland at the time of independence was ill-organised and futile in its conception. Before independence certain politicians and others in Ashanti were threatening civil war if they did not get their demands ... the danger of violence and disturbances is that those organizing them generally look to foreign assistance and in the present condition of the world today there is always a danger that once any disturbances occur outside Powers will attempt to intervene. ...

This is the kind of situation with which we could be faced if our Government did not take proper steps to safeguard our security. It is impossible to ignore the possibilities of such things being attempted in Ghana, particularly when one bears in mind the present unsettled state of Africa. ...

We are determined to preserve Ghana as an independent democratic state. In the present condition of the world we cannot ignore the dangers which threaten; and after long discussion, the Government have finally

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come to the conclusion that such a measure as this is absolutely essential in the national interest.⁵

3.2.1.2 The then expatriate Attorney-General, Geoffrey Bing, in his post-1966 writings, also explained that the passage of the PDA was necessary because of inadequate means of dealing with political crimes within the legal system. He gave the justification as follows:

It was true that neither the police nor the courts in Ghana were capable of dealing with political crime. It appeared extremely difficult, if not impossible, to punish treasonable or seditious offences under the existing system because of the deficiencies in the machinery for collecting the necessary evidence and because of the need for establishing under the English laws of evidence, that certainty of guilt required under the British system. Nevertheless, it seemed to me an easy way out would be provided⁶.

3.2.1.3 Geoffrey Bing also maintains that it was agreed at the time that it would not be used against politicians. However, some of the first casualties were well-known opposition politicians such as Ashie Nikoi and Dzenkle Dzewu, who were arrested with over forty members of the *Ga Shifimo Kpee*.

3.2.1.4 There were several difficulties with the implementation of the PDA since it was based on arbitrary exercise of power, and without opportunity for judicial review. In the end many persons found themselves in prison who did not even know why they were there. There were well-known politicians as well as ordinary people. In September, 1961, the Railway Workers Union called its members out on strike. On 3rd October, 1961, fifty opposition politicians and railway union men, as well as the women, who cooked food for the striking railway workers, were detained. Some of these opposition politicians were Members of Parliament. Consequently, their detention decimated the ranks of the opposition such that Parliament became effectively a one-party affair. The repression of alternative voices was so severe that even university students who were reported to be against the government were detained. These included a Law student who had insisted that his colleagues observe a one-minute silence in memory of Dr. Danquah at a university dinner, when he died in detention in 1965.

3.2.1.5 The PDA caused fear and insecurity in the country and stifled all dissent. In prison, the detainees were maltreated horribly and many died or became invalids on account of the poor diet and the severe ill-treatment they suffered. They were subjected to beatings; to the glare of powerful lights round-the-clock; to unwholesome meals and food deliberately mixed with sand. They were denied baths, medical care, exercise and visits from relations, as well as being subjected to frequent searches in the cells. There is credible evidence that some of the ill-treatment meted out to the detainees was done at

⁵ Prime Minister's speech on the Preventive Detention Bill, National Assembly Debates, (First Series) Vol 11 July-September, 1958. pp.409-410 Debate of 14th July 1958.

⁶ Geoffrey Bing, *Reap The Whirlwind. An Account of Kwame Nkrumah's Ghana from 1950-1966*, MACGIBBON & KEE London, 1968.

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the instance of the government itself. The government thus assumed the unworthy role of tormentor of its political opponents.

3.2.1.6 When the PDA was challenged in the Supreme Court in the celebrated case of *Re Akoto*, the court ruled that the declarations under the 1960 Constitution on human rights did not impose a legally-enforceable obligation on the President, but only a moral one to respect the Declarations he was required to make upon assumption of office. The Supreme Court went further to state that the moral obligation to respect rights could be enforced by the people through the ballot box. With the door of the courts firmly shut in the faces of the detainees, a sense of desperation began to mount in the country.

3.2.2 Assassination Attempts On Dr Kwame Nkrumah

3.2.2.1 The violence that characterised the interaction between the political parties also manifested itself in attempts to assassinate the leader of the CPP. Beginning from the explosion in his house at Accra New Town in 1954, these bomb outrages increased in tempo as the years wore on. These bombs were planted in public places and at public functions and therefore there were many civilian casualties. Children, particularly members of the Ghana Young Pioneer (GYP) movement, were killed or maimed by these bombs. There was general insecurity created as occasion after occasion showed the desperation with which the opposing forces were determined to eliminate the Prime Minister and later, the President, Dr. Kwame Nkrumah.

3.2.2.2 Although the opposition was blamed for these bomb outrages, there was credible evidence to the effect that some of those attempts to eliminate the President came from within the highest ranks of the CPP. The arrest and prosecution of Ako Adjei, Tawia Adamafio, Horatius Cofie Crabbe, all senior officials of the CPP and also members of the government, pointed to the fact that the sources of these bomb outrages were varied.

3.2.2.3 The effect of these outrages was the increase in repressive measures and increase in the use of the PDA against perceived political opponents. A nationwide hunt for the bomb-throwers was launched. Children, especially members of the GYP, were encouraged to report anyone they knew who might be involved even if they were their own parents, to the authorities. On account of the indiscriminate use of the PDA at this time, the fear of being reported by one's own children to the authorities was felt to be a major invasion of the family's right to privacy. This contributed in no small way to the feeling of insecurity that pervaded the whole country. The negative sentiments that the GYP evoked in the hearts and minds of the populace was, among other things, on account of this perceived violation of the sanctity of the family and of family life.

3.2.3 Ghana As A One-Party State

3.2.3.1 The transformation of Ghana into a one-party state was born out of the feeling that the elimination of official opposition would make governance easier as there would be little opposition to government policies. It was also born out of the philosophy, then current,

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that the need to achieve economic and social rights for people in developing countries necessitated the deferment of enjoyment of civil and political rights. This philosophy, which had a respectable following, particularly in countries inclined towards socialism,

suggested that the enjoyment of civil and political rights would be meaningful only if people were well-fed and had shelter as well as other basic necessities of life. The perversion of the electoral process, as evidenced by malpractices at many public elections, effectively closed the avenue for ensuring that the government could be compelled to change its style of governance.

3.2.3.2 Ghana became a de facto one-party state by the end of 1961 when the opposition bench had been virtually emptied by carpet-crossing in Parliament and detentions under the PDA. By the time the one-party status became a legal fact, the reality had long been achieved. The farmers, workers and students who, within their unions could have mounted a viable opposition, had all been co-opted to become members of the CPP as the various unions became wings of the CPP. When President Nkrumah charged the students to ensure the “Cippification” of Ghana because “Ghana was the CPP and the CPP was Ghana”, it was clear that it was government policy to exclude all other political organizations or philosophies opposed to that of the CPP.

3.2.3.3 The Trades Union Congress, as an integral wing of the CPP, had its leaders also being functionaries of the Party. The GYP had also ensured that all classes of children and young people between the ages of four years and twenty-one years could be sufficiently indoctrinated with the philosophy of Nkrumahism. At the beginning of the 1964-65 academic year, it was proposed that university students be made to put in two weeks of study at the Kwame Nkrumah Ideological Institute at Winneba in order to familiarise them with the philosophy of Socialism and/or Nkrumahism. Some students did undergo such studies at that Institute.

3.2.3.4 Lecturers of the University College of Ghana, who were perceived to be opponents of the Government, were removed from their jobs by the simple mechanism of non-renewal of their contracts in 1961, when the University College became the autonomous University of Ghana with President Nkrumah as Chancellor. Those of foreign origin were then asked to leave the country since they had no work permits with which to work. In their place, many nationals of the Union of Soviet Socialist Republics (USSR), some of whom could barely communicate in English, were brought in to teach. Intelligence networks involving students and even lecturers were installed on the campuses to spy on both students and lecturers. The Chancellor of the University of Ghana, President Nkrumah, appointed some academics as Professors without respecting procedures for such appointments.

3.2.3.5 The religious bodies were coerced into submission. Deportation was the mechanism used against the leaders of religious organizations who were of foreign origin. The Muslims were deported to their various countries of origin and the Anglican Bishop Roseveare, who openly criticized the philosophy of the GYP at the 1962 Synod of the Anglican Church, was also deported after being called obscene names in the state-

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owned press. Heads of schools, who would not approve of the establishment of GYP in their schools, were dismissed or otherwise sanctioned. It had become clear by 1964 that

every avenue for expression of alternative views on the governance of the country had been closed.

3.2.3.6 The Judiciary came under attack when the Chief Justice and other judges were dismissed following the acquittal of the accused persons in the treason trial of 1963. The decision was subsequently declared null and void by Executive Instrument.⁸

3.2.3.7 The declaration of Dr. Nkrumah as the Life President of Ghana effectively put paid to any notions of competitive politics in the country. In 1965 all Parliamentary candidates were returned unopposed in the general elections, having been nominated by the Central Committee of the Party. This mode of giving prior approval to candidates before they could present themselves at elections undermined the notion of Parliamentarians being representatives freely chosen by their constituencies to represent them. Effectively, the Members of Parliament were lame ducks from the start, since they were not going to be able to offer any criticism of government or government policy, even if the interests of the constituents demanded it. All these events created their own brand of problems and difficulties that left indelible scars on the national psyche.

3.2.3.8 Within the military, the speed with which Africanisation of the officer corps proceeded, resulted in a number of high-ranking young officers being given appointments for which they did not have the requisite Command experience. The mutiny of the Battalion in the Congo during the UN peacekeeping mission revealed weaknesses in Command, that were later on exploited by civilian politicians.

3.3.0 24TH FEBRUARY, 1966 – 30TH SEPTEMBER, 1969
NATIONAL LIBERATION COUNCIL (NLC)

3.3.1.0 The NLC

3.3.1.1 The coup d'état of 24th February, 1966, was the result of partnership between the Police and the Military. The original plotters were: John W K Harlley, Col. Emmanuel K Kotoka and Major Akwasi A Afrifa. They later recruited other persons in both institutions to launch the putsch that toppled the government of the CPP. The President, then on his way to Hanoi, Vietnam, had to go into exile in Guinea, Conakry. The National Liberation Council (NLC) then came into being.

3.3.2 Protective Custody

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3.3.2.1 After denouncing ex-President Nkrumah for the operation of the PDA *inter alia* , the government of the NLC promptly introduced its own brand of detentions without trial, which was named Protective Custody. Although ostensibly detained for their own safety, the need for such protection of ex-functionaries of the CPP was not established by

any empirical evidence before the law was enacted. What the evidence suggests is that it was a tit-for-tat move as all functionaries, minor and major, of the CPP government were detained at the various prisons in the country. It would also appear that the detention of these functionaries was dictated by a need to prevent them from mounting opposition to the take-over by the military-cum-police junta. This was a move that criminalised everyone associated with the government machinery of the CPP, as all such functionaries were required to hand themselves in to the police station nearest to them. These persons, without having been charged with any offence, were held in various prisons for periods ranging between one year and two years. Their detention as well as the subsequent proscription of the CPP and its emblems, began a tradition of tit-for-tat detentions and bans that characterized every military take-over between 1966 and 1981.

3.3.2.2 In addition to the detentions, the penalty for having been associated with the government of the CPP was also increased by the passage of The Elections and Public Officers Disqualification Decree, 1968 (NLCD 223) that debarred persons associated with the CPP from holding any appointment in the Public Service for a period of ten years with effect from 10th January, 1968. This provision not only deprived the persons concerned of their right to work in any field they chose, but also stigmatized them, and impoverished them and their dependants.

3.3.2.3 Members and other associates of the NLC Government who were in the military, were given rapid promotion to maintain the Command Structure and hierarchy of the military. Colonel Kotoka rose to become Lieutenant-General within one year, and Major Afrifa as well as some of other officers enjoyed three- to four-step promotions with lightning speed. This phenomenon created a desire among junior officers for equally rapid promotions, and it was no surprise that more than one coup plot were hatched, and one a major coup attempt made, against the NLC within one year of its existence. The attempt ended in the tragic death of Lieutenant-General Kotoka and his personal Orderly Sgt Osei Grunshie, as well as Captains A. Aveyor and C Borkloe, the keepers of the keys to the military armoury at Burma Camp, on 17th April, 1967.

3.3.2.4 There was a coup plot in January, 1967. The culprits, three civilians (including a secondary school student) and one young Military Officer, were tried by Military Tribunal. This marked the first time that civilians were tried by Military Tribunal.

3.3.3. Chieftaincy

3.3.3.1 Chiefs who had been removed or penalized in some way by the CPP clamoured for redress. The NLC promulgated the Chieftaincy (Amendment) Decree, 1966 (NLCD 112) which sought to reverse what the CPP had done. Consequently ordinary chiefs raised to the status of paramount chiefs were made to return to the *status quo ante*; those

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destooled were restored to their stools and those enstooled were removed by the legislative mechanism of withdrawal of state recognition. This move spawned new chieftaincy disputes and re-ignited old ones.

3.3.4.0 Confiscation Of Assets

3.3.4.1 Many Commissions of Enquiry were established to probe the assets of CPP functionaries, as there was a widely-held belief that they were corrupt. Consequently, their properties were confiscated to the State.

3.3.5.0 Tortures

3.3.5.1 The use of torture against detainees in the prisons was a common feature. Detainees were subjected to beatings, to the glare of powerful lights round-the-clock or TO complete darkness. Women were raped or gang-raped.

3.4. 1ST OCTOBER, 1969 – 12TH JANUARY, 1972
THE SECOND REPUBLIC

3.4.1 The 1969 Constitution was drawn up based upon the experience under the first Republican Constitution. The constitutional safeguards for the protection of individual liberty were all in place. However, the government of the Progress Party (PP) under the leadership of Dr. Busia, took some decisions that threw its image as a law-abiding government into disrepute. In 1970, 568 civil and public servants were dismissed, (popularly known as “Apollo 568”). The government accused the affected persons of lacking foresight, being inefficient and being corrupt. No mechanism was established for ensuring that those dismissed would have been proved guilty of such charges. This was because the government maintained that under the Transitional Provisions of the 1969 Constitution, it had power to appoint persons to offices established by it. The matter was litigated in court by one of the affected persons – E K Sallah – and the government lost the case.⁹ The Prime Minister refused to reinstate him, insisting that since no court could compel an employer to keep an employee it chose not to work with, the government was within its legal rights to get rid of such an employee. This statement on the government’s position, now known as “No court, no court” pronouncement, detracted from its well-cultivated image as a government that stood for respect for the law and the courts. The government could not live down this image of a government that had contempt for the justice system in general, and the powers of the court in particular.

3.4.2 Soon after the government came to power, pressure began to mount for firm action to be taken against the influx of aliens into the country. The matter was discussed in Parliament and the Government announced that it was going to enforce the provisions of

⁹ See Sallah v Attorney-General

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the Aliens Act, 1963 (Act 160) and its accompanying Regulations in L I 265 as amended by L I 553. On 19th November, 1969, the Government issued the following statement:

All aliens both African and non-African without residence permits should leave the country within 14 days – not later than December 2, 1969.¹⁰

3.4.3 This ‘Aliens Compliance Order’, as this order came to be known, gave all aliens a period of fourteen days within which to regularize their stay in Ghana or leave. While the government was within its rights to check illegal immigration, the nature and history of cross-border migration within the West African sub-region, as well as Ghana’s own policy on African unity meant that the potential number of affected persons was large. It was estimated that there were about 250,000 Togolese nationals, about 5,000 Biafran (Eastern Nigerian) refugees under the protection of United Nations Development Programme (UNDP), hundreds of thousands of Nigerians, Malians, and nationals of Upper Volta (Burkina Faso), Niger and Dahomey (Benin). Ambassadors of these neighbouring countries pleaded for more time to enable them process the necessary documentation, but these entreaties did not change the government’s stand.

3.4.4 In the event, there was a lot of human suffering as families which had resided in Ghana for more than three generations, and persons who had lost touch with their original homelands, were given only fourteen days to regularize their stay or leave the country. Many who had established thriving businesses had to wind them up or sell them off cheaply. Those who owned buildings and land sold them off at very low prices. Many were trapped under inhuman living conditions as they waited for inadequate or non-existent transportation to carry them home. There were many reports of Ghanaians attacking and molesting aliens, to the extent that the Government had to issue a warning to the public to desist from such acts. It even became necessary for police protection to be given to some aliens in Kumasi. The urgent need to procure residence permits and other identity papers created an opportunity for unscrupulous civil servants to exploit the desperation of the affected aliens by indulging in corrupt practices. Many were the heart-rending tales of suffering that were told and the sad spectacles that were seen during the implementation of this Order. After 2nd December, 1969, aliens who had not complied with the Order were arrested and kept at Police Stations under inhuman conditions. Since their numbers were so large, they sat out in the open, around Police Stations, waiting for the Police to take action. All these spectacles contributed to giving the government an image of one that had neither compassion nor human feeling, and created disaffection for it in the sub-region.

3.4.5 Another incident that affected the image of the PP government was the dissolution of the Trades Union Congress in 1971. The attack on the TUC occurred when the

¹⁰ Daily Graphic, Vol 5952 Wednesday, 19th November, 1969 p 1

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government became aware of plans by the TUC to destabilize it by organizing coordinated strikes nationwide. The government moved against the TUC and under a Certificate of Urgency, passed the Industrial Relations (Amendment) Act, 1971 (Act

383). Act 383 gave every worker, or worker-group power to form a union, or to belong to a union of their own choice, or not to belong to a union at all. The Head Office building of the TUC was seized and was to be auctioned, and an Official Receiver was appointed to wind up the affairs of the TUC. Individual unions were encouraged to get together to form rival labour federations. These measures were construed as anti-labour and the government as being against the interest of working people.

3.4.6 A further dent in the government's image was the proposal to abolish the existing system of allowances for university students and substitute a Loans Scheme instead. In general, the PP government was not very popular among the leadership of the student body. Two incidents involving physical attacks on the Prime Minister by students and the walking out of students during an address by the Prime Minister demonstrated the hostility to which the government was subjected.

3.4.7 The government's proposal to create a dialogue with apartheid South Africa also undermined its popularity with the citizenry, since Ghana prided itself on its pan-African and anti-colonization credentials. The government thus acquired the image of one that approved of the injustices and oppression of Africans then going on in South Africa, and a betrayer of Ghana's well-cultivated international image. The final nail in the coffin of the Government was the devaluation of the Cedi at the end of 1971. This measure immediately caused price rises at a time when the end-of-year festivities had imposed great strain on personal finances.

3.5.0 13TH JANUARY, 1972- 4TH JULY, 1978 – 3RD JUNE 1979
NATIONAL REDEMPTION COUNCIL (NRC)
SUPREME MILITARY COUNCIL (SMC) I & II

3.5.1.0 The NRC

3.5.1.1 The PP government was overthrown by a group of Army officers led by Colonel Ignatius Kutu Acheampong, on 13th January, 1972. The NRC government then came into being.

3.5.2 Protective Custody

3.5.2.1 The law on Protective Custody soon saw functionaries and activists of the PP in detention. As was the pattern in 1966, all functionaries, however lowly, were put in prison merely for having been officials of the ousted ruling political party.

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3.5.2.2 The government of the period used Protective Custody to detain its opponents of every shade and colour. Hundreds of citizens suffered only because they disapproved of one policy or the other.

3.5.3 Militarisation Of Civilian Life

3.5.3.1 The subjection of civilians to military drills was also popularized as a disciplinary measure. The range of persons subjected to such treatment varied from office workers reporting late to the office; through striking factory workers to girls accused of indecent dressing or immoral lifestyles. The practice of arresting civilians and placing them in guardrooms became common, and the powers of arrest of the police were extended to military personnel of the ranks of Sergeant and above under the Armed Forces (Special Powers) Decree, 1973 (NRCD 236). This legislation also provided for detention for an indeterminate period in military barracks by Regional Commissioners for offences involving financial loss to the State. This militarization of civilian life blurred the distinction between those subject to military discipline by reason of their military status and those who by reason of their civilian status ought not to have been subject to such discipline.

3.5.3.2 The practice of trying civilians by Military Tribunals continued under the Subversion Decree, 1972 (NRCD 90) as amended. Persons not subject to Military Law were tried under Military Law and then sentenced to death by firing squad. Fortunately none of these sentences was carried out.

3.5.4 Repressive Measures

3.5.4.1 Students hailed the military takeover, as the Students Loan Scheme was withdrawn. The adoption of the “Operation Feed Yourself” programme further increased the popularity of the government with the students. The students demonstrated their support by forgoing their long vacation in order to work on national projects and to improve agriculture in the country. However, they were soon embroiled in dispute with the government over its human rights record and its economic policies. The antagonism grew, leading to strikes and protest marches that resulted in constant disruption of the universities’ academic schedules. These protest actions led to the arrest and detention of many student leaders for short periods of time. The repressive and extremely brutal measures adopted to quell student demonstrations, including the invasion of the campuses by police, left a number of casualties among students of the universities.

3.5.4.2 There was no independent press but the government found itself so much the subject of rumours that it passed the Prohibition of Rumours Decree, 1973 (NRCD 182). Although the Government repealed that Decree a year later, it had already acquired the image of an intolerant and repressive government. The SMC passed another Prohibition of Rumours Decree, 1977 (SMCD 92), in the heat of the anti-Unigov campaign.

3.5.5 Price Controls

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3.5.5.1 Price controls had been introduced by the Control of Prices Act, 1962 (Act 113). The National Redemption Council expanded the scope of these price controls in order to control the distribution of scarce consumer goods then popularly known as “essential commodities”.

3.5.5.2 The Price Control Decree, 1974 (NRCD 305) and Price Control (Amendment) Decree, 1978 (SMCD 146) specified prices for particular consumer goods and also made it an offence for anyone to hoard goods, ie keeping goods in large quantities in order to sell them at high prices later through the unofficial distribution channels. The selling of goods at such high prices as would make unconscionable profit for the seller was also made punishable as the offence of ‘profiteering’. In time, these offences became known as *kalabule*. The enactment of the Commercial Houses and Supermarkets (Sale of Specified Goods) Decree, 1976, (SMCD 17) as amended by Commercial Houses and Supermarkets Decree, 1976 (SMCD 21), designated particular premises for the distribution of essential commodities. The law made it punishable for anyone to demonstrate against the arrangements for the distribution of goods.

3.5.5.3 The need for price controls mirrored an economic reality: goods for which there was great public demand were in short supply. This fact, in turn created its own culture. The government and the commercial houses devised a chit system by which goods could be sold to persons needing them. The chit system spawned several malpractices, as those who had access to persons in authority also had access to chits. Those who controlled the chits also had their own system of issuing chits to acquaintances and business associates so that they could also benefit from the situation. Consequently such persons would often deny members of the general public their allotted share, although the goods were always available from alternate sources at more than several times the approved prices.

3.5.5.4 The period was a time of great suffering for the ordinary people, and a time of great wealth for those who had access to chits. This was also a time of moral degeneration, as persons who controlled the chits engaged in obvious consumption and moral decadence. Young girls became prosperous overnight once they began amorous liaison with a man who had access to chits.

3.5.5.5 Army Officers, who ordinarily were not permitted by Military Ethics to engage in commercial activities, flouted these rules with impunity. Corruption was rife and there was general social malaise.

3.5.6 Re-organisation of Military Government

3.5.6.1 In 1975, the NRC was transformed into the Supreme Military Council (SMC) as a result of problems with the Command Structure. Majors Kwami Agbo, Anthony Selormey and Kwame Baah who were part of the original plot to overthrow the PP government, and who constituted the core members of the NRC, were removed and replaced by the Service Commanders and the Chief of Defence Staff. (CDS). This was partly aimed at restoring the distorted Command Hierarchy of the Armed Forces.

VOLUME 2 CHAPTER 3**3.5.7 Opposition To SMC**

3.5.7.1 As economic conditions deteriorated, opposition to the government became more strident, and the government responded with more repressive measures. It was against

this background that the intellectuals of this country, through their various professional associations, and together under the auspices of the Association of Recognised Professional Bodies (ARPB), demanded that the government should hand over power to civilians and step down from office.

3.5.7.2 General Acheampong, the Chairman of the SMC, put forward a proposal for a new form of government, Union Government (Unigov), in 1977. This new form of government was to be made up of the Military, the Police and civilians. It was clear from the fuzzy nature of the propounded concept that it was not the product of clear thinking, but of political opportunism. It was also clear that Unigov could have only one head, General Acheampong, who desired to perpetuate himself in power.

3.5.7.3 The protest that greeted this new idea caused the government to insist that the idea be voted upon in a referendum. The campaign that heralded the referendum was violent and confrontational. Political thuggery was resorted to, and various tactics were employed to deny those campaigning against it the opportunity to do so. Police permits granted for anti-Unigov rallies were withdrawn at the last minute, and rallies were broken up by force. Even a seminar organised by the ARPB was broken up by thugs, and the organizers attacked. At this time university students were beaten up on the campuses and sent home. Finally, the referendum took place on 30th March, 1978, and amid glaring electoral malpractices, the government announced that those who favoured the Unigov concept had won.

3.5.7.4 Four months after the referendum, General Acheampong was removed from office by his own colleagues in a “palace coup”. His successor, General Frederick William Kwasi Akuffo, retained the name SMC and so his government came to be known as SMC II. General Akuffo also tried to push a variant of Unigov, ‘National government’, but did not receive a sympathetic response. The Constituent Assembly of 1978 was therefore tasked to write a new Constitution leading to the inauguration of yet another civilian government, under the Third Republic.

3.5.8 Currency Exchange

3.5.8.1 In March, 1979, the government suddenly closed the borders and demonetised Ghana’s currency. The entire country was given three weeks within which to turn in all their currency holdings for issuance of fresh currency. This policy caused a great stampede and suffering. Those who could not lay hands on any of the new notes could not buy food as market women refused to accept the old notes. At the end of the period of ultimatum, many people, particularly rural dwellers, had become impoverished overnight as all their private wealth caches had become useless paper. Simultaneous with the

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decision to demonetize the currency and thus mop up the excess liquidity, was a decision that money already in the banks would not lose its value. Consequently those who were privileged to receive prior information about the demonetisation policy, quickly began to flood the banks with their private holdings. These activities threatened to derail the objective of the demonetisation and therefore the government passed a Decree, the Cedi

New Notes) Decree, 1979 (SMCD 226) which provided for the halving of the value of any money paid into the bank within a particular period. The result of this Decree was that persons who in the ordinary course of business paid money into their bank accounts, lost half the value.

3.5.9 Use of Torture

3.5.9.1 Torture was used on persons detained in the guardrooms. The methods of torture were both physical and psychological and consisted of beatings, blinding slaps and cleaning of public lavatories with bare hands.

3.5.10 The Attempted Coup d'état of 15th May, 1979

3.5.10.1 It was against this background of social malaise, economic ineptitude, moral decadence and food shortages that Flight-Lieutenant Jerry John Rawlings made an attempt to overthrow the government on 15th May, 1979, and failed. By this time the ban on political parties had been lifted and the parties were vigorously campaigning. Elections had been slated for 18th June, and a handing-over of power on 1st July, 1979.

3.5.10.2 The public trial of the coup plotters, coupled with the public sympathy that the stated aims of the coup plotters evoked, provided the tinder that led to the social explosion that occurred when some young Officers and Other Ranks under the leadership of Major Boakye Djan mutinied on 4th June, 1979. They sprang Flt. Lt. Rawlings and his band of coup plotters from the cells of the Special Branch and proceeded to overthrow the government of SMC II. The Government fell, as the resistance collapsed when the CDS, Lt-Gen Joshua Hamidu, urged the loyal troops to lay down their arms to avoid further bloodshed. By this time, the Army Commander, Major-General N A Odartey-Wellington, and Col. Joseph. Enninful, President of the Military Tribunal trying the coup plotters of 15th May, had been killed. Mrs Josephine Enninful, wife of Col. Eninnful was killed together with her husband in their home.

3.6.0 **4TH JUNE, 1979 – 23RD SEPTEMBER, 1979**
ARMED FORCES REVOLUTIONARY COUNCIL (AFRC)

2.6.1. The 4th June Uprising

3.6.1.1 The mutiny on 4th June developed into an uprising, and the leaders formed the government of the Armed Forces Revolutionary Council (AFRC) with Flt. Lt. Rawlings as the Chairman and Major Boakye Djan as its spokesman. The mutiny spread to the

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junior police officers and then to the junior Prisons Officers. It was clear that the Security Services were on the boil, as the Junior Ranks asserted themselves against the Senior Officers and sought revenge for real and imaginary ills.

3.6.1.2 This period was remarkable for the frenzy and violence that it unleashed within the Junior Ranks of the Armed Forces against the senior officers. Senior Officers were arrested, put in guardrooms, shaved, drilled and beaten by their subordinates. Within the Police and Prisons Services, the Senior Officers were chased out of office, leading to the setting up of two Committees of Enquiry. The Committees on the Police Service and the Prisons Service were chaired by Capt Karl Huppenbauer and Dr. Kwame Frimpong respectively.

3.6.1.3 A programme to rid the country of corruption, dubbed “house-cleaning”, began in earnest. All Senior Officers who had served in civilian positions and in the previous government as well as persons deemed to be their accomplices or civilian associates were detained, put before specially created “People’s Courts” and given long prison sentences. Indeed, one Senior Officer, Col Amevor, was sentenced to a term of one hundred and five years in prison, and another, Sqn Ldr George Tagoe, to a term of ninety-five years. Most of the other senior officers received terms of imprisonment within the fifty-year mark. Seven Generals, including three former Heads of State, and a Colonel were executed in two batches on 16th June, and 26th June. Following international outcry and intervention by leaders of religious bodies, the executions ceased. It was only after the executions were halted that the People’s Court was established.

3.6.1.4 Throughout the country, soldiers went on a rampage as they tried to force prices down and retrieve items that had been considered hoarded. Civilians were also glad to have access to goods they had long been denied of, and cheerfully supported the seizure of the hoarded goods as well as the outrages that were perpetrated on the owners of those goods. Many traders were maimed or killed by soldiers. The lucky ones escaped with their lives but the seizure of their goods completely crippled their businesses. Many prosperous traders were thus impoverished overnight.

3.6.1.5 The AFRC initiated a policy of demolition of places where goods had been found hoarded. Consequently many stores, and even dwelling houses were demolished, ostensibly to discourage hoarding. Makola Market was thus an obvious target for demolition and it became one of the events that scarred the psyche of residents of Accra. The looting and subsequent demolition of Makola (No.1) Market – one of the largest markets in Africa - shocked many people. It had been built by the colonial government and had long represented the wealthy trader. It was also well-known for trade malpractices, a factor which made it a target during those heady days when goods were being retrieved from their hiding places for sale to the public.

3.6.1.6 This demolition rendered families who had sold in that market for generations poor overnight. The traders were not permitted to salvage any of their property. Many

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women died or committed suicide when they lost all their capital and found themselves deep in debt. The properties of many people were confiscated and there was a general feeling of insecurity all over the country.

3.6.1.7.0 Tortures

3.6.1.7.1 The use of torture was practised on a massive scale, and in several instances, to extract information. The methods of torture were both physical and psychological. There were beatings; blinding and ear-splitting slaps; kicking with military boots; beating with implements; insertion of gun powder into female genitalia, caning in public; being stripped naked and caned in public; pounding of toes until toe nails fell off; and hammering the head with sharp or heavy objects. Other methods included being made to lie face upwards and stare at the sun for long periods of time; being made to crawl on gravel until serious injury occurred; being made to drink one's own or others' urine; use of ears as ash-tray; tattooing of body with cigarette ends; being forced to consume various substances such as cement mixed with water and uncooked food items. Victims were made to simulate the sexual act and some male victims suffered injury to their genital organs. There was also forced labour such as being forced to sweep the precincts of guardrooms, cut grass or clean lavatories; off-loading trucks and carting of seized goods. The torture of females frequently involved rapes and gang-rapes.

3.6.1.8 The regime lasted for about four months (112 days), and the country returned to civilian rule as the AFRC had permitted the elections then pending, to be held. The Chairman of the AFRC declared to the incoming government that it was on probation, and urged on the government the need to continue the "house-cleaning".

3.7 24TH SEPTEMBER, 1979 – 30TH DECEMBER, 1981 THIRD REPUBLIC

3.7.1 The Limann Administration

3.7.1.1 The government formed under the leadership of Dr. Hilla Limann by the People's National Party (PNP) started its life with some major disadvantages: the effort to put all available goods into the distribution system under the anti-hoarding campaign of the AFRC, had emptied all trading outlets of all stocks. To make matters worse, Ghana had been placed under a trade embargo by its major trading partners on account of the atrocities committed by the government of the AFRC. Consequently one of the most urgent tasks was to import enough consumer items to re-start the engine of commerce.

3.7.1.2 The Limann Administration also faced major challenges of instability as those who had tasted power for the brief period of time were unwilling to return to barracks and remain quiescent. The "Office of the Chairman of the AFRC" at Arakan Barracks

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continued to operate for a period during the Limann administration, despite the handing-over, and thus functioned as a parallel government. The general populace had also tasted a period of lawlessness when the system of government, untrammelled by adherence to legalities or red-tapism, seemed to function more speedily than the constitutional system that had come into existence. They had been able to obtain goods that they could

previously not find on the market on account of the chit system and the resulting trade malpractices, and many believed that military government was the answer to the problems of poor governance.

3.7.1.3 The government retired the former Chairman of the AFRC, Flt Lt J.J. Rawlings who had then re-joined the Army, the CDS, Brig. Joseph Nunoo-Mensah, the Army Commander, Brig Arnold Quainoo, as well as the IGP, C.O. Lamptey and Kofi B. Quantson, Director of Special Branch; as well as a number of military personnel who had participated actively in the AFRC. The Director of Military Intelligence, Col Prince Twumasi-Ankrah left Ghana to become a Defence Attache in India and Army Commander, Brig Israel K. Amuah, went abroad on course, and did not return. All these incidents affected the stability of the government and the security of the State.

3.7.1.4 Allegations of corruption surrounding the sourcing of a loan facility from Chiavelli, an Italian businessman to re-settle the AFRC members, began to appear in the media, causing the public considerable anxiety. The acquisition of 504 Peugeot vehicles by the government for officials, and for sale to Parliamentarians, came up for sharp criticism as evidence of the government's extravagance and lack of feeling for the poor.

3.7.1.5 Persons who had allegedly been tried by the "People's Courts" began to make their way to the courts to challenge the decisions, by way of habeas corpus applications. Judges came under attack as they struggled to do justice to those persons, many of whom had not received any trial worth that name at all, despite section 15(2) of the Transitional Provisions of the 1979 Constitution, that ousted the jurisdiction of the courts in matters affecting the executive, legislative or judicial acts of the AFRC. The Government, worried by the national security implications of the actions of the courts, jumped into the fray and even announced that persons granted bail by the courts were to return to prison.

3.7.1.6 The government was accused of harassing Flt Lt Rawlings (Rtd) and Capt Kojo Tsikata (Rtd). The latter had by then been put under overt surveillance, to the discomfort of members of the general public.

3.7.1.7 In 1981, a member of the PNP, Addae Amoako, sued his party over the disbursement of the Chiavelli loan. The fact of a member of the ruling party suing his own party for an account, caused ripples in the public domain. Whilst some hailed it as a positive mark in the democratic development of the country, others saw it as a weakness in the system; evidence of how corrupt civilian politicians were; and how quickly the new civilian rulers had returned to the "bad old ways".

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3.7.1.8 The factors that made for instability, were enhanced by the impatience of the general populace in the face of constitutionalism and its seemingly slow nature and pace of governance. Against such a background, there were, unfortunately, serious wranglings taking place within the ruling PNP. The PNP appeared to be feeding on itself as factions and groups within it battled the leadership, or harangued it for its inability to articulate and adhere to a leftist ideology. On 31st December, 1981, a band of military personnel,¹³

both serving and retired, launched an attack on the State, and succeeded in overthrowing the government. It came as no surprise when, upon the fall of the Limann government, some members of the youth wing of the PNP took up prominent positions in the new government.

3.8.0 **31ST DECEMBER 1981 - 6TH JANUARY, 1993**
PROVISIONAL NATIONAL DEFENCE COUNCIL

3.8.1 The PNDC

3.8.1.1 The Provisional National Defence Council (PNDC) was the government that was formed following the overthrow of the Government of the PNP and the 1979 Constitution in a coup d'état on 31st December, 1981. It had as its Chairman, Flt Lt Rawlings, former Chairman of the AFRC and leader of the coup d'état.

3.8.1.2 The leadership of the “Revolution” had been influenced by Marxist-Leninism and had had contacts with Libya and Cuba. The new government set out to re-model Ghanaian society based upon the ideals that these countries espoused. The take-over was first described as a “Holy War” and later, a “revolution”.

3.8.1.3 One of the most influential concepts borrowed from Libya was the formation of Defence Committees at the workplace and in the community. The Workers Defence Committees and the Peoples Defence Committees (WDCs/PDCs) came into being as a result of policy enunciated by the revolutionary government, as well as the activism of those charged with the formation and organization of the Committees. The WDCs were expected to keep management in check, report acts of corruption of the management, and ensure improved productivity. In the community, the PDCs were expected to help police the communities, and rid them of anti-social elements. They were also to mobilize the community for self-help activities and other community improvement projects.

3.8.1.4 The guidelines announced for the formation of the WDCs/PDCs indicated that they were to be made up of junior staff at workplaces, and of ordinary people in communities. On account of this directive, the country got split up along class lines: “People”, and “Citizens”. Those who were deemed to be the oppressed and who could therefore band together to resist bourgeois oppression were the “People” and were the ones who could form or join PDCs. The “Citizens” were the exploiters who had to be

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kept in check because they were the oppressors. This resulted in persons who felt disenfranchised taking up the cause and enjoying a new sense of power over their former bosses and the well-to-do, as well as the chiefs in their communities.

3.8.1.5 In many offices, managers were chased out as the new breed of leaders, untutored in the ways of the managing class, took over the running of the organizations. Many of such organizations forcibly taken over and run by the WDCs, did not increase

productivity, but ended up bankrupt. Some of these enterprises were eventually returned to their owners, emptied of resources and run into the ground.

3.8.1.6 In the communities, conflicts abounded between the new “ruling elite” and the traditional rulers. On account of the guidelines for the organization of PDCs, very few persons of social standing joined up, with the result that there was a distinct cleavage between the old and new leaders. The PDCs also performed vigilante roles in the community and so became an extension of the security services. They arrested economic saboteurs; flushed out “dissidents”; checked smuggling activities at the borders; and enforced price controls. They also ran the People’s shops in the communities. The nomenclature “PDC chairman” evoked images of an all-powerful government-backed operative, whose word was law in the community. Eventually the WDCs/PDCs were deprived of some of their political clout, re-named Committees for the Defence of the Revolution (CDRs) and called “organs of the revolution”.

3.8.1.7 “Power to the People” became the prevailing political philosophy, and it became fashionable to adopt new nomenclature to describe the ownership of the ordinary person, of state institutions. Thus, there was “People’s Army” “People’s Police”, “People’s Militias”, “People’s Daily Graphic”, “People’s Courts” and “People’s Shops”. In criminal proceedings before the Public Tribunals, “The People” replaced “The Republic” as the name of the State-party.

3.8.2 Students Task Force

3.8.2.1 One of the earliest acts of the new government was to insist that university students should do more for the community. Students, led by their leaders, were mobilized to do cocoa evacuation from the rural areas to the ports; help fill potholes; help fill classrooms emptied of teachers who had left Ghana in search of better economic opportunities; and generally move from the “Ivory Tower” to undertake more socially-useful activities. The universities were therefore instructed not to re-open for the second term until the government gave permission.

3.8.2.2 Students of the universities were organized into Task Forces to evacuate cocoa and perform those functions assigned to them. A few weeks after doing these “socially-useful” jobs, students began to agitate to return to school. Therefore, students from other educational institutions, as well as those who had just completed their education, were

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drafted into the Task Forces. They were consequently re-named “Students and Youth Task Force” (SYTF).

3.8.2.3 The SYTF also ended up enforcing price controls, checking smuggling and performing vigilante services. This SYTF was eventually turned into the National¹³ Mobilization Programme, when it merged with the “mobi-squads”. (The “mobi-squads” were work-gangs mobilised to undertake agricultural ventures with government-sponsorship.) The work-gangs were formed out of the groups of young people who were

deported from Nigeria as a result of the Aliens Compliance Order of Nigeria in 1983, and who were either unskilled or unemployed).

3.8.3 The Militias

3.8.3.1 The organisation of people’s militias had been one of the concepts pushed by the Revolutionaries in order to serve as a counterpoint to the dominance of the military over weapons of violence. They were thus a manifestation of the PNDC leadership's concept of the “democratisation of violence”, a notion that when everyone was able to wield arms then the military's monopoly over the use of violence would be broken, and their capacity to bully civilians undermined. These militias were recruited from the ranks of ordinary people who wished to volunteer for such activities.

3.8.3.2 Persons from various parts of the country underwent training in shooting at Military Installations¹¹ and then were assigned various tasks. Those at the borders helped to check smuggling, whilst those at the harbour checked port security and non-payment of appropriate customs dues. Military personnel in active service were assigned to take charge of the militias. For instance, Staff Sgt Tornyeviadzi and WO 1 Kwabena N. Nkwantabisa were in charge of the Volta Region People's Militia and the Tema Harbour Militia respectively. In 1984, pond and sea fishermen were given military training to counter any invasion by sea, and to combat smuggling by sea. The training, carried out by soldiers of Field Engineers led by Major A.A. Donkor and WO 1 Andreas Tetteh, was code-named “Operation Shoot To Kill”.¹²

3.8.3.3 On account of the nature of their tasks and the fact that it was a volunteer organization, it attracted mainly persons who were not otherwise gainfully employed. They wielded great power and were fully armed, although they were not paid a salary. The result of such combination of factors was a group of persons trained in the handling of weapons, provided with weapons and with responsibility but receiving no official income.

3.8.3.4 Many of the abuses and fatal shooting incidents perpetrated by the militiamen stemmed from these operational factors. Indeed, in October, 1988, militias attacked a village, Agortime-Afegame, in the Volta Region, ostensibly to check smuggling, and

¹¹ *Ghanaian Times*, Vol 8089 Tuesday 3rd January 1984, back page.

¹² *Ghanaian Times*, Vol... Friday, 20th January, 1984 p 1

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caused over two hundred of the villagers to take refuge in Togo. These refugees had to be hosted by the Togolese Government in a refugee camp in Togo.

3.8.3.5 The militias were later reorganised and put under proper command under Col Alex Antwi and later Brig Tehn-Addy and re-named The Civil Defence Organisation (CDO).

3.8.4.0 Commandos

3.8.4.1 The threats faced by the new regime as a result of the number of young soldiers who were involved in bringing about the coup d'état caused the regime to establish a new military-style elite unit trained to neutralize any threat from the regular Armed Forces. The young men who were enlisted into this force had training in all manner of counter-insurgency tactics. They received indoctrination and training in Libya and Cuba and functioned as a private army with absolute loyalty to the revolutionary government. Their name evoked a lot of fear in the public mind since they were associated with brutalities and other acts of violence.

3.8.5 Vetting and Investigations

3.8.5.1 The first legislative acts of the PNDC were the promulgation of two laws: the Citizens Vetting Committee Law, 1982 (PNDCL 1) and the National Investigations Committee Law, 1982 (PNDCL 2). The former Law set up a body to investigate persons whose "lifestyle and expenditures substantially exceed[ed] their known and declared incomes", and who possessed certain levels of credit balances at the banks. The latter body was to conduct investigations into acts of malfeasance involving the misuse or abuse of state funds, tax evasion and corrupt practices leading to the loss of public funds. These bodies enjoyed wide powers as they were not subject to any supervision by the courts whose jurisdiction had been ousted, or by any other body. Their stated functions indicated that their targets would be the well-to-do in society, and they made every effort to ensure that anyone who appeared to be affluent would be called upon to account for the wealth, and also to prove that the appropriate taxes had been paid on the declared incomes. There were many complaints about the procedures and decisions of these investigative bodies as they imposed on persons who appeared before them, huge fines and tax penalties that were to be paid within forty-eight hours or have their properties confiscated. These bodies were therefore the main agencies responsible for many of the confiscations of property that occurred, and they helped in no small measure to make "citizens" feel harassed and hunted in their own country.

3.8.6.0 Public Tribunals

3.8.6.1 The social reorganization embarked upon by the revolutionary government dictated an examination of the judicial system that had come under severe attack for

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unduly favouring the rich and influential in the society. “One law for the rich and one law for the poor” was a common slogan in those days. The judicial system was also criticised for being too slow in dealing with those who committed infractions of the law. “Justice delayed is justice denied” also became a common quotation.

3.8.6.2 A new system of courts named Public Tribunals was established under the Public Tribunals Law, 1982 (PNDCL 24). This tribunal system had a hierarchy beginning from the Community to District, the Regional and then National. It was designed to break the monopoly of trained legal professionals over the legal system. In its original form, there was no system of appeals from their decisions. They were separate and distinct from the regular courts and had their statutory procedures that were less rigid than those of the regular courts.

3.8.6.3 The Public Tribunals had criminal jurisdiction only and were staffed by a panel of lay persons with the chairman being a lawyer. Panel members were often given rudimentary training in law and judicial reasoning, and put on panels that had power to hand down long prison sentences, and even death sentences. The Public Tribunals were not sufficiently independent of the PNDC. In some cases the penalty for the offence in particular cases had to be prescribed by the PNDC, and in others, the sentences handed down had to be confirmed before being carried out. On account of such prescription and confirmation of sentences, the system gained the image of an instrument of oppression of political enemies.

3.8.6.4 The Ghana Bar Association formally boycotted the Public Tribunals because of what it viewed as deviations from acknowledged and accepted standards of justice. Persons charged before the Tribunals therefore had no legal representation, or could only secure one of those who defied the Association’s ban to practise before the Public Tribunals. There were very few acquittals.

3.8.6.5 Although in response to this boycott and interventions by international lawyers’ organizations, a Board of Appeals was established under a new law, the Public Tribunals Law, 1984 (PNDCL 78), the Ghana Bar Association never revoked the ban on its members because there were still not enough legal safeguards and protections for persons accused of crime.

3.8.7 Chieftaincy

3.8.7.1 The old problem of chiefs and their status re-surfaced. The PNDC in its turn sought to correct whatever injustice had been inflicted on chiefs by NLCD 112. Chiefs who had lost their status were restored to their former status. The promulgation of the Chieftaincy (Restoration of Status of Chiefs) Law, 1983 (PNDCL 75) effected the change and also withdrew recognition from those on whom recognition had been conferred, or who had been enstooled/enskinned by virtue of NLCD 112. Another move was made, ostensibly to clean up the institution of chieftaincy, that led to the destoolment of many chiefs. On the eve of its departure, the PNDC promulgated the Chieftaincy (Amendment) Law, 1993 (PNDCL 307), which prohibited the conferment of recognition on any person

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enstooled or enskinned who had a previous conviction for an offence involving “fraud, dishonesty or moral turpitude”. This Law was to take retrospective effect from 1st June, 1986, and thus legitimized the de-recognition of many chiefs that had been affected since that period.

3.8.8 Dismissals From Public Service

2.8.8.1 As a result of the philosophy of re-engineering Ghanaian society, persons deemed unfit for public office were summarily dismissed from the public services. There were dismissals on an unprecedented scale. In some organisations, such as Post and Telecommunications more than two hundred people were dismissed in one day. Many police officers were dismissed and a law enacted to prevent them from challenging their dismissals in court. Few of these dismissals were effected in accordance with due process and this created a chilling effect on creativity and initiative at the work place.

3.8.9 The Killing Of The Judges

3.8.9.1 No event has outraged and scarred the national psyche of Ghana as much as the abduction and killing of three High Court Judges and a retired Army Officer on the night of 30th June, 1982. Subsequently, a member of the PNDC, Joachim Amartey Kwei and four young men, two serving soldiers and two ex-soldiers, were tried and convicted of the murders. The persistence of rumours linking the government of the PNDC itself to the event, as well as of the existence of a list of persons targeted for assassination by the revolutionary government caused a lot of judges, lawyers, lecturers and other persons of social and intellectual standing in Ghana to go into exile. Those left behind lived in fear of reprisals. In particular, judges and lawyers were assaulted when the Supreme Court Buildings in Accra were attacked by thugs; and when lawyers’ chambers were ransacked and their documents destroyed. This was also the period when Lodges, believed to be favoured by members of the Legal profession, were banned and their premises and properties vandalized. The reasons given for such attacks were that Lodges were secret societies that promoted corruption. There was a great feeling of insecurity among professionals as those determined to remain in Ghana and carry on their professions struggled to do so.

3.8.10 Anti-profiteering Crusade

3.8.10.1 The anti-profiteering crusade that characterised the AFRC period continued in the early days of the PNDC. Traders responded by refusing to sell their wares to persons of whom they were suspicious. This led to the meting out of brutalities to persons who claimed they had no authority to sell goods found in their custody. Many traders who had lost part of their capital as a result of the activities during the AFRC period became completely crippled financially when their businesses were attacked again. Under the guise of this crusade, traders were robbed of their goods at gunpoint, whilst the physical manhandling accompanying the attack discouraged them from pursuing the soldiers to the military camp. In any event those who pursued their goods never got them back. The anti-profiteering crusade also led to a targeting of businessmen of Middle Eastern origin,

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mainly Lebanese and Syrians, some of whom had lived and worked in the country since colonial days. Some were even third generation Ghanaian-born Lebanese and Syrians, and many were naturalized Ghanaians. They were harassed and chased away; their

vehicles, businesses and personal properties were seized, vandalized or confiscated. This category of Ghanaian endured a lot of suffering under the government of the PNDC.

3.8.11 Seizures And confiscation Of Properties

3.8.11.1 There were seizures and confiscations of the properties of the CPP and PP leaders. However, this did not affect the generality of persons. Many persons had their goods seized and their properties confiscated, often without just cause. Vehicles imported into the country were seized at the ports and the owners never received them. Persons whose vehicles were seized because they were being investigated for alleged wrongdoing never recovered their vehicles even after they had been cleared. Individual soldiers also seized the vehicles of private individuals “for operations”. Such vehicles were seldom returned to their owners, or were returned to them in a state that made them unfit for the owners’ own use. Some of the vehicles were appropriated by the officials who had seized them, and on occasion the registration number was changed or the colour was changed, and then kept by the officials. Vehicles of all makes and sizes were seized and never returned. These vehicles remain untraceable, on account of the poor record-keeping that accompanied the adoption of a new system of vehicle licensing in Ghana

3.8.11.2 The seizures were not limited to cars and buses. As a result of a policy that private individuals were not entitled to own tractors and other heavy agricultural equipment, persons who owned tractors and harvesters lost them as they were seized by the military and some government officials. No compensation was paid for the seized equipment.

3.8.11.3 Other forms of property such as businesses, buildings, jewellery, farms, farm animals, were also seized or confiscated. On occasion, families were ordered out of their homes at gunpoint and never allowed back. Moneys were seized or ordered to be paid into PNDC Account Number 48.

3.8.12.0 Disappearances

3.8.12.1 A number of Ghanaians have disappeared. Although many were former military personnel, there were many civilians as well. Many of the disappeared had been arrested by agents of the state, and had never been seen since. There is credible evidence that many of these “disappeareds” were murdered while in the custody of the State or of state-agencies, that is, the Police, Military or the Bureau of National Investigations (BNI). There was no attempt to communicate the fact of the death to the relations of the deceased and consequently they are considered as having disappeared, whilst their families wait in hope that they might reappear one day.

VOLUME 2 CHAPTER 3**3.8.13 Detentions**

3.8.13.1 Detentions of political opponents and others classified as “danger to national security” became commonplace with the promulgation of the Preventive Detention Law,

1982 (PNDCL 4). Many persons suffered detentions for long periods of time – sometimes without any legal instrument covering their detention. On occasion, some detentions were made lawful more than two years after the detainees had been taken into custody. The length of detentions varied from a few days to almost ten years, for some of the young soldiers accused of involvement in coup plots. Often these detainees were not told why they had been detained, nor did they have an opportunity to challenge their detention.

3.8.13.2 Attempts by some detainees to challenge their detentions were thwarted by the promulgation of the Habeas Corpus (Amendment) Law, 1984 (PNDCL 91). This Law suspended the operation of the Habeas Corpus Act, 1964 (Act 244), and prohibited the courts from examining the grounds upon which anyone had been detained. Political detention was no respecter of persons, and all manner of persons were detained often upon a mere allegation or even suspicion of wrongdoing.

3.8.14.0 Tortures

3.8.14.1 Just like the AFRC era (see 3.6.1.7.1 above), the use of torture was practised on a massive scale, and in several instances, to extract information or confessions from victims. The methods of torture were both physical and psychological. From beatings, blinding and ear-splitting slaps through kicking with military boots, torching parts of the body of victims, slashing of parts of the body, electric shocks to the genitalia, whipping with barbed wire, caning in public; torture by use of starved rodents; pounding of toes until toe nails fell off; and pulling off of toe nails with pliers, and hammering the head with sharp or heavy objects. Other methods included being made to lie face upwards and watch the sun for long periods of time, being subjected to the glare of powerful lights round-the-clock; being made to crawl on gravel until serious injury occurred; being forced to drink water from open drains; being forced to swim in open drains; being made to drink one’s own or others’ urine; use of ears as ash-tray; singeing of body; tattooing the body with cigarette ends; being made to engage in a slapping contest /fight with one’s close relations or fellow detainee; being forced into a water tank filled with smelly water; being shaved with broken bottle; being forced to consume various substances such as rock-salt and uncooked food items. There was also forced labour such as being forced to sweep the precincts of guardrooms, cut grass or clean lavatories; off-loading trucks and carting of seized goods; and being made to fill sandbags. The torture of females frequently involved rapes, gang-rapes and simulation of the sexual act and males were forced to lie on the ground and copulate with the earth, with the result that some suffered injury to their genital organs, and consequently, sexual impotence. There were even instances of forced cannibalism.

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3.8.14.2 The variety of methods of psychological torture included mock executions; being forced to lie in a coffin; being paraded on the streets naked or with little clothing, and other forms of indignity.

3.8.15 Acts Against GAF Senior Officers And NCOs.

3.8.15.1 Senior Officers and some NCOs who were known for strict discipline were targeted by their subordinates. Some were shot and killed in cold blood, as were the Navy Officers in Takoradi; others were falsely accused of subversion, arrested, detained and subsequently dismissed or discharged from the GAF. Still others were subjected to ill-treatment by their subordinates, and discipline within the Armed Forces suffered a great deal. The Command Structure was stood on its head as Senior Officers took instructions from politically-powerful lower rank soldiers.

3.8.16 Dismissal of Judges

3.8.16.1 The inviolability of the Judiciary received another jolt when many judges were dismissed on allegations of corruption, drunkenness or incompetence without being given an opportunity to respond to the charges. These dismissals were effected on 10th April, 1986, after the dissolution of the Judicial Council by announcement a week earlier, on 2nd April, 1986. By repealing the provisions governing the procedure for the discipline of Judges under section 22 of the Provisional National Defence Council (Establishment) Proclamation (Amendment) Law, 1983 (PNDCL 42), and the promulgation of the Provisional National Defence Council (Establishment) Proclamation (Supplementary and Consequential Provisions) (Amendment) Law, 1986 (PNDCL 145), the government was able to sidestep the procedures that had been earlier established. In 1988, the procedures for the discipline of judges, that had been earlier abolished, were restored by the re-establishment of the Judicial Council under the Provisional National Defence Council (Establishment) Proclamation (Supplementary and Consequential Provisions) (Amendment) Law, 1988 (PNDCL 228). The absence of the Judicial Council meant that there was no longer any buffer between the Executive and the Judiciary, and judges had no protection against executive action. This state of affairs also affected the confidence of the Judiciary and its ability to be an impartial arbiter between the individual and the state.

3.8.17.0 Extra-judicial killings within the GAF

2.8.17.1 In 1982 the Special Military Tribunal Law, 1982 (PNDCL 19) was promulgated to create special tribunals for trying military personnel who misconducted themselves, and civilians who attacked soldiers in the course of their duty. This body had power to impose penalties extending even to dismissal from service. On 3rd April, 1984, the Special Military Tribunal (Amendment) Law, 1984 (PNDCL 77) was enacted and made

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retrospective from 21st July, 1982. This enactment greatly expanded the jurisdiction of the Special Military Tribunal, not only to cover serving military personnel, but also retired ones as well as deserters from the Ghana Armed Forces. It was not a fixed entity but could be convened by the Commander-in-Chief or someone delegated by him as and when the occasion demanded, and when so convened, had the status of a High Court. The t

tribunal was also given power to hand down death sentences to both civilians and military personnel tried by it, and its decisions were not subject to appeal.

3.8.17.2 The period between 1982-1986, saw the execution of many military personnel and some civilians by the military and political authorities. Some of these executions were filmed. It is uncertain whether all of these persons were ever tried, or tried by any of these Special Military Tribunals according to the established rules. Whether or not such executions could be subsequently legitimized through retroactive legislation remains an issue.

3.8.17.3 Serving and former military personnel termed “dissidents” were executed without trial, and sometimes at public installations such as the military camps, the Air Force Station in Accra or at the Border Guard Headquarters, by politically well-connected soldiers. No public enquiries were ever held into these killings, and even when the identities of those individuals responsible for the executions were known, no official action was ever taken against them.

3.9.0 Conclusion

3.9.1 In this overview of the historical context, it has been shown that the seeds of many of the problems Ghana confronted in her post-Independence history, lay in events in the immediate pre-Independence period.

3.9.2 The human rights abuses that occurred as office holders struggled to keep the entity Ghana together, could also be traced to the fractious nature of relations among the leaders of the ruling party and the opposition parties of the period. The enactment of the PDA, ostensibly to check terrorism, led to the dismemberment of opposition parties and the transformation of Ghana into a one-party state. These events were in no small way responsible for the public disaffection that was displayed against the CPP when the government was overthrown.

3.9.3 The politics of vendetta of the post-1966 period as well as the “Musical Chairs” politics between the two main political traditions of Ghana have in no small way contributed to the perception of public office as a transit point to life in prison.

3.9.4 The determination of some people of socialist orientation to fashion out a better world than what the previous generations had done, led to an experiment with social re-engineering that eventually left a heavy toll. The violence visited on political opponents on an unprecedented scale during the era of the NRC/SMC, AFRC as well as the PNDC

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all testify to the fact that respect for human rights and respect for due process are necessary values that must be cultivated and upheld in this country.

LIST OF ABBREVIATIONS

1. AASU	--	All African Students Union
2. AFRC	--	Armed Forces Revolutionary Council
3. AGC	--	Ashanti Goldfields Corporation
4. ARPB	--	Association of Recognised Professional Bodies
5. ATTC	--	Accra Technical Training Centre
6. CIA	--	Central Intelligence Agency
7. CCDF	--	Coordinating Committee Of Democratic Forces.
8. CPP	--	Convention People's Party
9. CPPSU	--	Convention People's Party Students Union
10. GBA	--	Ghana Bar Association
11. GNA	--	Ghana News Agency
12. GYP	--	Ghana Young Pioneers movement
13. IPS	--	Institute of Professional Studies
14. ITG	--	International Tobacco Company Ltd Ghana
15. JFM	--	June Fourth Movement
16. KNUST	--	Kwame Nkrumah University of Science and Technology
17. NASSO	--	National African Socialist Students Organisation
18. NDC	--	National Defence Committee
19. NLC	--	National Liberation Council
20. NRC	--	National Redemption Council
21. NSU	--	Northern Students Union
22. NUGS	--	National Union Of Ghana Students
23. PDA	--	Preventive Detention Act
24. PNDC	--	Provisional National Defence Council
25. PNP	--	People's National Party
26. SIB	--	Special Investigations Board
27. SMC	--	Supreme Military Council
28. SRC	--	Students Representative Council
29. TEWU	--	Teachers and Educational Workers Union
30. TUC	--	Trades Union Congress
31. UCC	--	University of Cape Coast
32. UCGC	--	University College of The Gold Coast
33. Unigov	--	Union Government
34. UST	--	University of Science And Technology
35. UTAG	--	University Teachers Association Of Ghana
36. USSR	--	Union of Soviet Socialist Republics

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37. WDC -- Workers Defence Committees

VOLUME 2 CHAPTER 4**CHAPTER FOUR****THE SOCIAL CONTEXT****4.0 INTRODUCTION**

4.0.1 In documenting the human rights violations and abuses that occurred during the period – 6th March, 1957, to 6th January, 1993 – it is pertinent to consider the social context in which such human rights violations and abuses occurred. This chapter therefore considers the factors that created the environment that made it possible for such acts to happen. For example, whether or not there was tacit complicity in, or active resistance to the human rights violations that took place by various organs of state or by identifiable civil society groups during the mandate period.¹

4.0.2 These issues are considered for each of the different governments of the mandate period, starting from Dr. Kwame Nkrumah's post-Independence government to the end of the government of the Provisional National Defence Council (PNDC).

6th MARCH, 1957 – 23rd FEBRUARY, 1966:**4.1 THE GOVERNMENT OF THE CONVENTION PEOPLE'S PARTY (CPP)****INTRODUCTION**

4.1.0 Before Ghana's attainment of Independence on 6th March, 1957, there had been intense animosity between Dr. Nkrumah's Convention People's Party (CPP) and the other parties which formed the Opposition in Parliament. This animosity had often erupted in violent clashes between members of the CPP and, in particular, members of the National Liberation Movement (NLM), whose base was in the Ashanti Region. These violent clashes had resulted in severe injuries and even death.

4.1.1.0 HUMAN RIGHTS ABUSES DURING THE 1st REPUBLIC

4.1.1.1 At Independence, the animosity between the government of the CPP and the Opposition Parties persisted, and Dr. Nkrumah used his CPP majority in Parliament to adopt measures to suppress opposition to his government. The most notorious of these measures was the Preventive Detention Act (PDA), passed by Parliament in 1958, which

² For a more detailed discussion of the role of these organs of state and civil society groups, see Vol. IV of this Report.

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made it possible for people to be arrested and detained in prison for up to five years without trial, and without a right to appeal to the courts.

4.1.1.2 Many of the detainees died in prison, prominent among whom were Dr. J.B. Danquah and Obetsebi Lampitey. Others suffered various diseases related to poor diet and lack of exercise, and were very weak and infirm at the time of their release in 1966, after the overthrow of Nkrumah's government.

4.1.2 REACTIONS TO THE HUMAN RIGHTS ABUSES

4.1.2.1 Criticism of, and opposition to the PDA at the time was mainly from members of the opposition parties inside and outside Parliament. Indeed, the Members of Parliament of the opposition parties were vehement in their criticism of the Bill at the time it was being debated in Parliament, pointing out, among other things, that it would deny the people of Ghana the right to freedom of expression and the right to remonstrate against abuses of power by the government. They also pointed out that it would deny the country the freedom of the press.

4.1.2.1 The Security Services**The Ghana Armed Forces**

4.1.2.1.1 At the time of Independence in 1957, Ghana had a relatively small army, the Ghana Regiment of Infantry, made up of an Infantry Brigade which consisted of three (3) Infantry Battalions, a Recce Squadron, a Field Squadron, a Signal Squadron, the Army Supply and Transport Service, the Army Educational Service, and others. It was in 1962 that, by an Act of Parliament, Act 105, the Ghana Regiment of Infantry became the Ghana Armed Forces, made up of the Ghana Army, the Ghana Navy and the Ghana Air Force.

4.1.2.1.2 As regards the issue of complicity in, or resistance to human rights violations and abuses by the security services during the Nkrumah era, it is fair to say that the military devoted themselves to the defence of the country against internal and external aggression, and the provision of relief services in cases of emergency. Soldiers kept to the barracks, and did not have much to do with the civilian population, and for all practical purposes, they were passive observers of the human rights violations and abuses inflicted on the citizenry as a result of the Preventive Detention Act (PDA), until they took up arms and overthrew the Nkrumah government in 1966.

The Police Service

4.1.2.1.3 Before Independence, the police were part of the colonial machinery used to suppress civil disorders, especially during the agitation for independence. The majority of the junior ranks were recruited initially from Northern Nigeria, and they owed allegiance to the British Colonial Officers. They often used brute force to suppress civil

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disorder, and were therefore not perceived by the public as peace officers, who had been trained to protect them.

4.1.2.1.4 This perception of the police by the citizenry persisted after Independence, as the police continued to use violent means to suppress political agitation by members of the opposition parties against the CPP government. After the passing of the PDA by the CPP government in 1958, the police were known to inflict considerable physical and psychological harm in the manner in which they effected the arrest of detainees. People were picked up from their homes in the middle of the night, given no explanation for their arrest, huddled into crowded vehicles and taken to crowded police cells or into prison. They were often not allowed to take any personal belongings.

4.1.2.1.5 By their actions, the police confirmed, in the minds of the public, the view that they were agents used by the government to suppress them and to violate their human rights.

4.1.2.1.6 Two units of the Police Service, the Special Branch and the Reserve Unit, were formed by the colonial administration after the 1948 riots, to effectively counter moves to destabilise it. The Special Branch was formed with the primary purpose of intelligence gathering, but it was also used to hound the independence activists, while the Reserve Unit came down heavily on street-protestors and other demonstrators.

4.1.2.1.7 In the early years of post-Independence Ghana, the Special Branch became a tool for fishing out persons who were perceived to be threats to the personal security of Dr. Nkrumah. In the process, a number of people had their human rights trampled upon, for many were arrested on the basis of false accusations made against them to the Special Branch by informants and “intelligence fabricators” – people who made false reports in order to curry favour with those in authority, or in order to settle personal scores.

The Prisons Service

4.1.2.1.8 The Prisons Service or Department, as it was then known, was, during the pre-Independence period, a part of the Police Service or the Gold Coast Constabulary. It was separated from the Police Service in 1920, and, after Independence, was re-named the Ghana Prisons Service.

4.1.2.1.9 At the time of Independence, the main infrastructures for incarceration were the forts and castles, which were primarily designed as ‘transit quarters’ for slaves waiting to be taken across the Atlantic Ocean to the new world. The service and its staff have since Independence acquired the unenviable reputation as primary human rights violators and abusers, during both periods of constitutional and unconstitutional rule. This is not surprising, given the deplorable conditions in the forts and castles which served as prisons.

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4.1.2.1.10 During the era of the CPP government, large numbers of members of the opposition parties, who were imprisoned under the PDA, suffered severe human rights violations and abuses in the prisons. To start with, the detainees had been deprived of their freedom for up to five years. (This period was extended by another five years when the first batch of detainees had completed the five years imprisonment, and were looking forward to their release). They had been deprived of their rights to seek the protection of the courts against arbitrary Executive action. In addition, they suffered various kinds of deprivation at the hands of the Prison Officers in whose care they had been placed.

4.1.2.1.11 There is evidence that Prime Minister Nkrumah had directed that detainees should not be given nutritious food, and that they were to be fed on *gari*, salt and water. Evidence before the Commission indicated that sand was sometimes put into the food given to detainees, and this must have been done on the initiative of some over-zealous Prison Officers.

4.1.2.1.12 It is clear from the above that the attitude of Police and Prison Officers contributed immensely to the human rights violations and abuses suffered by, especially, victims of the PDA during Nkrumah's CPP government.

4.1.2.2.0 The Judiciary And The Bar

4.1.2.2.1 The implementation of the PDA resulted in a number of habeas corpus applications on behalf of many of the detainees at the courts. However, the view of some judges in these cases was that they had no power to examine actions of the Executive. It appeared the judges were unwilling to question the propriety or otherwise of the decision by the Prime Minister to detain a person. According to them, the power of the Prime Minister to detain a person "if satisfied that he or she is acting in a manner prejudicial to the defence of Ghana or the relations of Ghana with other countries or the security of the state" was one they could not scrutinise. In other words, the judges could only question the legality of the Order, not the truth of the facts contained in it. By this decision the judges abandoned the detainees to their fate, and by so doing, reneged on the role of the judiciary in the protection of the rights of the individual.

4.1.2.2.2 Later, when Ghana became a Republic, the judiciary came under attack when the Republican Constitution of 1960 was amended to bestow the power to dismiss the Chief Justice on the President. This gave the President the power to interfere in, and even control the work of the judiciary, and this is precisely what happened. In 1963, Sir, Arku Korsah, as Chief Justice, presided over the Supreme Court to try Tawia Adamafio, Ako Adjei and Horatius Cofie-Crabbe for treason. The Supreme Court acquitted them, whereupon President Nkrumah dismissed Sir Arku Korsah as Chief Justice, had an Executive Instrument issued to declare the Supreme Court's decision null and void, and amended the Criminal Procedure Code to make provision for the setting-up of a Special Criminal Court to re-try the three accused persons. Sir Arku Korsah retired from the Bench, and so did the other judges on the panel that tried the three accused.

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4.1.2.2.3 The dismissal of the Chief Justice and his forced retirement was a violation of his human rights. It may also be said that the dismissal of the Chief Justice undermined the sense of security of tenure that judges should have in order to discharge their duties without fear or favour.

It is worth noting that the various decisions and actions taken by the Nkrumah government, that violated the rights of the individual, such as the detentions under the PDA and the deportation of aliens on the grounds that their presence in the country was “not conducive to the public good”, were all done “properly”, under the authority of laws passed by a CPP-dominated Parliament. The courts interpreted and applied these laws to the letter without taking into consideration the spirit of the laws, and thereby failed to offer protection to the citizenry in the face of executive high-handedness.

4.1.2.2.4 However, it must be pointed out that individual lawyers risked their own security to bring habeas corpus cases on behalf of detainees. A case in point was that of Dr. J.B. Danquah, who eventually died in prison.

4.1.2.3.0 The Labour Movement

4.1.2.3.1 When Nkrumah formed the Convention People’s Party to fight for Independence, he declared that one of the aims of his Party was to establish co-operation with labour unions to fight for better terms. It thus positioned itself as a natural ally of the unions. Subsequently, the political activities dubbed “Positive Action” demonstrated the commitment of the CPP to defend the interest of workers, and it thus forged an even stronger bond between the party and the unions, and together, they fought for Independence.

4.1.2.3.2 When, on the attainment of Independence, the CPP formed the government, the close relationship between the labour unions and the government was exploited by the unions to achieve some of their aims. For example, the government passed the Industrial Relations Act in 1958, which compelled every union to be a member of the Trades Union Congress (TUC), which was to be “the sole representative of the working people of Ghana”. Union dues were to be deducted at source, thus giving the unions access to money from dues, without having to chase members for them.

4.1.2.3.3 Unfortunately, the Act also gave the government complete control over the TUC, and by 1961, the TUC was made an integral part of the CPP. Union cards were replaced with membership cards of the CPP, and individual union flags were replaced with the CPP flag. The TUC leadership became members of the Central Committee of the CPP, and thereby became more of politicians supporting government actions, than unionists fighting for the rights of workers.

4.1.2.3.4 This state of affairs was unsatisfactory, and it eventually erupted in a major strike action by railway workers in September, 1961, which crippled railway transportation, and created serious transportation problems. Government’s reaction to the

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strike was to dismiss the railway workers and arrest and detain the strike-leaders under the PDA. The Secretary-General of the TUC, John Tettegah, was removed by government and replaced by a government appointee – Magnus George – who also was removed and replaced by Kwaw Ampah, yet another government appointee. The TUC had thus become a government Department, with organised labour having no right to elect its own leaders. With such hand-picked leaders, the TUC used its power to suppress agitation within the ranks of workers rather than supporting them to press for better conditions.

4.1.2.3.5 This account of trade unionism during Nkrumah's CPP government clearly shows that the leadership of the Labour Movement at the time was, at best, a passive on-looker, and at worst, an accomplice, in the human rights violations and abuses that the Nkrumah government inflicted on the citizenry.

4.1.2.4.0 Chiefs

4.1.2.4.1 Before Ghana's attainment of Independence in 1957, the British Colonial Administration had recognised the fact that in those parts of the country where the chieftaincy system existed, the chiefs had a well-organised machinery of governance, and they therefore adopted a system of indirect rule, whereby the chiefs became the authorities through whom the Colonial Administration governed the people. They even created chiefs and paramountcies where none existed, especially in parts of Northern Ghana, for this purpose.

4.1.2.4.2 By the time of Independence, it was clear that no government could ignore the importance of chiefs in mobilising their subjects. The CPP government therefore realised the need to take firmer control over the chieftaincy institution by ensuring that only people whose support it could count on, could become chiefs. For example, the first Chieftaincy Act of Ghana's Parliament, the Chieftaincy Act 1961 (Act 81), stipulated that government recognition was required to validate the enstoolment/enskinment and destoolment/deskinment of chiefs.

4.1.2.4.3 By operation of this Act, the CPP government was able to give recognition to chiefs who were supporters and sympathizers, while it removed from office those chiefs who identified themselves with the opposition. For example, the government withdrew its recognition from Okyenhene, Nana Ofori Atta II, the then Chief of Akyem Abuakwa, on the ground that he was a staunch supporter of the NLM, and an aggressive opposition party of the pre-Independence period. A gazette notice declared him destooled with effect from 13th June, 1958, and following the report in the *Daily Graphic*, Nana Ofori Atta II was evicted from his palace.

4.1.2.4.4 The government mounted an assault on the structures through which the chiefs were exercising power under colonial rule, and appointed representatives of the government as Regional and District Commissioners through whom the CPP government governed the people. This action effectively reduced the power of the chiefs over district

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authorities, and it also led to the reduction of government funding to traditional authorities. In view of these developments, the majority of chiefs began to soften their stand, when it came to dealing with the CPP government, for fear of de-recognition.

4.1.2.4.5 Indeed, Dr. Nkrumah and his CPP government openly taunted chiefs, saying that those who refused to conform or would not do business with his government “would run away and leave their sandals behind”. Chiefs who were considered “good boys” were promoted to the status of paramountcy. It is not surprising, therefore, that chiefs as a body, even after the creation of the National House of Chiefs in 1958, by an Act of Parliament, never criticised or opposed the use of the PDA to suppress opposition to the CPP government, and to perpetuate human rights violations and abuses against the citizenry.

4.1.2.5.0 Religious Bodies

4.1.2.5.1 In general, it may be said that there are three major religious groups in Ghana. These are adherents of Traditional Religion, Islam and Christianity. The role, if any, of these religious groups as regards their complicity in, or resistance to human rights abuses and violations during the mandate period will be examined for each group in turn.

Traditional Religious Groups

4.1.2.5.2 Traditional religion is the oldest religion in Ghana, but it has no organised structure or association. There is no evidence that the group at any time ever criticised or supported human rights violations or abuses by any government during the mandate period.

4.1.2.5.3 However, there is evidence that certain practices of this group constitute human rights violations. These practices are part of the culture of the people, and therefore have been with Ghanaian society from pre-colonial times to the present. In other words, they are not limited to any particular period in the history of the country.

4.1.2.5.4 One such traditional practice, in some parts of the country, is *Trokosi*, which is the practice of giving up vestal virgins by families as “payment” to shrines for infraction committed by one of its members. This practice is fraught with serious human rights violations, for it involves the incarceration for life, and abuse of mostly young females, some as young as eight years. They work on the farms of, and bear children for the priests of the shrine.

4.1.2.5.5 The other practice, which has also been endemic in the society for many years is ritual murder, in which murder is committed for the performance of rituals for protection, power, wealth and prosperity. Some of such murders that have come to public notice are the Kyebi murder case, the Sefwi Bekwai murder case and the Abesim murder case.

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4.1.2.5.6 All these are instances where traditional religious groups are known to be perpetrators of human rights violations and abuses.

Islamic Religious Groups

4.1.2.5.7 Islam came to Ghana through the efforts of traders, itinerant clerics and teachers from Trans-Saharan trade during the 18th Century. In Ghana, the religion has two sects – the Orthodox and the Ahmadiyya. The Orthodox is the older of the two.

4.1.2.5.8 The Islamic religious group adopted an anti-government position in the pre-Independence and the early post-Independence era. In order to gain political influence, an earlier association – the Gold Coast Moslem Association (GCMA) - transformed itself into the Muslim Association Party (MAP). It was in opposition to the Muslim Youth Congress (MYC) which was made the mouthpiece of the Muslims, and a wing of the CPP.

4.1.2.5.9 The anti-CPP stance of MAP led to the deportation of some of its leaders; and the Avoidance of Discrimination Act of 1957, which prohibited parties formed on religious or ethnic lines, brought an end to its existence.

4.1.2.5.10 There is no evidence of complicity in or resistance to human rights violations or abuses during Nkrumah's CPP era by this religious group.

Christian Religious Bodies

4.1.2.5.11 Christianity was brought to Ghana in the 15th Century by different European Christian Missionaries.

4.1.2.5.12 During the post-Independence era of Nkrumah's Government, the Christian Religious Bodies objected to the use of certain biblical quotations to apply to secular political issues, such as Nkrumah's "seek ye first the political kingdom and all other things shall be added unto you", which was a modification of Jesus' "seek ye first the kingdom of God and His righteousness, and all these things shall be added unto you". Indeed the Christian churches took exception to the constant reference to Nkrumah as Messiah, and that "if you follow him, he will make you fishers of men"; and other Christ-like attributes such as "Nkrumah never dies", "Nkrumah does no wrong", especially in the educational materials of the Ghana Young Pioneers (GYP).

4.1.2.5.13 The Anglican Bishop and Chairman of the Christian Council at that time, Reginald Richard Roseveare, was deported when he openly criticised the blasphemous nature of these teachings of the GYP. Rev. Fr. Vincent Damuah of the Catholic Church was detained for some time for criticising the deportation of the Bishop. The Headmaster of Mfantshipim School, and the Headmistress of St. Monica's Girls' Secondary School, both institutions of Christian churches, also came under pressure for not allowing the formation of the GYP in their schools.

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4.1.2.5.14 The Christian churches also raised objections to the PDA, but the Bill was rushed through Parliament and passed. On another occasion, when some Muslim leaders were deported, the churches, in collaboration with the Joint Provincial Council and the Asanteman Council, protested the deportations.

4.1.2.5.15 On the whole, the Christian Religious Bodies put up resistance, during Nkrumah's Government, to issues that they perceived as blasphemous or as an infringement on the human rights of individual citizens.

4.1.2.6.0 The Media

4.1.2.6.1 Dr. Nkrumah established the *Guinea Press*, soon after Independence, and it published the *Ghanaian Times*, *Evening News*, *Daily Gazette*, *Sunday Punch* and the *Spark* which were ideological journals of the CPP.²

4.1.2.6.1 During the CPP Administration, the state-owned media, especially the *Daily Graphic* and the *Ghanaian Times*, were made to see themselves as an arm of government. They even sometimes had to take instructions from Ministers of State and from the Presidency. Even the private-owned *Ashanti Pioneer* had, at one stage, a government appointed censor who vetted material before publication. Even individual dispatches of foreign correspondents' were subjected to prior censorship under the "Press Correspondents Instrument" of 1962. Moreover, the newspaper-licensing act of 1963, which required newspaper editors and publishers to obtain a licence, renewable annually, from the government before they could begin publication, gave the government additional powers to control the press, including the private ones. Indeed *Ashanti Pioneer* was banned after several confrontations with the government.

4.1.2.6.2 During the period, deportation of foreign journalists and the harassment, transfers and sometimes imprisonment of Ghanaian journalists ensured that journalists toed the government line.

4.1.2.6.2 The situation at the Ghana Broadcasting Corporation (GBC) was not different. News was censored, and after 1st July, 1960, when Ghana became a Republic, the Minister of Information directed that the one O'clock and the six O'clock news bulletins should be submitted for vetting at the President's Office. Indeed in 1961, Kodwo Addison a staunch CPP ideologue, was posted to the GBC as a censor, under the guise of a "news consultant".

4.1.2.6.3 All these measures, as well as the PDA which could be used to detain anybody for reasons that need not be specified, ensured that journalists published what was

² See William B. Harvey, *Law and Social Change in Ghana* Princeton University Press, New Jersey, 1966. p.319

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approved of by Dr. Nkrumah, and he had enough loyalists to ensure that this was done. Press freedom, therefore, was completely non-existent during this period.

4.1.2.7.0 Professional Bodies (Other Than Legal)

4.1.2.7.1 Apart from the Ghana Medical Association (GMA) formed in 1958, the Ghana Institute of Architects (GIA) formed in 1962, the Ghana Institute of Engineers (GhIE) formed in 1969, most professional associations were formed in the 1970s. From available evidence, Professional Associations were formed primarily to promote the interest of members of their respective Professions, especially in respect of improved salary and conditions of service. Their involvement in political issues usually occurred during periods of military rule.

4.1.2.8.0 Student Movements

4.1.2.8.1 The agitation for independence involved all sectors of Gold Coast Society, and this included students. Indeed it was as a result of the involvement of students in the political agitation for independence that students in some secondary schools in Cape Coast were dismissed in 1949, leading to the founding of Ghana National College in Cape Coast to enable them complete their education. However, it was much later in the political history of Ghana, that students, as an organised body, concerned itself with national political issues.

The PDA

4.1.2.8.2 In 1958, the CPP Government, used the PDA to detain opposition figures, and this led the National Union of Ghana Students (NUGS) to adopt a resolution at their 1959 annual conference that criticised the passage and use of the PDA. This earned them the displeasure of the government, but no punitive action was taken against the student leadership.

4.1.2.8.3 Luck ran out for NUGS, however, when in 1964, six of its leaders were detained under the PDA. Again in 1965, a student of Commonwealth Hall, University of Ghana, called on his fellow students, at a formal dinner, to observe a minute's silence in memory of Dr. J.B. Danquah whose death in detention had been announced. For this, the student, C.O. Cantey, and a few others were arrested and detained.

4.1.2.8.4 The student body on the university campuses at the time was clearly divided into pro-CPP and anti-CPP groups, as students got involved in the party political activities in the country at the time. Some students spied and reported on their colleague-students as well as their lecturers, and this, together with the threat of detention under PDA created an atmosphere of fear on university campuses.

4.1.2.8.5 In 1964, in order to win students' allegiance to the CPP and its ideology, the government directed that all students should have a mandatory period of two weeks

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ideological orientation at the Kwame Nkrumah Ideological Institute at Winneba, as a requirement for admission into university. This move was popular with members of the CPP Students Union, but it certainly bred resentment against the government in others.

4.1.2.9.0 Youth Movements

4.1.2.9.1 In pre-Independence Ghana, the Boy Scouts and Girl Guide movements were the best known non-religious youth movements in the country. They were based in schools.

4.1.2.9.2 Dr. Nkrumah's CPP felt the need to mobilise the youth for national development, and to inculcate in them a sense of patriotism for the new nation, Ghana. In 1960, the Ghana Young Pioneer (GYP) movement was started for children and young people aged between 4 and 25 years. It was mostly organised in schools, but it included out-of-school youth as well, and was modelled on youth training programmes in East Germany and the USSR. School teachers and party activists were recruited as organizers and instructors, and there was a code of discipline that was rigidly enforced.

4.1.2.9.3 There is no doubt that the movement instilled a strong sense of patriotism in the young people. However, it was also very obvious that the movement helped build a personality cult around the person of President Nkrumah, and this was a great source of concern for many people in the country. The children were taught that Nkrumah was their "Messiah" and their "Saviour" and that he did no wrong. They sang songs in praise of President Nkrumah, and they owed greater allegiance to him than to their own parents. Indeed, during the period when there were attempts to destabilise the government through acts of bomb-throwing, the GYP members were told to inform on their parents if they knew or suspected them of being involved in these acts of subversion. Rumours were rife in those days about parents and relations of Young Pioneers who ended up in detention as a result of such reports.

4.1.2.9.4 It is worth noting here that quite a number of the Young Pioneers were victims of the bomb-throwing; some were killed, and others were maimed or suffered severe injuries.

4.1.2.9.5 The GYP earned a terrible reputation, and there were reports of parents as well as heads of schools, who got into trouble for refusing to allow their children to join the GYP or start the movement in their schools.

4.1.2.9.6 Indeed, when the Anglican Bishop and Chairman of the Christian Council, Bishop Roseveare, openly criticised the blasphemous nature of some of the teachings of the GYP which implied a resemblance between Nkrumah and Jesus, he was deported. Rev. Fr. Damuah, a Catholic Priest, was detained for some time when he criticised the deportation of the Bishop. It is not surprising, therefore, that for some people both the PDA and the GYP evoked a feeling of fear and resentment against the CPP Government.

VOLUME 2 CHAPTER 4**4.2.0 24th FEBRUARY, 1966 - 30th SEPTEMBER, 1969: NLC**

4.2.0.1 On 24th February, 1966, President Nkrumah's Government was overthrown in the first coup d'état in Ghana, and replaced by the National Liberation Council (NLC), a joint Military and Police regime.

4.2.1.0 HUMAN RIGHTS VIOLATIONS AND ABUSES UNDER THE NLC

4.2.1.1 The NLC suspended the Constitution, dismissed the President and all Parliamentarians; banned the CPP, the only political party at the time, and banned the GYP. It passed the Protective Custody Decree 1966 (NLCD 2) under which all Ministers, Parliamentarians, Regional and District Commissioners and senior functionaries of the CPP were detained without trial.

4.2.1.2 The NLC also passed a decree banning CPP officials and functionaries from holding public office and from being voted for into public office for 10 years.

4.2.1.3 Members of the Presidential Detail Department (PDD) became targets of human rights abuse by the security forces. Some were lined up and executed after they had surrendered to the attacking forces, and others were detained under the Protective Custody Decree.

4.2.1.4 The PDD members who were in Dr. Nkrumah's entourage on his trip to Hanoi, Vietnam, went with him to Conakry, Guinea, and stayed in exile with him. One of them, Boy Moses, who later returned to Ghana was paraded through the streets of Accra in an iron cage on his way to detention at Ussher Fort Prison.

4.2.1.5 On 17th April, 1967, there was a failed coup attempt, led by Lt Samuel Arthur with the support of Lt Moses Yeboah and 2nd Lt Emmanuel Osei Poku in which Lt-Gen E.K. Kotoka was killed. The three officers involved were tried by a Military Tribunal. Lt Arthur and Lt Yeboah were executed on 26th May, 1967, before a large crowd. This was the first public execution in Ghana. Lt Osei Poku was sentenced to 30 years imprisonment.

4.2.1.6 Many civilians, in particular former CPP supporters and sympathisers, who were allegedly jubilating on hearing the news of the coup, before it was foiled, were detained under Protective Custody Decrees.

4.2.2.0 REACTIONS TO THE NLC

4.2.2.0.1 By the time of the coup that overthrew Dr. Nkrumah's government, many families throughout the country had been affected by the implementation of the PDA. There were young people whose education had been cut short because their fathers had been detained for years; and there were family members whose source of livelihood

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had dried up because the main bread-winner was in detention or had died in detention. Chiefs, Religious Bodies, the Labour Movement and the general citizenry had been so cowed by their fear of PDA that open dissent or criticism of Nkrumah's government was completely absent. Moreover, the economy had taken a nose-dive; the shops were empty; and Ghanaians had begun to queue for essential goods.

4.2.2.0.1 It was no surprise, therefore, that Nkrumah's overthrow was met with jubilation, especially as hundreds of detainees, whose relations had lost hope of their ever coming home, were released from prisons throughout the country. The euphoria that pervaded the society at the time clouded people's awareness of the human rights abuses committed by the NLC government. Indeed, the detentions and other violations and abuses suffered by members of the CPP were considered to be deserved retribution, and there were no protests against the NLC government, as documented below.

4.2.2.1.0 The Judiciary and the Bar

4.2.2.1.1 As stated earlier, President Nkrumah issued an Executive Instrument that declared the treason trial and acquittal of Tawia Adamafio and others null and void, and ordered a re-trial by a Special Criminal Court that duly found them guilty of treason. The NLC passed a decree declaring the decision of the Special Criminal Court null and void.

4.2.2.1.2 The NLC dismissed a number of judges and magistrates who were regarded as political appointees of the CPP without recourse to due process, but there were no protests from members of the Legal Profession. Moreover, neither the detentions of 1966 nor those that occurred in 1967, after the failed coup, attracted comment from the Ghana Bar Association, whose President, Victor Owusu, himself a former detainee under PDA in the previous government, had become Attorney-General under the NLC. Even the parading of Boye Moses through the streets of Accra in a metal cage did not attract any protest from members of the Legal Profession.

4.2.2.2.0 The Labour Movement

4.2.2.2.1 At the time of the overthrow of Nkrumah's government the TUC had been incorporated into the CPP such that its leadership could not survive the government's overthrow.

4.2.2.2.2 The NLC followed the previous government's practice of appointing someone to head the TUC, rather than allowing unionised labour to elect their own leader. B.A. Bentum, a veteran trade unionist, thus became the TUC Secretary-General. However, the TUC under his leadership could not do much to champion the cause of workers. Between 1966 and 1968, there were many lay-offs, as workers were declared redundant. However, the TUC appeared unable to help them. This is because under the Industrial Relations Act of 1958, even though workers had the right to go on strike, the procedure was so cumbersome that workers could not embark on industrial action to press for better terms,

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or to have the dismissed workers reinstate, and it became clear that the TUC was unable to work for the welfare of workers.

4.2.2.2.3 The government treated workers' protests with heavy-handedness. It responded to workers' protests with mass dismissals. In March, 1969, a major strike by gold miners at Prestea was so brutally suppressed by the police that three miners were shot dead. Although TUC protested to the Chairman of the NLC, Lt-Gen Afrifa, about the extent of force used in suppressing the workers' protest, it could not do much to help with the workers' grievances.

4.2.2.3.0 Chiefs

4.2.2.3.1 Due to the "bad blood" between the CPP government and the chiefs, some chiefs and traditional councils joined in the public jubilation when Dr. Nkrumah's Government was overthrown. Congratulatory messages were also sent from Regional Houses of Chiefs to the NLC Government.

4.2.2.3.2 The NLC passed the Chieftaincy (Amendment) Decree, 1967 (NLCD 112) to remove those who had become chiefs because they were party faithfuls, and to revert those who had been raised to their former positions.

4.2.2.3.3 The whole-hearted support of chiefs for the NLC left no room for them to criticise the undemocratic means by which the NLC came to power, or the NLC's own version of Nkrumah's PDA, that is, the Protective Custody Decree under which people were detained without trial, or any other acts of the NLC, such as the public ridicule of Boye Moses.

4.2.2.4.0 Religious Bodies

4.2.2.4.1 Following the overthrow of President Nkrumah's Government, the Christian Council held a non-denominational service at the Accra Sports Stadium to thank God for liberating the country from the one-party rule of the CPP government. This show of support for the NLC and the general anti-CPP government feeling that pervaded the country seemed to have blinded even the religious bodies, both Muslim and Christian, to the human rights abuses against CPP functionaries, the PDD or the violent suppression of the Prestea mine workers' protests.

4.2.2.4.2 It must be mentioned, however, that the Christian Council did protest, in a letter to the NLC, against the public execution of Lt Arthur and Lt Yeboah. In reply, the NLC wrote to the Christian Council giving the assurance that the NLC had no intention of carrying out any future executions in public.

4.2.2.5.0 The Media

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4.2.2.5.1 One of the first acts of the NLC Government was to place under “protective custody” editors of the state-owned newspapers and CPP publications. The arrests sent a powerful message to journalists in the country and set the stage for compliance.

4.2.2.5.2 Immediately after the coup, all newspapers, including President Nkrumah’s own *Evening News* joined the chorus of supporters of the new regime. On 25th February, a day after the coup, banner headlines began to confer legitimacy on the new government, to de-legitimise the old, and to garner support for the NLC. The papers praised “our gallant soldiers” for liberating the oppressed people of Ghana.

4.2.2.5.3 Both the *Ghanaian Times* and the *Daily Graphic* were at pains to portray the NLC as having massive support from the public, while printing articles that were very critical of Dr. Nkrumah’s government.

4.2.2.5.4 One such article written by Mabel Dove, a former CPP Parliamentarian, and a former Editor of the *Evening News*, and published in the *Ghanaian Times* of Friday, 15th April, 1966, was very critical of President Nkrumah’s government and sought to vilify and de-legitimise it by chronicling a list of wrongdoing. She referred to Nkrumah as a “tyrant” and called him and his followers “ignoble, despicable, contemptible men and women totally unfit for public office”. These were very strong words from one who had been a CPP Parliamentarian. The article and the sentiments expressed in it reflected the mood at the time

4.2.2.5.5 Both the *Standard* and the *Christian Messenger* also hailed the soldiers as “gallant men” and praised them for their declaration that the NLC had no intention of seeking political power.

4.2.2.5.6 When on 17th April, 1966, there was an abortive coup in which Lt Gen Kotoka, was killed, the papers came out to condemn it and the coup plotters, and gleefully announced that the two Army Officers, Lt Samuel Arthur and Lt Moses Yeboah, were to be executed by firing squad in public.

4.2.2.5.7 *Ghanaian Times* in particular was very effusive in its support for the NLC. When political discussions started on the form of government appropriate for the country, the paper urged the NLC in a editorial to “avoid rushing” into civilian rule, and wrote a series of editorials on the pros and cons of the return to civilian rule. The *Christian Messenger* was also in favour of the “delay the return to civilian rule” viewpoint.

4.2.2.5.8 The NLC Government lifted the ban against foreign journalists from operating in the country, outlawed the censoring order placed on outgoing press messages, and allowed the re-publication of banned papers such as *Ashanti Pioneer*. In this atmosphere of press freedom, new publications were established, such as the *Echo*, the *Legon Observer* and the *Western Tribune*. For the first time in the history of the country, the government set up the Ghana Press Council, as an independent body to protect press freedom, and to also protect the public from media harassment.

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4.2.2.5.9 However, contrary to the NLC's liberal policy towards the press, the regime passed the Prohibition of Rumours Decree, 1966 (NLC 92), and later, the National Liberation Council (Proclamation) (Amendment) (No. 2) Decree, 1966 (NLCD 104), both of which make it a crime to air any statement, even if true, that might cause "disaffection" against the NLC or the security forces; or that might bring the NLC into hatred, ridicule or contempt.

4.2.2.5.10 Subsequently, journalists suffered harassment and victimisation for various "offences", such as criticising the Abbot Laboratory (a US pharmaceutical company) Agreement with the NLC regime. This particular issue resulted in the dismissal of the Editors of the *Daily Graphic*, *Ghanaian Times*, *Evening News* and *Ashanti Pioneer*. This action of the NLC prompted a rare act of resistance to the NLC by the Commissioner for Information. He resigned his ministerial position, because he found the action by the NLC "irregular" and that it "jeopardises the freedom of the press to which the NLC had irrevocably committed itself".

4.2.2.5.11 There were other acts of victimisation of journalists which clearly belied the NLC's public stance of having a liberal policy towards the press, both local and foreign. These acts contributed to the docility of the press. It must be said, however, that the *Daily Graphic*, though a state-owned newspaper, stood its ground and consistently pointed out that they "will not be gagged". On the other hand, *Ghanaian Times*, which was established by President Nkrumah to propagate his party's ideology, over-played its support for the regime that overthrew its sponsor.

4.2.2.6.0 Professional Bodies (Other Than Legal)

4.2.2.6.1 Following the coup that overthrew President Nkrumah's government, a group of Ghanaian Senior Members of the University of Ghana formed the Legon Society on National Affairs (LSNA) that gave support to the NLC in its efforts at consolidating freedom and democracy in the country. The LSNA started a publication, the *Legon Observer* as its official mouthpiece.

4.2.2.6.2 The LSNA did criticise some NLC policies; for example, the *Legon Observer* published an article criticizing the "rough and ready" justice that was being meted out by military personnel in parts of the country. There was also the case when the editor of *Legon Observer* and LSNA members were charged with contempt before an Accra High Court for publishing an article entitled "Justice Delayed is Justice Denied" in its 8th December, 1967 issue, which criticised the courts for the delays in hearing cases.

4.2.2.6.3 However, the LSNA's strong opposition to the CPP compromised its ability to protest against the arrests, detentions, confiscation of properties and other human rights abuses meted out to CPP leaders and functionaries. These were seen as deserved punishment.

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4.2.2.6.4 Indeed, some of its members presented papers at the series of lectures under the theme “What Went Wrong” at which analyses of the oppressive misrule and mismanagement of the economy by the CPP Government were presented.

4.2.2.7.0 Student Movements

4.2.2.7.1 Like the rest of the country, students’ reaction to the overthrow of the CPP Government was generally one of relief, for the fear of PDA was real, as some of their leaders were in detention at the time. University students in Accra and Kumasi poured out on to the streets to demonstrate their support for the new government, while some members of the CPP Students Union disappeared from the campuses for a while for fear of molestation from their colleagues. Indeed, there were reports of such acts of molestation on students who were known or suspected to be informants for the CPP Government.

4.2.2.7.2 Student leaders who had been detained under PDA were released by the NLC, and like many other members of Ghanaian society, students felt that the detention and other human rights abuses meted out to CPP functionaries were deserved retribution, and therefore did not protest against them.

4.3.0 1st OCTOBER, 1969 – 12th JANUARY, 1972 : THE 2ND REPUBLIC

4.3.0.1 The Progress Party government of Dr. K.A. Busia was inaugurated on 1st October, 1969. Two incidents occurred during the rather short-lived 2nd Republic, which affected the rights of certain individuals in the country.

4.3.1.0 HUMAN RIGHTS ABUSES UNDER THE 2ND REPUBLIC

4.3.1.1 The first was the enforcement of the Aliens Act 1963, (Act 160). On 19th November 1969, the government issued an order giving all aliens, both African and non-African who did not have a valid residence documents, 14 days to leave the country, that is, up to 2nd December, 1969.

4.3.1.2 The implementation of the Aliens Compliance Order, as it was known, caused a lot of human suffering, as families, especially from the West African sub-region, that had resided in Ghana for three generations or more, had only 14 days to regularize their stay. These people had to sell their properties within a short time, and Ghanaians who bought such properties generally paid very little for them. There were reports of Ghanaians molesting aliens, to the extent that the government had to issue a warning to the public to desist from such acts.

4.3.1.3 The second incident was when, in 1970, 568 senior public servants were dismissed by the PP Government. The letter of dismissal accused the affected persons of

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lack of foresight, being corrupt and inefficient, but no procedure was put in place to establish their guilt or otherwise before effecting the dismissals.

4.3.2.0 REACTIONS TO THE PP GOVERNMENT

4.3.2.0.1 The Aliens Compliance Order generally had the support of Ghanaian citizenry, many of whom exploited the situation and bought properties from the departing aliens at ridiculous prices. There was no public outcry against the inadequacy of the 14 days given the aliens to regularize their stay from the organs of state or civil society groups.

4.3.2.1.0 The Judiciary And The Bar

4.3.2.1.1 One of the affected public servants who was affected by the mass dismissals, E.K. Sallah, challenged his dismissal in the High Court, and won the case against the government.

4.3.2.1.2 Disappointed by the decision, the Prime Minister, Dr. Busia, addressed the nation accusing them of “playing politics” and declared himself ready to take them on. The angry reaction of the government surprised many, for the PP government was regarded by many as one that respected the independence of the judiciary and the rule of law.

4.3.2.1.3 The Sallah case, however, showed that the Judiciary had come into its own as an independent and bold Judiciary, that was prepared to defend the rights of the citizenry.

4.3.2.2.0 Labour Movement

4.3.2.2.1 The PP Government of Dr. Busia believed in the free market approach based on private enterprise, quite contrary to the central-planning model of the CPP Government in which the TUC had actively participated. This led to an antagonistic relationship between the government and the TUC right from the beginning of the Second Republic.

4.3.2.2.2 In 1971, the government passed the Industrial Relations Act, 1971 (Act 383) which recognised the right of individual unions to exist independently of the TUC. The Act therefore ended the TUC’s position as the sole representative of workers in Ghana. The Act dissolved the TUC, liquidated it and provided for a Receiver to take charge of TUC property and distribute its assets to the unions that contributed to its funds. In addition the government encouraged the formation of a rival Organization the Confederation of Ghana Labour.

4.3.2.2.3 TUC leaders, who had become very powerful as a result of their close association with the CPP, suddenly realised that they had lost all their power and influence. Even the TUC building that was a gift to the Congress from the CPP Government was taken over by the PP Government to house the Department of Labour.

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During the short life of the PP Government therefore, the Labour Movement found itself struggling for survival.

4.3.2.2.4 It is not surprising therefore, that on the overthrow of the PP Government, the Labour Movement rejoiced over the downfall of its arch enemy, and gave support to the Military Government.

4.3.2.3.0 Chiefs

4.3.2.3.1 The main issues of controversy of the Busia Government, as has been noted earlier, were the implementation of the Aliens Compliance Order and the “Apollo 568”. There were no opposing views on these issues from the chiefs, even though the dismissal of 568 public servants must have affected some of their subjects.

4.3.2.3.2 The PP Government passed the Chieftaincy Act, 1971 (Act 370) which removed the recognition clause from the definition of “Who is a chief”. This insulated chiefs from having to court government support.

4.3.2.4.0 Religious Bodies**Muslim Religious Body**

4.3.2.4.1 The Busia Government assisted in the creation of the Supreme Council for Islamic Affairs in an effort to unite the Ghana Muslim Mission and the Ghana Muslim Community. The Council was meant to represent a united front for a better administration of the affairs of Muslims.

4.3.2.4.2 The implementation of the Aliens Compliance Order by the PP Government caused a great deal of suffering among many Muslim immigrants. However, there is no evidence that there were any protests from the Muslim community against the indignities that the expelled immigrants suffered.

Christian Religious Body

4.3.2.4.3 Professor Busia was known to be a practising Christian. He was also a lay preacher of the Methodist Church, and he therefore enjoyed the support of the Christian Churches. There is no evidence that the Christian Churches openly criticised his government on the implementation of the Aliens Compliance Order or over “Apollo 568”, when 568 senior public servants were dismissed.

4.3.2.5.0 The Media

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4.3.2.5.1 The PP Government, under Dr. K. A. Busia, was considered the most tolerant of the press. It repealed the newspaper-licensing law passed under President Nkrumah's administration, and made it possible for new newspapers such as the *Spokesman*, which was an opposition paper to the Busia administration, the *Palava Tribune* and the *Voice of the People* to be published.

4.3.2.5.2 In spite of this, the editor of the *Daily Graphic* was dismissed in the latter part of 1970, for criticizing Dr. Busia's foreign policy of engaging in dialogue rather than confrontation with the racist South African government. Again the editor of the *Spokesman* was arrested without warrant in 1970 and was charged for communicating a false statement. He had questioned the basis for some development projects in the home-town of Lt-Gen Afrifa, the Chairman of the Presidential Commission. The charges were later withdrawn. Again the editor of the *Spokesman* was prosecuted for libel in 1971 for an editorial that suggested that the High Court Judge who was the Interim Electoral Commissioner for the 1969 elections had been "rewarded" with appointment to the Supreme Court for assisting the winning Progress Party during the elections.

4.3.2.5.3 These incidents of victimisation of editors were very likely to cow some journalists into staying off issues that were likely to offend the government.

4.3.2.5.4 For a government that was perceived by many as pursuing a libertarian press policy, where anybody could publicly vent their opinions, the instances where editors were victimised for expressing opinions that were critical of the government, are a sad commentary on the lack of tolerance of dissenting views on the part of Ghanaian politicians.

4.3.2.6.0 Professional Bodies (Other Than Legal)

4.3.2.6.1 There is no evidence that the Professional Bodies commented on either the implementation of the Aliens Compliance Order, or the dismissal of 568 senior public servants by the PP Government.

4.3.2.7.0 Student Movements

4.3.2.7.1 The freedom that students enjoyed during the NLC regime manifested itself in student demonstrations on all sorts of issues that affected their welfare. These demonstrations were taking place in secondary schools and on university campuses. They tended to be violent and often led to the destruction of public property. So numerous were these student disturbances that Parliament had to set up a Parliamentary Committee on Student Unrest.

4.3.2.7.2 During the short life of the PP Government, NUGS had confrontation with the government on a number of issues. To start with, they called on the government to grant amnesty to ex-President Nkrumah and all those who had gone into exile since the

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overthrow of the CPP Government. This call infuriated the government, and the student's demand was described as "treacherous and treasonable".

4.3.2.7.3 On another occasion, NUGS gave an ultimatum to the political leaders to declare their assets. As a result, the President and Secretary of NUGS were made to appear before Parliament on a charge of contempt, and they had to render a formal apology to the House. This act of humiliation certainly did not endear the Busia Administration to the leadership of the student movement.

4.3.2.7.4 The PP Government introduced a loan scheme for university students to replace the full scholarship that each Ghanaian student was enjoying. This did not go down well with students who protested that the scheme was premature.

4.3.2.7.5 When the Government proposed dialogue with apartheid South Africa, rather than a total freeze in relations favoured by the Organization Of African Unity (OAU), the students strongly opposed it.

4.3.2.7.6 For all these reasons, the relationship between the PP Government and students was not very cordial during the Second Republic.

4.3.3.0 DEVALUATION OF THE CEDI

4.3.3.1 The PP government, under pressure from its development partners, especially the WorldBank and International Monetary Fund (IMF), devalued the Ghanaian currency, resulting in a rise in the prices of, especially, manufactured goods both imported and locally produced.

4.3.3.2 This was announced soon after Christmas, when most people had spent a lot of money over the Christmas period, and barely had enough money left to send their children back to school in January. It was a very unpopular decision, and it gave some people cause to rejoice when the government was overthrown.

4.4.0 13th JANUARY, 1972 – 3rd JUNE, 1979 : NRC/SMC I & II

4.4.0.1 On 13th January, 1972, the nation received the news of a coup d'état by Colonel Ignatius K. Acheampong, Commander of the First Infantry Brigade. A new government, the National Redemption Council (NRC), came into being with Col Acheampong as Chairman and Head of State. Public reaction to this coup was rather muted, unlike the euphoria that greeted the 1966 coup. Most people felt the coup was unnecessary, since with the multi-party system that was being operated at the time, it would have been possible to change the government through the ballot box.

4.4.1.0 HUMAN RIGHTS ABUSES AND OTHER ACTS THAT CAUSED DISAFFECTION TOWARDS THE NRC/SMC I & II

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4.4.1.1 In line with the practice established by the NLC, the NRC suspended the Constitution; proscribed all political parties; and caused the detention of government and party functionaries, thereby forcing some of them to go into exile in neighbouring countries.

4.4.1.2 Most of the government and party functionaries were required to appear before Commissions of Enquiry to defend the acquisition of their properties. Most of these properties, including those acquired before the individuals came into political office, were confiscated to the State. The NRC government called members of the PP government “nation wreckers” and thereby justified the decision to confiscate what the “nation wreckers” owned. Dr. Busia, who was outside the country at the time, had adverse findings made against him by the Commission of Enquiry, and his properties, including those of his nuclear and extended families, were confiscated to the State.

4.4.1.3 The NRC government began the practice of detaining civilians in guardrooms in Military installations. Civilians were subjected to Military drills when found to have misconducted themselves according to rules imposed by the Military. Thus, late-comers to work, loiterers, and commercial sex workers were subjected to military drills as a form of “discipline”

Price Control

4.4.1.4 The NRC launched a campaign to reduce prices of essential consumer goods, tagged “essential commodities”. This action led to the creation of artificial shortages of goods, as the traders who had goods hid them, in order to sell them at prices higher than those set down on the price control list. Consequently, a new crime of “hoarding” was created, as people, who were perceived to be keeping goods away from the open market, were targeted. The “hoarders” as well as those believed to be selling goods above the stipulated prices were designated as economic saboteurs. Economic sabotage became a serious crime against the State, and offenders were severely molested in swoops on markets by members of the security services, and the goods seized and sold off.

4.4.1.5 A chit system was developed for the release of goods from the factories and warehouses in order to ensure that only people with valid chits could obtain commodities, so as to protect the price control system. However, the system became so corrupted that chit-holders usually re-sold the goods or even the chits themselves at many times the controlled price, resulting in very high prices of goods to the eventual consumer. *Kalabule*, the term for corruption and profiteering from selling goods above official prices, became the order of the day, with its practitioners making inordinately high profits and becoming rich overnight.

4.4.1.6 The state of the economy and social life were so run down, and the cost of living so high that many of the nation’s academics and professionals left Ghana and became economic refugees in other countries. Some of those who remained used their cars as

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mini-cabs in the evenings and at week-ends in order to survive; to the detriment of their main occupation.

Union Government (Unigov)

4.4.1.7 As the national economy continued to deteriorate, civil society groups began to mount pressure on the government to return the country to a civilian constitutional administration. In the meantime, Col Acheampong, now General Acheampong, was Chairman of a new body, the Supreme Military Council (SMC), which had replaced the NRC.

4.4.1.8 As a result of pressure on the government to return the country to constitutional rule, Gen Acheampong in 1977, propounded the concept of Union Government (Unigov), which was to be a no-party government with representation from the Military, the Police and the civilian population. The Unigov concept was met with widespread disapproval. Any views that were contrary to the ones proposed by the government were not tolerated, and were met with violence.

4.4.1.9 A referendum on the Unigov concept was held on 30th March, 1978. Although it was clear that the concept had not won popular support, the state-owned media reported that Unigov had been accepted by 54 percent in favour and 46 percent against it. The official results declaring the majority acceptance of the Unigov concept were contested by members of general public, and the government responded by passing the Voluntary Associations (Prohibition) Decree, 1978 (SMCD 161), which banned all the civil society opposition groups. Some of the prominent members of these groups were arrested, and others went into exile in neighbouring countries. The government then set up a Constitutional Commission to draft a Constitution for Unigov.

4.4.1.10 Civil unrest against Unigov continued after the referendum, and by June, 1978, it was clear the government could not survive. Gen Acheampong's colleagues on the SMC managed to oust him, and Lt-Gen Frederick W.K. Akuffo became Chairman of the SMC, popularly referred to as SMC II. The new government eventually succumbed to popular demands and established a Constituent Assembly to draft a constitution for a return to civilian rule.

Currency Exchange

4.4.1.11 In March, 1979, the government decided to demonetise the currency, and thus mop up the excess liquidity in the system. The whole country was given three weeks within which to turn in all currency holdings outside the banking system, for issuance of fresh currency. This policy caused a great stampede at the banks, and personnel of the security services who had been detailed to keep order, used whips and sometimes live ammunition to keep order, and a number of people were either killed or wounded.

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4.4.1.12 The policy caused a great deal of hardship, for those who could not lay hands on any of the new notes could not buy food, as market women refused to accept the old notes. At the end of the three weeks, many people, especially rural dwellers, had become impoverished overnight, since all their money had become useless paper.

Indiscipline In The Ghana Armed Forces

4.4.1.13 Many Senior Military Officers were seconded to work in civilian establishments during the NRC/SMC I & II period. Such Officers acquired wealth and showed it off so blatantly that it engendered a great deal of resentment among the officers who did not get the opportunity to be seconded to civilian establishments, as well as among the Other Ranks who looked on as “prosperity to the Military” passed them by. As a result, discipline in the military suffered, and military personnel adopted a lukewarm attitude toward their profession.

4.4.1.14 The standard of discipline in the Ghana Armed Forces got to such a low point that a committee known as “Committee on the Problems of Indiscipline in the Armed Forces” had to be set up. The committee’s report had a long list of factors that had generated indiscipline in the Armed Forces, including poor “officer-man” relationship, and absence of leadership and good example.

4.4.1.15 The report also found that Gen Acheampong, as Head of State, had set the wrong moral tone by openly displaying opulence and a lifestyle of moral decadence, including buying VW Golf cars for the young girls that he associated with.

4.4.1.16 Other Senior Officers and their wives were accused of misusing the Other Ranks and military resources to further their own personal business interests, to the detriment of Military Discipline and code of ethics.

4.4.2.0 REACTIONS TO THE NRC/SMC**4.4.2.1.0 The Judiciary And The Bar**

4.4.2.1.1 After the overthrow of the PP government, the NRC abolished the Supreme Court. Three judges, Chief Justice Edmund L. Bannerman, Justices Koi Larbi and J.B. Siriboe were dismissed and deprived of all their terminal employment benefits. A new Chief Justice, Justice Samuel Azu Crabbe, was appointed. He was however removed by the SMC government, and Justice Fred K. Apaloo, the most senior Superior Court Judge, was appointed to the office of Chief Justice.

4.4.2.1.2 As had happened in the Nkrumah government, the courts continued to interpret laws according to the letter rather than the spirit of the law, and judges who stood up for the rights of the citizenry cut the image of opponents to the government.

The Military Tribunal

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4.4.2.1.3 The NRC passed a Decree that established Military Tribunals to try certain offences denoted as “subversion” under the Subversion Decree, 1972 (NRCD 90), the specified offences were triable by the Military Tribunal. This Military Tribunal had power, not only to try civilians, but also to impose death sentences. There was no right of appeal, and the courts had no supervisory jurisdiction over it.

4.4.2.1.4 It must be noted, however, that no death sentence was confirmed nor carried out under the NRC.

4.4.2.1.5 As had happened during the time of the NLC, lawyers helped in drafting the legal instruments that legitimized the seizure of power by the Military, as well as other decrees that prevented the general population from enjoying their fundamental human rights and freedoms. For example, under the Subversion Decree, 1972 (NRCD 90), the Military Tribunal was subject to the supervisory jurisdiction of the High Court. Some nine persons were convicted by the tribunal for conspiring to commit subversion and this was confirmed by the High Court. When two of them filed an appeal against the detention on 23rd July, 1973, the NRC passed the Subversion (Amendment) (No.2) Decree, 1973 (NRCD 91) on 24th July, amending the original Decree. This amendment ousted the jurisdiction of the courts to exercise supervision over the Military Tribunal.

4.4.2.1.6 Again, as had happened during the government of the NLC, the President of the GBA, E.N. Moore, became the Attorney-General of the NRC, thus limiting the Association’s capacity to be critical of the detentions and other human rights abuses suffered by functionaries of the ousted government.

4.4.2.1.7 It must be mentioned, however, that the GBA was very instrumental in getting the professional associations together to form the ARPB that organised public lectures and protests against the Unigov concept.

4.4.2.2.0 The Labour Movement

4.4.2.2.1 During the period of the NRC, the TUC enjoyed a very good relationship with the government. Soon after taking over power, the NRC promulgated the Industrial Relations (Amendment) Decree 1972 (NRCD 22) which repealed the Industrial Relations Act, 1971 (Act 383) and made it possible for the building and other assets of the TUC to be returned to it. Maritime and Dock workers who had been dismissed for going on strike were re-engaged.

4.4.2.2.2 When the NRC introduced a new distribution system for consumables that made the TUC a distributor of goods to workers, opposition to the NRC by the TUC became muted. Indeed, so warm was the relationship between the TUC and the government of the NRC that the TUC supported the Unigov concept at a time when most civil society groups were actively campaigning against it.

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4.4.2.2.3 The TUC therefore never protested against the detention of civilians in guardrooms, nor the military discipline that was visited on civilians who were found to have misconducted themselves.

4.4.2.3.0 Chiefs

4.4.2.3.1 In spite of the lukewarm attitude to the coup of 1972, the NRC soon won the support of the chiefs. To start with, there was the declaration of war on hunger with the NRC's Policy of "Operation Feed Yourself" (OFY). Many chiefs offered land for farming to ensure the success of OFY.

4.4.2.3.2 In order to win the support of the chiefs, Gen Acheampong promised the chiefs that the NRC government would not meddle in chieftaincy matters, and re-enacted in a Decree, the bulk of the substance of the 1971 Chieftaincy Act. Under the Decree, chiefs in the Traditional Councils, Regional Houses of Chiefs and the National House of Chiefs were given the statutory functions of the settlement of chieftaincy disputes with final appeals to the Court of Appeal; and to advise the Government on customary laws.

4.4.2.3.2 However, contrary to the NRC's policy of not meddling in Chieftaincy affairs, the chiefs of Akyem Kotoku, Wenchi and Yendi were all removed by the NRC, and there was no known protest from the Regional or National House of Chiefs.

4.4.2.3.3 When Gen Acheampong introduced his Unigov concept, many chiefs praised the concept as divinely inspired to cure the ills of partisan politics. On the whole, chiefs tended not to be critical of government policies or acts whether or not those policies or acts violated the rights and freedoms of the citizenry.

4.4.2.4.0 Religious Bodies**The Muslim Religious body**

4.4.2.4.1 NRC facilitated the formation of the Ghana Muslim Representative Council (GMRC), which became the mouthpiece of Muslims on national issues. The Council campaigned for the adoption of the Union Government concept, claiming that party politics had sown seeds of dissent among sections of the population, and that the Unigov concept was in line with the basic principles of Islam that all men are equal and united.

4.4.2.4.2 Having openly declared their support for Unigov, the Muslim groups were not in a position to criticise the human rights violations and abuses unleashed on the citizenry during the campaign for the referendum on Unigov.

4.4.2.5.0 The Christian Religious Bodies**The Orthodox Churches**

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4.4.2.5.1 The Christian Council of Ghana and the Catholic Bishops' Conference opposed Acheampong's Unigov, because they saw it as a ploy to perpetuate military rule in the country, and to deny citizens the right to choose who to govern them.

4.4.2.5.2 As wanton arrests and beatings of opponents of the Unigov concept persisted during the campaign for the referendum on Unigov, the two orthodox Christian bodies, wrote a joint pastoral letter to the government. They protested against the human rights violations and abuses, and, in particular, the severe beating of the Headmaster, the Assistant Headmaster and students of Opoku Ware Secondary School, Kumasi; the beating up of the students of Mfantsipim School, Cape Coast, the arbitrary arrest and detention of K. Addai-Mensah, National Secretary of the Ghana Bar Association; the use of the law-enforcement agencies to molest people; and the denial of freedom of speech and of association to civil society organisations such as the PMFJ, and to the general population.

4.4.2.5.3 Gen Acheampong brought Elizabeth Clare Prophet of the Summit Lighthouse of the Flame Fraternity of Southern California to Ghana to run a two-day seminar in which she expounded the Christian doctrine of the Trinity in terms of Unigov. She urged Ghanaians to accept Unigov because the Armed Forces represented God the Father, the Professional Bodies and the students represented God the Son, and the workers of Ghana as God the Holy Spirit. She even discovered a fourth person of the Trinity in the Mother of God, represented by the women of Ghana.

4.4.2.5.4 The orthodox Christian Churches issued a statement disagreeing vehemently with Clare Prophet, and boycotted all activities of the two-day seminar.

4.4.2.5.5 During this period, the Christian Council of Ghana and the Catholic Bishops' Conference mediated in the conflict situations between the Ghana Registered Nurses Association and the government, and also between the students and the government. They became the voice of the voiceless, pleading for the cause of political detainees because they felt the church had a duty to protect and defend the rights of every human being.

The Pentecostal Churches

4.4.2.5.6 Having failed to win the support of the orthodox churches for his Unigov concept, Gen Acheampong turned to the new Pentecostal Churches. He found ready allies in their leaders, such as Rev. Yeboah-Koree of the F'Eden Church, Rev. Dr. Blankson Amankwa of the Bethany Church, and Rev. Dr. K.O. Thompson of the Cherubim and Seraphim Church who all campaigned for Unigov from the pulpits and on radio and television.

4.4.2.5.7 The leaders of these Churches, after taking such a strong stand for Unigov, did not, or could not, protest the beatings, arrests and detentions that opponents of Unigov were subjected to.

VOLUME 2 CHAPTER 4**4.4.2.6.0 The Media**

4.4.2.6.1 The Acheampong NRC Government won media support for its “Operation Feed Yourself” and “Self Reliance” policies meant to improve food sufficiency and encourage reliance on home-made goods.

4.4.2.6.2 Soon after the military seized power from the Busia government, the *Ghanaian Times* wrote editorials cataloguing the misdeeds of the Busia government as justification for the coup. Headlines in the *Ghanaian Times* of Friday, 14th January, a day after the coup, gleefully pronounced, “Armed Forces take over Government”, “Busia Dismissed”, “Organisations support fall of Busia”, “Workers Back Coup”.

4.4.2.6.3 As had happened before, editors of the state-owned media were picked up and detained in the Ussher Fort Prison. Again, as had happened before, the state-owned newspapers reported the declarations of support for the coup-makers from Ghanaians from all walks of life. The *Daily Graphic* published pictures depicting popular support for the new regime.

4.4.2.6.4 When Gen Acheampong came up with his Unigov concept, the state-owned media played a major role in propagating the idea. Indeed the *Ghanaian Times* editor at the time, Kwame Gyewu-Kyem, spearheaded the government’s media campaign. Ghana Television also showed films of people walking backwards, people playing football backwards and so on to demonstrate the fact that party politics, which Unigov was meant to replace, would definitely be a move in the wrong direction. Indeed the press carried only arguments in favour of the Unigov concept and downplayed arguments against it. During the referendum the papers conveniently placed the “Yes” symbol on the front page, and the “No” symbol on the back page of the state-owned newspapers.

4.4.2.6.5 The *Ghanaians Times*, which was totally in support of Unigov had scathing editorials on the various professional groups whose umbrella organisation, the Association of Recognised Professional Bodies (ARPB), was spearheading the campaign against Unigov. The doctors at Korle-Bu were blamed for the deplorable state of the facilities of the hospital, and lawyers were accused of tax evasion, cheating of clients, etc. One such editorial ended by noting that “the wig and the gown don’t by themselves make a genius out of an idiot”.

4.4.2.6.6 For the most part, however, the relationship between journalists and the military regime of the NRC was one of a lack of respect for, and high-handedness towards, journalists. For example, a series of anti-media legislation were introduced that made for control of the media by the regime. The Defamation Decree, 1972 (NRCD 67) criminalised any anti-government publication. In July of the same year, the Control of Publication Decree (NRCD 89) banned the publication of *The Pioneer* and the *Echo*, two independent newspapers. Then there was the Newspaper Licensing Decree, (NRCD 161) which gave the Commissioner for Information authority to revoke the licence of any

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newspaper. In some cases, the government put pressure on printers to stop printing certain anti-government papers by starving the printing firms of import licence to buy newsprint. This is what happened to Liberty Press, printers of *Legon Observer*, so in 1974, that publication ceased because it could not find a willing printing firm. The *Evening News* also became a fortnightly paper for the same reason.

4.4.2.6.7 During this period, Gen Acheampong was known to have often invited journalists to his residence to be entertained lavishly and sent away home with drinks and cash presents. It is not surprising, therefore, that many of them went out of their way to actively campaign for his Unigov concept.

4.4.2.6.8 The media-government relationship during the NRC/SMC period makes very interesting study. To start with editors were dismissed or even detained, thus giving notice to the in-coming ones to toe the line prescribed by the regime. Such faithful editors and journalists were further co-opted by inducements of gifts and cash, and it is not surprising that some went overboard and used their columns not only to support the regime, but also intimidate and vilify the regime's opponents, such as the professionals, projecting them as enemies of the ordinary people, and therefore not deserving of public sympathy when they suffered human rights abuses.

4.4.2.7.0 Professional Bodies (Other than Legal)

4.4.2.7.1 The direct involvement of professional bodies in Ghanaian politics can be dated to this period, when the economy of the country showed signs of collapse as a result of the misrule and mismanagement by the military rulers. The return to civilian constitutional rule was the dominant objective. When in 1977 Gen Acheampong, in response to this pressure, announced his Unigov concept, about 12 professional associations came together to form the Association of Recognised Professional Bodies to put greater pressure on the government.

4.4.2.7.2 When appeals to the government to initiate moves to return the country to civilian rule failed, members of the ARPB embarked on a nationwide withdrawal of services in protest against an inefficient and corrupt government on Monday, 6th July, 1977, and they threatened that their services would remain withdrawn if the government did not step down. Gen Acheampong repealed the Professional Bodies Registration Decree 1973 (NRCD 143) and froze their assets and bank accounts under the Professional Bodies Registration (Repeal) Decree, 1977 (SMCD 103).

4.4.2.7.3 When on 12th October, 1977, an ARBP seminar on Unigov was disrupted by hired thugs who brutally assaulted the organisers and the audience, the SMC passed a decree, the Union Government (Proceedings) Decree 1977, (SMCD 139) to protect those involved in the assault.

4.4.2.7.4 On 9th July, 1977, armed soldiers stormed Korle-Bu Teaching Hospital and forcibly ejected doctors and their families from their homes resulting in serious injuries to

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some of them. Other members of the ARPB were harassed, and trailed, causing some of the leaders to go into hiding.

4.4.2.7.5 After receiving assurances from the government giving a guarantee of protection from molestation of any members of the ARPB, the members called off their strike and resumed work. Later the assets and bank accounts of the ARPB were defrozen.

4.4.2.7.6 Other eminent public figures in the country teamed up with the ARPB to form the People's Movement for Freedom and Justice (PFMJ), which continued the opposition to Unigov and also to Lt Gen Akuffo's concept of Transitional Interim National Government.

4.4.2.7.7 Eventually, the government gave in, and constituted a Constituent Assembly to draft a new Constitution for Ghana

4.4.2.8.0 Student Movement

4.4.2.8.1 Although public reaction to the Acheampong coup that ushered in the NRC was rather muted, the reaction of the student body was predictably enthusiastic, after the brushes with the Busia Administration on a number of issues. Col Acheampong's NRC promptly revoked the student loan scheme, cancelled the devaluation, and renounced Dialogue with South Africa. These were some of the issues that had been the source of the confrontations between students and the overthrown Busia Government.

4.4.2.8.1 The NRC's Operation Feed Yourself also won the support of students, and they volunteered their services in the construction of irrigation canals and other infrastructure to improve agriculture. The best known of these were the Dawhenya irrigation project canal for rice production, and the harvesting of sugarcane at Komenda to feed the sugar factory.

4.4.2.8.2 However, student support for Acheampong's Government began to wane when, by 1975, Senior Military Officers were beginning to exhibit an opulent lifestyle at a time when the economy was fast deteriorating. A student demonstration against the harsh economic conditions at the University of Ghana was violently suppressed by the police and a number of students sustained injuries. The government subsequently sent intelligence operatives on to university campuses to infiltrate the student movement; and as had happened during the CPP days, some students were also recruited to spy and report on their colleague-students.

4.4.2.8.3 Acheampong's Unigov concept did not find favour with students, and they called on the government to return the country to multi-party democracy.

4.4.2.8.4 The period 1975 to 1978 was characterised by student unrests, which were violently suppressed by the security forces, resulting in disruptions in the academic calendar of the universities. It was during one of such disruptions that students spent

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their time at home effectively campaigning in their communities against Unigov, during the referendum on that concept. Students have become a force in Ghana politics since that time.

4.5.0 4TH JUNE, 1979 – 23RD SEPTEMBER, 1979: AFRC

4.5.0.1 On 4th June 1979, there was yet another coup d'état that brought into power the Armed Forces Revolutionary Council (AFRC) under the chairmanship of Flight Lieutenant Jerry John Rawlings.

4.5.0.2 This coup was staged mainly by Other Ranks, and was a reflection of the breakdown of discipline in the Ghana Armed Forces that had surfaced during the NRC/SMC period. None of the few officers involved in the coup were above the field rank of Major. The Council was made up of six Officers, eight NCOs and one private soldier.

4.5.0.3 Members of the AFRC assured the nation that they had no political ambitions, but that they had come to do a “house-cleaning” exercise targeted at the Senior Military Officers whom they accused of corruption, immorality and other ills which they said had brought disgrace and loss of respect and credibility for the military in the eyes of the citizenry.

4.5.1.0 HUMAN RIGHTS VIOLATIONS UNDER THE AFRC**Human Rights Violations Against The Military**

4.5.1.1 Officers above the rank of Major or its equivalent were arrested, beaten up and detained in guardrooms. The AFRC proceeded to deal ruthlessly with the previous military rulers as well as those who had taken up civilian political appointments. On Saturday, 16th June 1979, Gen Acheampong and Maj-Gen Utuka, former Commander of the Border Guards, were executed by firing squad. Again on Tuesday, 26th June, six Senior Officers, including two former Heads of State, Gen Akuffo and Lt-Gen Afrifa, three members of the SMC, Maj-Gen Kotei, Air Vice-Marshal Boakye, Rear Admiral Amedume, and a former Commissioner for Foreign Affairs, Col Felli, were executed by firing squad. It became clear, from the evidence received by the Commission, that these eight officers were never tried, and therefore had no opportunity to defend themselves before their execution.

4.5.1.2 Protests against these public executions made the Chairman of the AFRC announce that there would be no more executions.

4.5.1.3 The senior officers who were still in guardrooms were put under the supervision of other ranks who shaved their heads, beat them up, put them through military drills and subjected them to many indignities. Those who had held political office were later put

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before the newly-established AFRC People's Courts (dubbed "kangaroo courts") and given ridiculously long terms of imprisonment after conviction.

Human Rights Violations Against Civilians

4.5.1.4 The AFRC extended their "house-cleaning" to the civilian population. Many top officials were dismissed arbitrarily and their assets confiscated to the State. Some were detained in military guardrooms and others in prisons, only to be told that they had been sentenced to various terms of imprisonment by the AFRC People's Courts. Many especially businessmen and women, were subjected to such brutalities that they did not survive the ordeal, or could never recover their good health thereafter. At this time, being wealthy became a serious crime, and all wealthy or successful people became targets of military aggression and victimisation.

4.5.1.5 The search for economic saboteurs for punishment that had started in the NRC/SMC time was vigorously pursued by the AFRC. Premises on which hoarded goods were found were demolished. Many stores as well as private dwelling houses were consequently demolished in different parts of the country.

4.5.1.6 Makola No.1 Market, the major trading centre in Accra was targeted for demolition to symbolise the destruction of *kalabule*, for it was seen as the citadel of everything connected with trade malpractices. On 9th June, soldiers went to the markets in Accra central, including Makola No. 1 Market, seized goods and sold them at controlled prices to the public. On 20th August, 1979, the market was demolished, and goods worth millions of cedis at the time were looted or destroyed by soldiers sent on that exercise. Evidence before the Commission indicated that civilians who attempted to enter the market or were found looting were shot and killed. Hundreds of traders lost all their stock and capital and had nowhere else to trade.

4.5.1.7 The AFRC soon lost control over the rank and file among the Armed Forces, and armed soldiers went on a rampage. They seized goods from shops, sold some at ridiculously low prices, and took some for their personal use. Traders and others suspected of having committed various offences were subjected to degrading, inhuman treatment. Some were caned on their bare backs in public, and some women were even stripped naked before being caned. There was total breakdown of law and order making it possible for arbitrary arrests, beatings, abductions, killings, detentions, and seizure of money and personal property to be carried out by soldiers with impunity.

4.5.1.7 The AFRC ruled for 112 days before handing over power to an elected civilian government, President Limann's Administration. The level of violence that was inflicted on both the military and the civilian population in those 112 days was unprecedented, and left a permanent fear and mistrust of soldiers on the part of the civilian population.

4.5.2.0 REACTIONS TO THE AFRC

VOLUME 2 CHAPTER 4**4.5.2.1.0 The Judiciary And The Bar**

4.5.2.1.1 The AFRC set up “People’s Courts” to deal with crimes such as hoarding, profiteering, trade malpractices and economic sabotage. These courts sat in secret with the panel of “judges” behind screens. The accused persons had no legal representation and no right of appeal. The courts had authority to sentence an accused person to any form of penalty or any length of imprisonment. The trials were conducted under torture, and often lasted a few minutes only.

4.5.2.1.2 Individual lawyers actively participated in the work of the AFRC Regime, by assisting the government in drafting several harsh legislation during the short life of that regime. Indeed, the President of the GBA, W. Adumoah-Bossman, joined the AFRC and became a panel member of AFRC Special Tribunal that was established to continue the “revolutionary justice” begun under the regime, after the handing over of power to the civilian administration of President Limann.

4.5.2.1.3 With the President of GBA so closely associated with the abuses perpetrated by the AFRC, the GBA was not known to have protested against the human rights violations and abuses suffered under the AFRC. Subsequently, W. Adumoah-Bossman was ousted from office later that year largely on account of his participation in the work of the AFRC.

4.5.2.2.0 Labour Movement

4.5.2.2.1 After the very cordial relationship that had existed between the NRC and the TUC, the TUC was slow in reacting to the new AFRC Government. Some individual unions, however, took to the streets to demonstrate their support for the AFRC. The first was the Teachers’ and Educational Workers’-Union, (TEWU). Workers of the Railway Corporation also demonstrated in favour of the AFRC in Sekondi and Takoradi. Some of their placards read, “*Kalabule* Stars versus Revolutionary Stars at the Firing Range”, a clear indication of support for the execution of the Senior Army Officers.

4.5.2.2.2 Indeed, the rather lukewarm attitude of the TUC leadership to the AFRC, caused Pilot Officer Richard Forjoe, the AFRC liaison officer in charge of students and youth affairs, to complain that “the reaction from the workers in support of June 4 revolution was unappreciative”.³ It would appear that this observation of Pilot Officer Forjoe characterised the relationship between the TUC and the AFRC until the handing over to the Limann Administration on 24th September, 1979.

4.5.2.3.0 Chiefs

4.5.2.3.1 In general, chiefs declared their support for the AFRC and asked the government to extend the “house-cleaning” exercise to all manner of people.

³ *Ghanaian Times*, Thursday, 9th August, 1979, back page.

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4.5.2.3.2 When, as a result of the price control enforcement, farmers and market women refused to sell food in the urban centres, chiefs stepped in to encourage their subjects to take their wares to the urban centres and sell them at controlled prices.

4.5.2.3.3 The chiefs failed to say anything about the execution of the Senior Military Officers and the atrocities meted out to their subjects by the AFRC Regime, such as the public caning of traders, especially women, arbitrary dismissals and seizure of property.

4.5.2.4.0 Religious Bodies**The Muslim Religious Body**

4.5.2.4.1 The violence that the AFRC Regime and individual soldiers unleashed on the citizenry, did not elicit official condemnation from the GMRC. Under the leadership of Alhaji Dauda, the Council commended the AFRC's decision to dispatch those found guilty by the revolutionary courts.⁴

4.5.2.4.2 However, when soldiers seized many bags of grains belonging to the Ahmadiyya Muslim Mission in Wa meant for the poor in the area,⁵ the Ahmadiyya group protested against the arbitrary seizure of property of which it had fallen victim.

The Christian Churches

4.5.2.4.3 Some Christian religious leaders pledged open support for the "house-cleaning" exercise by the AFRC government, and even called for its extension to other social sectors.

4.5.2.4.4 The Christian Council, and the Catholic Bishops' Conference expressed the hope that the AFRC would not resort to unreasonable force in the execution of the "house cleaning" exercise. Individual Church leaders protested against the arbitrary killings and seizure of property that took place, affirming that each Ghanaian had the right to security of life and legitimate prosperity. However, after the second batch of Senior Military Officers were executed, the Christian Council and the Catholic Bishops' Conference merely expressed the hope that the AFRC's "house-cleaning" exercise would be pursued without recourse to acts of vengeance and violence.

4.5.2.4.5 In general the Christian Religious Bodies protested against atrocities such as the execution of the Senior Military Officers, public flogging of people, some of whom had been stripped naked and the seizure and destruction of people's properties.

⁴ *Ghanaian Times*, Monday 2nd July, 1979 p.1.

⁵ *Ghanaian Times*, Monday 13th August, 1979 p.1.

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4.5.2.4.6 However, there was no such protest against the operations of the “Peoples’ Courts” that tried people in secret and awarded long prison sentences.

4.5.2.5.0 Media

4.5.2.5.1 Reports from the newspapers indicated that the announcement of the takeover of government by the AFRC was not met with the demonstrations of support from the general public. Indeed, the coup-makers were not hailed as “gallant men”, neither was the revolution a “glorious” one. This time it was “a people’s revolution”, and an “exercise”, in clear reference to the declared intention of the coup-makers that they were there to do a “house-cleaning” exercise to rid the military of undesirable elements.

4.5.2.5.2 As had happened with each change of government, the *Ghanaian Times* in particular, started publishing editorials and articles that sought to vilify and de-legitimise the previous government that it had so aggressively defended in the past.

4.5.2.5.3 After the execution of Acheampong and Utuka, the *Daily Graphic* described it as “A lesson to all Ghanaians”, adding that “there cannot be a better anti-coup elixir than what has began to unfold before our very eyes.”⁶ *Ghanaian Times* on its part urged the new government to begin the house-cleaning from 1966, when the first coup occurred.⁷ Before the executions, *Ghanaian Times* showed pictures of the Teslie Firing Range and another at Sunyani being prepared for those to be executed.⁸ Even both the *Christian Messenger* and the *Standard* supported the executions.

4.5.2.5.4 During this period, the newspapers gleefully endorsed and gave vivid accounts of the gross human rights abuses that occurred. Apart from the executions, there were the public flogging, especially, of market women, some stripped naked, as well as contractors and other people accused of *kalabule*. Some of these reports were accompanied by pictures.

4.5.2.5.5 Special mention must be made of the bold stand of state-media journalists like Elizabeth Ohene and Adjoa Yeboah-Afari who, respectively, wrote editorials and articles condemning the executions and the other human rights abuses.

4.5.2.6.0 Professional Bodies (Other than Legal)

4.5.2.6.1 When the AFRC took over power on 4th June, 1979, the process for returning the country to civilian constitutional rule had already begun. The country’s politicians and members of the ARPB and PMFJ, who had so actively campaigned against the SMC’s Unigov concept, were very relieved when the AFRC assured the nation that they would honour the arrangements already put in place for a return to constitutional rule.

⁶ *Daily Graphic*, Monday, 18th June, 1979.

⁷ *Ghanaian Times*, Friday, 8th June, 1979: Editorial, “The House cleaning”

⁸ *Ghanaian Times*, Tuesday, 12th June, 1979: “Site ready for firing squad”.

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Consequently, there were no protests from these groups against the execution of the eight Senior Military Officers without trial, nor the many atrocities committed against the citizenry in the name of the “house-cleaning” exercise that the AFRC announced was its objective in seizing power. Even when the leaders of political parties met the AFRC, the main concern was to secure an assurance from the AFRC that they would continue with the transitional programme of return to democratic rule. Nothing was said about the executions, the seizure of assets, the demolition of houses, the public flogging of traders and other human rights violations meted out to people suspected of economic sabotage.

4.5.2.6 2 Considering the extent of the atrocities that took place during the short life of the AFRC, the absence of public condemnation of these atrocities, and therefore quiet acceptance of such human rights abuses, was a clear indication of the general lack awareness or concern about human rights among even the elite of the society - a clear illustration of the absence of a human rights culture in Ghanaian society.

4.5.2.7.0 Student Movements

4.5.2.7.1 Students’ initial reaction to the 4th June coup that brought the AFRC into being was rather cautious. Soon they became attracted by the youthfulness of the AFRC members, and they gave their full support to the AFRC’s “house-cleaning” exercise, because, like most Ghanaians, the students blamed the leaders of the previous NRC/SMC Governments, especially Gen Acheampong and his cronies for the obvious corruption and the decadence that had characterised the previous regimes.

4.5.2.7.2 It was not surprising, therefore, that students, especially in Tertiary institutions, were very loud in the call for “Let the blood flow” after the execution of Gen Acheampong and Lt-Gen Utuka. They felt the “house-cleaning” should not stop with the military, but should be extended to the civilian population. Some of the placards they carried in their demonstrations were “Workers, expose your bosses”, and “Firing squad for nation wreckers”

4.5.2.7.3 When under pressure from both international and local organisations, the PNDC stopped the executions, the students went on a demonstration attacking the Ghana Bar Association and the Acting Editor of the *Daily Graphic* in particular for being critical of the executions. One placard read, “Bar Association, to Hell with you”, while others called on the PNDC to continue with the executions, and not to relent on the national “house-cleaning”. The students then marched to the offices of the *Daily Graphic* and wrote graffiti on the walls declaring the Acting Editor an enemy of the revolution.

4.5.2.7.4 Students of the University of Cape Coast offered to take two weeks off their academic studies to go to the hinterland to spread the message of the revolution.

4.5.2.7.5 Some students even joined the Boarder Guards to check smuggling and hoarding, and to sell confiscated goods at controlled prices to the public.

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4.5.2.7.6 Considering the youthful fervour with which the students supported and encouraged the AFRC in their “house-cleaning” exercise, it would appear that they did not, or could not appreciate the seriousness of the grievous human rights violations and abuses that the AFRC meted out on the Ghanaian population.

4.6 0 24th SEPTEMBER 1979 – 30th DECEMBER, 1981 THE 3rd REPUBLIC**4.6.1.0 HUMAN RIGHTS VIOLATIONS UNDER THE 3rd REPUBLIC****Vigilante Groups**

4.6.1.1 President Limann’s term of office, coming immediately after the AFRC Regime, during which goods in shops and wholesale outlets had been sold out at very low prices, was faced with overwhelming problems. With regard to consumer goods, there was the problem of scarcity, resulting from the opening of warehouses and the flooding of the market with goods during the AFRC era. There was also the problem of pricing of goods, as a civilian administration could not impose the level of price reductions that had been possible with the power of the gun under the AFRC.

4.6.1.2 The Limann Administration, faced with the threat of a return to *kalabule* trade malpractices, formed “Vigilante Committees” to oversee the supply and distribution of goods, to prevent the creation of scarcities on the market. They ended up as perpetrators of human rights abuses on traders and wholesalers.

4.6.1.3 It soon became evident that the members of the Vigilante Committees were subjecting those who were suspected to be indulging in trade malpractices to unnecessary harassment and outright cheating. Politicians and ordinary Ghanaians called on President Limann to disband them, but this did not happen until the Limann Government was overthrown in the 31st December, 1981 coup d’état.

4.6.2.0 REACTIONS TO THE PNP GOVERNMENT**4.6.2.1.0 The Judiciary And The Bar**

4.6.2.1.1 Under the 1979 Constitution, the Supreme Court, which had been abolished by the NRC, was restored. However, as had happened in previous regimes, the Limann Government sought to remove the sitting Chief Justice, Justice Fred K. Apaloo. This was challenged in court, and the Supreme Court ruled that the government had no power to remove the sitting Chief Justice. The government accepted the decision.

AFRC Convicts And The Courts

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4.6.2.1.2 Soon after the return to civilian rule, many of the AFRC convicts challenged the bases of their conviction in the High Court. Some alleged that they were never tried, and that it was on radio that they first heard that they had been sentenced to various terms of imprisonment. The first three of such convicts were granted bail by the High Court the reason being that there was no evidence that the three had ever been tried. The government became nervous and the Attorney-General held a press conference to condemn the decision of the High Court.

4.6.2.1.3 An Appeal Court that was subsequently convened revoked the bail, on the grounds that a review by the regular courts of matters concerning AFRC An convicts contravened sections of the Transitional Provisions of the 1979 Constitution. By this time the convicts had fled the country. This created a very uneasy relationship between the government and the courts.

4.6.2.1.4 The several applications for habeas corpus continued to be filed by the “AFRC Convicts” and the courts continued to handle them. The disagreement between the government and the courts over the issue was not resolved until the overthrow of the Limann Government.

4.6.2.2.0 Labour Movement

4.6.2.2.1 When the ban on party-political activity was lifted during the SMC era, the TUC formed the Social Democratic Front, (SDF) to contest in the 1979 elections. SDF lost very badly, even in worker-concentrated areas like Tema.

4.6.2.2.2 The PNP Government therefore looked on the TUC with suspicion, especially as the short period of the Limann Administration was characterised by numerous instances of industrial unrest, as workers pressed for better salaries and better conditions of service. These strikes were mainly due to the acute economic decline that the PNP Government inherited from the AFRC, as a result of the widespread forced sale of goods that had emptied shops and warehouses.

4.6.2.2.3 There was also the case of the Ghana Industrial Holding Corporation (GIHOC) workers’ invasion of Parliament House, which resulted in the dismissal of the workers. The demonstration was led by Joachim Amartey Kwei, the Divisional Secretary of ICU at GIHOC. The dismissal letters were signed by the Personnel Manager of GIHOC, Maj Sam Acquah (Rtd), who was later abducted and murdered on 30th June, 1982, with three High Court Judges.

4.6.2.2.4 In spite of the numerous strikes, the relationship between the Limann Administration was and the TUC generally good, especially as the minimum wage rose from ₵4.00 to ₵12.00.

4.6.2.3.0 Chiefs

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4.6.2.3.1 The Constitution of the 3rd Republic guaranteed the institution of Chieftaincy, as it existed in customary law. Moreover, Article 205 (6) entrenched the clause by providing that it could not be amended except by a referendum. This removed the power of governments as interfere in chieftaincy affairs, and thus guaranteed them a certain level of security of tenure that had not been possible in previous regimes.

4.6.2.3.2 There is no evidence of any comment or reaction from chiefs to the Limann Administration's disprement with the Judiciary over the review of cases involving 'AFRC Convicts', or about the activities of the vigilante groups.

4.6.2.4.3 The same is true of the **Religious Bodies**.

4.6.2.5.0 The Media

4.6.2.5.1 Under President Limann, the media experienced a period of freedom. The government established the Press Commission, which had been provided for in the 1979 Constitution, to ensure press freedom.

4.6.2.5.2 When the government appointed three senior journalists as editors for the *Daily Graphic*, the *Mirror* and the *Ghanaian Times* before the inauguration of the Press Commission, the Acting Editor of the *Daily Graphic* was confirmed as editor. The Acting Editor opposed this action of the President, since the appointment of editors was the prerogative of the Press Commission. The government, however, went ahead with the appointments, and the matter was dragged into court. The government eventually withdrew the appointments.

4.6.2.5.3 This particular incident reflected the level of freedom that journalists had, and the maturity of the government in respecting the decision of the Supreme Court.

4.6.2.5.4 On the whole, the performance of the media was balanced – no excessive adulation, and not much vilification. A major problem that faced the government was over the disbursement of a loan of one million dollars (\$1,000,000) secured by the PNP from Dr. Marino Chiavelli, an Italian, ostensibly to resettle AFRC members and associates. There were allegations of misappropriation of the funds, resulting in a PNP member suing his party over the disbursement of the loan.

4.6.2.5.5 The scandal surrounding the disbursement of the Chiavelli loan was, on the whole, given a relatively objective reportage. However, the prominence that was given to the Chiavelli loan in the media was partly to blame for the public perception that President Limann was not in control of his party, and the scandals that clouded the PNP's public image.

4.6.2.6.0 Professional Bodies (other than Legal)

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4.6.2.6.1 There is no evidence that the Professional Bodies, either as individual Associations or as ARPB supported or criticised any action of the Limann Administration.

4.6.2.7.0 Student Movements

4.6.2.7.1 After the return to civilian rule, students were clearly skeptical about the civilian administration's capacity to continue with the "house-cleaning" exercise as the outgoing Chairman Rawlings had asked the in-coming government to do at the hand-over ceremony.

4.6.2.7.1 During the Limann Administration, the Intelligence Personnel of the security agencies kept trailing Flt Lt Rawlings and Capt Kojo Tsikata (Rtd) even to the University of Ghana campus. They were suspected of plotting a coup. The presence of the Intelligence Personnel on the university campus created a feeling of insecurity among students, and they eventually demonstrated against it, and sent a protest note to the government about the trailing of the two gentlemen.

4.7.0 31ST DECEMBER 1981 – 6TH JANUARY 1993: PNDC

4.7.0.1 The civilian government of President Limann was overthrown in yet another coup d'état on 31st December, 1981, and replaced by the Provisional National Defence Council (PNDC) under the chairmanship of Flt Lt J.J. Rawlings.

4.7.1.0 HUMAN RIGHTS VIOLATIONS UNDER THE PNDC

4.7.1.1 As with previous military seizures of power, the Constitution was suspended; Parliament was dissolved; members of the government were dismissed; and all political parties were banned. Members of Parliament, including those of the minority parties, the PNP leadership and its functionaries were ordered to report to the nearest police station, and were subsequently detained. As usual, some of these persons fled into exile rather than suffer humiliation in detention.

4.7.1.2 The Military Intelligence (MI) Directorate was targeted for punishment on account of the unit's surveillance and other intelligence activities against the coup-plotters. MI personnel including some on retirement, were arrested, brutalised and detained. Even those who were on UNIFIL duties in Lebanon were arrested at the Airport on their return to Ghana from operations, tortured and detained. The unit was eventually disbanded, and most of the staff either dismissed or released from service with retrospective effect from 31st December, 1981.

4.7.1.3 The PNDC polarised Ghanaian society into "Citizens" – the professionals and the relatively well-off – and "People" – the working classes, very junior officers, and the

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unemployed. The “citizens” were presumed to be corrupt, and many were put before the National Investigations Committee (NIC) and Citizens Vetting Committee (CVC) to explain how they came by their wealth. Soldiers were positioned behind such persons undergoing interrogation, and administered slaps, beatings and military drills, often under orders from civilian personnel.

4.7.1.4 The “People” were organised into Workers’ or People’s Defence Committees (WDCs/ PDCs) at the workplace and in residential communities respectively. They operated “People’s Shops” at workplaces and in residential areas. Many who received goods at controlled prices for sale in the “People’s Shops” sold some of their allocation at *kalabule* prices to market women, thus making illegal profit. Soldiers who went to the markets for price control checks, subjected market women, who were accused of selling above the controlled prices to flogging and other acts of humiliation.

4.7.1.5 Some soldiers also harassed people and seized goods of civilians not only at the markets and shops but also at arbitrarily set-up road barriers, at the Airport, harbours and other points of entry. Some of them, on their own initiative, seized private cars, ostensibly for “operations”, and crashed them or returned them in a state only fit to be disposed of as scrap. Some individuals who resisted such seizure of private cars were shot dead, and those who survived, were seriously maimed. All these and other acts of human rights violations and abuses were carried out in the name of the revolution.

The Lord Is My Shepherd Church

4.7.1.6 On 7th February, 1982, members of “The-Lord-is-My-Shepherd” Church in Kumasi, led by Odiyifo Asare, beat up and caused the death of an Army Medical Officer, Maj Joe Darko who had attacked them while they were at worship.

4.7.1.7 When the news reached the soldiers at the barracks, they went on a rampage. They burnt and destroyed everything in the church, and went round burning the homes of members of the Church. They set up roadblocks at all exit points out of Kumasi, and Church members who were identified on the vehicles that had been stopped, were taken to 2 Brigade and 4 Bn, beaten up, tortured and detained. A policewoman, Joanna Essien, a member of the Church, who had been injured by a bullet from Maj Darko’s gun was traced to Okomfo Anokye Teaching Hospital, where she had undergone surgery. She was shot dead in her hospital bed.

4.7.1.8 Odiyifo Asare, who had gone into hiding, surrendered to the Police on 9th February. He was handed over to the soldiers, who shot him dead and burnt his body at Kejetia in the centre of Kumasi.

The Burning Of Tamale Central Market

4.7.1.9 On the morning of 8th February, 1982, Tamale Central Market was set on fire by soldiers. They had positioned themselves at the gates and were firing indiscriminately,

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preventing traders from entering the market. Evidence before the Commission indicated that soldiers poured petrol on, and set ablaze those sections that had not been touched by the fire any time traders pleaded with the soldiers to permit them salvage some of their goods. There was also evidence before the Commission that some of the stalls had been looted before being set on fire. The traders lost their goods and their capital, and some became paupers overnight.

The Abduction And Murder Of Four Eminent Citizens

4.7.1.10 On 30th June, 1982, three High Court Judges and a retired Army Officer, namely Mrs. Justice Cecilia Korangteng-Addow, Mr. Justice Fred Poku Sarkodee, Mr. Justice Kwadwo Agyei Agyepong and Maj Sam Acquah, the Group Personnel Manager of the Ghana Industrial Holding Corporation (GIHOC) were abducted from their homes during curfew hours. They were driven to the military range at Bundase in the eastern Accra Plains, some 50 kilometres from Accra, killed and their bodies set on fire. A rainstorm that night prevented the bodies from being burnt beyond recognition.

4.7.1.11 The PNDC completely denied any involvement in what had happened, even though one of the persons implicated in the abduction and murder, Amartey-Kwei, was a member of the PNDC. Those who undertook the abduction and murder were later identified as L/Cpl S.K. Amedeka, L/Cpl Michael Senyah, Tony Tekpor and Johnny Dzandu. These were tried with Amartey-Kwei, found guilty and sentenced to death by firing squad. Amartey-Kwei, Tekpor, Senyah and Dzandu were executed by firing squad, but Amedeka escaped from prison.

4.7.1.12 At the end of July, 1982, the ARPB published a list of over two 200 names of persons who had been murdered by soldiers since 31st December, 1981, and in which no prosecution had taken place or seemed likely to take place.⁹ This did not include those murdered by soldiers and pushed into the disused shaft of the ABA mines at Aboso, near Tarkwa, and other places in the country. So many executions took place at the Airforce Station that it earned the name “Slaughter House”

4.7.1.13 During the life of the PNDC Regime, there were various unsuccessful coup attempts. When arrested those implicated were tried, sometimes in camera, at the Public Tribunals or were interrogated briefly and executed.

4.7.1.14 Other human rights violations and abuses were inflicted on the citizenry by the two Commando Units the PNDC established within the Military and the Police. These young men were given special training in Cuba and Asutsuare, Ghana. Evidence before the Commission indicated that the worst cases of torture inflicted on those arrested for subversion and other crimes were done by these commandos. They had the power to collect such people from BNI cells and from the prisons at night, and put them through severe physical and mental torture including mock execution. Although they were

⁹ Kevin Shillington *Ghana and the Rawlings Factor*, MACMILLAN, London and Basingstoke, 1992, p.90

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officially units within the military and the police, in practice, they were not answerable to the military hierarchy or the IGP.

4.7.1.15 There was also the People's Militia, made up of young men who were given training in the handling of arms, as part of the policy of "democratisation of violence". They were assigned various tasks such as checking smuggling at the borders, and checking whether customs duties had been duly paid. They were not paid a salary. Evidence before the Commission indicated that many fatal shooting incidents were attributable to the operations of militiamen.

Retirement And Summary Dismissals

4.7.1.16 Apart from the killings, abductions, torture and other forms of violent abuse of people's rights, one form of human rights abuse that affected large numbers of people were premature retirement and dismissals of personnel in the public service and in the security services – Military, Police as well as the Prisons Service.

4.7.1.17 For the Police Service, there was the Police Service (Amendment) Law, 1988 (PNDCL 194A), which not only gave the PNDC the power to dismiss officers, but also debarred such officers taking the matter up in the courts.

4.7.1.18 Military Officers were retired without notification of "Intended Release" which would have given them the right to respond to and accept the reasons for their release. Other Ranks were summarily discharged without being informed of the reasons for their discharge.

4.7.1.19 On 28th December, 1982 over 200 Post and Telecommunications staff were dismissed through a radio announcement, confirmed in a publication in the newspapers the following day. All these people had no right of appeal.

4.7.2.0 REACTIONS TO THE PNDC**4.7.2.1.0 The Judiciary And The Bar**

4.7.2.1.1 One of the first institutions to be attacked by the PNDC government was the Judicial System. The regular courts were accused of being corrupt; biased in favour of the rich and their work characterised by undue delays. The persistent negative publicity in the media helped to create an atmosphere of hostility to the courts.

4.7.2.1.2 As mentioned earlier, on 30th June, three High Court Judges and a retired Army Officer were abducted from their homes and murdered. These judges had been involved in reviewing cases of AFRC convicts, and their murder suggested that they had been picked on because of their review of the cases of AFRC convicts contrary to the Transitional Provisions in the 1979 Constitution.

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4.7.2.1.3 The effects of these murders on the Judiciary were far-reaching. Most judges became apprehensive and felt threatened, as rumours persisted of the existence of a list of persons to be assassinated. Some fled the country, and those already outside did not return. Some cases were never heard because the judges feared for their lives. Even the commemorative events of the murder that were organized by the GBA were, for some years, studiously avoided by most members of the Judiciary, including the Chief Justice of the time.

4.7.2.1.4 On Tuesday, June 1983, a mob attacked the Supreme Court buildings after a workers' demonstration. Judges had to flee for their lives, and courts situated in the Supreme Court buildings did not function for a few days.

4.7.2.1.5 In 1986, the government passed PNDC (Establishment) Proclamation (Supplementary and Consequential Provisions) (Amendment) Law 1986 (PNDC L 145) and summarily dismissed 17 judges and one magistrate without reference to the Chief Justice or the Judicial Council.

4.7.2.1.6 At the same time, it promoted other judges to the Superior Courts, thereby disabling the Judiciary from complaining of victimization and criticizing the modalities adopted for the dismissals.

4.7.2.1.7 Soon after taking over power, the PNDC enacted the Public Tribunals Law, 1982 (PNDC L 24) establishing the Public Tribunals. These were to co-exist with the regular courts to try criminal cases with dispatch, as against the regular courts, which were characterized by undue delays. They were not obliged to observe the regular rules of evidence and criminal procedure. Originally cases tried by them were not subject to appeal, but this was changed in 1984.

4.7.2.1.8 It can be seen from the above, that the Judiciary came under attack and severe criticism during the PNDC era. The persistent criticisms in the media, the attack on the Supreme Court buildings, the summary dismissal of some judges and, worst of all the murder of the three High Court Judges were more than enough to make judges fear for their lives and therefore unable to openly protest against themselves and against the rest of the population. Moreover, the PNDC's the extension of Justice E.N.P.Sowah's appointment as Chief Justice after he had reached the compulsory retiring age in 1986, the appointment of Justice Philip Archer as Chief Justice in 1991 after he had retired, had the effect of undermining the independence of the head of the judiciary.

4.7.2.1.9 The PNDC seized power on 31st December 1981, and in January, 1982, the GBA called on the new government to hand over to a National Government. Every year, the GBA adopted resolutions at the Annual Conferences, which called upon the PNDC to make arrangements to hand over power to a democratically-elected government. They also passed resolutions calling on the PNDC to either bring all detainees to trial or release them, and end all arbitrary arrests and detentions. Resolutions passed in 1984 criticized the PNDC's control of the media, and demanded that there should be free dissemination

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of information, and free expression of opinion. That resolution also called on the PNDC to lift the curfew that had been in place since 31st December, 1981.

4.7.2.1.10 When the Public Tribunals were established, the GBA expressed its opposition to them. The reasons were among others the fact that the panel was made up of only one lawyer and two or more persons; that the votes of the lay panel members and that of the lawyer had equal weight in deciding the fate of an accused; tried by the tribunals did not have the right to appeal. The GBA therefore refused to appear before the public tribunals. Some of the members, however, defied the ban and practised law before the tribunals. The tribunals often passed unreasonably long terms of imprisonment, thus contributing to the human rights violations and abuses of those who were tried by them.

4.7.2.1.11 Following the murder of the Judges, the GBA decided to honour their memory, by instituting the “Martyrs’ Day” programme that originally consisted only of a memorial service, and the recounting of the incident under the title “Lest we forget”. This determination of the GBA not to let the event be forgotten brought it into conflict with the government. In both 1986 and 1989, the leadership of the GBA were arrested, detained, subjected to ill-treatment, and released without charge.

4.7.2.1.12 Some individual lawyers, offered free legal services to detainees and other persons suffering human rights abuses under the PNDC, at great risk to themselves.

4.7.2.2.0 Labour Movement

4.7.2.2.1 The TUC came under attack from its own members, including the Public Utilities Workers’ Union (PUWU) and the Teachers’ and Educational Workers’ Union (TEWU). As early in the PNDC days as 7th January, 1982, a group of workers calling itself “workers solidarity front” attacked and seized the headquarters of the TUC. It was closed down and sealed off for nearly a week. Soon after Alhaji Issifu Ali, TUC Secretary-General, left the country and went into exile.

4.7.2.2.2 Again on 29th April, 1982 workers stormed the TUC headquarters and sacked the leadership. An Interim Management Committee (IMC) was formed with E.K. Aboagye as Chairman to run the affairs of the TUC. Some of the “dismissed” leaders fled the country, and those who remained were detained for about two weeks, released and told that they had been dismissed.

4.7.2.2.3 The ILO protested the appointment of the IMC insisting that workers should elect their own leadership. Eventually, at the TUC conference in October 1983, the National Unions elected August K. Yankey as their Secretary-General.

4.7.2.2.4 In their fight for workers’ rights, the TUC had confrontations with the PNDC Government on the minimum wage; on government’s attempt to cancel some allowances, such as leave allowance and refund of hospital fees; and on the law that indemnified

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COCOBOD from any court action over its retrenchment of staff without paying proper severance award. On this last issue, when the TUC organised a big meeting, the mounted police was called in to suppress the agitation and disperse the crowd.

4.7.2.2.5 On the political front, the TUC started by calling on the government to allow multi-partyism into the country, as a result of which the head of Political Education in the TUC was arrested. This was in 1987. The following year the TUC called on the government, this time, to return the country to constitutional rule. This irritated the government, which then went ahead to frustrate efforts of the TUC to fight for the rights of some of its members. For example, when 36 Union Leaders and Activists of Ghana Broadcasting Corporation were dismissed and banned from entering the premises, the TUC failed to have them reinstated. The same thing happened when 200 striking workers of the Ghana Italian Petroleum Company (GHAIP) were dismissed without recourse to law in 1990.

4.7.2.2.6 On the whole, the relationship between the PNDC government and the TUC was a hostile one, characterised by harassment of its leaders, some of whom went into exile. The high-handed manner in which the government dealt with labour issues made the TUC ineffective in defending workers' rights. However, in spite of these difficulties, TUC's persistent agitation for a return to multi-partyism and constitutional rule, and its decision in 1992, to prohibit TUC executive officials from active party politics to ensure that the TUC remained independent, must be commended.

4.7.2.3.0 Chiefs

4.7.2.3.1 As had happened in previous military seizures of power, chiefs declared their support for the PNDC coup, and urged their subjects to embrace the 31st December Revolution. They supported the government's efforts at uprooting *kalabule*, and also the cocoa evaluation exercise.

4.7.2.3.2 In an attempt to win the support of the chiefs, the PNDC passed the Chieftaincy (Restoration of Status of Chiefs) Law, 1983 (PNDC 75) which sought to restore to their respective stools and skins, those chiefs that the NLC had removed. In the event, only 16 of the 133 chiefs affected by NLCD 112 were re-instated. However, this action was bound to encourage chiefs to foster close links with the government of the day to retain their positions.

4.7.2.3.3 There is therefore no evidence of chiefs speaking out against the killings, disappearances, seizure of private property, harassment of citizens wrongful dismissal of hundreds of workers, the abduction and murder of the three High Court Judges and the retired Army Officer and other human rights violations that took place during the PNDC era.

4.7.2.4.0 Religious Bodies

VOLUME 2 CHAPTER 4**Muslim Religious Group**

4.7.2.4.1 During the PNDC era the Federation of Muslim Councils was formed with support from the president of Libya, Col Muammar al-Qathafi was inaugurated by Chairman Rawlings on 4th April 1987, to be the umbrella body for all Muslim organizations in Ghana. As in previous regimes, the Muslim religious groups were more concerned with issues of Muslim unity, than with human rights issues.

Christian Religious Groups

4.7.2.4.2 The Christian Council and the Catholic Bishops' Conference, either separately or together, issued statements denouncing violence of all kinds, including killings, emphasising that each Ghanaian had the right to security of life and legitimate prosperity.

4.7.2.4.3 After the killing of the three High Court Judges and the Retired Army Officer, the Christian Council and the Catholic Bishops' Conference in separate memorandum called on the government to publish the interim report of the Special Investigation Board (SIB) that investigated the abduction and murder of the four people. They also urged the government to consider the immediate possibility of handing over power to a representative government.

4.7.2.4.4 In a document entitled "20 points for study", the Christian Council complained that "never before in our history have so many Ghanaians disappeared in suspicious circumstances as in the period since 31st December, 1981".

4.7.2.4.5 The *Standard*, a newspaper of the Catholic Church, also consistently criticised the government on the atrocities that were being committed at the time. The government took exception to this and banned the paper on 13th December 1985.

4.7.2.4.6 In 1989, the government sought to control Religious Bodies by requiring that they should all be registered under the Religious Bodies Registration Law, 1989, (PNDC L 221). In a joint memorandum dated 11th August, 1989, the Christian Council and the Catholic Bishops' Conference expressed their objection to the law which they felt was an infringement on the fundamental human rights of freedom of worship. They were concerned that the registration would make it possible for the government to deny legal existence to some Religious Groups. Indeed, the Jehovah's Witnesses; the Church of Jesus Christ of Latter Day Saints; The-Lord-is-My-Shepherd Church in Kumasi; and Prophet Ekwam's Church at Gomoa Buduburam were banned. Regrettably, protests from the Christian religious bodies against this action were rather muted.

4.7.2.4.8 It is worth noting that, considering the harassment and persecution suffered by bodies like the TUC and the GBA, it was remarkable that the Christian Council and The Catholic Bishops' Conference were able to openly criticise the government and get away with only the banning of the *Standard* newspaper.

VOLUME 2 CHAPTER 4**4.7.2.5.0 The Media**

4.7.2.5.1 As had happened each time the military took over power from a civilian government, the media made it their responsibility to justify the military intervention by sustaining vilification of the Constitutional Government. The Limann Administration was criticised for the shortage of consumables on the market; for spending too much money buying cars for sale to Parliamentarians; for not clamping down early enough or strongly enough on the courts that heard the habeas corpus cases of AFRC convicts in spite of the Transitional Provisions in the 1979 Constitution; and for the bickering within the PNP over the disbursement of the Chiavelli loan that resulted in one member taking the Party leadership to court.

4.7.2.5.2 The PNDC on the other hand was welcomed and encouraged to continue with the AFRC policies of price control, anti-*kalabule* activities, and punishment of corrupt officials who had made themselves rich at the expense of the ordinary Ghanaian.

4.7.2.5.3 The PNDC's policy toward the media was to control them and use them to further the aims of the revolution. As had happened in previous military regimes, the PNDC appointed new editors for the state-owned newspapers – the *Daily Graphic*, the *Mirror*, *Ghanaian Times* and the *Weekly Spectator*. The PNDC proclaimed a policy of “non – neutrality” of the media, and the newly appointed editors took their cue from this and imposed censorship on themselves, suppressing stories so as not to incur the displeasure of the PNDC and thereby jeopardise their positions. It was said at the time that the Castle Information Bureau, the information and publicity unit under Mrs. Valerie Sackey, sometimes sent already-written editorials to the state-owned press houses for publication.

4.7.2.5.4 The GBC suffered a similar fate. Editorial staff were replaced, and there were reports of direct interference in the day-to-day running of the GBC, and direct censorship at the newsroom as well as oversight control from the Castle and the Ministry of Information. All these changes in Editorial Staff ensured that the state-owned media printed or broadcast information that was complimentary to the PNDC and in favour of activities that promoted the revolution.

4.7.2.5.5 The private press in particular came under constant harassment, as they were the only ones that dared criticise the government for the various human rights violation and abuses that occurred during this period. In July 1982, angry workers attacked the offices of *Echo* and *The Believer* in Accra and destroyed their equipment because they had allegedly used their columns to incite the people against the government. In June 1983, the offices of *The Free Press* and *The Citadel Daily* were similarly attacked by a group of protesters. Later in the year, three senior staff of the *Free Press* – Tommy Thompson, John Kugblenu and Mike Adjei were arrested and detained, and the paper closed down for its critical stance against the government.

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4.7.2.5.6 Indeed one of the first laws passed by the PNDC was to confiscate Unipress, publishers of the *Palaver*, the *Herald Tribune* and *The Chronicle* and ban these newspapers. This was the Forfeiture of Assets and Transfer of Shares and Other Property Interests (Unipress Limited) Law, 1982 (PNDCL 3). These newspapers had been very critical, in previous years, of Flt Lt Rawlings and what had happened during the AFRC era. In January 1985, the *Ghanaian Voice* was banned for allegedly distorting news. Three months later, the suspension order was lifted. As noted earlier, the *Standard*, a weekly publication of the Catholic Church was banned in 1985 for consistently speaking against the atrocities that were taking place. The *Christian Messenger* also was critical of the PNDC. In March, 1989, the PNDC passed the Newspaper Licensing Law which revoked the registration of all newspapers and magazines published in the country, and asked all publishers to apply to the Ministry of Information for re-registration.

4.7.2.5.7 All these acts against journalists and the private press, as well as the newspaper licensing law, made it virtually impossible for newspapers critical of government to survive, and are evidence of the PNDC Government's hostility towards the media and journalists.

4.7.2.5.8 After the abduction and murder of the three High Court Judges and the retired Army Officer, the *Ghanaian Times* reported the proceedings of the Special Investigation Board (SIB) in a manner calculated to cast doubt on the eventual conclusions of the SIB. The Chairman, Justice Azu Crabbe in particular came under hostile attacks in the state-owned media. The worst offender in this was the *Ghanaian Times*, which had editorials that consistently had an anti-SIB stance.

4.7.2.5.9 On the whole, the state-owned media were used, not only to actively support and defend government policies and actions, but also to denigrate those who dared criticise or protest against any acts of the government.

4.7.2.6.0 Professional Bodies (Other Than Legal)

4.7.2.6.1 The lack of a human rights culture in Ghanaian society that had been noted elsewhere, was poignantly clear during the PNDC era. People were assaulted, maimed, arrested, detained, tortured, abducted and killed. Properties were seized or destroyed. Even the abduction and gruesome murder of the three High Court Judges and the retired Army Officer, which shocked the rank and file of Ghanaian society, did not generate mass protests throughout the country.

4.7.2.6.2 Indeed it may be fair to say that opposition to the PNDC regime from the GBA and ARPB was driven as much by the demand for a return to constitutional rule as by a commitment to defend human rights.

4.7.2.6.3 However, it is also true to say that the level of violence and ruthlessness of the PNDC regime systematically cowed the citizenry to the extent that it became accepted

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that there was a ‘culture of silence’ with respect to the lawlessness and atrocities that became the norm in the country, especially in the early years of the PNDC era.

4.7.2.6.4 The ARPB held a Press Conference on 21st July, 1982, at which it read a resolution calling on the government to hand over power to a “Government of National Unity” while making arrangements to return the country to a constitutionally elected government by 1983. The ARPB also called for the lifting of the curfew, which had provided a cover for killings and robbery. It condemned the murder of the Judges and the retired Army Officer and the destruction of the Military hierarchical structure by introducing the Defence Committee System into the Ghana Armed Forces.

4.7.2.6.5 The ARPB on 28th July, 1982, issued a list, Region by Region, of over 200 names of persons who had, by that date, been killed by soldiers, and for which no prosecution had taken place, or was likely to take place.

4.7.2.6.6 For all these acts by the ARPB, the Association came under attack as workers, the People’s Revolutionary League and the June Fourth Movement (JFM) organised demonstrations or issued statements condemning the ARPB. The newspapers, especially the state-owned *Daily Graphic* and *Ghanaian Times*, also published articles criticizing and sometimes insulting members of ARPB, attributing all kinds of selfish motives for their opposition to the PNDC. As a result of the sustained harassment and arrests of some of its members, some professionals left the country.

4.7.2.6.7 During the periods of military rule in particular the professionals of this country, that is, members of GBA and ARPB, asserted a level of influence over national affairs which is far more profound than their limited numbers might suggest.

4.7.2.7.0 Student Movements

4.7.2.7.1 When the PNDC came into power, students readily supported the “Holy war” that was declared by the new government in the belief that they were helping to “arrest the deterioration and the decadence in Ghanaian society”, and to contribute to nation building.

4.7.2.7.2 Various task forces were formed for various activities, the most notable being the Student Task Force for cocoa evacuation, that helped evacuate cocoa from the hinterland to the urban centers to be transported to the harbours for export. They were prepared to suspend their studies in the national interest.

4.7.2.7.3 When on 24th September the GBA announced its intention not to appear before the Public Tribunals, students and other youth demonstrated against the lawyers, accusing them of arrogance.

4.2.7.4 However, by December, 1982, the student front was clearly divided. Some had become disenchanted with the PNDC. They joined the call by the Religious Bodies for

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the government to hand over power to a national government. . When some students of the University of Ghana went on a demonstration on 14th December, some of their placards read “Down with dictatorship”, “No more detention without trial”, PNDC hand over to National Government”.

4.2.7.5 Some other students who called themselves “concerned students” and some Workers’ Defence Committee members staged a counter demonstration against the ‘anti-government’ students. This split in the students’ front also occurred in the University campuses in Kumasi and Cape Coast, and it continued until the return to constitutional rule, thus effectively breaking down the support that the PNDC had enjoyed in the initial stages.

4.8.0 PROFILE OF THE GHANAIAN

4.8.1 Ghanaians have always prided themselves on being loving, kind, hospitable, friendly, generous and what have you. Whereas this assertion may be true, the unique experience of the National Reconciliation Commission has brought to the fore, the very negative attitudes of the same Ghanaian.

4.8.2 Some of these are envy, greed, selfishness, ethnocentrism, sycophancy, lack of sensitivity, cowardice and other vices.

4.8.3 These negative attributes are the focus of this section of the social context.

4.8.4 As individuals, evidence received by the Commission showed that envy of others’ attainments and acquisitions was a major trait which made people welcome what had befallen those others as their just deserts. Others were unconcerned about what those they perceived as “guilty” of corruption or misuse of position of power, or whatever the new ‘crime’ that the powers that be had identified, were suffering because they had unduly benefited from the system. A large number of those whose goods were seized by soldiers and sold at ridiculously low prices had been reported on by neighbours, colleagues or even relations who were envious of the apparent wealth of such people. They therefore had no sympathy for those people when their businesses collapsed, neither did they have a feeling of remorse for being the ones who caused the brutalities that soldiers inflicted on them. They were satisfied that at the end of the day, the ‘wealthy’ people had been brought to their level.

4.8.5 This envy played out in other ways. At the official level, there were also the soldiers who seized goods at the Airport, at the harbours and in the markets for their personal use; or those who took the money from the sale of goods for their personal use. Evidence before the Commission indicated that soldiers, including the Officer corps, carted away, in trucks and cars, a lot of valuable goods – household items, clothing materials, etc. from the Makola No. 1 Market in the early hours of the morning before it was demolished. In the mean time, the traders who had gone there to salvage some of their goods were stopped by armed soldiers who were firing warning shots around the

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market. Some young men who had sneaked into the market to also loot whatever they could get were shot and killed by the soldiers.

4.8.6 The same story was repeated in Tamale before the Tamale Central Market was burnt. Traders who had new sewing machines for sale did not see any charred remains of the sewing machines. However, tailors who had old sewing machines that they were using for their trade saw the charred remains. One of them who had kept the charred remains of his three sewing machines brought them to the Commission when he came to give evidence. He is now a poor peasant farmer. He said he had kept the useless charred remains since February, 1982, to let his children and grandchildren know that he had been reasonably rich sometime ago, so that they would give him the respect he deserved.

4.8.7 Another trait of some individual Ghanaians that became evident from the cases brought before the Commission was greed. There were those who, out of greed, lost hoards of goods which they had kept for sale at exorbitant prices at a time of general shortages. Although many of such goods were intended for the market, the owners kept them, in order to create artificial shortages for higher prices. At the other end of the spectrum, those whose goods were sold at “controlled prices” to the public said they were shocked to see people: friends, neighbours and even those living in the same household and with whom they had very cordial relationship line up, sometimes till after midnight, to buy the goods that were being sold at those ridiculous prices. It was only on rare occasions that friends and relatives tried to be of assistance. For instance there was one person, a Tema shop owner, who in her narration, spoke of a friend who went to buy the goods in order to return them to her, so that she could later sell them to recover a little of what she had lost.

4.8.8 The third trait that came across from the evidence before the Commission was selfishness. This may be stated as: “once the problem or the human rights violation or abuse affects somebody else, and not me, it really is not my business”. This kept coming up each time the military took over power, and a new group of people were sent into prison without trial, ostensibly for their own good, as the “Protective Custody” Decrees seemed to imply. Those who had been imprisoned under Dr. Nkrumah’s PDA, said they teased the CPP Ministers, Parliamentarians and party functionaries as they were being brought to replace them in the prisons. It is very instructive, for example, that Victor Owusu, who had himself suffered detention without trial under PDA, had, as Attorney-General during the NLC regime, helped in drafting the Protective Custody Decrees passed by the NLC, which sent some people into detention for having jubilated upon hearing of the abortive coup in April, 1967.

4.8.9 The fourth trait of some individual Ghanaians that has allowed the human rights violations and abuses to occur was cowardice. People generally are afraid to confront officialdom on any issue. Most people do not openly criticize governments or people in authority for fear of losing their jobs or being punished. This trait in individuals is bad enough, but when it surfaces in groups, as have been shown in the main sections of this chapter, where accounts of the reaction of various organized bodies have been given, it is

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only the Ghana Bar Association and, at times, the Religious Bodies, that have raised their voices against human rights and abuses meted out against the people of this country. This is a sad comment on our sensitivity to human rights issues in this country. In this connection, the boldness of the three High Court Judges who were murdered must be highly commended.

4.9.0 ETHNOCENTRICISM

4.9.1 Ample evidence before the Commission, spanning the mandate period, testifies to the fact that ethnicity and ethnocentric considerations and perceptions of ethnocentrism have often been the undercurrent of certain historic events and happenings in pre- and post-Independence Ghana.

4.9.2 In fact, tribalism and its various manifestations such as nepotism, cronyism, favouritism, “old boyism” and even religious bigotry, have played and interplayed on the political scene constantly, and consistently, sometimes covertly and others overtly. This issue must be addressed.

4.9.3 The first such perception or apparent tribal/ethnocentric differentiation is found in the historical events that led to the absorption of part of the former German Togoland into the British mandated territory of Trans-Volta Togoland and later into Ghana by 1957. The people of the said German protectorate, to date, feel their ethnic differences as well as colonial past have often played to their disadvantage in the “tribal” politics of post-Independence Ghana.

4.9.4 This sensitivity has shaped positively or otherwise, actively or passively, the political choices of the peoples of Trans-Volta Togoland, today’s Volta Region and parts of Northern Ghana. In the years of political agitation for Independence, several political groupings sprang up and grew around tribal and ethnic interest. Examples abound, such as *Ga Shifimo Kpee*; *Ablode*; Northern People’s Party; National Liberation Movement (*Mate Me Ho*) etc. These beginnings would later cloud the political arena of post-Independence Ghana.

4.9.5 In the Volta Region also one could perceive the ethnic divide between the Southern Anlo and the Northern Ewe enclaves, as well as between the Akan-Guan peoples and the Anlo-Ewe, in the same region. For instance, the fact that the Akan Guans of Northern Volta Region were forced by the Germans to learn Ewe as the lingua franca even to date causes some resentment among the peoples there.

4.9.6 Much as one cannot fault the CPP government of any negative tribal undertones in its post-Independence governance of the country, there was a perception that a majority of Ashanti’s were of the UP tradition and this played a strong role in the anti-CPP

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sentiments in post-Independence Ghana, and the antagonism between the CPP and the UP.

4.9.7 Despite the strong stance of President Nkrumah against ethnocentrism, the Presidential Detail Department (PDD), and the President's Own Guard Regiments (POGR) that provided the President with personal security, were made up overwhelmingly of Nzemas, people from the tribe of the first President. It was thus no surprise, that there was an anti-Nzema backlash after the 1966 coup. It is believed that even parts of Nzemaland suffered further political, social and economic neglect after the overthrow of Kwame Nkrumah.

4.9.8 The unfortunate murder of Gen E.K. Kotoka and other Ewe officers during the abortive coup of 1967 led by three Akan Officers, Lt Arthur, Lt Yeboah and 2nd Lt Osei Poku, went to heighten ethnic animosity and resentment in the GAF during the NLC regime. Some read an Akan-Ewe power struggle into this murder and the elevation of Gen Afrifa as Chairman of the NLC.

4.9.9 The campaign for return to constitutional rule was marred by ethnic animosities between the progress Party led by Dr. Busia, an Akan and K.A. Gbedemah, an Ewe. The ethnic profile of the government was also affected by the Westminster model of government prescribed by the 1969 Constitution, which made it impossible for the ruling Party to have representatives from the Volta Region as it had won no seats there. When that Administration was overthrown, one of the accusations carried on placards as published in the newspapers was one of tribalism.

4.9.10 Things were no better during the NRC. The problem was muted until a reorganisation to make the government reflect Military Hierarchy caused the dropping of three Majors who were part of the original plotters of the 1972 coup. Two of these, Maj Agbo and Maj Selormey were Ewe, and the move was seen as a ploy by Gen Acheampong, an Ashanti, to rid the government of Ewes. A major coup plot in 1976 was made up of Ewes, and led by Brig. Alphonse Kattah, an Officer who was reputed to have been involved in every coup plot since 1966, led to the trial and imprisonment of a number of Ewe Officers and civilian associates. These events did not minimise ethnic animosities.

4.9.11 When the AFRC came to power, the intention was to avoid the tribal pitfalls of earlier governments. However, tribalism reared its ugly head in the composition of the AFRC and its activists. The AFRC was split into Akan and Ewe camps, even though there were members and activists from other tribes. The execution of the former Heads of State and other Senior Military Officers unfortunately was seen and interpreted in terms of the ethnic equations.

4.9.12 Evidence before the Commission attests to the fact that other non-Akans were added to the "guilty", such as Gen Utuka and Maj Felli, in order to mitigate the apparent mono-ethnic imbalance of those who were to be executed.

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4.9.13 Again, evidence before the Commission shows that, before the AFRC handed over power to the incoming PNP government, it was seriously divided into two ethnic camps.

4.9.14 Whether tribalism played a major role in the Limann Administration will be difficult to ascertain. Nevertheless, one cannot close one's eyes to the fact that the PNP itself suffered from fratricidal "warfare," which was tearing asunder the government to the detriment of national cohesion. That most of the PNP stalwarts were southerners, and overwhelmingly of Akan extraction cannot be overlooked. Feelings of tribal complexes were often heightened even by media insensitivity, rendering the Limann administrative machinery inoperative.

4.9.15 Evidence before the Commission further testifies to the fact that soldiers of Northern extraction were probably lured into joining the plotters of the coup against the government, which took place on 31st December, 1981, by the fanning of anti-Akan sentiments.

4.9.16 Under the PNDC regime, tribalism coloured many political decisions. The composition of the PNDC surely cut across the tribal divide of Ghana, but as time went on, lines were drawn along north-south divide, as well as along Akan-Ewe ones too.

4.9.17 Evidence before the Commission points to the fact that the presence of one particular tribe was predominant and over-emphasised particularly in the Command Structure of the GAF. Heading nearly all the sensitive command positions in the Army, Navy, and Air Force, as well as the Police Service were persons from one particular tribe or with that tribal affiliation.

4.9.18 The accusation of tribalism came to a head with the abduction and murder of the three High Court Judges and the retired Army Major in June, 1982. The four victims were all of one ethnic extraction, and the perpetrators mostly of another one tribe. Whether deliberate or not, a further ethnocentric spin was put on the murder plot as the four murderers were allegedly instructed to wear northern Ghanaian smocks. This later led to a heightened tribal tension and even confrontation between the northern Ghanaian members of the PNDC and the southerners.

4.9.19 Again, evidence before the Commission pointed to the fact that most of the victims tried to attribute their sufferings to not belonging to the tribe of the perpetrators of those human rights abuses and violations. It was believed because of their tribal affiliation, such perpetrators did whatever they did with impunity.

4.9.20 These are just some of the historical cases that one can enumerate from the work of the Commission. It means that Ghanaians have strong ethnocentric feelings. Invariably, thanks to the proverbial Ghanaian wisdom of not confronting hard or sensitive issues, or not wanting to exacerbate volatile situations, the problem of ethnocentrism has always been felt, but never been dealt with as should have been.

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4.9.21 Ethnicity is a God-given gift and must be cherished; ethnocentricism is an evil that must be confronted and properly tackled, if this country is to enjoy lasting peace.

4.10.0 CONCLUSION

4.10.1 The evidence from the foregoing analysis of the social context, in which human rights violations and abuses occurred in Ghana during the period from 6th March, 1957, to 6th January, 1993, indicates a painful lack of awareness of human rights values among Ghanaians, both as individuals and as groups.

4.10.1 The social context in which the human rights violations and abuses occurred was, to a considerable extent, created and fanned by the media. It has already been noted that, invariably, every new government changed the Editors of the state-owned media, to ensure that they would support their cause and propagate whatever ideology the new government had. The Editors then went out of their way to vilify the former government by cataloguing all the ill-sreal and imagined – that the previous government had been guilty of. This was particularly true whenever the military take over power.

4.10.2 It must also be said that the media has had the tendency to complain about the slow pace at which government business is executed during constitutional rule, as compared to military rule, without clearly showing appreciation for the fact that due process takes time, but it ensures that things are done properly, according to law and established practice. In our attempt to establish a firm foundation for democracy to survive in this country, the press must be more circumspect in their reportage of issues that come up, as they do influence public opinion on national issues.

VOLUME 2 CHAPTER 5**CHAPTER 5****REVIEW OF PETITIONS****5.1. 0. A. 6TH MARCH 1957 – 23RD FEBRUARY 1966
(THE GOVERNMENT OF THE CPP)**

5.1.0 In 1951, 1954 and 1956 general elections were held in the Gold Coast. The Convention Peoples' Party (CPP) led by Nkrumah won each of these elections. In the 1956 general elections, the CPP won more than two-thirds of the 104 seats in the National Assembly. The Party was thus given the responsibility of laying the foundation for a strong and stable democracy in Ghana. With a buoyant economy, it was well placed to achieve this end. However, there was little understanding of party politics: political rivalries engendered personal animosities and, before long, the politicians found themselves at each other's throats. Their supporters followed suit, and violent clashes occurred. The reaction of the CPP government to this 'law and order' situation was the passage of draconian laws to suppress opposition to its rule.

5.1.1 DETENTION WITHOUT TRIAL

5.1.1.1 Among the laws were the Deportation Act, 1957, the Deportation (Indemnity) Act, 1958 and the Preventive Detention Act, 1958 (PDA). The Deportation Acts gave the government power to deport aliens from the country. Section 2(1) of the PDA gave the government power to "order the detention of any person who is a citizen of Ghana" if it is "satisfied that the order is necessary to prevent that person acting in a manner prejudicial to: (a) The Defence of Ghana (b) The relations of Ghana with other countries, or (c) The security of the State".

5.1.1.2 The Deportation Acts were used to deport three prominent supporters of the opposition parties, Amadu Baba, Othman Larden and Wahabi Balogun, all of whom claimed to be citizens of Ghana. Under the PDA, leading members of the parties opposed to the CPP were arrested and thrown into prison without trial. Among them were Dr. J. B. Danquah, S.D. Dombo, S.G. Antor, Attoh Okine, Attoh Quarshie and Baffour Osei Akoto. Others were Oheneba Kow Richardson, Osei Baidoo, Victor Owusu and Joe Appiah.

5.1.1.3 The *Daily Graphic* newspaper, Number 2531 of Tuesday, 11th November 1958 published a government statement which sought to justify the detention of the first batch of 43 detainees. It said that the persons had been "preparing plans to overthrow by assassination and violence, the lawfully constituted Government of Ghana" and described secret meetings they had held in

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furtherance of the conspiracy. But, if the matters alleged against the detainees were true, they warranted their arrest and prosecution under the Criminal Code (Cap. 9). The resort to the extraordinary powers of detention without trial was a serious violation of the right of the prisoners to their individual liberties. Some detainees under the PDA died in custody; others languished in gaol for over seven years until they were released after the overthrow of the CPP government on 24th February 1966.

5.1.2 SUPPRESSION OF DISSENT

5.1.2.1 In 1960, a new Constitution - the Republican Constitution - was introduced giving Nkrumah full executive powers and making him President for life, or until such time as he chose to step down. In 1964, an amendment to the Constitution made the CPP the sole political party recognised by law. This was the Constitution (Amendment) Act, 1964 (Act 224) which provided in section 2:

“There shall be inserted immediately after Article 1 of the Constitution the following new Article: 1A. (1) In conformity with the interests, welfare and aspirations of the people, and in order to develop the organisational initiative and the political activity of the people, there shall be one national party which shall be the vanguard of the people in their struggle to build a socialist society and which shall be the leading core of all organisations of the people. (2) The national party shall be the “Convention Peoples’ Party.”

5.1.2.2 Another amendment barred citizens who were not members of the CPP from standing for election to the office of President. This was the Constitution (Amendment) Act, 1965 (Act 290) which stated in section 11(2)(a):

Article 11 of the Constitution is hereby amended by the substitution thereof of the following new Article: 11 (2)(a) Provision shall be made by law for regulating the election of a President, and shall be so made in accordance with the following principles: (b) Any citizen of Ghana who is a member of the national party shall be qualified for election as President if he has attained the age of thirty-five years.

5.1.2.3. Finally, the Electoral Provisions Act, 1965 (Act 290) section 6 (1) (d) disqualified all persons who had been detained under the PDA from being electors and, consequently, from being eligible to stand for election to Parliament. It stated:

6 (1) A person shall not be registered as an elector if –

- (d) He is a person against whom an order was made under the Preventive Detention Act, 1964 (Act 240) or under any enactment repealed by that Act and continued in force by virtue of section 10 thereof;

These pieces of legislation were the building blocks of the dictatorship established in Ghana by the CPP led by Nkrumah.

VOLUME 2 CHAPTER 5**5.1.3.0 DETAINEES**

5.1.3.1 The Commission received and considered petitions from the following detainees or by others on their behalf:

1. Amarkai Laryea Amarteifio	7 years 3 months
2. Albert Kpakpo Allotey	“
3. William Kpakpo Allotey	“
4. Joseph Ayithey Kortor Quartey	“
5. Emmanuel Odartey France	“
6. Kwablah Danquah	“
7. Odartey Lamptey	“
8. Samuel Tettehfio Tettey, (wrongly called Tettey Bonaparte)	
9. Emmanuel Kofi Dumoga	6 years
10. Daniel Kumasi Dumoga	“
11. Peter Bimpong alias Kwasi Gyasi	6 years
12. Kwabena Dapaa	“
13. Yaw Gyamera	“
14. Okyeame Kwabena Mensah, deceased	“
15. Kwame Nsonyameye	“
16. Kwabena Owusu Ansah	6 years
17. S. K. Boakye	6 years
18. Yaw Amoako	5 years
19. Malone MacStephen Y Boateng	“
20. Kwabena Boateng	“
21. Akwasi Acheampong	5 years
22. Akusaki Azumah	5 years
23. Kwadwo Gare	5 years
24. Joseph Kwadwo Kankam	3 years
25. Jonathan Tettey Padi	2 years
26. Ahmed Dahamani Gumah	2 years
27. Kwaku Nsaakyi	2 years 3 months
28. Kofi Nyarko	1 year 9 months

5.1.3.2 Gershon Ashie Nikoi was detained from 1958 to 1960. After his release, a fresh order was made for his further detention. He escaped to Togo, and then to Nigeria, where he died in 1963.

5.1.3.3 Nana Kwasi Duku Asante, Chief of Wioso, near Agogo was detained in 1960. He died in custody in 1963.

5.1.3.4 1. Akwasi Nsiah (6 months), and his late father, **Kramo Musa** (seven months).
 2. Mensah Darko (Snr.) -
 3. Sam Gatro Antor - 5 years
 4. Kofi Juantuah “

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5. Gerald Kofi Yawotse	- 5 years
6. Kofi Sedefia	- 6 years
7. Akwasi Acheampong	“
8. Yeboah Nortey	- 4 years
9. Kwame Beteh (died in custody)	“
10. Kofi Appiah	- 6 years
11. Umaru Iddrissu	- 3 years
12. Dauda Abubakar	“
13. Moses Kofi Asase	- 6 years
14. Daniel Emmanuel Abedi Addae	- 5 years
15. Simon Kwami Feter	- 6 years
16. Kwadwo Nsiah	- 4 years
17. Kwabena Adubofour	- 6 years
18. Atta Ahenesa	“
19. Kofi Osei	“
20. B K Busia, brother of Dr Busia	- 3 ½ years
21. Kofi Nyarko	- 1½ years
22. Dennis Yaw Hamelo	- 1 year
23. Chief Isifu Tahiru of Ho Zongo	- four months.
24. Joseph Kwadwo Kankam	- 3 years
25. Samuel Kwame Morttey	- 1 year
26. Suigir Mwonzaala	- 13 months
27. Yokan Tenni	- 13 months
28. Joseph Tendan	- 13 months
29. Moses Mwin	- 13 months
30. Yahaya Kaleo	- 13 months
31. Samuel Kofi Bortei-Doku	- 7 months.
32. Grace Boah re Kwaku Boah	- 5 years
33. Nana Kwasi Gyamsere re Kwaku Oppong	- 5 years
34. Osman Halidu	- 4 years

5.1.3.5 Margaret Akosua Nimo’s uncle, **Kwame Beteh** was detained under the PDA in 1962. He died in detention in 1964.

5.1.3.6 Paulina Afriyie’s parents, **Kofi Ackom** and **Adwoa Nyarko**, both supporters of the NLM were arrested and detained in Kumasi Central Prisons for 6 months and one month respectively.

5.1.3.7 Alexander Gbegne: In 1962, the petitioner’s late father, **Gbegne**, was arrested and detained in Wa for four years.

5.1.3.8 **Alfred Akortor Adjei** was District Commissioner for Accra. He was arrested with Ako Adjei, Tawiah Adamafio, Cofie-Crabbe and others in September 1962 in

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connection with the attempt on the life of Nkrumah at Kulungugu. Adjei was never brought to trial; rather, he was detained under the PDA until he was released on the overthrow of Nkrumah in 1966.

5.1.3.9 Alex Kwesi Boye of Asakai, near Takoradi went to live in Kumasi in 1939. While there he met and struck up a friendship with **Kwadwo Ansong** who lived at Pampaso, near Obo-Kwahu. In 1962, Ansong went to Kumasi to visit Boye and his wife who also hailed from Kwahu. Ansong left the house for a stroll, but did not return. Later, Boye was informed that Ansong had been arrested and was in custody at Tepa. On 24th November 1962, Boye and his wife went to Tepa Police Station to enquire of Ansong. Boye was arrested and, together with Anson, brought down to Kumasi. In January 1963 Boye and Ansong were admitted into Nsawam Prisons. They were kept there until the overthrow of Nkrumah on 24th February 1966. No charges were ever preferred against Ansong. Indeed, in response to an enquiry from the Commission, the Regional Commander, Eastern Region, Assistant Director of Prisons Ben Lartey, by letter No. NSM/0046A/V.1/09 dated 3rd January, 2003, stated that Boye was admitted into the custody of the prison on 28th January, 1963, as an “unclassified detainee”.

5.1.4 EXILE

5.1.4.1 Some supporters of the political parties opposed to the government took to flight rather than submit to detention without trial. Many were to remain in exile until the overthrow of the Nkrumah government in 1966. The Commission received and considered the following petitions:

Raphael Larbi, Henry Kwaku Afake both of whom are still alive, and **Isaiah Kofi Akumiah Isako Koto, Lawrence Tiagbe Kumatse, Cephas Kwami Akpakpla, Kofi Agusa, Wahrenfried Nukro, Kwame Gavu**, all of whom are now dead. These persons were among the adherents of the Togoland Congress who fled the country to Togo to escape persecution and possible detention by the Nkrumah government. They returned to Ghana after 24th February 1966. One of them, Gavu, died in exile.

5.1.4.2 Others who went into exile were:

Ayuba Lamptey fled to Togo. He returned to Ghana in 1966.

Blandford Aduake Sarpei was in exile in Togo for two years.

Yusufu Sakey Lamptey a member of the *Ga Shifimo Kpee*, fled the country to Lome, Togo. He returned to Ghana in 1962.

5.1.4.3 Dr Edward V C deGraft Johnson a lawyer and politician, left Ghana and went into exile in Nigeria when he had information that he was about to be detained under the PDA. He returned to Ghana when he and his wife, a medical doctor, received assurances of his safety. He was away from November 1961 to March 1962.

5.1.4.4 Daniel Akwasi Prempeh a UP activist, fled into exile in 1962, returning in 1964.

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5.1.4.5 Martin Agbakli-Zakli petitioned that **Stephen Kwadwo Obeng** also known as **Togbe Mawusi**, deceased; **Kwadjo Aforna Egbenu**, deceased; **Ruben Yaw Animdee**, deceased; **Simpson Kwasi Evenyi**, deceased of the Akposokubi community in the Volta Region were deported to Togo as aliens under the Deportation Act, 1957 on 16th July, 1958. The deportation orders were revoked by the NLC regime in 1968.

5.1.4.6 Bernard Tuprah claimed to be representing 207 persons who fled the Volta Region in 1960 and 1961 to live in Togo. They returned to Ghana in 1966. He alleged that the United Nations made a grant to the Ghana Government as compensation for them and that they never received the money. The petitioner was asked to submit proof of such a grant. He could not produce any. The Commission's own investigators have not been able to find any evidence, that any such sum ear-marked for them, was paid to the Ghana Government at any time. The list of persons is given as an addendum to this Chapter.

5.1.4.7 Vidal Quist was chairman of the Location Branch of the National Union of Railway and Harbour Workers in Sekondi. Following a strike, he and other trade unionists were arrested on 3rd October 1961 and detained at the Ussher Fort Prison, Accra. They were later released. After the Kulungugu bombing incident in 1962 he received information that he was about to be arrested again. Quist therefore went into exile first in Togo, then in Nigeria, Birmingham in the UK and finally in Denmark. He returned to Ghana in 1966 after the overthrow of Nkrumah.

5.1.4.8 Nana Akwasi Adokwabo was Bantama Constituency Chairman of the NLM. In 1960, CPP elements took him to his home in Kumasi and, with the assistance of a detachment of police officers brought down from Elmina, performed rituals to destool him from his position as Twafohene of Otumfuo, the Asantehene. Thereafter, upon information that he was to be detained under the PDA, he went into exile with his wife, Ama Kromo, and his children, among them Afua Nyarko, in the Ivory Coast. He returned to Ghana after the overthrow of Nkrumah in 1966.

5.1.4.9 Kwaku Apau's uncles **Kwadwo Ofori** and **Akwasi Boah** were UP activists at Atwima Ofoase. Following harassment by their political opponents they left the country in 1961 and went into exile in Bontuka in the Ivory Coast. They returned to Ghana on the overthrow of the Nkrumah government in 1966.

5.1.5 THUGGERY

5.1.5.1 Akwasi Agyei Num, a member of the NLM petitioned that he was attacked and badly beaten up in 1960 by CPP hooligans. Such acts were common on both sides of the political divide.

5.1.5.2 Kofi Darko, Kwadwo Brenya and **Kwaku Apau**, members of the UP, were arrested while on their way to Wenchi to engage in political activity. They suffered some manhandling while in custody at Wenchi and Sunyani. Eventually they were taken to Kumasi where they were put before court. They were acquitted and discharged.

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5.1.5.3 Kwame Kyei-Baffour, a member of the UP sustained cutlass wounds in political violence involving UP and CPP activists.

5.1.5.4 Odikro Kwabena Ampratwum: The petitioner is the Odikro of Patase, near Ashanti Mampong. In 1958 there was a clash between supporters of the CPP and the UP in the area. As a result, Patase, a predominantly UP village, was burnt down. As evidenced by a publication in the *Ghanaian Times* of 10th December, 1970, the government of Dr. Busia promised to rebuild the village. To date this has not been done. This is a promise that ought to have been kept.

5.1.6 BOMB OUTRAGES

5.1.6.1 The violence, which marred politics of the period, and the frequent and indiscriminate use of preventive detention to stifle dissent, bred plots to assassinate President Nkrumah or to overthrow his government. In the confrontation that followed, innocent citizens suffered, not at the hands of the government, or persons acting on its behalf, as set out in Section 3 (2) of Act 611, but by persons who were using violent means to bring about a change of government.

5.1.6.2 Although the current Constitution accepts that force may be used to overthrow a dictatorship, it does not sanction the use of indiscriminate violence. Therefore, where the State fails in its duty to protect the citizen from such acts, it is expected that it will grant relief to the affected persons and their families.

5.1.6.3 The Commission received and considered petitions from the following victims or their representatives:

5.1.6.3.1 Comfort Okai, a 16 year old girl, was injured in a bomb blast in 1962 at Flagstaff House, Nkrumah's residence. She was treated in various hospitals at the expense of the State.

5.1.6.3.2 Salifu Bawku, a Post and Telecommunication linesman was on duty at Flagstaff House in 1962 when the bomb went off. He sustained injuries resulting in the amputation of his right leg. He retained his job as a linesman. During the Acheampong regime, Bawku was fitted with an artificial limb at government expense.

5.1.6.3.3 Huseini Osmanu Suraqa, a cleaner at CPP Headquarters, Accra was injured in the right ankle in 1962 when the bomb went off at Flagstaff House. He feels residual pains and walks with a limp.

5.1.6.3.4 Susana Kumi, an official of the Information Services Department, was injured in 1962 in a bomb blast at the 'Arena' where Nkrumah was to address a public gathering. She received medical treatment at the expense of the State and was paid Workmen's Compensation. She continued to work with the Information Services Department until she retired in 1989.

5.1.6.3.5 John Adjebu Blankson, now deceased, was a music instructor with the Ghana Young Pioneer Movement (GYP). On 20th September, 1962, while on a route march near the 'Arena' with members of the GYP there was a bomb explosion. Blankson and several other persons

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were injured. Blankson was taken to the 37 Military Hospital where his left leg was amputated. He was later sent to Britain, UK where an artificial leg was fitted. After the disbandment of the GYP in 1966, Blankson was given employment as an accountant at the Electricity Corporation.

5.1.6.3.6 Emmanuel Ofori Sasu was injured in the leg when the bomb went off at the ‘Arena’ in 1962. He still has some pellets in his leg.

5.1.6.3.7 Theophilus Kwasi Owusu, a student of Abuakwa State College, Kibi was following a candle-light procession marking Nkrumah’s birthday in 1962 when a bomb went off near Lucas House, an electrical firm in Accra. Owusu sustained an injury to his leg.

5.1.6.3.8 Elizabeth Asantewaa, a 12-year-old girl and member of the GYP, was injured in a bomb blast in 1963, at a football match at the Accra Sports Stadium attended by Nkrumah. Asantewaa’s left leg was amputated. She was sent to the United Kingdom for further medical treatment during both the Nkrumah and Acheampong regimes.

5.1.6.3.9 Elizabeth Hammond, was on duty at the Accra Sports Stadium as a Security Officer when the bomb explosion occurred in 1963. Elizabeth sustained a fracture of the right leg. She refused to accept medical advice to have the leg amputated.

5.1.6.3.10 Michael Hammond, a 9-year-old boy, died when the bomb explosion took place at the Accra Sports Stadium in 1963. Michael’s funeral expenses were borne by the government. His mother, Rose Okraku, was given employment by the government.

5.1.6.3.11 Comfort Acquah petitioned on behalf of her brother, **Sgt. Isaac Koranteng**, a policeman, now deceased, who was injured in the bomb explosion at Kulungugu, near Bawku. Koranteng sustained injuries and was sent to Germany for medical treatment. He received further treatment at the 37 Military Hospital. He returned to his duties in the Police Service but was retired on health grounds in 1980. He died in 1989.

5.1.7 INVASION OF PROPERTY RIGHTS

5.1.7.1 Dr Edward V C deGraft Johnson In or about September, 1962, the police conducted a search of the home of the petitioner in Accra and carried away manuscripts, lectures, legal briefs and other important documents. The search was conducted ostensibly to look for subversive material. The papers and other documents were never returned.

5.1.8 THE VOLTA LAKE

5.1.8.1 Petitions were received from persons who claimed that they, or their predecessors-in-title, lost property through flooding on the construction of the hydro-electric dam at Akosombo. They were:

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Joseph Kofi Papaye; Daniel Kwabena Bronya; Nana Kwame Aniamoah I; Nana Abronye Otapo III; Nana Kofi Djantrubi II; Alexander Dominic Sunkwa; Tanmu Shakibu Baako; Yao Sareba; Kwabena Nyame; Thomas Nii Ayitey Michael Larweh; Barnabas Narh

5.1.8.1.1 Papaye claimed that his late father, **Kwabena Kabre**, was the owner of farms in the Krachi District in which he planted yam, cassava, rice and groundnuts.

5.1.8.1.2 Bronya, that his father **Kwame Kran** owned a farm at Kantankpan, also in the Krachi District, and that he had planted cassava and yam.

5.1.8.1.3 Aniamoah complained that he lost several acres of yam, maize, rice, groundnuts and oil palm as well as stool regalia and a six-room house.

5.1.8.1.4 Otapo complained that he lost oil palm as well as stool regalia and personal effects.

5.1.8.1.5 Djantrubi complained that a 12-room house, the chief's palace and the shrine of Krachi Dente were destroyed.

5.1.8.1.6 Sunkwa, a teacher of Kete Krachi complained about the inadequacy of the compensation paid to those who lost houses and other properties.

5.1.8.1.7 Tanmu Shakibu Baako, complained about the inadequacy of the compensation in terms of housing given to his father.

5.1.8.1.8 Sareba and **Nyame** complained of the destruction of their farms and houses and claimed that they received no compensation.

5.1.8.1.9 Ayitey, claimed that his father's two-storey building was destroyed, but that he received no compensation.

5.1.8.1.10 Koblah Hima Za-Sakpaku, claimed that the homes of his parents, **Issa Kofi Za Adzidza** and **Juliana Voe Womini**, collapsed when the Lake was created and that no compensation was paid to them.

5.1.8.1.11 Larweh claimed that his father's six bedroom house and cocoa and oil palm farm were destroyed. He was given a two-bedroom house which petitioner considers inadequate.

5.1.8.1.12 Narh claimed that his father lost a house and cocoa farm. He was not compensated.

5.1.8.2 The Commission invited the Volta River Authority to comment on these petitions. In a response dated 18th August, 2004, the Authority stated:

VOLUME 2 CHAPTER 5**RESPONSE TO SPECIFIC PETITIONS FORWARDED TO VRA FROM NRC**

An archival search has been conducted to investigate the allegations in the 13 petitions forwarded to us. The various claims have been categorized under the following headings:

6.0 Houses

Apart from Thomas Ayitey, there are no records on the other petitioners claiming compensation for their houses. In the case of Thomas Ayitey, his one storey house and out buildings were valued at £253 by the Lands Department and he was duly resettled. There are no records of his father's house as claimed. The details of his survey report indicate that his mother, brothers and sisters, named in his petition were all living with him under one roof and as such did not qualify to be compensated with individual core houses. A copy of his survey and valuation records are attached as ...

It is worth noting that our records indicate names of the original owners/caretakers of the houses at the time. We are therefore unable to investigate particular cases of petitioners who have not indicated the names of the original owners and/or whose names cannot be traced. All the house owners were issued with house owner's identification cards. We request that the petitioners produce their cards for further investigations.

6.1 Crops

It is further observed that most of the crops indicated in the attached petitions are annual crops. The farmers were given enough time to harvest their annual crops like beans, groundnuts, maize etc. It was not the policy to pay for such annual crops as the farmers were given the opportunity to harvest them.

Compensation was however paid for cash crops. A list of assessed and paid cash crops valued by the Lands Department in the Kete-Krachi District is attached as Appendix 4.

6.2 Chiefs regalia, 'gods' and personal effects

With respect to compensation for the Chief's regalia and gods, the resettler's demanded money to perform the required rituals for resettling the gods. Reference to page 137 & 140 of "The Volta Resettlement Experience" edited by Robert Chambers 1972. Copy attached as Appendix 5.

The resettlers had time to remove their chief's regalia, personal effects such as kente cloth, elephant tusks, batakar and ahenema sandals referred to in some of the petitions.

With regard to claims by Nana Kofi Djantubi (II) Nifahene, reference file No. HVR. 200334, a palace was built for the Kete-Krachi Chief ie. the Krachi Wura at the new resettlement town and compensation was paid for the relocation of the Krachi Dente god.

6.3 Flooded Lands

Compensation for flooded lands were not paid for because of conflicting claims that were received by the Lands Department in those days. Responsibility for this expenditure however devolved to the Central Government as indicated above and confirmed in 1971 when government

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requested VRA to hand over all responsibility on compensation to the Ministry responsible for Lands.”

5.1.8.3 The Commission took note of the petitions, but found that more than adequate notice was given to local inhabitants when the dam was under construction and that management for those whose properties were destroyed to be fully compensated. In our view, it would not be in the public interest to permit persons to come forward 40 years after the event to make fresh claims.

5.1.9 INTERFERENCE WITH THE RIGHT TO WORK

A number of petitions were on the master/servant relationship. The State has a special responsibility to observe the rules of fair dealing in its relations with its employees. Where there is a breach of these rules, there is cause for concern and a need for reparations. The Commission received the following petitions:

5.1.9.1 Issahaku Zuu. Although he claimed that he was dismissed from the Police Force in 1963, an examination of his Certificate of Discharge showed that the original entry had been erased and ‘Dismissed’ written in its stead. From answers given by Zuu we were satisfied that he in fact resigned from the Force. There is therefore no basis for the allegation of wrongful dismissal.

5.1.9.1.2 Stephen Amevor Agbeyegah, was a soldier in the 3rd Battalion of the Ghana Army which went on peacekeeping duties in the Congo. He was among those court-martialled for mutiny on their return to the country. He was sentenced to 18 years imprisonment. Having served his sentence, he is now claiming what he terms his benefits. He did not appear before the Commission to explain what those benefits were.

5.2.0 24TH FEBRUARY, 1966 – 30TH SEPTEMBER, 1969**5.2.1 HISTORICAL BACKGROUND**

5.2.1.1 Although the overthrow of the Nkrumah government was generally welcomed as rescuing the nation from a suffocating dictatorship, it brought in its trail some human rights abuses. In the course of overthrowing the government, grave human rights violations were committed, especially against members of Nkrumah’s security apparatus known as the Presidential Detail Department (PDD). Eye witness accounts given to the Commission have it that one of the first ports of call of the insurgents was Flagstaff House, where Nkrumah lived and the blocks of flats opposite it in which members of the PDD and their families lived. The flats were surrounded by soldiers, the inmates brought out and the men taken away. Women and children were forced, some at gun point, to leave their homes. Some men, and even boys, were shot dead. Those who were not killed were subjected to various

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forms of cruelty and molestation. They were beaten, made to crawl on their knees and to lie on the ground staring at the scorching sun. Some claimed that

concoctions were poured into their eyes. These incidents took place even though Kotoka, Harley and Afrifa were very visible at Flagstaff House and the Police Headquarters, where the prisoners were congregated. The National Liberation Council (NLC) and the leaders of the coup must bear responsibility for the abuses committed by troops under their command.

5.2.2 KILLINGS

5.2.2.1 Mary Blay's husband, **Ernest Kojo Nyan**, was a security officer attached to Flagstaff House. Nyan was arrested after the coup in the presence of Mary and taken away. After a search

by Capt Addy, her brother-in-law, Nyan's body was found with gunshot wounds at Korle-Bu Hospital mortuary. The body was buried at Dunkwa-on-Offin.

5.2.2.2 Kwaw Tei, a member of the PDD, was shot and killed by soldiers who invaded his flat opposite Flagstaff House. He was survived by a daughter called Ama Sey.

5.2.2.3 Joseph Kesson was an ex-serviceman of World War II, serving with the PDD as a guardsman. He was shot and killed at Flagstaff House, Accra on 24th February, 1966 during the coup.

5.2.2.4 Ama Otuwa's father, **Ekow Pete** of Asebu, and his brother, **Egya Kwesi Bentil**, who were known to be supporters of the CPP were arrested and taken to Cape Coast. Soon thereafter, Pete died, apparently, from the ill treatment he received. The body was given to the family for burial.

5.2.2.5 George Bartels (jnr), the 17 year-old son of Abena Ataa and George Bartels (Snr), a guardsman, was shot and killed when on seeing soldiers threatening Mary Sagoe, his step mother, he tried to run away.

5.2.2.6 Note Hammond, Member of Parliament, his wife, **Peace** and their son, **Nii Noi**, left their home at 5.30 a.m. on the morning of the coup to visit a family friend who was on admission at the 37 Military Hospital. On leaving the Hospital, they were signaled to stop. Shots were fired killing Note and Peace on the spot. Nii Noi died later, on admission at the 37 Military Hospital.

5.2.2.7 Elizabeth Lamptey's husband, **Robert Kwasi Ackon**, a member of the PDD was shot dead on 24th February 1966.

5.2.2.8 John Kow Tay, was a member of the PDD and lived at Flagstaff House. When the Nkrumah government was overthrown on 24th February, 1966, Tay sent his family away while he hid in a wardrobe in his flat. His body was later found among members of the PDD who had been shot and killed.

VOLUME 2 CHAPTER 5**5.2.3 MAIMING**

5.2.3.1 Joseph Techie-Menson a member of the PDD was arrested. While in custody he was hit on the left eye with the butt of a gun. He lost the sight in the eye.

5.2.3.2 Kodwo Anfam was a footballer with the Highlanders Club at New Takoradi. Following the coup, when soldiers roamed the streets, it was alleged that one of their number had been beaten up in the vicinity. Soldiers rounded up several young men in the area, including Anfam, and beat them up in retaliation. Anfam claimed that as a result he became paralysed. Anfam failed to turn up at the Commission when he was offered the opportunity of appearing before it. Further, there is no medical evidence to back up his claim.

5.2.4 ILL TREATMENT

5.2.4.1. Matthew Narh Tetteh, a member of the PDD was on the delegation to Hanoi when the coup took place. He left Nkrumah to return home. He gave this account of how he was received at the Accra airport:

“...there was repeated commands from the tarmac through loud speakers that my team and I should undress, leave our dresses behind in the plane, come out in only our pants with our palms open and showing to them and carrying a white handkerchief showing to them that we had surrendered. ...

I led my team of 12 men out and we were ordered to stop at the base of the ladder. Many machine guns were pointed to our faces and at the command of one Major E. A. Baidoo we were carried like sacks of sand or something (by our hands and feet) and thrown into the back of the trucks at the tarmac. After hitting the floor of the truck, we were commanded to jump down from the truck and we would be thrown to the next. This continued until we had been thrown into all the 6 trucks around the plane ...we were taken from the airport to the Police Headquarters ...

At the Police HQ, both the Police and Army personnel there beat us severely for over thirty minutes. We were made to crawl on all fours on a newly spread stone chippings without our dresses for well over an hour. We were all bleeding at our hands and knees and were weak as well. Our hands were tied behind our backs and we were facing up...”

5.2.4.2 Martin Okai, a member of the PDD was arrested. While in custody, he was hit with the butt of a gun and struck with a gun sling. His evidence that Afrifa ordered that hot coffee be poured on his and other PDD members' eyes was supported by at least one other witness.

5.2.4.3 Philip Dade Armah, a security Officer at Flagstaff House and others were arrested and taken to the Police Headquarters where they were made to lie down and gaze at the sun.

5.2.4.4 Sampson Peter Anim Danquah, a member of the PDD was arrested. While in custody, he was severely beaten. He developed a hearing defect.

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5.2.4.5 Ephraim Yaw Akoto, now deceased, and nine others were arrested and taken into custody for attempting to destool the chief of Tanyigbe in the Volta Region. They were taken to Ho Police Station where manhandling led to Ephraim sustaining an injury to his eye.

5.2.4.6 George Oscar Gray Jnr., a civilian, was arrested by soldiers led by Cpl. Borlabi, a neighbour, on an allegation that he was a member of the PDD. In the course of the arrest he was kicked in the stomach, hit with the butt of a gun and pushed so that he fell. He was also made to roll on the ground.

5.2.4.7 Nana Kwasi Ketewa IV petitioned that three days after the coup, soldiers went to Nkroful in Nzema, pulled down Nkrumah's family home, attacked men and women in the village and forced them to sing profane songs in praise of the coup. Some houses were pulled down.

5.2.4.8 Emmanuel Appiah-Dwaa, a member of the PDD, was arrested. While in custody, he was beaten, slapped, kicked and hit with the butts of rifles.

5.2.4.9 Augustus Hiambee petitioned on behalf of **Joseph Kwaw Larrie**, a student of the University of Ghana, Legon, who was arrested at Keta for protesting against the arrest of his mother, a CPP activist. He was taken to Burma Camp and apparently brutalised. He became mentally unbalanced shortly thereafter. He is currently at the Psychiatric Hospital, Accra. In response to an enquiry by the Commission, Dr. J. B. Asare, Chief Psychiatrist wrote: "Mr. Larrie has become institutionalized as a chronic schizophrenic patient who cannot live an independent life outside the hospital".

5.2.4.10 Abdul-Wahab Olani was arrested while driving a Jaguar car from Legon towards 37 Military Hospital. He was assaulted by soldiers who thought that the car belonged to Nkrumah. Olani was slapped and beaten. He lost some teeth. He was taken to Burma Camp where the vehicle was impounded for six months before being returned to him.

5.2.4.11 Samuel Kwesi Mensah was taking some children to school in his taxicab when five soldiers accosted him and demanded the keys. When he refused, they kicked and slapped him and used the butt of their rifles to hit him. He sustained injuries for which he received treatment at Korle-Bu Hospital.

5.2.4.12 Stephen Wilfrid Arthur While Arthur and other members of the PDD were in detention in Takoradi, they were set upon by soldiers and beaten up. Arthur's face got swollen and he bled from the nose. They were made to lie down and look at the scorching sun.

5.2.4.13 Joseph Davies, a driver in the Presidential Household was mistaken for a member of the PDD and was arrested. At the entrance to Ussher Fort Prison, he was hit with truncheons. When he raised his hand to protect his head, he was hit on the hand. The blows to the head affected his eyes.

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5.2.4.14 Anthony Kofi Asante, District Organiser of the GYP in Sefwi Wiawso was arrested by soldiers and subjected to beatings. He lost two teeth.

5.2.4.15 Emmanuel Kid Abaidoo, a District Commissioner under Nkrumah, was arrested and slapped several times leaving him with residual headaches.

5.2.4.16 Theodore Kwasi Yao was Paramount Chief of the Ho Asogli Traditional Area. He was arrested by soldiers led by Major Evans Kwame and taken to the Ho Barracks where he was made to lie on the ground facing the sun and to hold his ears and hop from place to place. He was released after four days.

5.2.4.17 Ebenezer Osei-Poku, a lieutenant in the Ghana Army, took part in the abortive coup led by Lt. Arthur in 1967. He was brutally assaulted while under interrogation. He was slapped and hit across the mouth resulting in the loosening of a tooth.

5.2.4.18 Daniel Emmanuel Ekins, a teacher, was an instructor in the GYP at Dunkwa-on-Offin. After the abortive coup of April 1967, he was arrested and detained until December of that year. While he was in detention, he was beaten, resulting in injuries to his gums and jaw.

5.2.4.19 Daniel Dumah Asima In 1968, the petitioner, a craft teacher bought a hat of the GYP at a public auction in Tamale. Later while traveling to Wa he put the hat on. On arrival in Wa he was stopped by the police who questioned him about how he came by the hat. A policeman removed the hat and struck him with it. His medicated glasses got broken as the policeman beat him about the head. The petitioner complained that he is now totally blind. Even though the petitioner was partially blind before the attack the beatings he was subjected to may well have worsened his condition and hastened his blindness.

5.2.4.20 Lawrence Oteng-Gyan was arrested in December, 1965 and confined to a psychiatric hospital for exhibiting abnormal behaviour. He escaped and went to Lome. After the overthrow of Nkrumah, he returned to the country and demanded to be paid US \$3 million for the role he claimed he played in Nkrumah's overthrow. The government of the NLC refused to pay him. Gyan was later charged with defrauding a prospective Parliamentary candidate. He was acquitted of the charge. He now demands compensation. His acquittal did not entitle him to damages.

5.2.5 DETENTION

5.2.5.1 The Protective Custody Decree, 1966 (NLCD 2) and the Protective Custody (Amendment) Decree, 1966 (NLCD 37) sanctioned the detention without trial of functionaries of the previous administration if the NLC was "satisfied that it is in the interest of national security and in the interest of the safety of such persons so to do". Among those who were detained were:

1. **Emmanuel Amartey Adjaye**

- 1 year, 10 months.

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2. Thomas Ekow Halm	- 7 months.
3. Kwame Oppong Asante	- 1 year, 2 months.
4. John Bomo Ackah	- 1 year 10 months.
5. Alexander Samuel Abbia Kwakye	- 1 year, 2 months.
6. Solomon Tulle Atulari	- 1 year 2 months
7. Martin Appiah Danquah	- 2 years 2 months
8. Adolphus Macauley Essuman	- 2 years
9. Joseph Techie Menson	- 1 year.
10. John Ohene Nyantwi	- 4 months.
11. Francis Abeka	- 3 months.
12. Henry Walters Duku	-
13. Martin Okai	- 2 months.
14. Philip Dade Armah	- 10 months
15. Sampson Peter Anim Danquah	- 1 year.
16. Lawrence Aufei Fianko	- 1 year.
17. Peter Obiri Yeboah	- 1 year, 6 months.
18. Matthew Narh Tetteh	- 2 years.
19. James Myers	- 1 year, 10 months.
20. Emmanuel Appiah Dwaa	- 1 year, 10 months.
21. Christian Blukoo	- 1 year, 2 months.
22. Solomon Tei Norbi	- 4 months.
23. Joseph Sally Kwofie	- 1 year, 6 months.
24. Daniel Kofi Yankey	- 1 year, 10 months.
25. Francis E. Amihere	- 1 year, 10 months.
26. Stephen Wilfrid Arthur	- 8 months.
27. John Cobbina Ndede, Francis Akese, Francis Ketibuah, Ambrose Eddi	
28. Awonzoe Boadie	- 1 year, 2 months.
29. Jeremiah Ekellah	- 1 year, 10 months.
30. James Fred	- 2 years.
31. John Andoh (petition of Elizabeth Arthur)	- he was taken ill while in custody and died a month after being released.
32. Francis E Amihere	- 1 year 10 months.
33. Abena Mansah	- 1 year, 4 months.

5.2.5.2 Thomas Annang Lanquaye a member of the PDD, went into exile in Guinea with Nkrumah. On his return to Ghana on 30 October, 1968 he was detained for three months and then re-instated into the Police Service.

All these persons were in the PDD.

5.2.5.3 Other CPP activists who were detained were:

1. Kofi Agyesa Bassaw	- 10 months
2. Thomas Kwesi Appiah , District Commissioner for Dunkwa-on-Offin	- 9 months
3. Moses Kofi Mensah a District Commissioner	- 1 year
4. Emmanuel Agyekum , a telephonist at Peduase Lodge	- 3 years

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5. Roland Ekow Acquah , District Commissioner for Cape Coast	- some months
6. Eddy Cockra Ziblim	- 1 year
8. Severio Termagre , District Commissioner for Tongo, now deceased	- 1 Year
9. Theophilus Kwabena Asare , a Zoo keeper at Flagstaff House	- 4 months.
10. Robert Sarkodie Sakyi an employee of the Workers Brigade	-1 year 2 months
11. Eric Paditey	- 6 month
12. Thomas Kwesi Appiah , a District Commissioner	- 9 months
13. Kofi Williamsan officer in the Fire Service based at the Castle, Osu	- 4 months.
14. Joseph Davies a driver in the Presidential Household	- 8 months
15. Emmanuel Kid Abaidoo , District Commissioner for Takoradi	- 1 year 2 months
16. Joseph Baiwie Anaman , District Commissioner for Nkroful	-1 year 10 months

5.2.5.4 Abubakar Hajj Issah was six years old in 1966. He claimed that his father, **Bobby Issah**, a goldsmith by profession and a supporter of the CPP, was arrested and detained after the overthrow of the Nkrumah government. Confirmation of his evidence is lacking, as his father's name does not appear in any executive instrument or newspaper publication as having been detained.

5.2.5.5 **Kofi Owusu**, a 19-year-old student of Konongo Odumase Secondary School was arrested in January 1967 and tried for complicity in a coup plot with Lt Owusu Gyimah. He was convicted and sentenced to 25 years' imprisonment. He was released on 11th March, 1970, on the orders of the Presidential Commission. On 21st September, 1981, he was granted a free pardon.

5.2.5.6 On 17th April 1967, Lt Arthur of the Ho Mortar Regiment led an attempt to overthrow the NLC. His principal collaborators in this dangerous undertaking were Lt Yeboah and Lt Osei Poku. Even though the insurgents were able to kill Gen Kotoka, the attempt to overthrow the government failed. Lt Arthur and his men were put on trial, convicted and sentenced to death by firing squad. Arthur and Yeboah were publicly executed. Osei Poku was sentenced to 30 years' imprisonment.

5.2.5.7 The really disturbing aspect of the insurrection was the retribution meted out to persons who were supposed to have shown support for the insurgents in one way or the other. Among the victims of the were:

5.2.5.8 **Emmanuel Asamoah**, a Sergeant in the Police Force, was arrested and detained at the Ussher Fort, Accra for eight months.

5.2.5.9 **Anthony Kofi Asante**, a District Organiser of the GYP in Sefwi Wiawso, who had been arrested and detained at the Sekondi Prisons for 6 months in 1966, was again arrested and detained for 4 months.

5.2.5.10 **Kwame Nsiah**, **Nana Frimpong Manso** deceased; **Joseph Kwabena Nkrumah**; **Kofi Amponsah Kumah**; **Kwame Krah**; **Adwoa Konsiwaa** and other citizens of Praso, near Konongo, were arrested and detained for one year.

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5.2.5.11 Alfred Kwame Addo, Afia Kumah of Biemso No. 1 Ashanti Region were arrested and detained for seven months.

5.2.5.12 Samuel Kwabena Antwi was dismissed from the Police Service and placed in protective custody on the orders of the Inspector General of Police, J. W. K. Harlley. He was in detention for 6 months.

5.2.5.13 Chris Asher Snr., editor of the *Western Tribune* newspaper published in Takoradi, was arrested and detained for one year.

5.2.5.14 Daniel William Manu's two brothers, **Yaw Amoako** and **Kwame Ampewoyie**, were placed in detention for 1 month and 10 months respectively.

5.2.5.15 Daniel Emmanuel Ekins was arrested at Dunkwa and detained at Obuasi, Kumasi and Nsawam Prisons.

5.2.5.16 Kwame Obeng who was a few months old in 1967, petitioned that in that year his mother **Ama Amponsah** of Sekyere Odumasi was arrested and detained. He could not tell the Commission the reason for his mother's arrest or for how long she was detained. The details given are too scanty for a determination to be made as to whether there were any human rights issues involved.

5.2.6 INVASION OF PROPERTY RIGHTS

5.2.6.1 It was the common story of members of the PDD and their wives that they lost all their personal effects. Whether these were looted by soldiers or by common thieves is unknown. However, since the victims were obliged to vacate their abodes at short notice, measures should have been taken by the authorities to ensure that their rights over their honestly acquired properties were not infringed.

5.2.6.2 Ama Konadu wife of Peter O. Yeboah, a member of the PDD lost all her personal belongings.

5.2.6.3 Hannah Andoh-Ampiah wife of James Fred Ampiah, a member of the PDD, petitioned that when the Nkrumah government was overthrown, their premises was searched and various items removed. She lost most of her personal effects, including kente cloth, blouses, footwear and a singer sewing machine. She also lost ₵600 cash.

5.2.6.3 Following the 24 February, 1966 coup, the living quarters of **George Bartel**'s son, a security man attached to Flagstaff House was ransacked and properties belonging to him and his

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wife **Mary Sagoe** were seized and taken away. The properties included cash, personal effects and a taxicab.

5.2.6.5 Akub Eduku, wife of Kofi Yankey, a security guard serving with the PDD, lost all her personal effects when she was forced to flee from her husband's flat opposite Flagstaff House.

5.2.6.6 Andrews Kofi Baah was a security officer and member of the PDD. His Peugeot vehicle was seized from his house by soldiers after 24th February, 1966 coup. In 1977 he found the vehicle in the hands of a third party who had apparently bought it.

5.2.6.7 Amissah Nunoo On 12th March 1966, soldiers and a policeman went to Nunoo's shop at Akim Oda and seized a large quantity of goods which they took away in an army truck. The goods were never returned. Before the coup, Nunoo was the local chairman of the CPP.

5.2.6.8 Rebecca Ofoley Ayeetey, (petition of Samuel Laate) was the owner of Freedom Bar at Abossey Okai, Accra. On 28th February, 1966, and 6th March, 1966, soldiers raided the bar and carried away drinks of all kinds and cash.

5.2.6.9 Freeman Kofi Agbemasu was District Organiser of the GYP. Following the 24th February, 1966 coup, he went into hiding. His tailoring equipment and personal effects were seized and burnt by Police personnel sent to arrest him. His motor bicycle was stolen.

5.2.6.10 In 1964 Ghana Commercial Bank granted a loan to **Alhassan Yakubu**, father of Baba, then Head of Mission, Ghana Embassy, Niamey, to purchase a car. After the 1966 coup, the car was seized by soldiers. The rule at the time was that civil servants were allowed five years to pay off car loans. Since Yakubu senior started paying the monthly instalments in February 1964, he had paid only two years' instalments when the car was seized. At the time of the seizure, the vehicle was the property of the Ghana Government.

5.2.6.11 Kwame Oppong, Kwame Kyere, Ama Sikayena farmers at Kootokrom, near Sunyani petitioned that their lands were taken over by the military for use as a firing range. No compensation was paid.

5.2.6.12 Thomas Kwesi Appiah, a District Commissioner, petitioned that a savings account he opened for his daughter was confiscated by the NLC. He was unable to produce any documents to support the existence of the account or to prove that it contained £1000 West African pounds. In any case, it is for his daughter, who must now be an adult, to lay claim to any such funds.

5.2.6.13 Fred Doh Aboetaka The Annie Jiagge Commission which investigated the assets of F. D. Goka, Minister of Finance in the Nkrumah government ordered the seizure of 106 cattle belonging to his uncle Fianyeifu Aboetaka on suspicion that Goka owned them. In its report the Commission made no mention of the cattle. As a result 69 of the cattle were released to him. The final release of the remaining cattle and their offspring totaling 525 was aborted when the 31 December 1981 coup occurred.

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5.2.6.14 Following the overthrow of the Nkrumah government, seven cows belonging to **Awuku Akpagu Gbeku**, now deceased, were seized as being the property of F. D. Goka. The cows

were kept at a government-owned kraal at Amelorkope. Later they were released to Togbe Fianyenu Aboetaka who was Gbeku's caretaker. Togbe Aboetaka claimed that three of the cows died and that he sold the remainder to recover his expenses in working for the release of the cows. The government bears a measure of responsibility for what happened by seizing cows which did not belong to a person under investigation.

5.2.6.15 Johnny Hansen re **Convention People's Party**; Attached to Hansen's petition is a letter from the CPP giving particulars of properties of the party they claimed were confiscated by the NLC. These are:

- (a) CPP National Headquarters, Accra
- (b) Central Region office, Cape Coast
- (c) Brong Ahafo Region office, Sunyani
- (d) Eastern Region office, Koforidua
- (e) District office, Asamankese

5.2.6.16 With the creation of the 'one party' State, the CPP used public funds unmindful of whether the expenditure was for the purposes of the State or for those of the party. In this situation, it was legitimate for the successor government to regard all the properties of the Party as having been unlawfully acquired. If exceptions were to be made, it could only be made in respect of properties with regard to which the Party produced indubitable evidence that they were acquired with funds from sources other than the public purse. Such evidence was not produced before this Commission.

5.2.6.17 John Kojo Ackon, also known as Nana Aduku Adaa IV. Although Nkrumah was born at Nkroful in Nzema, he traced his ancestry to Nsuaem in Wassa Fiase and Dadieso in Aowin. In April 1962, he was enstooled chief of Nsuaem under the stool name of Nana Aduku Adaa III. He exercised his functions through a regent nominated by him. Shortly after his enstoolment, he built a chief's palace and a block of flats at Nsuaem. There is no reason to disbelieve the evidence of Ackon that the people of Nsuaem rendered free communal labour towards the project. On the overthrow of Nkrumah in 1966, these buildings were taken over by the State and are currently being used as a police station and for housing police personnel. On the facts, the project was intended to be for the benefit of the stool. Fairness demands that the building be restored to the stool.

5.2.6.18 Abena Mansa claimed that she was an Intelligence Officer based at Flagstaff House during the rule of Nkrumah. On Nkrumah's overthrow she was detained for 16 months. On her return she could not find her car and an estate house she lived in at Awudome, Accra had been allocated to someone else. Abena failed to appear before the Commission to give evidence. An explanation is called for as to how the car got missing. On the estate house, Abena admits that

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she had not fully paid for it. If she did not get in touch with the Housing Corporation during her incarceration, they may well have thought that she had abandoned the premises.

5.2.6.19 William Kofi Diameh From November, 1965, until July, 1966, Diameh was on a course in Yugoslavia under the sponsorship of the United Ghana Farmers' Council (UGFC). On his return to the country, his allowances amounting to ₵432, which were payable locally were not paid to him as following the 24th February coup, the UGFC had had its accounts frozen. The Council was subsequently dissolved. Fairness demands that Daniel be paid his allowances.

5.2.6.20 Daniel Ahusano Donkor Amos petitioned that in 1920 his grandfather, **Narh Dagadu**, acquired a customary grant of land from the Nungua Mantse and put up a swish building. In 1987, a year before Dagadu died the swish building collapsed. It is the petitioner's case that he re-built the house up to lintel level. Thereafter, it was demolished on the instructions of the TDC.

5.2.6.21 By custom, a grant of land for building purposes lapses when the building collapses. When, therefore, the swish building collapsed, it was not open to the petitioner to put up another in its place without a fresh grant. There is no evidence that the petitioner obtained a fresh grant from anyone.

5.2.6.22 Amissah Nunoo was a businessman and chairman of the Akim Oda branch of the CPP. After the 24th February 1966 coup soldiers went to his shop and seized goods worth ₵4,177. They also seized about £350 and his wife's gold trinkets. His bank accounts were frozen and remained frozen until 1970.

5.2.6.23 Cecil Kwame Forde petitioned that in 1966 the NLC seized a Mercedes Benz saloon car No. GF 3868 belonging to his father, **Cecil Forde**, who was Chairman of Ghana Radio & TV Corporation.

Investigations have revealed that Forde bought the car with a loan from the Ghana Commercial Bank (GCB). When his appointment was terminated on 1st April, 1966, he was indebted to the Bank in the sum of C4,013.92. The vehicle was impounded on the orders of the Bank and sold to Col George Yarboi.

5.2.6.24 Eddy Cockra Ziblim was the Assistant Northern Region Secretary of the CPP. On the overthrow of the Nkrumah regime he tried to flee to Burkina Faso. He was intercepted at Savelugu and taken back to Tamale. His Opel Rekord Saloon car No. SG 1961 was seized.

5.2.6.25 Damma Wuni a District Commissioner for Walewale in the Nkrumah regime petitioned that after the 24th February, 1966 coup a Mercedes Benz car he purchased with a loan from the government was taken away from him. The insurance document he attached to his

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petition showed that the vehicle was not a Mercedes Benz but an Opel Rekord. In any event, the petitioner admitted that as at 24th February, 1966 he had not paid the full price of the vehicle.

5.2.6.26 On 5th September 1968, police at Bolgatanga raided the shop of **Peter Kwame Nsowah** and seized 157 bags of flour. They accused him of hoarding and later sent the matter to the

Circuit Court for trial. He was acquitted and the Court ordered that the flour be restored to him. However, when Nsowah went for the flour at the Police Headquarters, Bolgatanga he found that they had gone bad. Thus he lost the capital he was using for his business.

5.2.6.27 Sophia Appiah Danquah petitioned for the deconfiscation of the properties of her late husband, **Martin Appiah Danquah**. The confiscations were effected on the basis of the report of the Annie Jiagge Commission. The properties are No. 196 Kwadaso Estate, Kumasi; No A732/4 Latebiokoshie, Accra and a house at Nkawie.

5.2.6.28 **John Kodwo Mensah** petitioner claimed that when 1966 coup occurred, CPP members at Tarkwa had commenced building a conference hall for the party. The uncompleted building was confiscated.

5.2.7 INTERFERENCE WITH THE RIGHT TO WORK

5.2.7.1 **John Cobbina Ndede; Moses Assabieh; Awonzoe Boadi; Francis Ketibuah; George Tanda Eduku; Polley Ransford Namuah; Kwamenla Eboyi; Adaryi Quarm; M.T. Andoh,**

Francis Akesseh; Patrick Yaw Morkeh; Robert Forbah Edukuh; J. A. Boah; Francis Akese Ackah; Joseph Tayie; Jones Henry Anaman; John Abeka Essien; Matthew Cudjoe; John Morkeh Awonzoe; Eddie Ambrose; Henry Walter Duku; Joseph Kwofie Wuajahui, Martin Kwasi Essien; Daniel Evans Arpelleh; J. K. Buah; Ben K. Forjoe; Joseph Cofie Ediem; Paul Ackah Kabenlah; Jeremiah Ekellah; George Quarm; Francis Abeka; Ambrose Yankey Jnr; Moses Kainyah Erzuah; Ebenezer Boafo Asante; Bannerman Smith; George Asiamah Addo; Emmanuel Appiah Dwaa; Robert Tachie Menson Jnr; Isaac Christian Ackah; James Naw Ackah: These petitioners were all members of the PDD who lost their jobs on the overthrow of the Nkrumah government. Many of those who were with Nkrumah on the Hanoi trip went into exile with him. A few left him and returned home. Of those who went to Guinea, some were later repatriated to Ghana with the assistance of President William Tubman of Liberia. The rest came back in 1972 when Nkrumah died and the body was conveyed to Ghana. On their return, some of them petitioned the Ombudsman for some form of compensation for loss of employment. Their prayers were answered when the Ombudsman recommended that appropriate pensions be paid to them. It is the view of the Commission that those who are yet to receive their pensions ought to be permitted to do so.

5.2.7.2 Emmanuel Asamoah Although he claimed that he was dismissed from the Police Force in 1967, he failed to produce his Certificate of Discharge to confirm the fact.

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5.2.7.3 Isaac Nelson Adjekum, a police officer with the Special Branch, was on a course in Moscow when the Nkrumah government was overthrown in 1966. The Government of Russia deported him to the Republic of Guinea where Nkrumah was in exile. He remained in Guinea until 1968 when, with the assistance of the government of Liberia, he returned to Ghana. On

arrival he was detained for six months and then released. He was not taken back into the Police Service.

5.2.7.4 Samuel Obuobisa Bampoe was a student at the Kwame Nkrumah Ideological Institute at the time of the 1966 coup. After the coup he returned to his post of Graphic Artist at the Graphic Corporation. He was dismissed in March 1966. His contributions to the Provident Fund were not refunded to him.

5.2.7.5 Samuel Kwabena Antwi (also known as **Asenso Benjamin Akwasi**) At the time of the abortive coup of 17 April, 1967, Antwi was a police constable stationed at Hove in the Volta Region. A civilian called Emmanuel Akubia lodged a complaint that Antwi openly expressed support for the coup attempt and made threatening remarks against the Inspector General of Police. The Central Disciplinary Board of the Police Service ordered his dismissal from the Service.

5.2.7.6 Kofi Ankwandoh Arkorful, a W O I in the Ghana Army, claimed to have played a leading role in the agitation for the expulsion of British Officers from the Army in 1961. In 1965, he was commissioned as Lieutenant on the instructions of Nkrumah. After 1966, his commission was withdrawn and he was reduced in rank from W O I to Staff Sergeant.

5.2.7.7 Fuseini Mumuni, a Lance Corporal in the Ghana Armed Forces, was discharged in 1968. An assessment of his conduct and character indicates “he found it extremely difficult to cope with military routine and discipline.” Indeed, he forfeited 115 days of service. The excuse that he took his girl friend to his hometown to deliver a baby is not convincing.

5.2.7.8 In 1968, **Nicholas Mevemo Norvimagbe**, a Sergeant in the Ghana Army left his duty post to his subordinate and went away. While he was away, smugglers were arrested. His men decided to steal some of the goods. When they were found, out they and Norvimagbe were court-martial. Norvimagbe was dismissed from the army with disgrace. His colleagues were sent to prison. There can be no excuse for a soldier to leave his post without informing his Superior Officers. The punishment meted out to Norvimagbe was deserved.

5.2.7.9 Wilson Bamfo-Awuah, a soldier in the Ghana Army, went AWOL on 30th April, 1969, and was discharged. The explanation he gives that he was arrested and sentenced to six months imprisonment by an unnamed body seems imaginary.

5.2.7.10 Kofi Duku was Managing Director of the Food Marketing Corporation. On 1st December, 1966, his appointment was terminated by Ministry of Agriculture letter No. 8006.SF.

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55/62 signed by C. A. Dadey, Principal Secretary. Following representations made by him, the termination was changed to suspension. A Committee of Enquiry was appointed into the affairs of the Corporation. On the basis of its report, it was finally decided to terminate Duku's appointment with effect from 9th March, 1968. Duku's period of service with the Corporation

was from 1963 to 1968. Whether he was entitled to terminal benefits, as he claimed, depended on the terms of his employment.

5.2.7.11 Kwabena Grunshie was appointed to the non-pensionable post of Cook's Mate in the Presidential Household in September 1961. By 1966 he had been promoted to Cook Grade II. Following the overthrow of Nkrumah, he was declared redundant and was paid off with one month's salary. Grunshie's letter of appointment made it clear to him that his post was not a pensionable one and was to be held at the pleasure of the President. Even though he was not entitled to be paid a pension, an ex gratia award would not have been out of place

5.2.8 THE YENDI SKIN

5.2.8.1 For many years now, the Dagomba chieftaincy has posed a threat to order. In 1960, the Nkrumah government tried to regulate succession to the skin by making the Declaration of Customary Law (Dagomba State) Order (LI 59). However, the Instrument was revoked by the NLC. When, therefore, Ya Na Abudu III died on 14th September, 1967, a dispute arose between the Abudu and Andani gates (branches of the same family) over the person to succeed him. The Andani gate put up Mion Lana Andani while the Abudu gates put up the Regent who was the eldest son of Abdulai III. When the Andani gate purported to enskin Mion Lana as Ya Na Andani III, the NLC appointed the Nene Azu Mate Kole Committee to look into the matter. The Committee subsequently submitted a report on 8th August, 1969, which was accepted by the government. The main recommendation was that the enskinment of Ya Na Andani III was a nullity.

5.2.8.2 On 8th September, 1969, detachments of police were sent Yendi to dislodge members of the Andani gate who had occupied the Ya Na's Palace. After a 24-hour ultimatum to disperse had expired, the police moved in with force and, in the process, several persons were killed and others injured.

5.2.8.3 Post mortem reports of the time confirm the killing of the following persons:

- **Kaku Sumani**
- **Abdulai Foribe-Na**
- **Abdulai Mahama**
- **Wumbie Paga (female)**
- **Norga Moshie**
- **Musa Abu**
- **Abdulai Dagomba**
- **Abukari Mahama**
- **Adia Muniru (female)**

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- **Maata Yakuba (female)**
- **Awabu Sulemana (female)**
- **Yakubu Abukare**
- **Mallam Abdulai Nyankpa**

- **Wumbie Npembe**
- **Adam Dagomba**
- **Shani Sulley**
- **Issaka Gushiei-Na**
- **Malam Ibrahim Dagomba**
- **Nyong Chirifo**

5.2.8.4 There were no post mortem reports to confirm the killing of the following persons:

- **Mahama Dagomba**
- **Mion Zuagyuri Naa Issahaku**
- **Abdulai Yamusa Inusa**
- **Musah Wumbei**
- **Musah Sancheerah**
- **Adam Abukari**
- **Alhassan Pagazaa**
- **Adam Kaleen**
- **Alhassan Bilinkuga**
- **Abukari Andani Yiri**
- **Dzebuni Pishiegu**
- **Karaga Tuu-Naa**
- **Tampion Tuu-Na**
- **Yakubu Guruma**
- **Damankung Alidu**
- **Sambu Daaso**
- **Alidu Braimah**

5.2.8.5 In all, the petitioner, Adam Baba Issifu, listed 36 persons as having been killed and 41 as injured.

In the course of the proceedings before the Commission, three of the injured, all women, were examined. They all had gunshot wounds. Subsequently, the Commission received medical reports on three of the injured, two women and a man. They are **Sana Imoro**, **Asana Mahama** and **Amidu Alhassan**. Sana was shot in the thigh, Asana in the left upper arm and Alhassan in the knee. Alhassan's right lower limb is amputated below the knee. He walks with a limp because of the amputation.

VOLUME 2 CHAPTER 5**5.3****C. 1ST OCTOBER, 1969 – 12TH JANUARY, 1972****(THE SECOND REPUBLIC)**

5.3.1 The introduction of a new, democratic Constitution on 22nd August 1969 raised high hopes for the development of a peaceful and prosperous nation. In the general elections held on 29th August, the Progress Party (PP) led by Dr. Busia won an overwhelming number of seats. The new government took office on 1st October, 1969.

5.3.2 EXPULSION OF ALIENS

5.3.2.1 Before the PP government took office there existed laws, notably, the Aliens Act, 1963 (Act 160) regulating the stay of aliens in the country. Among other things, the Act required all aliens to have a visa or permit to enter Ghana, and made it an offence for any alien whose permit had expired or been revoked to remain in Ghana. The new government was determined to enforce the laws as a way of controlling the influx of aliens into the country. It issued an order, the Aliens Compliance Order, requiring all aliens in the country to regularise their stay or face expulsion. Panic broke out when the government set a time limit of two weeks. Faced with financial and economic ruin, some aliens committed suicide; others sold their houses and businesses for a song. Some greedy Ghanaians seized the properties of aliens or entered into unconscionable agreements with them as to their disposal. Much suffering was caused by this attempt to enforce laws which had been left dormant for years in recognition of the mobility of the population in West Africa. It left considerable bitterness and destroyed many homes. Even though none of the aliens affected by the Order petitioned the Commission, it is necessary to record the event and acknowledge the hardships and injustices it caused.

5.3.3 INVASION OF PROPERTY RIGHTS

5.3.3.1 Kwadwo Subunu petitioned that during the construction of the Barekese Dam in 1970, the following crops on his farm were counted:

Cocoa	2611
Orange	7
Kola	9
Plantain	361

He maintained that no compensation was paid for the crops. The claim was considered by the Land Valuation Board in 2001. By letter No. 333 of 23rd March 2001, K. N. Asumadu Sakyi,

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Regional Valuer, Kumasi, informed the CHRAJ that documents on the claim could not be traced. He also expressed doubts as to the identity of the petitioner who, he said, was a nephew of Kwadwo Subunu, now deceased.

The petitioner gave his age in 2002 as 62 years. This would make him 30 years old in 1970. In his evidence before the Commission the petitioner claimed that he inherited the farm from his grand uncle. It is best to keep an open mind and allow the Valuation Board to complete their investigations into the claim.

5.3.4 INTERFERENCE WITH THE RIGHT TO WORK

5.3.4.1 Matthias Wolana Ofori was Managing Director of the Graphic Corporation. On 20th February, 1970 his appointment was terminated by the government in purported exercise of the power conferred by section 9(1) of the Transitional Provisions of the Constitution of Ghana, 1969. It provided as follows:

“Subject to the provisions of this section, and save as otherwise provided in this Constitution, every person who immediately before the coming into force of this Constitution held or was acting in any office established

(a) by or in pursuance of the Proclamation for the constitution of a National Liberation

Council for the administration of Ghana and for other matters connected therewith dated the twenty-sixth of February, 1966, or

(b) in pursuance of a Decree of the National Liberation Council, or

(c) by or under the authority of that Council,

shall, as far as is consistent with the provisions of this Constitution, be deemed to have been appointed as from the coming into force of this Constitution to hold or to act in the equivalent office under this Constitution for a period of six months from the date of such commencement, *unless before or on the expiration of that date*, any such person shall have been appointed by the appropriate appointing authority to hold or to act in that office or some other office.”

5.3.4.2 By this provision, all posts in the public services and corporations became vacant after six months, unless a fresh appointment was made. It follows that the petitioner’s post became vacant by operation of law, and it was not necessary for the government to dismiss him. The furore created by the attempt on the part of the government to dismiss some officers was one of its own making. Section 9(1) gave the government power to appoint to offices, not to dismiss anyone.

5.3.4.2.1 Joseph Broni Amponsah, a policeman, had his appointment revoked on 20th February, 1970. Later, it was found that the person to be removed from office was one James Kwabena

Broni. Accordingly, Amponsah was re-instated. His service record shows that he remained in the Service until at least 2nd May, 1974. However, in the petition he filed at the Commission, he claimed to have been retired. If indeed he was, then it must have been for reasons unconnected to the exercise by the Busia government of the power conferred on it by the Transitional Provisions of the 1969 Constitution.

VOLUME 2 CHAPTER 5**5.4 D. 13TH JANUARY, 1972 – 3RD JUNE, 1979****(NRC/ SMC I & II)**

5.4.0.1 Even though the military-cum-police coup d'état of 24th February, 1966 may be explained on the ground that the CPP has created conditions whereby the only way to change the government was by the use of force, had the unfortunate effect of whetting the appetite of men in uniform for political power. From then on, the talk among Officer Cadets in the Military Academy was about overthrowing governments and installing themselves in power. They had seen Kotoka, a Colonel, become a Major-General and then Lt General. Ocran was promoted to Major-General. Afrifa, a Captain, became a Colonel, and then a Brigadier. Two years later, he was promoted to the rank of Major-General. In early 1970, Afrifa became a Lt General at the age of 34 years. It was enough to make any serving soldier green with envy.

5.4.0.1.2 On 13th January, 1972, Ignatius Kutu Acheampong, a Colonel and Commander of the 1st Brigade Group, made his move. With the support of Majors Agbo, Selormey and Baah he overthrew the PP government and set up a National Redemption Council (NRC) to rule the country. The rewards for their treachery were that Acheampong became Chairman of the NRC and promoted himself rapidly to the rank of Major-General. By the time he was forced out of office, he had risen to the rank of full General. Majors Agbo, Selormey and Baah became members of the NRC. They held office until 1975 when the NRC was re-organised as the Supreme Military Council (SMC).

5.4.0.3 The petitions received by the Commission on human rights abuses during the period of the NRC and the SMC covered Killing, Maiming, Torture, Ill-treatment, Detention Without Trial, Invasion of Property Rights, Interference with the Right to Work and Abuse of the Judicial Process.

5.4.1 KILLING

5.4.1.1 Samuel Kusi Addai was the Brong Ahafo Regional Manager of the Co-operative Society, a body engaged in the purchase of cocoa. On 28th March, 1972, Addai was arrested and taken to the military barracks in Kumasi. The next day, he was sent to Liberation Barracks, Sunyani. In the morning of 30th March, two of his wives visited him at the barracks in Sunyani. They observed that his hair had been shaved off and he looked troubled. He told them the authorities were demanding that he should pay ₵10,000 before being released. The amount was said to be due to the Society. Later that day, his wives heard that he had died. They went to view the body at the mortuary at Sunyani Hospital. The body was released to the family and Addai was buried on 1st April, 1972.

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5.4.1.2 In October, 1972 soldiers investigating a theft of money at Esumegya, near Bekwai, by a cocoa purchasing clerk, arrested **Ama Nyamekye** and her husband **Kwadwo Achamfour** on suspicion of complicity and took them to the Military Barracks in Kumasi. Achamfour died while in custody.

5.4.1.3 On 18th September, 1974 while at work at the Builder's Brigade camp at Bompata, Kumasi, **Joseph Philip Aidoo** was struck by a shot fired by a soldier. He died instantly.

5.4.1.4. On 22nd June, 1978, **Emmanuel Eworyi**, a student of Sogakofe Secondary School in the Volta Region, was walking back home after visiting a friend when he was shot by a soldier on duty at the Lower Volta Bridge. He died at Adidome Hospital the next day.

5.4.1.5. Peter Agyei Barimah a student of the University of Ghana was shot and killed by Police Constable Bedzra on 5th May, 1979 at the Railway Station, Accra. A Committee of Enquiry was set up to examine the circumstances leading to the shooting. When it submitted its report, it was announced that Barimah's family would be compensated. The petition filed by Philip Barima Osei, a brother, alleged that no compensation was paid.

5.4.2. MAIMING

5.4.2.1 In 1972, while in custody at the Air Force Station, Takoradi, **David Kobina Osei**, a trader of Assin Sibenso was struck by a soldier on the eye with a belt. He suffered lost of sight.

5.4.2.2 During the campaign to persuade the public to accept Acheampong's Union Government idea, there was a confrontation at Kejetia, Kumasi between those who supported it and those who opposed it. **Paul Kofi Agyimah**, a bar owner who had gone to town for supplies of drinks found himself caught in what had become a riot. Shots were fired and Agyimah received a bullet wound in the jaw. The bullet went through his mouth knocking out some teeth and emerged through his nose. Agyimah required plastic surgery to reconstruct his nose. This was done in 1981 in Germany at public expense. He was to have gone back for a review a year later, but due to official foot-dragging he has not been able to make the trip. Agyimah now has difficulty in breathing through his nose.

5.4.2.3 On 17 February, 1979, **Alexander Adjei Boapea**, went to an electrician's shop at Tudu, Accra to collect his battery. While there, Escort Sgt Coker of the Police Striking Force unit fired a shot which passed through both of his legs. As a result Boapea's left leg had to be amputated. Coker's excuse was that he thought Boapea and his mate, whom he killed, were thieves. Coker was put on trial before the High Court on a charge of murder and acquitted. Boapea has not been paid any compensation.

5.4.3 TORTURE

5.4.3.1 Naaba Ayamdo Abane's mother, **Atinpoka**, now deceased, sold kola nuts at Akayonga in the Bongo District. In 1977, soldiers went to the market and claimed that she was selling the

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kola nuts at “above control price”. They ordered Atinpoka to remove her *kaba* and flogged her on the back with their belts.

5.4.3.2 Between April 1973 and August 1975, **Jonas Ngaayen Baponye** was in custody at the military barracks in Kumasi on suspicion of having stolen gold from his employers, the Ashanti Goldfields Corporation. While there, his hair was shaved off with a broken bottle, he was drilled, threatened with being shot and flogged with barbed wire. He now has scars on his back.

5.4.3.3 Davis Ayiku a businessman was arrested and taken to the Castle, Osu after the goods in his wholesale had been seized by soldiers. At the Castle, he and one Addo, a friend who was arrested with him, were ordered to slap each other. When Ayiku expressed surprise at the order a soldier slapped him over his right eye. Ayiku fell down. While he was on the ground, the soldiers kicked him several times. He was then raised to his feet and he and Addo engaged in slapping each other several times.

5.4.3.4 Cliff Atampugri Apasnorin; Atia Adongo; Azelego (deceased) were tending to their farm near the Residency, Bolgatanga when they were invited to see Col Acquaye-Nortey, the Regional Commissioner. When they went to him the Commissioner questioned them on why they had set fire to the bushes. He then asked his bodyguard to punish them. Apasnorin and Adongo gave this account of their ordeal:

Apasnorin:

“The body guard sent us out and made us to crawl on the rough surface of the road with our knees and hands. The surface was made up of stones so it was very painful and hurting to crawl on them. But we had no alternative than to obey the bodyguard who was so cruel to the extent that he was whipping us with his military belt on all parts of our body. To make matters worse, he would jump onto the back of one person and then to the other. In addition to that, he kicked us on our faces, ribs and any part of our body that he felt like kicking. We were waiting and pleading for mercy but he would not budge. ... At one stage, he put a cement block on the chest of each of us and we were made to roll with the block strapped to your chest with your two hands. He continued like that until we could not move again. He then released us to go. ... The skin of our knees, toes and palms had peeled off. Indeed, my mother wept upon seeing me because she thought I was going to die.”

5.4.3.5 Adongo:

“He then handed us over to his military bodyguard who took us to the yard and subjected us to various military drills and torture. He made us to use our knees to walk on the rough floor, carry each other and ran a particular distance; rolling on the floor with a block strapped to our chests. While we were performing these drills, the soldier, kicked and beat us on all parts of our bodies. He continued like this until we were weak and could not move again. We sustained various

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degrees of injuries: blood oozing out from our heads,” the skins on our palms and knees peeled off.”

5.4.3.6 Joseph Smith Amankwah was an officer of the Centre for Civic Education based at Saltpond. Following the overthrow of the PP government, the Centre was dissolved. Amankwah received instructions to go to Cape Coast and hand over his duties to the Regional Administrative Officer. When he arrived at the offices of the Regional Administration, the

newly-appointed Regional Commissioner, Col Frank G. Bernasko, was on an inspection tour of the offices. Col Bernasko asked Amankwah why he was late for work. Amankwah explained to the Colonel the purpose of his visit to the Regional Office. Col Bernasko then said to a soldier, “Discipline him!” What happened next is best expressed in Amankwah’s own words:

Two of the soldiers took me outside to the quadrangle and told me jump, hold my ears and hop, then roll on the ground which was full of gravels from one end to the other. When I became tired and could no longer carry on with their instructions, they took off their belts and started to beat me with it. They kicked me with their boots and slapped me many times. I was bleeding at my back from the beatings I had received. My face was swollen and I still have the scar on my left arm from the cut I received when they used the belt on me.

I became unconscious and got up around 10 – 11 in the night at the district hospital (Saltpond) with a drip on me. They stitched the cut I had on my arm and given injections and drips. ...

I was informed by the doctor that the beatings had affected my spinal cord as I was lying face down when they were beating me.

In spite of Col Bernasko’s denial that the incident took place, it was clear that he saw nothing wrong with ‘disciplining’ civilians by compelling them to undergo humiliating punishment in public. He admitted this much in his evidence before the Commission and in a letter he wrote from London. What is more, the *Daily Graphic* of 29th February, 1972 reports that Col Bernasko used similar tactics to break a strike of workers at the Komenda Sugar Factory.

Even though it was proved that medical attention received by Amankwah since the incident has cost a fortune, we consider it unreasonable to ascribe it all to that one incident.

5.4.4 ILL-TREATMENT

5.4.4.1 Simon Ohene Peprah operated a drinking bar in Sunyani. On 11th November, 1978 a group of soldiers who had taken part in the Remembrance Day march went to his bar for drinks. When he sold a bottle of guinness stout to them at ₵2.20 they told him the control price was ₵1.95. The soldiers arrested him, took him to the barracks where they beat him and shaved off his hair.

5.4.4.2 Osman Bawa Issaka a dealer in foreign exchange, went to the Takoradi Harbour in May 1972 to transact business. While there, security officers searched him and foreign currencies found on him were seized. He was stripped naked and beaten by some naval officers who were present and made to roll on the ground. Thereafter he was detained at the Harbour Police Station

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for three days and then released. Although no charges were preferred against him, his money was not returned to him.

5.4.4.3 Joseph Armstrong Berko lived at Manso Akwasiso, Ashanti Region with his father, **Stephen Fordjuor**, now deceased. In 1973 soldiers who seized Berko's father's rice milling

machines subjected him, his brothers, **Isaac Mensah** and **Kofi Bronya**, and their father to ill treatment. They were kicked and beaten while being taken away. On arrival at the military barracks they were made to lie in the sun for several hours.

5.4.4.4 In 1975, **Paul Yaw Fosu**, a trader in charcoal, travelled from Kintampo to Techiman with several bags of charcoal. While on his way, a military vehicle with soldiers and policemen on board followed him. On arrival at Techiman, the team demanded that he hand over the keys to his shop. They searched the shop for hoarded goods but found none. They took him to Baamire village to search his father's house. Again no hoarded goods were found. At that point the team made him roll on the ground. He was also hit in the groin with a stick.

5.4.4.5 Isaac Osei Tutu, a L/Cpl in the Ghana Army resigned his position and left the army after five years' service. He complained that he was put in a guardroom for not saluting properly and was required to obtain a daily pass. These are matters of military discipline for which no compensation can be claimed.

5.4.4.6 While on his way to see the Regional Commissioner for Ashanti Region, Col Abrefa, at the **Residency** in Kumasi one evening, **Godbless Amankwah** gave a lift to two persons who said they were also going to see the Commissioner. On his return to the gate Amankwah was queried by the guards as to why he had not disclosed the fact that he had other persons in his car. The guards pulled him out of his car and kicked him so that he fell on the ground. He was made to carry sandcrete blocks in both hands while crawling on the ground. Anytime the blocks fell from his hands he was struck with a cane at the back. Amankwah was eventually saved from further punishment when the Regional Commissioner came upon the scene.

5.4.4.7 Soldiers who seized **Muhamadu Tahiru Saibu's** goods at the Aboabo market, Tamale, took him to the military barracks and shaved off his hair roughly leaving tufts at odd parts of his head. They asked him to report back at the camp the next day with the hair in the same condition. He did so and was then told to go away.

5.4.4.8 Roland Agorigo petitioned on behalf of his brother **Adombire Atia**, now deceased. Atia was seized by soldiers from his home in Bolgatanga and taken away. Thereafter, for the next 14 days, he and other persons in the custody of the soldiers were taken to the Bolgatanga market, paraded round and made to carry blocks. His hair was shaved off with a broken bottle and he sustained injuries on various parts of his body.

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5.4.4.9 George Adombilla Aseko's father, **Aseko** and his nephew **Abiko**, both of whom are now deceased, were arrested by soldiers at their home in Bolgatanga and taken away. The following day they were paraded through the streets and made to carry blocks. They were also beaten. Aseko and his nephew were released after one month.

5.4.4.10 Abugre Akumolga was the wife of **A. A. Abiko** of Bolgatanga. Abiko was arrested with his brothers by soldiers and taken away. Later they were paraded through the streets and beaten. The reason for the arrest is unknown, but the soldiers were led by one Andaa Atusir.

5.4.4.11 Ayuura Anonsige's father **Jack Anonsige**, a cleaner at the High Court, Bolgatanga was among a number of persons who were arrested by soldiers. They were paraded in the streets, beaten and made to carry blocks.

5.4.4.12 On 13th January, 1978, students of the University of Ghana, Legon embarked on demonstrations in protest against the celebration of the day as a public holiday. In a reaction, the authorities sent policemen armed with truncheons and tear gas to attack the students. One of the victims was **Mathew Kyei** who in trying to get away jumped over a hedge at the back of the Central Cafeteria, falling into a gutter. He broke his left leg. While prostrate on the ground he was attacked with truncheons by the police and sustained a cut on his head. A scar is still visible. The petitioner's left leg was operated upon at the 37 Military Hospital.

5.4.4.13 Following his arrest in connection with sugar alleged to have been hoarded by Go Ahead Limited, a company for whom he worked as a storekeeper, **Emmanuel Botway** was subjected to ill-treatment at Burma Camp. He was slapped and made to lie on a mixture of coaltar and gravel, and look at the sun without blinking.

5.4.4.14 **George Ohene Oppong** was a trader at Dormaa Asikasu in Brong Ahafo. A group of soldiers set upon him and beat him with their fists, boots and butts of their guns. He was also repeatedly slapped.

5.4.4.15 In 1970, **Nicholas Obiri Korang**, a farmer of Odumasi, near Sunyani took a loan of ₵100 from the Agricultural Development Bank. In January, 1973 he was arrested by soldiers and questioned about his indebtedness to the bank. While he was being taken to Sunyani the soldiers stopped from time to time and beat him and other persons who had also been arrested. The vehicle reached Sunyani during the night. Again, he was beaten after which he was asked to find his way back home. Korang's being indebted to the ADB was no excuse for the assault.

5.4.4.16 **Kwaku Agyapong** When soldiers went to Agyapong's shop at Nkoranza to arrest him on suspicion of hoarding, he was beaten and drilled in the sun.

5.4.5 HOSTAGE TAKING

5.4.5.1 **Asare Panti** was taken prisoner in place of his brother, Emmanuel Kofi Amoah who could not be found. On the way to the Castle, Osu the soldiers made him lie down in their vehicle and they put their feet on him. They beat him on the way. At the Castle, he was placed

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in a guardroom and beaten by the guards who questioned him about the whereabouts of his brother. The beatings had an adverse effect on his left eye.

5.4.5.2 David Okyere was a fitter's apprentice. In 1975 soldiers who had been engaged by one Kwaku Fokuo of Akrokeri to recover a debt owed him by Kofi Nti, Okyere's master, arrested

Okyere when Nti could not be found. Okyere was beaten up, resulting in the loss of a tooth. He was taken to the barracks in Kumasi and locked up till the next day.

5.4.6 DETENTION

5.4.6.1 The bad precedents set by the Nkrumah government and the NLC regime in the matter of detentions without trial were followed by the NRC. The Preventive Custody Decree, 1972 (NRCD 2) gave the Council power to authorise the arrest and detention of any persons if the Council was "satisfied that it is in the interest of national security or in the interest of the safety of the person so to do". On the strength of this Decree, 265 functionaries of the PP were taken into custody for varying periods. Among them were:

- | | |
|---|---|
| 5.4.6.1 1. Samuel Dwira | - 11 months. |
| 2. Malone MacStephen Y Boateng | - 9 months. |
| 3. Francis Kwadzo Ahiakonu | - 5 months. |
| 4. Nana Akuamoah Sekyere II | - 1 year. |
| 5. Yak Ziga | - 1 year. |
| 6. Ebenezer Atta Bediako | - 3 months. |
| 7. Henry Nii Nyan Sanniez | - detained after the coup, he died on 21 st June, 1972 while still in custody. |
| 8. Albert Yao Agbattey | - now deceased, was detained for 1 year. |
| 9. Emil Kofi Agbley | - 7 months |
| 10. Joseph Owusu Kuntoh | - 4 months |
| 11. Gladys Ashorkor Larbi | - 1 month |
| 12. Emmanuel Kofi Dusu | - 3 months |
| 13. Mary Anthonia Kumeni | - 2 months |
| 14. Eddy Cockra Ziblim | - 9 months |
| 15. Kwaku Acheampong | - 3 days |
| 16. Matthew Narh Tetteh , then Paramount Chief of Great Ningo, was arrested as a PP sympathiser. He was kept in custody at Nsawam Prisons for 10 months. | |

5.4.6.2 Other persons who petitioned against their unlawful detentions were:

- | | |
|--|-------------------|
| B. K. Busia , brother of Dr Busia | - 1 year 5 months |
| T. A. Busia | - |
| F. B. Busia | - |

Francis Kwesi Obeng In 1976, Francis, an employee of the Sunyani Hospital was arrested and brought to Accra on suspicion of involvement in a case of fraud. He was detained for seven days and later released.

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5.4.6.3 Kofi Agyirey Kwakye was one-time Managing Director of the Ghana Federation of Farmers Associations Limited. In 1972, and again in 1979, he was arrested and detained in an effort to compel the company to pay debts owed to the Cocoa Marketing Board.

5.4.6.4 Jerry Kartey Tetteh a chief sub-editor of the Ghana News Agency, was arrested in November, 1976 after returning home from Japan on a trip sponsored by the Japanese government. He was kept in detention until 8th March, 1978.

5.4.6.5 Kwame Kwakye In 1971, Kwakye had a brush with the police at Assin Fosu when in an attempt to retrieve a radio, they allegedly claimed was a stolen property, from him he butted a

policeman. Kwakye was put on trial but acquitted. In 1972, Kwakye was arrested by the police. He was kept in prison without charge until November, 1976.

5.4.6.6 Donyina Agyei-Kantonn, Chairman of the Brong Ahafo Region branch of the Civil Rights Organisation, was arrested in January, 1973 for opposing Acheampong's rule. He was kept in detention until December, 1973.

5.4.6.7 Charles Adu-Boateng, a soldier serving with Military Intelligence, was assigned duties as a body-guard to Prime Minister Busia. After the 13th January, 1972 coup, he was arrested and then released. Later, he was charged with plotting with others to overthrow the Acheampong government. He was tried and sentenced to death by a military tribunal. He remained in prison until 16th October, 1979.

5.4.6.8 James Ngaayeu Baponye On 27th January, 1973, Baponye, a miner employed by Ashanti Goldfields Corporation at Obuasi was arrested on suspicion of stealing gold. He was kept in custody first, at the Police Station, and then, in the guardroom of the military barracks in Kumasi, until August, 1975 when he was discharged by a Circuit Court at Obuasi.

5.4.6.9 Samuel Nepson Totimeh, a Captain in the Ghana Army, was arrested and detained on 20th May, 1977 on suspicion of plotting to overthrow the SMC. He was kept in detention under the Preventive Custody (No 36) Order 1977(EI 101/77).

5.4.6.10 Isaac Abraham was arrested and detained for 17 months under the Preventive Custody (No. 9) Order, 1975 (EI 33).

5.4.6.11 Daniel Tete Gyampo, a store-keeper at the Korle Bu Hospital, was arrested on 4th February, 1976, and kept in military custody for 3 months on suspicion of diversion of fuel. When the criminal charges against him were withdrawn he was again arrested and kept in military custody for 8 months.

5.4.6.12 John Alexander Osei was a Depot Keeper of the Co-operative Marketing Association at Insu Siding, Western Region. In April, 1972 he was arrested in connection with the theft of

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cocoa at his depot. He was taken to the Aprembo Barracks, Takoradi where he was detained until November 1972 after the real culprits had been found and arrested.

5.4.6.13 Dr. Kwadjo Amoah studied and worked in the United States and Canada for a number of years and returned to Ghana in 1975. He wrote a pamphlet entitled “The Hour of Truth or a call on Acheampong to Handover Government”. In the pamphlet he compared military dictationships unfavourably with democratically elected governments. Dr. Amoah was arrested and detained at Nsawam Prisons for 2 years.

5.4.6.14 Mathew Kofi Sarbeng a Secretary/Receiver of the Ghana Co-operative Marketing Association stationed at Hwidiem in Ashanti was arrested on 13th January, 1972 and detained in Sunyani Prisons for 6 months.

5.4.6.15 In 1972, **Nana Essankwa Baah**, Chairman of Obuasi Urban Council was detained for 3 months.

5.4.6.16 King Agyeman-Duah, a Superintendent of Posts stationed at Tapa, Ashanti was arrested in 1973 and detained at Uddara Barracks, Kumasi for five years. On the overthrow of Acheampong, the petitioner was released only to be re-arrested and taken to a Circuit Court to face criminal charges.

5.4.6.17 Daniel Akwasi Prempeh was detained at Kumasi Prisons and Kete Krachi Prisons. Released after overthrow of Acheampong.

5.4.6.18 Atta Obeng alias **Nana Kwadwo Obeng II** was a driver of K. Y. Manu, Deputy Minister of Transport & Communication in the Busia government. On the overthrow of the government, he was arrested with the Minister at Nsuta and taken to Kumasi. He was detained for 1 year.

5.4.6.19 Valentine Akakpo a driver was detained under Preventive Custody (No. 16) Order 1977 (EI 51) on 13th July, 1977. He was released in April 1978.

5.4.6.20 In 1975, **Emmanuel Dumfeh** was arrested at Akatsi in the Volta Region, when he was found in possession of cigarettes believed to have been smuggled into the country from Togo. He was kept in a guardroom for 72 days and then detained at Nsawam Prisons for one year.

5.4.6.21 On 22nd February, 1972 **Stephen Yao Mayer** was arrested by the police at Hohoe and taken into custody. He was detained without charge until 31st December, 1975, when he was released.

5.4.6.22 Mensah Larlai served as a bodyguard to G. W. Amarteifio, a well-known opponent of the Acheampong regime. In 1978, he was arrested at the Accra Sports Stadium and detained for

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one week. He was arrested again and remained in custody until Acheampong was removed from office on 5th July, 1978.

5.4.6.23 Bakuro Dombo is a younger brother of S. D. Dombo, a Minister in the government of Dr. Busia, he was arrested and detained for one year two months following the 1972 coup.

5.4.6.24 In August 1974, **Emmanuel Botway**, a storekeeper of a company called GO AHEAD LIMITED was arrested and questioned about sugar said to have been hoarded by the company. He remained in custody for 10 months.

5.4.6.25 John Yaw, a tailor and brother to one Kontoh, lived at Dormaa Ahenkro. Kontoh was arrested and soldiers from Sunyani went to Dormaa in search of his driver. The soldiers approached Yaw, enquired of him as to the whereabouts of the driver. When he answered that he did not know, he was arrested and taken to the barracks at Sunyani where he was detained for three months.

5.4.6.26 Kwadwo Owusu Sekyere, was a member of the Movement for Freedom & Justice (MFJ). For participating in activities to oppose the Acheampong regime, he was arrested and detained at Kete Krachi Prisons until the overthrow of Acheampong. In all petitioner spent 4 months in detention.

5.4.7 ABUSE OF THE JUDICIAL PROCESS

5.4.7.1 On 21st August, 1972, **Emmanuel Kwaku Badasu** and one other were charged with stealing telephone cable wires. They were first sent to the Tema District Court where the charge was laid under the Criminal Code, 1960. Later, they were sent to a Military Tribunal and charged with subversion under the Subversion Decree, 1972 (NRCD 90). They were found guilty and sentenced to death. The sentence was later commuted to 30 years imprisonment. Badasu was released after serving 10 years in prison.

5.4.7.2 Contrary to established practice, section 6 of NRCD 90 made the Armed Forces Act, 1962 (Act 105) applicable to civilians. Further, the Subversion (Amendment) (No. 2) Decree, 1973 (NRCD 186) barred all courts from entertaining legal challenges to the decisions of military tribunals set up under section 4 of the Decree. In other words, their decisions, right or wrong, were final. This was a draconian enactment which showed scant regard for the liberty of the individual. It cannot be supported in this era of democratic rule.

5.4.7.3 Manfred Cromwell Doh was an employee of the National Lotteries. In 1973 he was arrested with two persons, Amane and Bosompem for economic crimes. Amane died while in custody. After 2 years in detention, Doh and Bosompem were tried by a military tribunal, convicted and sentenced to 25 and 30 years' imprisonment respectively. Doh was released in 1980 after spending 5 years in prison.

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5.4.7.4 Albert Owusu Boateng, now deceased, was a journalist working on the *Weekly Spectator* newspaper. On two occasions, he was arrested and detained for brief periods for writing articles critical of the Acheampong government. After 1973, he was rearrested with Kojo Botsio, Imoru Ayarna, John Tettegah and others on suspicion of conspiring to overthrow the NRC. They were tried by a military tribunal. Boateng was sentenced to 30 years imprisonment. He was released from prison after serving five years of the term.

5.4.8 PRICE CONTROL

5.4.8.1 The Price Control Decree, 1974 (NRCD 305) gave the Commissioner responsible for Trade power to fix the maximum price at which specified goods may be sold. It also made

hoarding and smuggling of goods illegal. Any person who contravened a price control order, or hoarded or smuggled goods, was liable to prosecution. The Decree was more often than not abused as there were hardly any prosecutions. The goods were either seized and taken away or sold to the public without accounting for the proceeds. The Petitioners were:

5.4.8.2 Atanga Ayemleme, a trader in cattle was conveying 153 sheep and goats from Namoo to Accra for sale when he was intercepted at Walewale by soldiers who accused him of smuggling them from across the border. In the face of threats, Ayemleme was obliged to abandon his sheep and goats and flee for his life.

5.4.8.3 Albert Kwasi Addai, in April 1977 at Bekwai, soldiers seized and sold Addai's goods. The proceeds were not given to him.

5.4.8.4 Lydia Armah On 1 May, 1977 police at Akim Oda raided Lydia's shop and carried away 14 bundles of roofing sheets.

5.4.8.5 Yaw Osei In 1977 policemen went to Osei's shop at Mampong, Ashanti and sold all the goods to the public. The goods comprised mainly sewing machines, plywood, bicycles and wax prints.

5.4.8.6 Larkyne Mary Tawiah was a trader in second-hand clothes at Makola No. 1 Market. The goods in her shop were seized by soldiers during the Acheampong regime and taken to Burma Camp.

5.4.8.7 Alexander Kwasi Yirenkyi was owner of a shop at Koforidua. After 1972 coup 250 cartons mackerel and 150 St. Louis sugar were seized from his shop and sold to the police. The proceeds were paid into government chest.

5.4.8.8 David Kobina Osei In 1972 military personnel took it upon themselves to adjudicate in a dispute between Osei, a trader of Assin Sibenso and his partner, Grace by seizing Osei's stock of 14 bags of cola nuts.

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5.4.8.9 Esther Akakpo was the owner of Lomnava supermarket in Accra, She was taken by soldiers to her establishment where all the goods, including electrical appliances were sold. The soldiers took the proceeds away.

5.4.8.10 Kwaku Ofori In 1974 the petitioner bought goods which he kept at his father-in-law's shop at the Kumasi Central Market. Soldiers who claimed to be enforcing price control and anti-hoarding measures seized all the goods in the shop and took them to the military barracks.

5.4.8.11 Ama Achiaa was a trader at the Kumasi Central Market where she sold cloths. In 1978 soldiers went to her stall and seized her goods. Petitioner claimed 50 pieces of cloth were seized.

5.4.8.12 Patience Kai Okai On 11th February, 1977 Patience was going about in the streets at Tema selling cloth. A policewoman in civilian clothes who bought one accused her of selling above the controlled price. Patience was arrested and later charged with selling above control

price. She was convicted and sentenced to four months' imprisonment. Her stock of cloth was seized.

5.4.8.13 Ziblim Yakubu In 1978, 18 bicycles Yakubu, a Tamale trader, was selling at ¢1,200 each were seized and taken to the military barracks where they were sold to the public at ¢600 each. The proceeds were given to him.

5.4.8.14 As Muhamadu Tahiru Saibu was about to open his shop at the Aboabo market, a soldier asked him to stop. Later other soldiers arrived to take an inventory of the goods. The soldiers then took them to the military barracks. The goods were mainly mattresses and paints.

5.4.8.15 Fuseini Panyezi went to Kumasi and bought 30 bags sugar and 17 wristwatches. On reaching Tamale the goods were seized by soldiers.

5.4.8.16 Adam Yakubu a businessman of Tamale received 300 bags cement from a Kumasi distributor. Soldiers seized the entire consignment and detained him at the barracks for one week.

5.4.8.17 Alabira Zakari sold bicycles and bicycle spares at the Tamale Central Market. Soldiers seized the items on sale to the barracks and sold them at reduced prices. For example, a bicycle which cost ¢1,500.00 was sold for ¢600.00. The soldiers gave Zakari the proceeds from the forced sale. He incurred substantial losses.

5.4.8.18 Fuseini Zakaria had a shop near the Aboabo market in Tamale where he sold bicycles, bicycle spares and other goods. Soldiers who had been sent to the town to check on the prices of goods seized 12 bicycles, roofing sheets and paints from his shop. The soldiers told him they would sell the goods and give him the proceeds but they did not.

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5.4.8.19 Davies Ayiku, a businessman had a wholesale in Accra where he stocked various goods, including clothing materials and food products. In 1975, soldiers led by Joris Wartemberg, an operative at the Castle, Osu, surrounded the wholesale, forced him to open it up and sent the entire stock to the Castle. Ayiku was detained at the Castle for a few days and then released. The goods were not returned to him.

5.4.8.20 Comfort Akosua Afrah a cloth seller had two shops at the Takoradi Market Circle. While on a visit to Nyinampong, near Mampong, Ashanti soldiers forced their way into the two shops and took the goods to the barracks at Apremdo. On her return she tried every means, including trips to the Castle, Osu to retrieve her goods. She never got them back.

5.4.8.21 George Ohene Oppong was a trader at Dormaa Asikasu in the Brong Ahafo Region. He dealt in provisions. Six soldiers went to the shop and auctioned the goods. The soldiers took the proceeds of sale away.

5.4.8.22 Yaw Anning Boateng was a wholesaler doing business in suiting materials in Sunyani. Soldiers raided the wholesale and took the suiting materials to the barracks. Later Boateng had information that some persons were stealing the suiting materials. When he alerted the military it was discovered that more than half of the stock was missing. What remained was sold by the military. The proceeds were given to Boateng.

5.4.8.23 Kwaku Agyapong was a trader at Nkoranza. In 1978 soldiers went to his shop and seized the goods on the ground that he was engaged in hoarding. Some of the goods seized were

sugar, rice, milk, soap, margarine and sardine. The military handed over Agyapong to the police for prosecution but the police released him.

5.4.9 INVASION OF PROPERTY RIGHTS

The Commission received the following petitions on seizures of property:

5.4.9.1 John A. Quarcoo lodged ₵18,000 in his account with the Ghana Commercial Bank a few days before the Cedi (New Notes) Decree 1979 (SMCD 226) came into force. His lodgement was reduced to ₵9,000.00 in compliance with the Decree. The Decree affected all persons with deposits of more than ₵5,000 and was in no way discriminatory. It was a fiscal measure applicable to all.

5.4.9.2 On 5th March, 1979 **David Kwadwo Darkwa**, a Kumasi businessman paid ₵31,250.00 into his account at the GCB, Asafo Market Branch. On the instructions of the Bank of Ghana, and in compliance with SMCD 226 the GCB debited his account with ₵15,625.00 being 50% of the sum deposited.

5.4.9.3 Daplah Hanson Ziemeh On 7th March, 1979 ie. two days before the currency exchange took place the petitioner deposited ₵31,500.00 into his bank account with the Wa branch of the

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Agricultural Development Bank. In accordance with the Bank of Ghana directive the petitioner's account was debited with ₵15,750.00 representing 50% of the amount deposited.

5.4.9.4 George Albert Sey who had been resident in Germany for some years brought down some second-hand vehicles for a motor workshop he intended setting up. The importation was in 1969 and 1976. He was later tried and acquitted of offering a bribe to the Border Guard commander. His vehicles were never returned.

5.4.9.5 John Alex Hammah was convicted of treason in 1974 and sentenced to death. An amount of ₵56,000.00 he was alleged to have given to Col R. E. A. Kotei to induce him to support him in the plot was confiscated. The death sentence was commuted to life imprisonment.

In 1978, he was released from prison and in 1979, given a pardon. His request was that his ₵56,000.00 be returned.

A pardon implies that all penalties imposed for the offence are nullified. Thus, if for example, the conviction disqualifies the convict from holding a public office or voting at an election, those

disabilities are removed. It stands to reason, therefore, that money confiscated as a result of the conviction ought to be returned to its owner when the conviction is nullified.

5.4.9.6 Emmanuel Kofi Mensah, a brother-in-law of Owusu Adjei, Managing Director of the State Housing Corporation (SHC), acquired the Corporation's property known as H/No. 99A 4th Norla Street, North Labone Estate, Accra, on hire purchase with an initial deposit of ₵10,000.00 on 27th August, 1975. On 23rd January, 1978, an offer was made for him to purchase the property for ₵67,849.50. He completed payment of this sum on 31st July, 1978. In February, 1979, the State took over the property. It has since been in the possession of the (MDPI) one of whose retired officers now lives in it. It is mentioned in the Confiscated Assets (Removal of Doubt) Law, 1993 (PNDC L 325) as a confiscated property.

5.4.9.7 Abdul Karim Boakye-Yiadom: Petitioner's mother **Afia Mansa** was a Women's Organiser of the Progress Party in Asante Akim. She was a beneficiary of a loan scheme set up by the Busia government. In 1973, soldiers went to her village Komeso to recover the loan from her. She was then away from the village. The soldiers broke into her room and took away gold kept there.

5.4.9.8 Benny Ashun: In 1978, Ashun took a 99 year lease of Plot No. 16A Fifth Circular Road, Accra from the Ghana Government. On the fall of the Acheampong regime, steps were taken to recover this and 47 other plots for the government. To protect his acquisition, Ashun, who is also known as Kobina Quaye, took action in the High Court against the Commissioner for Lands & Mineral Resources and on 15th January, 1979 obtained an interim injunction pending the determination of the suit. On 7th March, 1979, the Akuffo regime made the State Lands (Revesting) Decree, 1979 (SMCD 227) restoring the 48 plots to the government. The Decree was to take effect from 8th September, 1978. However, Ashun continued to live in the house he

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had built on the plot. When Ashun left the country in November, 1979 he rented out the premises to a diplomat. In 1983, the PNDC turned the house into a guest house for the Ministry of Foreign Affairs and, later, as a residence for Capt Kojo Tsikata, a member of the PNDC. Ashun recovered his house from the government in 1999.

5.4.9.9 Quessie Daniel Agyei's company, Asafo Gyamfi Company Ltd., imported 1493 pieces of outer covers into the country. They were confiscated by the State on the ground that contrary to the Imports & Exports (Amendment) Decree, 1978 (SMCD 177) prior approval was not sought for their importation.

5.4.9.10 Oswald Kwami Klutse is a 99 year-old farmer of Kponoe, near Ho. In 1972, the NRC made the State Lands (Ho-Site for Rifle Range) Instrument (EI 44) under the State Lands Act,

1962 (Act 125) to acquire part of his family land. No compensation has been paid for the acquisition.

5.4.9.11 Following a dispute between **Gideon Kwasi Akator's** family and one Atiga over land at Agotime Kpetoe, Volta Region, the High Court, Ho, found in favour of the Akator family. To protect a loan the Agricultural Development Bank had given Atiga for his farming project on the land, the SMC made the State Lands (Kpetoe – Site for Agricultural Development Bank) Instrument 1976 (EI 148) vesting the land in the State. Since then the Land Valuation Board has been unable to get the Bank to pay compensation which had been assessed at ₵14,300,000. It is evident that the power of compulsory acquisition of land given by the State Lands Act, 1962 (Act 125) was on this occasion abused.

5.4.9.12 Samuel Kwame Adablah The Adablah family of Ho-Bankoe is the owner of a piece of land in respect of which a declaration of title was made in their favour in *Suit No. L10/64 G. T. Klu v Felix Kodzo Adablah*, High Court, Ho dated 10th February, 1966. In 1978, the Ho District Council went onto the land and built a public toilet and a refuse dump thereon. No compensation has ever been paid.

5.4.9.13 John Ofei Amanor In 1970, one Laryea Quarshie transferred his TDC estate house to Amanor without the necessary formalities. Amanor sublet to one Alex Bonsu. Subsequently in 1973 Amanor and Bonsu were accepted by the TDC as tenants occupying one room each in the house. Amanor infringed a fixed rule of the TDC not to permit it; lessees to sublet without its consent.

5.4.9.14 Jacob Bamfo Darkwa was a tenant of SHC estate House No. C 5 Dansoman, Accra. In 1971, he sublet the premises to Elizabeth Opoku without seeking the consent of the Corporation. In 1972, he forcibly ejected Elizabeth from the premises. When the matter came to the attention of the Corporation, they terminated his tenancy. The Corporation justified their action under Clause (h) of Darkwa's agreement with the Corporation and section 1 (3) of the SHC Ejectment Act, 1970 (Act 322).

5.4.9.15 Joseph Opoku-Ampomah was the proprietor of the Institute of Professional Studies, Accra. On 13th May, 1977, the SMC published the Institute of Professional Studies

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(Management) Decree, 1977 (SMCD 88) authorising the government to take over the Institute and bring it within the public education system. By section 3 of the Decree, the government was to take a five-year sublease of all structures on the land of the Institute at a rent to be assessed by the Chief Lands Officer. According to the petitioner, the rent was assessed at ₵15,000 per month. In 1982, he was offered ₵4,850,000 in full and final settlement of his claims against the government in respect of the acquisition of the Institute. According to petitioner, he feared for his life and therefore accepted the offer out of prudence.

It is only a valuer who can determine whether in 1982 the sum offered was reasonable compensation for the structures on the land. The claim that the petitioner took the money out of fear is not convincing. If he had refused the offer the government would have been richer by the

like sum without being obliged to return the Institute to him. It was for the petitioner to have insisted on his rights and gone to court for redress.

5.4.9.16 Between 1974 and 1975, **Dr Isaac Allotey** acquired an eight-acre piece of land at Ofankor, Accra. In 1978, the SMC made an Executive Instrument (EI 82), under Section 1 (1) of the State Lands Act, 1962 (Act 125), acquiring a larger area of which the petitioner's land formed part. Petitioner asked to be given four building plots out of the acquisition and paid compensation for the rest. It is usual to give wide publicity to compulsory acquisition of land to enable all interested parties to put in claims for compensation. It seems that at the time of the acquisition, petitioner was out of the country. What needs to be determined now is whether compensation for the eight-acre piece of land was paid to anyone. If not, then, the claim of the petitioner deserves to be considered even if he is out of time.

5.4.9.17 Kwasi Addae a mason, was a resident of Awudome Estates, Accra. He claimed that he came home one evening to find that his room had been broken into and his personal effects, including television, refrigerator and clothing, carried away. Upon enquiry he was told it was the work of soldiers.

The evidence is unsatisfactory. The possibility that it was the work of common criminals cannot be ruled out.

5.4.9.18 Augustus Brew Thompson was a soldier in the Ghana Army. In 1976, he went on peace-keeping duties for the UN in Sinai. He claimed that he received an allowance of US \$15 per day from the government whereas, according to him, some foreign troops were being paid US \$75 per day.

The comparison between what some governments paid their soldiers and what the Government of Ghana paid Ghanaian soldiers is misplaced and does not disclose any human rights violation. Individual soldiers were not parties to the agreement between the government of Ghana and the UN.

5.4.9.19 James Bosu Quarshie claimed compensation on behalf of his late uncle, **Okyeame Kweku Atta**, whose land was adversely affected by the construction of a dam at Enyan Maim, Central Region. The Ghana Water Company Limited disclaimed all knowledge of such a dam. The Irrigation Department of the Ministry of Agriculture is yet to respond.

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5.4.9.20 Kofi Abrefa Busia was Prime Minister of Ghana from 1969 to 1972. On the overthrow of his government, his properties were confiscated. Among these were a house in Accra, four houses in Wenchi, Brong Ahafo and five cars. The houses which had all been built before 1969, were returned to his estate in July, 2000, by a letter written by the Attorney-General to the Lands Commission. A house at the Wenchi Ridge was used as offices by the Divisional Police Command Headquarters. Another on the Wenchi road was used as a duty post bungalow for the Divisional Police Commander. A third property near the Wenchi Post Office was used by the Ghana National Fire Service and other organisations as offices. It also houses Frema Primary School. After 28 years confiscation and use by the State the houses are all in a state of disrepair.

5.4.9.21 Isaac Wilson Sarkodee a storekeeper of the Ministry of Health at the Akim Oda Hospital was suspected of stealing various items belonging to the Hospital. His house was searched by a team led by Major Osabutey. Items of state property found on him and with his wife at the market included a sewing machine, a fridge and cutlery. The incident was reported in the *Ghanaian Times* of 7th September, 1976. Unfortunately, by the time the petition was heard on 5th July, 2004, Osabutey had died. However in the light of the statement filed by him with the

Commission on 24th May, 2004, we are unable to accept the petitioner's claim that the sewing machine belonged to his wife.

5.4.9.22 David Okyere: In 1977 the petitioner arrived in Accra from Nigeria bringing with him three chainsaw machines and other equipment. The machines were seized by soldiers and asked to come to the Military Barracks for them. Out of fear, the petitioner did not go for the machines.

5.4.9.23 Benjamin Narku Nortey-Botwey petitioned that his father **Joseph Nortey Botwey's** house was demolished to make way for expansion works on the Nsawam Road, Accra. He claimed that his father did not receive compensation for the demolition. The practice has been to give notice to all persons affected by such developments to put in claims for compensation. Such persons are then issued with verified documents indicating the properties likely to be affected by the development. Since the petitioner has no such document which he can produce it is impossible to validate his claim.

5.4.9.24 Joseph Armstrong Berko petitioned that in 1973, eleven soldiers went to Manso Akwasiso and seized the rice milling machines belonging to his father **Stephen Fordjuor**, now deceased. The soldiers also took away 240 bags of milled rice. The soldiers alleged that Fordjuor was assisting Malians to trade in rice.

5.4.9.25 Eddy Cockra Ziblim was the Northern Region Secretary of the Progress Party. On the overthrow of the government of Dr. Busia his Opel Saloon car was seized and never returned.

5.4.9.26 Mark Kuuku Kukur of Lawra petitioned for the payment of compensation for his family land of some two acres which was compulsorily acquired for a sports stadium in 1975.

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Subject to verification of the authenticity of the claim we would recommend that compensation be paid as the law requires.

5.4.9.27 Abukari Mahama The petitioner and his brothers and sisters are children of the Chogu-Naa of Tamale who died on 16th April, 1974. On 20th September, 1975 policemen ejected them from their home and carried away to Kamina Barracks the personal effects of their late father. The family succeeded in obtaining a court order recognising their title to the late Chogu-Naa's home. However, the personal effects were never returned. If there is a dispute as to the ownership of these effects, it can only be resolved in a court of law.

5.4.9.28 Fuseini Aduko a farmer at Namoo petitioned that he was compelled by Adams, Commander of the Border Guards to surrender 31 cows to the Meat Marketing board. He made

a complaint to the police but was given no assistance by them. The Meat Marketing Board did not pay for the cows.

5.4.9.29 In January 1975, **Nyaba Ayirigiya** of Sherigu, near Navrongo, was found near the Burkina Faso border with a herd of sheep and goats. He was arrested and charged with evasion of customs duty. He acknowledged his guilt and agreed to settle the matter out of court by paying a penalty of ₵300 with forfeiture of the goats. He duly thumb-printed Customs & Excise form No. 204. In the circumstances his son Eliasu who petitioned the Commission on behalf of his deceased father has no cause for complaint.

5.4.9.30 Basidu Ayamga In July, 1972, Ayamga was conveying 26 cattle and 42 goats from his village Yua, near Navrongo to Kumasi for sale when at the police barrier at Winkogo, near Bolgatanga they were seized by Border Guards. Ayamga was told that the animals were being sent to the Zuarungu Meat Factory. However, when he later enquired at the factory he was told that the animals had not been sent there. When he went to the Border Guards post at Bolgatanga to complain he was met with threats of arrest. With the loss of the animals he took to subsistence farming.

5.4.9.31 Awudulai Talballah was a trader at Bawku market. In March 1972 his home was searched by Border Guards who seized various items including cutlasses, radios, flasks and cloths.

5.4.9.32 In 1966, Yaa Serwaah's grand mother, **Ama Gyan**, now deceased, acquired land in the Twifu Heman area for farming. According to Yaa this land was subsequently taken over by the Ghana Government during the Acheampong regime. Compensation for compulsory acquisition of land is due to the stool and not to those farming on the land. Farmers are only entitled to be paid for crops actually on the land at the time of the acquisition. The petitioner did not indicate if her grandmother had any crops on the land.

5.4.9.33 During the construction of the Afife Irrigation Project, a number of farmers lost their crops or other property. The Commission received petitions by or on behalf of the following persons:

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Yawo Ahiakpa's cassava and coco-yam on a one and half acre plot were destroyed
Ben Datsomor - destruction of 6 coconut trees, 714 oil palm and 3 bamboo groves.

The destruction was certified by a Valuation Assistant.

Korku Agbetsiafa lost a sugarcane and okro farm and a sandcrete block house.

Geofrey Kwami Amegadze lost cassava and maize. His father, **Lokpa Amegadze**
Lost a house and oil palm trees.

Shito Kpodo, Korsunshia Kpodo lost cassava, maize and oil palm.

Sofadah Lumor coconuts, oil palm and maize on farm at Gagodope, near Wheta,
Volta Region. His building was also destroyed.

Shito Agbohla, lost oil palm, coconuts and a building.

5.4.9.34 Kwabena Badu In 1976, the government declared its intention of acquiring land in Sunyani for the construction of a sports stadium. Part of the land belonged to the family of which petitioner is the head. A count of crops on Badu's family's land was taken and certified by officers of the Land Valuation Board. There were 217 kola nut trees, 434 oil palm, 43 mango and 14 avocado pear trees. Subsequently, it was decided that the land was unsuitable for the purpose for which it was acquired. The sports stadium project at the site was abandoned. No compensation has been paid to Badu's family for the fruit trees which were cut down. What is more the land has been carved up into building plots which are being sold to the public.

5.4.9.35 Augustus Owusu-Gyimah in February, 1979, soldiers went to the shop of Gyimah in Accra and seized 150 bags granulated sugar, 85 bags of rice, 45 cartons sardine and 30 cartons Eveready batteries.

5.4.10 INTERFERENCE WITH THE RIGHT TO WORK

5.4.10.1 Alexander Saka Ansong was a Construction Manager in the Ministry of Youth, Rural Development & Social Welfare. By a letter dated 7th January, 1972 he was asked to proceed on transfer to Bolgatanga as Regional Works Superintendent. He did not obey that instruction. Accordingly, by a letter dated 3rd February, 1972 he was declared to have vacated his post. Ansong protested at the decision. The letter of 3rd February, 1972 was withdrawn and he was placed on interdiction pending a final decision. He was informed that during his interdiction he would be placed on half-salary. A final decision was not taken until 18th December, 1974 when he was informed that his appointment had been terminated with effect from 11th December, 1974.

Placing Ansong, or any worker for that matter, on interdiction for 2 years 10 months was an abuse of his rights. Placing him on half salary during the period when the applicable regulation, the Civil Service (Interim) Regulations 1960, Section 54(3), required that he be paid two-thirds salary was equally wrong.

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5.4.10.2 Roland Osibo a Police Constable, was arrested in 1976 and put before court in connection with the alleged theft of a vehicle. He was acquitted and discharged. Later a Service Enquiry found him guilty of conduct prejudicial to good order and discipline. He was dismissed.

It was perfectly in order for Osibo to be charged for misconduct at an internal enquiry even after his acquittal at a public trial. Osibo's offence was that he had aided a driver who had abandoned his employer's vehicle to escape. A minute from the police file shows that the recommendation was that he should be made to suffer deferment of increment plus a warning letter. Dismissal seems to have been a rather harsh sentence to impose.

5.4.10.3 Valentine Godson Kartey Agbottah a Superintendent of Police, was summarily dismissed in 1973 for alleged involvement in cigarette smuggling. Even though a Committee of Enquiry found that he had a case to answer, this was not sufficient to warrant dismissal. He ought to have been put before a Service Enquiry and given the opportunity to defend himself.

5.4.10.4 Adam Gariba a Police Constable based at Takoradi, was found guilty in 1977 by a Service Enquiry of taking a bribe of ₵30,000.00 from a gang of armed robbers. A sentence of dismissal was imposed on him. His appeal to the IGP was dismissed. The proper procedures having been followed, Gariba has no cause for complaint.

5.4.10.5 Maguerita Accad petitioned on behalf of her father, Samuel Azu Crabbe (ACC 1270) On 15th June, 1977 Azu Crabbe, then Chief Justice, was removed from office by the Judicial Service (Amendment) Decree 1977 (SMCD 101) and compulsorily retired. This extraordinary decree, which was tailor-made for one individual, stated:

1. Notwithstanding any enactment to the contrary, Mr. Justice S. Azu Crabbe, Chief Justice of Ghana is hereby retired as Chief Justice and shall cease to be a member of the Judicial Service of Ghana with effect from 15th day of June, 1977.
2. The said Mr. Justice S. Azu Crabbe shall notwithstanding that he has ceased to be a member of the Judicial Service, after the said date be allowed to enjoy all leave he had earned prior to that date, with full emoluments and benefits and he shall be eligible to all retiring benefits for which he would have been eligible as if he had retired voluntarily from the Judicial Service as Chief Justice on the said date.

Azu Crabbe was then 59 years old and retired on a reduced pension. It was a most unfair exercise of executive power.

5.4.10.6 Gordon Quartey a storekeeper at a Ministry of Agriculture rice mill at Dahwenya, Greater Accra, was arrested when he could not account for 2 bags of rice in his care. He was detained by the Police and then released. He was asked to go home and await the outcome of Police investigations into the theft. He was never recalled.

5.4.10.7 John Kofi Nyamekye a member of the Border Guard: was discharged in 1978 after 15 years service. Under the applicable regulations, he was entitled to be paid gratuity only and this was duly paid to him. He is now asking to be paid a pension.

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5.4.10.8 Alfred Kobina Bonney After a tour of duty at the Ghana High Commission in London, the UK, Bonney, a WO 1 in the Ghana Army, was instructed to return to Ghana. It was alleged that the instruction was that he should leave London on 23rd March, 1971. He did not leave until 26th March, 1971. Consequently, he was declared AWOL for three days. After the Acheampong coup, Bonney decided to leave the Army. He was honourably released with effect from 18th April, 1972. All his benefits were paid to him. He now receives a pension as a WO 1. His claim to be given the rank of a Major and paid the pension applicable to that rank is not justified.

5.4.10.9 Kwabena Agyekum a Circulation Supervisor of the New Times Corporation, and other workers in his department were summarily dismissed in 1978 for gross misconduct in the performance of their duties. A VW car for which he took a loan from the Corporation was sold by the Corporation to defray the unpaid balance.

Any conduct which under the terms of the Collective Bargaining Agreement amounts to gross misconduct may be punished with summary dismissal. Agyekum has not shown that this was not the case at the New Times Corporation.

5.4.10.10 Anthony Yaw Gyasi was an Accountant at the State Fishing Corporation (SFC). In 1978 following a disagreement with the then Managing Director, Commander Boham, he was dismissed. The petitioner blames the uncertainties created by the overthrow of Acheampong, Akuffo and the period of AFRC rule for his failure to take any action to obtain redress. The period of the Limann Administration was relatively quiet. If he were serious about seeking redress he could have done so. His total service with the SFC was 12 years, not 15½ years as he claimed. He found a new job in 1981 but from his own statement the dismissal took place in 1978.

5.4.10.11 Mahama Seidu was a policeman stationed at Tamale. On 27 November, 1971 he assaulted E/Sgt Kofi Gyekye. He was put before court and convicted. On the strength of this conviction Seidu was dismissed from the Service in early 1972. Seidu has no cause for complaint.

5.4.10.12 Albert Yaw Awuah was a bodyguard to Prime Minister Busia. On the night of the overthrow of the government on 13th January 1972, he was manhandled by soldiers who invaded the home of the Prime Minister. When things calmed down he applied for a discharge and this was granted.

5.4.10.13 Daniel Kwaofio Apima was a corporal in the Ghana Army serving with Military Intelligence. In 1976 he resigned out of frustration because he had been denied the chance of going abroad on a course and also been denied promotion. His petition to the Commission was that having done important work like being a bodyguard to the late Dr. Busia, former Prime Minister he should be rewarded for a job well done. The petitioner is not entitled to any special payments for the services he rendered the nation as a soldier.

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5.4.10.14 Adongo Amogre was posted to the Divisional CID, Obuasi as a driver on 8th October, 1981 after a brief training. Not long thereafter there were credible reports that he had taken to heavy drinking and regularly reported for duty drunk. On the instructions of the IGP he was discharged as “Unlikely to become efficient constable”. It was evident that the petitioner posed a danger both to personnel at the Obuasi station and to the state-owned vehicle entrusted to his care.

5.4.10.15 Joseph Ofori Amanfo In 1972, the petitioner a Meter Reader of the ECG stationed in Kumasi was summoned to appear before a Board of Enquiry to answer charges of tampering with meters. He refused to appear before the Board, claiming that its members were biased against him. He was dismissed. The petitioner would have served his own interests better if after registering his protest he had appeared before the Board to defend himself.

5.4.10.16 Kwadwo Bawa petitioned that his father **Bonya Dagarti**, a labourer at the Border Guard outpost at Sewum in the Aowin District died in 1977, leaving a wife, Esi Dagarti, and children. Petitioner is claiming death benefit from the Border Guards. In the absence of documentary evidence it is impossible to determine whether there is any merit in the claim.

5.4.10.17 Sampson Gideon Kofi Tettey, a police officer had a confrontation with a superior officer during which he claimed the officer assaulted him. Subsequently he resigned from the Service. Tettey petitioned that although he had been in the Police Service for 11 years he was not paid any benefits.

VOLUME 2 CHAPTER 6**CHAPTER 6****REVIEW OF PETITIONS****E. 4TH JUNE, 1979 – 23RD SEPTEMBER 1979
(AFRC REGIME)**

6.0.1 From 1975 to 1977, there were several calls on the military to return the country to constitutional rule. In response, the SMC came up with what they called ‘Union Government’ under which there would be elections without the participation of political parties. However, this was seen by many as a ploy for keeping power in the hands of the military. Before long, General Acheampong’s colleagues in the SMC came to accept that the demand for free elections and for a government responsible to the electorate had become irresistible. On 5th July, 1978, they removed Acheampong from office and stripped him of his rank and military entitlements.

6.0.2 In a rare show of candour, they accused Acheampong and, by necessary implication, themselves, of mismanaging the affairs of the nation. Mentioning Acheampong by name, they said he was guilty of “indiscriminate issue outside the officially recognized machinery of import licenses to favourites and close associates”; of “awarding contracts to incompetent favourites”; “interfering in the normal operations of the Bank of Ghana including causing the overprinting and over-issue of cedi notes”; of “taking dubious foreign loans to the detriment of the State”; and of personally granting undeserved concessions to the favourite business houses in contravention of existing government policy and regulations.” They said that “in furtherance of his inordinate ambition for power”, Acheampong had “manipulated and vested all executive power in his person to his own advantage”; that he “employed at State expense the services of numerous unofficial personal advisers and aides of dubious competence, character and intention who only sought their own good in government to the detriment of the nation”; and that he “adopted the habit of maintaining spurious religious advisers with substantial foreign exchange from the nation’s scarce resources and used their advice as subterfuge for doing wrong to the detriment of the nation”.

6.0.3 Turning to the military, they said that “through a systematic use of cunning and subtle interference he brought the Armed Forces to the brink of disintegration and showered generous favours on certain officers and men known to be closely associated with him to the disadvantage and annoyance of other officers of merit and of the rank and file which acts contributed materially to the breakdown of discipline in the Armed Forces”; that he “appointed into sensitive jobs certain favourite serving and retired officers of questionable competence whose performance badly tarnished the image of the Armed Forces in the eyes of the public”;¹

6.0.4 With the departure of Acheampong, the regime abandoned the pretence that the electorate had endorsed the proposal for a ‘Union Government’ and gave the Constituent Assembly a free hand to draw up a Constitution acceptable to the people.² Furthermore, two decrees, the Political Parties

¹ Armed Forces (Miscellaneous Provisions) Decree 1979 (SMCD 235)

² Constituent Assembly Decree, 1978 (SMCD 203); Constituent Assembly (Commencement of Proceedings) Proclamation, 1978 (SMCD 209); Constituent Assembly (Amendment) Decree, 1979 (SMCD 220) section 1(a)

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Decree, 1978 (SMCD 208) and the Political Parties Decree, 1979 (SMCD 229), were made to regulate the formation and operations of political parties. The Presidential Elections Decree, 1979 (SMCD 228), the Presidential Elections (Amendment) Decree, 1979 (SMCD 230), amending the Representation of the People Decree, 1968 (NLCD 255), and the Ministers & Deputy Ministers (Qualification & Disqualification) Decree, 1979 (SMCD 231), provided the ground rules for the election of the President and Members of Parliament, and for the appointment of Ministers.

6.0.5 On 15th May, 1979 there was a mutiny among a section of the Armed Forces. The nation heaved a sigh of relief when this was put down. However, things took a dramatic turn when at the trial of the mutinous soldiers George Aikins, Director of Public Prosecutions (DPP), went out of his way to defend their conduct. He praised them as young men who seeing the corruption going on in the society tried to do something about it. Overnight, the band of conspirators became heroes. On 4th June, some soldiers released those standing trial. This act developed into a full-scale revolt resulting in the overthrow of the military regime.

6.0.6 The explanation for the extraordinary behaviour of the DPP was that he was angry with the members of the Akuffo-led SMC whom he accused of taking a bribe of US \$2million and a Mercedes Benz car to stifle a prosecution. By that singular act of indiscretion, Aikins unwittingly set in motion a chain of events leading to the deaths, not only of those he accused of corruption, but also of many innocent persons.

6.0.7 This revolt of the rank-and-file of the Armed Forces against their officers was not motivated by any desire to see democracy restored in the country; rather, it was to afford them an opportunity to punish those they held responsible for their own and the country's woes.

6.0.8 What the new regime came to do has been recorded for us in its own words in section 16 of the Transitional Provisions of the 1979 Constitution. The revolt was "an exercise undertaken ... to purge the Armed Forces of corruption and graft and to restore the image of the Military and to deal with the accomplices of the guilty members of the Armed Forces and other persons guilty of malpractices to the detriment of the economy of Ghana or the public interest or both". The means used to achieve these ends were the so-called special courts set up under the Armed Forces Revolutionary Council (Special Courts) Decree, 1979 (AFRCD 3), and the tribunal established by the Armed Forces Revolutionary Council (Special Tribunal & Other Matters) Decree, 1979 (AFRCD 23).

6.0.9 The preamble of the former stated as follows:

WHEREAS the Armed Forces Revolutionary Council is committed to a house-cleaning policy within the Armed Forces:

AND WHEREAS in the said house-cleaning it is necessary to institute criminal proceedings against persons who have committed certain fraudulent acts against the State; and also persons who have generally contributed to economic hardships and disorder in the country:

AND WHEREAS it is necessary to set up special courts to deal expeditiously with any such cases: ...

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6.0.10 The latter was to continue the ‘purging exercise’ into the constitutional era. Then there was the Armed Forces Revolutionary Council (Special Courts) (Amendment) Decree, 1979 (AFRCD 19), which introduced into our trial procedure for the first time trial of persons *in absentia*.

6.0.11 The insurrection of 4th June 1979 replaced one military dictatorship with another. At the time it took place, the Constituent Assembly set up under SMCD 203 had completed its work, political parties had been formed and electioneering was well under way. Not only that, the date for electing the President and members of Parliament had been fixed and the entire nation was looking forward to the dawn of a new era on 1st July. But that date was to pass without so much as a whimper.

6.0.12 We disagree with the assertion made by Major Boakye Djan in his evidence before us that the insurrection restored constitutional government. We are satisfied that far from doing so, it impeded its restoration. Its effects were felt throughout the period of office of the Limann Administration until that government was overthrown by the very persons who had handed over power to him.

6.0.13 The AFRC regime which held power from 4th June to 23rd September, 1979 arrested and detained persons without trial, summarily executed others and hounded many more into exile. For those who remained in the country, life became a shadow of its former self. In Hobbesian terms, they lived in a state of “continual fear and danger of violent death” in which the life of man had become “solitary, poor, nasty, brutish, and short.”

6.1 KILLING OF THE SENIOR MILITARY OFFICERS

6.1.1 Until the 4th June, 1979 insurrection, Ghanaians had prided themselves that they were a peace-loving people. So mild were we that even though the death penalty remained on our statute books, it was very rarely used. It is known that Nkrumah, for example, confirmed only one death sentence imposed by the courts. It had to all intents and purposes fallen into disuse.

6.1.2 During the NLC regime two death sentences were confirmed. Those were the death sentences passed on Lt. Arthur and Lt. Yeboah for their part in the attempted coup of 17th April, 1967 and which had resulted in the killing of General Kotoka. The old pattern of showing clemency in capital cases continued throughout the period of office of Dr. Busia and the NRC/SMC regimes.

6.1.3 The killing of the senior military officers marked a turning point in our history and heralded a long period of blood-letting which stretched into the PNDC era.

6.1.4 At the time of the insurrection, Acheampong was confined to the village of Trabuom in the Ashanti Region. He was apprehended, as were other high officials of the SMC regime. In the early hours of 16th June, 1979, Acheampong and Maj-Gen Utuka were dragged from their places of confinement and shot and killed. There was no pretence of any trial to establish their guilt. Sqn Ldr Dargbe who was Chairman of the People’s Court and Capt Baah Achamfour, member of the AFRC confirmed this. On 26th June, 1979, Gen Akuffo, Lt Gen Afrifa, Air Vice Marshal Boakye, Maj-

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Gen Kotei, Rear Admiral Amedume and Col Felli were similarly taken out and shot. Joss Aryee, a journalist of the Ghana News Agency was there.

6.1.4.1 He published this account in the *Statesman* of 9th November 2001.

On Monday, June 25th 1979, at about three thirty in the afternoon, I was called by an Army Officer friend and told quietly, “It will happen tomorrow.”

Little did I know then that this short, cryptic message was a hint of one of the most blood-curdling and traumatic political events ever to happen in the short history of this peace-loving nation since her birth in 1957.

At the time I was a young reporter with Ghana News Agency and attached to the Armed Forces Revolutionary Council (AFRC) secretariat at Burma Camp. Those were dangerous and giddy times and every morning when the office vehicle came to take me to work, I would say a prayer that I return home safely, for you never knew what the next hour would bring.

Then tension at the military camp was as thick as a two-day old palmnut soup. Sullen-faced soldiers, itchy-fingered, trigger-happy and armed to the teeth, were everywhere, beating up men and women, old and young, so-called nation wreckers, traders, hoarders, ‘kalabule’ people, foreigners and God knows whom. And they did this without mercy; it was as if we were at war!

The Fifth Battalion parade grounds looked like Heathrow Airport car park, filled to the brim with seized cars. Every now and then one could hear the rat-tat-tat of gunfire from somewhere within the military complex. Life had changed. Fear, anger and loathing were stalking the streets and alleyways. You could smell death in the air. “It will happen tomorrow!”

The moment I got back to the head office I told my News Editor, T.B. Oattie, (of blessed memory), what I had learnt from my friend. Being an experienced newshound he immediately sensed something was afoot and quietly told me that he’d personally come and pick me up from home the next day at dawn!

The next day, Oattie and his driver arrived at my place around quarter to five and within fifteen minutes we were at the Teshie military range. The rationale for being there so early was that ten days before, Gen. Kutu Acheampong and Maj-Gen Utuka had been secretly executed by firing squad. The deed had been over and done with before sunrise. So we surmised that the same routine would be followed again, even though we had absolutely no idea who the victims would be this time.

We parked by the shoulder of the road and scrambled out of the car, pen and notebook ready! Across the range we could see a flag flying in the dim darkness of dawn.

Suddenly a guttural voice barked: “Hey you, stop there! Identify yourselves!” Four soldiers in full jungle camouflage materialized from the darkness, cocked their rifles and took positions around us. “We ...we ...we are fro...fro...from the Press....G..GNA,”

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stammered my boss, barely able to conceal the fright and fear in his voice. “Ahaa from the press, eh? Okay, you can park inside MATS (Military Academy and Training School).”

Five minutes later I was alone at the sentry post at the MATS entrance. My boss had left me with the hurried admonition to write a good story and to make sure it got to the office on time. Obviously, he had better things to do that morning than to be frightened out of his wits by bloodthirsty soldiers.

I was gripped by a sense of fearful expectancy. It seemed true that something would happen. And I was the only reporter around. My professional instincts were firing on all cylinders. If the execution took place before sunrise, I would get the biggest scoop in my life. I kept my eyes glued to the Labadi road, expecting to see a military convoy, sirens screaming, bringing the condemned men.

Ten minutes flew by, then twenty, thirty; still no show. Had my friend been wrong? Had the venue been changed at the last minute? What was happening? These and other questions raced through my mind as I considered the various possibilities. The times were so fluid and everything in such perpetual flux that you could never be sure of anything. It was only certain when it happened. Other than that you just took things one at a time.

By seven o'clock a huge crowd had gathered on the road. Workers, traders, children of all ages, people bound for Tema and those gone in the opposite direction, residents of La and Teshie, everybody had come to take in the spectacle. This was a once-in-a-lifetime experience nobody wanted to miss out. It had become so bad that the police and MPs (Military Police) had blocked traffic in both directions. People had climbed trees, electric and telephone poles, any available thing that could give them a good view, of this pornography of violence.

The more boisterous ones, especially students and unemployed youth, had even begun singing.

“J.J soree Obonsam pe se osee wo mma”
“If you are a big tree
We gotta small axe
Ready to cut you down
Sharpened to cut you down.”

Meanwhile on the range itself, soldiers and civilians, mostly journalists and cameramen from all the media were milling around. The observant person would notice one thing. There were two types of soldiers: the armed and the unarmed.

The latter were in stiffly starched, well pressed uniforms with spit-shined, gleaming boots, obviously staff men ready to go to work. The former were red eyed and scruffily dressed, with scuffed dirt encrusted boots. But boy, were they armed! They looked like characters in a Vietnam war movie: rifles with double magazines taped together, pistols on both hips, bayonets, bandoliers with 7.62 mm bullets, even RPGs! One could tell just by their looks who were the so-called “revolutionaries” and who were the ordinary men.

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Still, not a sign of the condemned men. Rumours were flying around like moths during the mango season.

There were six stakes, each with a rope dangling about it. Sandbags were piled behind each stake up to the shoulder level. Some twenty-five or so feet in front of the stakes were open ended tents for the firing squad.

By this time my dream of writing an exclusive story had been shot to pieces. Still, I knew one or two things most of the other reporters did not know.

Earlier on, one of the members of the AFRC, whom I knew at Burma Camp, had come down and invited me to go into MATS staff quarters for a shot of gin. Whilst we shared a 'quarter' bottle of 'akpeteshie', he'd told me that the reason for the delay was that nobody wanted to sign the death warrant for the condemned officers, least of all the Chairman. This indecision had infuriated so many Council members that a bitter quarrel had broken out among them. My buddy had left me with the message that he was going back to headquarters to give them, in his own words, "hell." So I knew that sooner or later something had to break.

At approximately 9.15 the piercing wail of sirens could be heard from the directions of the Trade Fair ground. A few minutes later a convoy of military vehicles was seen heading towards the Teshie military range at break-neck speed. It was as if the convoy was being pursued or had to reach its destination before it received a counter command to turn round and return to base.

Leading the convoy was an anti-aircraft gun vehicle with four soldiers on board, followed by two ambulances and, at the rear, a Pinzgauer with presumably the firing squad.

As the vehicles screeched to a halt inside the range, a member of the AFRC, Cpl Tasiri, jumped out of the lead vehicle, followed by four fierce looking soldiers, assault rifles cocked and ready.

Cpl Tasiri immediately barked out an order that there were to be no pictures taken and commanded the numerous cameramen, foreign press included, to leave the range proper and join the crowd. Anybody who dare [sic] take a picture, he said, would be severely dealt with. Reporters, however, could remain and take notes.

The door of the first ambulance was flung open and out stepped F.W.K. Akuffo, the immediate past Head of State. He was followed by Gen Akwasi Amankwa Afrifa a former military ruler, Gen Robert Kotei, Col Roger Felli, Air Vice-Marshal Yaw Boakye and Rear-Admiral Joy Amedume. All of them were blindfolded and led by the soldiers towards the stake.

A sudden hush fell on the teeming spectators.

For me the scene was almost surreal, like a crowd of ancient Romans at an arena who were baying for the blood of a group of unequally matched Christians cornered by well-armed gladiators.

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Yet these were twentieth century Ghanaians, the same people who, thirteen years earlier, had hailed Afrifa as their hero, their saviour from the clutches of the “evil dictator” Dr. Kwame Nkrumah!

The six condemned senior military officers were led to the stakes and the ropes tied across their chest and around their legs. First was Gen Akuffo, then Gen Bob Kotei, Gen Afrifa, Air Vice-Marshal Yaw Boakye, Col Roger Felli and last, towards the sea, Rear-Admiral Joy Amedume.

Hardly anyone saw the firing squad enter the tents, all attention was on the condemned officers. And there was no audible order to fire. Just a sudden: “ko. ko....ko.ko.ko”

From my vantage point just besides the tents, I could see the blood soaking through their dresses where the bullets hit. The ropes holding Col Felli were torn by the bullets and he came crashing down. Then as suddenly as it had started, the firing stopped.

A minute passed. Then Gen. Afrifa started rising up; blood was streaming from his shoulders down his arm. He screamed “I am not dead ... I am not dead ...”

A bearded officer, presumably a commander of the firing squad, took out his pistol and walked towards Gen. Afrifa to deliver the ‘coup de grace’. He had pain and agony written all over his face. The first shot missed and hit the sandbags, the second shot never came as the pistol jammed. The officer stood there, fumbling with his gun, confused.

Another officer snatched an SMG from a nearby soldier and gave it to the first one. “Ko....ko...ko” The shots were aimed at Afrifa’s head. Six shots later, he finally slumped down, dead. A soldier standing beside me was beside himself with anger. “Why dey for punish the man so, eh? Say wetin at all ‘e do?”

Gen Afrifa had foreseen his death! In a secret letter written to Gen Kutu Acheampong about a year before his overthrow in a palace coup, he had expressed his fears succinctly:

I feel greatly disturbed about the future after the government...

In order to discourage the military from staging coups in the future, how about if they line all of us up and shot us one by one? I do not certainly want to be arrested, given some sort of trial and shot. But I would be a stupid General if I sit in the comfort of my farm and await the VENGEANCE that is about to be unleashed on us.... I will pray to take away the fear and confusion weighing on my mind now.

About five minutes after the execution, an Airforce fighter jet swooped low over the military range and wiggled its wings. The dispersing crowd yelled: JJ....JJ....JJ...”

So now I had my story. The next thing was to find a telephone so I could dictate it to the office. My best bet was the sentry post at MATS. I fought my way through the milling crowd till I got there. The soldier on duty was on the line: “Yes Sir....Yes ...” he was saying, “Yes, they have just finished slaughtering the cows.”

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When he gave evidence before the Commission, Aryee was closely examined to find out whether the lingering death to which Afrifa was subjected was deliberately inflicted upon him. His answer was that it was.

6.2 ABUSE OF THE JUDICIAL PROCESS

6.2.1 Following the 4th June, 1979 coup, a tribunal was set up at Peduase Lodge, Aburi for the trial of senior officers of the Ghana Armed Forces. Prior to being sent to the tribunal, the officers were made to appear before a board known as the Preliminary Investigation Team (PIT) where they were subjected to crude methods of interrogation designed to elicit admissions and confessions from them.

6.2.1.1 In his book, *When Gun Rules*, Col Kofi Abaka Jackson describes the procedure of the PIT. He writes at pages 123 – 127:

As soon as I sat down, one of the Other Ranks, a Corporal, came to stand behind me. The other Other Rank stood behind...The Chairman asked the Pilot Officer to bring out my file...The chairman and the secretary glanced through the folder then started questioning me: "You alone have three houses. Why?" Before I could open my mouth to answer, the soldier who was standing behind me gave me a slap on my right cheek and across my face. ...Another slap landed on my left cheek and a third on my right...I explained: "Out of my reconditioning of vehicles and other machines from 1963, I started to run a family transport business in 1968..."

At this stage, the slaps intensified in both strength and rapidity...

I continued to answer their questions..."My second house..."

The slaps continued...

I was given a few more swift slaps, a clear warning to me to shut up. My interrogators then turned their attention to my cars. With all the hatred he could muster, a member asked: "You, you have a Benz and a BMW car. Why?" Before I could utter a word, two hefty slaps landed on my right cheek and eye, followed by another slap on my right cheek...The questioner asked me how I could afford both a Benz and a BMW car?

The random slaps continued... The chairman gave me a stern look as if he was signaling for me to be given more slaps. Two heavy slaps landed on my right jaw in rapid succession. "Why are you looking so fine?"...The soldier, who was standing behind me, gave me more blows to my head...My answer drew three heavy slaps – first on my right cheek, the second on my left and the third on my right cheek...Why are you still looking so fine? The chairman asked.

I ignored the question this time... "Hey, you corporal, you are not slapping him properly; come this way!" the chairman ordered. Looking into the face of the other corporal who was standing immediately to his left, he shouted at him to change places with his colleague who was not 'performing his duties properly'.

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Just as the chairman was about to ask me a question, the new corporal standing behind me unleashed a sharp, stinging slap across my right eye. This was immediately followed by another slap from his left hand. Then, as if he was clapping, he fired both left and right slaps across my face, obviously demonstrating to his boss that he could hit harder, better, and in style too.

6.2.1.2 The chairman of the PIT was Capt Sammy Michel with Capt Koda and Capt. Okai Kwei as members and Pilot Officer Ebenezer Odoi as Secretary. Odoi was also the prosecutor at the Special Court which sat at Peduase Lodge under the chairmanship of Squadron Leader Dargbe. At a later date Squadron Leader Darko Kumi joined the PIT.

6.2.1.3 At Peduase Lodge, Squadron Leader Dargbe and his panel sat behind a screen. Odoi, as prosecutor, sat in front. After having been ‘softened’ up at the PIT, the mock trial at Peduase Lodge, which often took place at night, lasted no more than a few minutes.

6.2.1.4 The Paymaster-General of the Armed Forces and one-time Commissior for Trade, Col Kobina Quashie gave this graphic account of his appearance before the PIT and the tribunal:

While I was on admission at Military Hospital Flying Officer Odoi came for me and other officers. We were taken to Arakan Barracks where I was taken to the PIT. There I received at least fifty slaps from behind from an NCO who had been placed there as part of the exercise. Capt Sammy Michel was in the chair together with Capt Koda and Capt Okai Kwei. Capt Michel told me when he came to me for an Import Licence to import a Terrazzo-making machine I refused, today he was in power. I replied that he told me he needed a terrazzo machine to do up the floor of his new house so I gave him the particulars of the man who did my house but if he meant importing a machine to set up a Terrazzo-making Company, then he lied to me, hence my refusal. For saying this he signaled to the NCO who gave me at least 6 slaps in the ear. Capt Okai-Kwei asked me for my income and expenditure. I replied that I had submitted a comprehensive one to Capt Nimako, Military Intelligence. Capt Okai Kwei replied, “This is not a School of Accountancy. This is a revolution!” He drove pins into my waist bone and I bled.

Capt Michel asked me to address him “Sir”. I replied that that was not the military tradition. For this I was severely beaten up. Then he asked me to go on Television and denounce the late Gen Acheampong, because people respect me and would believe me. I replied “You have killed him, so as a priest and lawyer I can’t denounce a person who cannot defend himself”. For this I was given the longest serves of slaps and told by Michel “You will face the People’s Court”.

So about three days later, Flying Officer Odoi came for us and we were taken to Peduase Lodge. There, a Staff Sergeant who was smoking a long cigar and drinking Chevas Regal whisky, ordered me to crawl on my hands to face the court. I crawled under armed guard for about 20 yards in a covered passage. I was ordered to stand up when the swimming pool came in sight. When I entered the swimming pool area, I saw a square made up of dark brown cloth. A voice from behind ordered me to sit down. I did. They read my charges to me. I asked to see the 252 Charge Sheet so I could defend myself. A voice replied, “Shut up! This is a Revolution!” I continued to argue until another voice shouted “You are wasting our time. You are sentenced to 25 years imprisonment. Take him away”. So I was

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taken back to the Lodge from where Flying Officer Odoi conveyed us back to Military Hospital.

6.2.1.5 Among the more than seventy military and police personnel and civilians who appeared before the PIT, or were ‘tried’ by the Special ‘Kangaroo’ tribunal, the following applied to the Commission for relief, or had applications made on their behalf:

- 6.2.1.5.1 Squadron Leader Samuel Sarbeng Abebrese**, Life Imprisonment
- 6.2.1.5.2 Major Mohammed Easah**, Life Imprisonment
- 6.2.1.5.3 Lt Col Gabriel Korku Aमेvor** sentenced to 105 years imprisonment
- 6.2.1.5.4 Squadron Leader George Tagoe** sentenced to 95 years imprisonment,
- 6.2.1.5.5 Joseph Tweneboa Kodua**, a businessman, sentenced to 95 years imprisonment
- 6.2.1.5.6 Col Kofi Abaka Jackson** sentenced to 60 years imprisonment
- 6.2.1.5.7 Benjamin Samuel Kofi Kwakye**, former IGP sentenced to 25 years
- 6.2.1.5.8 Col Kobina Quashie** sentenced to 25 years imprisonment
- 6.2.1.5.9 Col Charles Tachie-Menson** sentenced to 25 years imprisonment.

The rest are:

- 6.2.1.5.10 Commander Edward Godwin Osei**
- 6.2.1.5.11 Lt Col Emmanuel Joe Dawuni**
- 6.2.1.5.12 Lt Col Albert Narh Tetteh**
- 6.2.1.5.13 Col Paul Nkegbe**
- 6.2.1.5.14 Capt Joseph Ampaabeng Kyeremeh**
- 6.2.1.5.15 Col Charles Owusu Agyeman**
- 6.2.1.5.16 Col Emmanuel Obeng Nyante**
- 6.2.1.5.17 Emmanuel Kwaku Owusu**, businessman
- 6.2.1.5.18 Benny Ashun**, businessman

6.2.1.5.19 Those who happened to be outside the country, such as **Col Tachie-Menson** and **E. K. Owusu**, or managed to escape arrest, such as **B. S. K. Kwakye**, were tried in absentia and sentenced. All had their properties confiscated.

6.2.1.6 George Amuah, a retired officer of the Ghana Army and a businessman, was arrested and kept in detention throughout the period of rule of the AFRC. His businesses and assets were confiscated by radio announcement. It was not until 1989 when the Transfer of Shares & other Proprietary Interests (GEA Group of Companies) Law, (PNDCL 214) was made that legal backing was given to this arbitrary measure. After the hand-over of power to the Limann Administration, Amuah was put before the Abban Tribunal, successor to the Special Court, which convicted him of fraud and sentenced him to a term of imprisonment.

6.2.1.7 Francis Kwadwo Donkor, a Sales Manager of the Ghana Household Utilities Manufacturing Co Ltd. at Takoradi, was brought to Accra where he was tried and sentenced to 10 years’ imprisonment by a so-called People’s Court at Burma Camp. In August, 1980 the conviction was set aside by a High Court in Sekondi presided over by Sarkodee J.

VOLUME 2 CHAPTER 6**6.3 OTHER KILLINGS**

6.3.1 On 4th June, 1979 soldiers attacked **Col Joseph Enninful**, President of the Court Martial trying those involved in the 15th May mutiny, at his bungalow in Burma Camp, Accra, and killed him and his wife, **Josephine**.

6.3.2 Eugene Kwame Bosompem of the Police Armoured Car Squadron was shot dead at the Police Headquarters, Accra by insurgents on 4th June, 1979. Even though in 1980 his six children were paid compensation under regulations applicable to the Police Service, his widow, Gladys Attaa Owusuaa, received nothing. This was clearly an oversight as on 11th September, 1979 she had made a statutory declaration that five of the six children were hers by a previous marriage.

6.3.3 On 5th June, 1979, **Paul Mpiani**, a driver at the British Council, Accra went on an errand for his employers. His vehicle was hijacked by a soldier who later shot him dead at Asylum Down, Accra. A post mortem report gives the cause of death as gun shot wound of the abdomen with extensive laceration of the spleen and left kidney, fractured ribs, massive haemoperitoneum.

6.3.4 On 5th May, 1979, **Peter Agyei Barimah**, was shot and killed at the Railway station, Accra by Constable Bedzra of the Police Service. Peter was at the time a student of the University of Ghana, Legon. A report on the shooting incident appeared in the *Daily Graphic* of 15th May, 1979 and *Ghanaian Times* of 20th September, 1979.

6.3.5 Kwame Boafo, secretary of the local Distillers' Association was arrested at Tarkwa by soldiers who had set up camp there. He was taken first to the Tarkwa Police Station and then to the Amalgamated Banket Area mines and shot dead. The body was thrown down one of the disused mine shafts.

6.3.6 Soldiers went to the home of Comfort Debrah's mother, a trader, at North Kaneshie, Accra to search for hoarded goods. While there, they attacked Comfort and other inmates of the premises. One **Selina** who tried to run away was shot dead. Comfort was taken to the barracks where her hair was shaved off. She also received injuries on her shin.

6.3.7 On 22nd June, 1979 soldiers went to Suhum, Eastern Region to enforce price control. One of them went to the house of **Benjamin Obeng** and ordered all the inmates to come out of their rooms. When they came out the soldier fired a shot killing Obeng and one Jasper Amoh Owusu and injuring a lady.

6.3.8 Andrews Sampana Sominomah In June, 1979, Yinzee, a porter at Obuasi, went to Takoradi to visit his brother, Yin. **Yinzee** was accosted by soldiers during curfew hours and they asked him to show them his place of abode. When he took them his brother's lodgings the soldiers shot him dead when the landlady could not identify him as an occupant of the house.

6.3.9 Ama Bema's husband **Kwabena Amoah** was a shop-keeper at Kunso, near Mankranso, Ashanti Region. He sold spirits and cigarettes. On 14th September, 1979 one Kwaku Akowuah went to the shop to buy cigarettes. Akowuah later reported Amoah to the police as having sold the

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cigarettes to him above the controlled price. Amoah was arrested by the police and then granted bail. The next day, Akowuah returned to the shop in the company of three soldiers. Amoah and one of his suppliers, Yaa Tweneboah, were arrested and taken to the military barracks in Kumasi. Later, Yaa Tweneboah returned to Kunso and informed the petitioner that her husband died after being flogged by the soldiers. The petitioner and her husband's uncle, Kwaku Amoah, went to Komfo Anokye Teaching Hospital to inspect the body. They later removed it for burial.

6.3.10 Ernest Acheampong re Kwame Adjei Petitioner's brother was arrested at Bimbila, Northern Region on suspicion of smuggling cigarettes. He was placed in military custody and released three days later. When he arrived home he was bleeding from the ears. He fell ill a month later and died.

6.4 DISAPPEARANCE

6.4.1 Theophilus Opare Obuobisa, a soldier in the Ghana Army based at Takoradi, has not been heard of by his family since the 4th June, 1979 coup.

6.4.2 Soldiers went to the shop of Samuel Yaw Asumadu at the Kumasi Central Market to conduct a forced sale of his goods. When he resisted, he was attacked. His son, **Kofi Peter**, a student who went to his aid was mercilessly beaten up and taken away. Peter has not been seen since.

6.4.3 Ataa Amoah's husband, **Osei Kwame** was a bodyguard of Lt. Gen. Afrifa. He was with Afrifa when following the 4th June insurrection he was arrested at his home at Krobo. He came to live in Accra. While in Accra he was arrested twice and taken to Burma Camp for interrogation. One afternoon at about 2 p.m. Kwame left the house. He was later seen boarding a military vehicle at the Nkrumah Circle, Accra. He has not been seen or heard of since then.

6.4.4 James Agana's brother **Cpl Robert Alhassan Konyibo** was a soldier in the Ghana Army. At the time of the 4th June, 1979 insurrection he was believed to be stationed at the Castle, Osu. Since the events of that day he has not been seen or heard of.

6.4.5 Peter Kelvin Bofo re **Peter Bofo** Peter's father, Peter Snr. owned a shop in Tarkwa. Soldiers went to his house in the middle of the night and seized him and his brother. He was accused of hoarding provisions. Peter Snr. and his brother were taken away and never returned.

6.5 MAIMING

6.5.1 Edward Somuah Adfo a naval rating, was on guard duties at the residence of Rear Admiral Joy Amedume, a member of the SMC on the night of the insurrection on 4th June, 1979. Insurgents sent to arrest the Admiral shot and wounded Adfo in the leg, neck and abdomen. He was discharged from the Navy in October, 1981 on medical grounds.

6.5.2 Joseph Kwadjoe Nuer, a sergeant in the Police Service, petitioned that he was shot at and seriously injured by soldiers on 4th June, 1979 on the pretext that he was one of those involved in the insurrection. Unfortunatley, Sgt Dapaah and Cpl Yeboah who, he said, were with him cannot be

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traced, and his immediate superior officer, Supt Adenu cannot recollect the incident. In the absence of a medical report from the Police Hospital where Nuer says he received treatment, we are unable to make a finding in his favour.

6.5.3 Frank Okyere, a civilian employee of the Ministry of Defence, was on duty at the residence of Gen Akuffo when the insurrection took place. He took refuge in the premises during the skirmishes. While leaving, he was shot in the right elbow. He received treatment at Korle Bu Hospital.

6.5.4 Ellen Osei, On 4th June, 1979, at about 6:30 pm, Ellen was being driven home to Dansoman, Accra by her brother-in-law and her sister when at Randolph Motors, near Nima Police Station, their vehicle was overtaken by two military vehicles. Soldiers in the second vehicle shot at the vehicle conveying Ellen. The glass in the window was shattered and fragments became embedded in Ellen's head. Drenched with blood, she was taken to the 37 Military Hospital where she was pronounced dead and taken to the mortuary. Her shouts made the attendant aware she was still alive, and she was brought out and taken to the ward. She was in hospital for three months. She now suffers from chronic headache.

6.5.5 Gifty Adom was almost nine months pregnant when a soldier went to her at the market in Mampong, Ashanti and ordered her to sell her fish in smaller portions. As she bent down to comply with the order, the soldier removed his belt and began to beat her with it. The iron hook of the belt hit Gifty on the stomach. Gifty delivered eleven days later. The impact of the belt on her stomach affected the child, **Ibrahim Afrifa**, who was born blind.

6.5.6 Moustapha Kobina Sangari On 4th June, 1979 soldiers went to the East Cantonments, Accra residence of Sangari and demanded to be given one of his cars. He offered them a Mercedes Benz 200. At their request, he drove the vehicle to his gate. As he was leaving the vehicle he was shot in the chest. It was not until the next morning that he received medical attention. Three days later he was flown to London for treatment.

6.5.7 Kwao Kondo, a driver, was driving a company vehicle on 4th June, 1979 at Dzorwulu, Accra, when a soldier fired a shot hitting him in the left thigh.

6.5.8 Joseph Narh was a driver of Col Parker-Yanney. On 4th June, 1979 soldiers sent to arrest the Colonel shot at and wounded Narh in the arm.

6.5.9 Victor Tetteh Laryea, was a civilian employee at Burma Camp. He left home for work on 4th June, 1979 but decided to go back on finding that there was commotion at the Camp. On his way home, he was hit in the left eye by a stray bullet. He is now completely blind in that eye. He was later given a token sum of ₵100,000 by the government.

6.5.10 On 6th June, 1979 **Charlotte Rockson's** mother, Elizabeth Owoo, was taken to the Airforce Base, Takoradi and then to the military barracks at Apremdo for hoarding. Three days later, they went to a nearby house where Charlotte lived to conduct a further search for hoarded goods. The soldiers numbered about 20. As soon as they saw Charlotte they began to beat her with sticks. In

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the process she suffered an injury to her right eye. In spite of treatment in Ghana and abroad, Charlotte has lost the sight in the eye.

6.5.11 Frank Agyei-Baah was arrested by soldiers on 7th August, 1979 and taken to the Signals Regiment at Burma Camp. While there, a soldier struck him over the right eye with a belt. Later the person upon whose complaint Baah was arrested went to the camp and informed the soldiers that he did not know Baah. Baah was released. He went to Korle Bu Hospital for treatment and found that he had lost the sight in the injured eye.

6.5.12 On 22nd June 1979 an armed soldier went to the house in which **Edward Nicholas Agyei** lived at Suhum Eastern Region and ordered all the inmates to come out of their rooms for a search. He threatened to kill them, and asked them to say their last prayers. He hit Agyei on the head twice with the butt of his rifle. After a few questions to the inmates he seemed to realize that he had gone to the wrong address. He left for the next house. Soon there was a gunshot. On hearing the sound of the shot, Agyei and his co-tenants fled. Agyei underwent surgery at the Suhum Hospital and later at Agogo where it was discovered that the blows to his head had severed some nerves. Agyei's sight became affected and he gradually lost his sight.

6.5.13 On 22nd June, 1979 Cpl Boateng of the Ghana Army who was on an anti-hoarding operation in Suhum, Eastern Region, went to the house of **Grace Yomeley** and ordered all the inmates to come out of their rooms. Some 40 persons came out. Boateng lined them up and shot at them killing two men and injuring Grace. Grace sustained gun shot wounds in the right shoulder and a fracture of the right scapula. After effects include on and off tendovaginitis, tension, headache and occasional inability to flex the right upper limb above the horizontal level.

6.5.14 Amiaku Arku, a trader at Salaga Market in Accra, was on her way home with her daughter on her back when a soldier fired a shot at her. The shot hit the daughter in the leg, passed through it and hit Amiaku in the stomach. She and her daughter were taken to Korle Bu Hospital where they were on admission for a year-and-a-half. She now has difficulty in hearing, has headaches and has pains in the waist. Her daughter's leg is deformed and she has difficulty in walking.

6.5.15 Ruth Aning joined a queue at the GNTC shop at Assin Foso to buy soap. While in the queue, a soldier who was on duty to keep order swung a belt. The belt hit Ruth in the right eye. Ruth was taken to the Saint Francis Xavier Hospital at Assin Foso and later to the Takoradi Hospital for treatment. However, in spite of the efforts of the doctors, Ruth has lost the sight in the right eye.

6.5.16 Comfort Mensah In August 1979, the petitioner, a sugar cane seller resident at Tema was returning home in the company of her eight year-old daughter, Kalibi Quarshie, when a bullet fired by Navy personnel struck Kalibi in the lower abdomen. Kalibi was rushed to the Tema General Hospital where it was found that the bullet had damaged her spine. As a result Kalibi became partially paralysed. She can now hardly walk.

6.5.17 Sammy Sampson Manu, a stenographer, travelled from Gambaga to Bimbila in the Northern Region. On arrival at Bimbila he saw soldiers beating a friend of his. When he

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intervened to plead for his friend the soldiers set upon him with their belts and fists. He sustained an injury on his left eye which has rendered him blind in the eye.

6.5.18 Davidson Dede Kissi Owusu on 3rd July, 1979 Owusu, shopkeeper at Mpraeso, Eastern Region was arrested at the instance of some citizens of the town who accused him of selling rice in underweight bags. Some soldiers from the military barracks, Kumasi arrived, took him to the lorry station and beat him with their hands and belts. He was then taken to the Nkawkaw Police Station. During further molestation, a soldier hit him on the left eye with the butt of a rifle. He sustained an injury which has left him blind in that eye.

6.5.19 Amissah Nunoo On 20th June, 1979, Nunoo, a businessman of Akim Oda was arrested by about seven soldiers. They seized goods in his shop amounting to over ₵1 million as well as some personal effects. The soldiers took him to the Achiase Jungle Warfare School.

6.5.20 He described what happened as follows:

I was ordered to board their vehicle and taken to the main Oda lorry park. A large crowd had gathered in front of my house. As soon as we reached the lorry park, I was pushed down violently by about 3 soldiers. Sgt. Kwasi Manu gave an order and almost immediately they started to beat me up with sticks. I recall a number of people screaming and crying. I remember that a woman who pleaded on my behalf was slapped by a soldier. I was beaten mercilessly for 40 minutes. In fact I fainted (I later learnt that I was hurled into the truck). Everyone who was present believed I was dead and even went to console my wife.

When I came to I found myself at the barracks at Achiase, near Oda. ...

...On the 3rd day at Achiase Barracks I was drilled and ordered to lift a rock nickname "Pharoah". ...I was constantly beaten. Eventually, I was released after 4 days.

I was never charged or told what I had been detained for. I was sent home and then re-arrested after 2 days on the 26th /27th June, 1979.

I can't remember their names but 2 men came with an army vehicle to re-arrest me; I was taken again to Achiase Barracks and drilled. For eight days I was beaten, asked to roll on the ground for 20 minutes etc. I was badly treated. I was shaved with a broken bottle – I cannot describe the pain which is very vivid in my mind till this day.

6.5.21 Richard Duho Ofori's brother, Samuel Deho was arrested at the instance of Major Gbekor Kore and placed in a guardroom at Burma Camp over a private debt. The petitioner raised the money and went to the barracks in the company of two persons, Kwasi Viglaku and Vovoli, to pay the money. When they got there they were set upon and beaten. The petitioner was slapped and hit on the back of the head with the butt of a gun. Although the petitioner ascribes his current blindness to that one incident he did not provide supporting medical evidence.

6.5.22 Mary Odei Laryea was in her home at James Town, Accra near Ussher Fort when she heard sounds of shooting. She came out to observe what was happening. She found that some soldiers were firing shots at the door of a warehouse in an effort to force the door open. While Mary was

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watching what was going on she felt a sudden pain in her right shoulder. She realised that she had been shot. She screamed and began to bleed. She was taken to 37 Military Hospital for treatment. She can now hardly use her right arm.

6.5.23 Comfort Akosua Afrah a cloth seller of Takoradi was arrested by naval personnel led by Petty Officer Agyemang and taken to the Naval Base at Takoradi. On arrival she was subjected to beatings. Some used their hands, others their belts and still others, canes. One of her attackers came with a pair of scissors to cut her hair. In the ensuing struggle she received a nasty cut between the thumb and forefinger. She is left with an ugly scar and a permanent deformity of the forefinger.

6.5.24 Emmanuel Kweku Appiah was arrested and taken into custody at the Central Police station, Accra on an allegation of stealing. He was beaten and now suffers from impaired hearing. No charges were preferred against him.

6.5.25 Jones Sarpong was a trader at the Sunyani lorry park. He sold provisions. He and other traders were arrested and taken to the barracks. He was made to pull up elephant grass with his bare hands. While he was doing this a soldier struck him with a belt over the head. The hook of the belt hit Sarpong's right eye completely damaging it. Sarpong was operated upon in 1998 to remove the eyeball and replace it with an artificial one.

6.6 TORTURE

6.6.1 Elizabeth Mensah The experience of Elizabeth, a dealer in beer and provisions at Esikafo Ambantem, Takoradi, illustrates how indisciplined soldiers used the control of prices and decrees on hoarding as a pretext for stealing and perpetrating human rights violations. This is how she described her ordeal:

The soldiers brutally assaulted me, applying their fists, boots and the butt of their guns, they drove me to the Airforce station where I spent three days. There were other people also who had been arrested. We were continuously beaten all the time.

Thereafter I was transferred to the Aprembo Barracks. I spent 5 days there. The beating was worse than what took place at the Airforce station. ...

The soldiers set upon me and brutally assaulted me until I begun bleeding from my private part and even eased myself in their full view. I had totally lost control of everything. ...

On the fifth day the soldiers drove me to my house. They put me on a table and four of their number stretched me out. They then flogged me with belts mercilessly until I collapsed.

6.6.2 On 15th June, 1979 two men approached **Kodzo Fomevor**, a driver, at Ho lorry station and offered to hire his vehicle for a journey to Kpong. When Fomevor refused the offer the two men fell on him and beat him up. They then took him to the barracks of the Ho Mortar Regiment where he was placed in the guardroom. He was later brought out, given 36 strokes of the cane on his back and released. The beating resulted in the loss of some teeth and damage to his hearing.

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6.6.3 Kofi Antwi and Afua Serwaa a husband and wife, lived in Tamale where Antwi was posted as a police officer. Serwaa kept two shops, one at Tamale, and the other, at Walewale. On 17th June, 1979, Antwi and his wife were arrested by soldiers. Their hair was shaved off. Two days later, they and other traders were taken to the Tamale taxi rank and publicly flogged with a fan belt on their bare backs. At the time, Serwaa was nursing a newly-born baby.

6.6.4 Afriyie Ibrahim and Abena Asantewaa, women traders at Kumasi Central Market, were arrested and taken to the military barracks. They were flogged and then made to weed and later scrub the bathroom of the soldiers. At the time, Afriyie was four months pregnant. As a result of the beating she had a miscarriage a month later.

6.6.5 Elisabeth Aniniwaah, was arrested for hoarding engine oil and brake fluid in her home at Tarkwa Makro, near Kumasi. She was taken to the military barracks where her hair was shaved off. A soldier by name Abass took her to Kejetia where she was publicly flogged.

6.6.6 Yaa Serwaah was arrested in Kumasi while selling her wares. She was taken to the Kejetia Police Station where she was publicly flogged.

6.6.7 Nana Awotwe, a trader of Apowa near Takoradi, sold maize to a kenkey seller. The seller was arrested for selling kenkey at high prices. The soldiers then arrested Nana, took her to Apremdo Barracks, shaved off her hair with a sharp object, possibly a broken bottle, and subjected her to public flogging at the Camp and in the Apremdo village.

6.6.8 Mary Botwe, a kenkey seller at Nsawam, was arrested by soldiers who claimed that her balls of kenkey were expensive. She was stripped naked and publicly caned. The kenkey was distributed to members of the public free of charge.

6.6.9 On 6th June 1979, **Elizabeth Owoo**, a trader, bought bowls and cooking utensils through an intermediary from a factory in Takoradi. As she was conveying them away in a truck, two soldiers stopped her and instructed the driver to take the goods to the Airforce Base, Takoradi. At the Base, and later at the Military Barracks at Apremdo, Elizabeth was subjected to cruel and inhuman treatment. She was beaten with fists, kicked and her hair shaved off. Soldiers formed a circle round her and pushed and kicked her to and fro injuring her in different parts of her body. She was put on a table and flogged.

6.6.10 Samuel Yeboah On 27 June 1979, Samuel was in his father's shop at Dunkwa-on-Offin when soldiers arrived ostensibly to check the prices of goods. Three soldiers entered the shop and slapped Samuel several times. He was then taken with other traders to the market, placed on a table and flogged with canes and rubber strips made from car tyres. Samuel became unconscious and was taken to hospital for treatment. The goods in the shop were all seized.

6.6.11 Nana Yeboah Okoli II was Benkumhene of Denkyira Dominase, Central Region. A supplier of petroleum products took a tanker-full of kerosene to the village for sale. He priced it at ¢1.20 per gallon. One Real Achey insisted that the price should be ¢1 per gallon. Following this disagreement, the driver took the consignment away. Three days later, soldiers went to the village

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and arrested all those who had been willing to buy the kerosene at ¢1.20 per gallon. Among them was Nana Okoli. They were taken to the market where they were caned. They were then taken to Dunkwa-on-Offin where they were subjected to more caning.

6.6.12 Benjamin Kojoe Amissah Soldiers from the Aprembo Barracks in Takoradi went to Amissah's shop at Apowa and sold his goods to the public. They then took Amissah to the Apowa Post Office and publicly flogged him. After this ordeal, the soldiers took him to the harbour where he was made to carry cocoa.

6.6.13 Alice Koomson's 100 cartons beer were seized by soldiers in Takoradi. When she went to the military barracks to try to retrieve them, she was set upon and beaten by the soldiers. She was made to join other women who had been detained at the barracks. She was hit on the head with a boot, made to roll on the ground and with other women detainees they were made to slap one another. If they did not slap one another hard enough, a soldier slapped them to teach them how it should be done.

6.6.14 Efua Adisa sold rice and stew to travellers at the Winneba junction. On three successive days various soldiers, among them, a woman, helped themselves to her food and sold the rest to the public. On the third occasion, when the soldiers had had their fill, they forced her to strip naked, placed her on a table and flogged her with a belt. Efua lost consciousness and was taken to the Winneba Hospital where she received treatment for her injuries.

6.6.15 Salome Owusu a trader at Makola Market who lost her goods on the destruction of the market, was at home when soldiers came to arrest her. They took her to the barracks where she was caned.

6.6.16 Kwaku Yeboah Mensah was one of several persons who had gone with jerry cans to buy petrol. While waiting to be served, soldiers appeared on the scene and told them it was forbidden to buy petrol in jerry cans. They lined up the people, including the petitioner, and publicly flogged them.

6.6.17 Samuel Abboah Asamoah In August, 1979 soldiers led by Lt Tetteh arrested Asamoah, a caretaker of E. K. Owusu, proprietor of KOWUS MOTORS. He was slapped, kicked and beaten as the soldiers demanded to know where Owusu kept his money. He was taken to the Airforce Base and flogged.

6.6.18 Donyina Agyei-Kantonn was District Organiser of the Ghana National Reconstruction Corporation at Techiman. Soldiers who had gone to him for foodstuffs took offence on finding that there was no tractor available to cart the foodstuffs from the farms. Donyina was held over a table and flogged with a belt.

6.6.19 Harrison Boniface Ankrah, a businessman of Agotime Afegame, near Kpetoe in the Volta Region, had shops at Ho, Somanya, Aflao and Accra. He and his storekeeper at Aflao were arrested. Their hair was shaved off, after which they were taken to the Civic Centre at Ho and publicly flogged. The goods in the shop, consisting mainly of mattresses, were seized.

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6.6.20 Afari Agyei was a student of Somanya Technical Commercial School. During the school holidays, soldiers arrested him at his village, Dwerebease, and took him to the Krontihene's house. There he was accused of not taking part in communal labour. His explanation that as a student he was exempted from communal labour was not accepted. The soldiers removed his shirt, four of them then held him over a table by his arms and legs while a fifth caned him severely until he bled. His hair was shaved off, and he was made to roll on the ground and to drink from a dirty, stagnant pool of water.

6.6.21 Victor Hozame; Prosper Kojo Siabi Soldiers acting as vigilantes intervened in a quarrel between members of a family at Adidome-Atsenfo, Volta Region, over the sale of a tractor. They seized Victor and Siabi, took them to the market place and caned them. Anthony Hozame who made the complaint to the soldiers was also caned when he refused to participate in caning his brothers.

6.6.22 William Dusu of Kpando intervened and argued with soldiers who were selling his girlfriend's kenkey at a reduced price. Two days later the soldiers led by Simon Adza of the Department of Social Welfare arrested Dusu, beat him up and subjected him to cruel and inhuman treatment. He was made to crawl on his knees up the steps of an old German colonial building at Todzi. While doing so, he would be kicked and made to fall down the steps. He would then be ordered to climb up again on his knees. He did this several times and sustained injuries to his forehead, shin bone and knees. After this gruesome treatment he was brought to the taxi-rank where he was made to do press-ups and to roll on the ground. Finally they made him lie down on the ground and look at the scorching sun.

6.6.23 Andrews Kwame Tre, a trader, owned a radio and electrical shop in Ho, Volta Region. He was arrested and taken to the military barracks. His hair was shaved off and he was beaten. Later he was taken to the market where two soldiers took turns to cane him in full view of the public.

6.6.24 Lucy Abba Affram was a trader at Kpando market dealing in cloth. Her goods were seized by soldiers and her house searched. Thereafter she was taken to the taxi-rank where her hair was shaved off. She was then publicly caned by the soldiers.

6.6.25 Emmanuel Awuku Yirenkyi, a fuel dealer at Cape Coast, was arrested by soldiers for allegedly selling petrol on a Sunday contrary to instructions from the AFRC. He was taken to the Regional Office where he was placed on a table and flogged.

6.6.26 Ellen Ladzekpo, owner of the Melody Inn provision store in Ho, Volta Region, was dragged by soldiers from her shop and taken to the Civic Centre. There, her hair was shaved off and four soldiers put her on a table and took turns to cane her on her back.

6.6.27 Juliana Dogbey, a resident of Accra, was arrested by soldiers for selling garden eggs at an excessive price. She was taken to Gondar Barracks where her hair was shaved with a broken bottle. This has left her with a scar on her head. She was hit with the butts of rifles, beaten with electrical cable and slapped several times leading to the loss of four teeth. Lighted cigarette ends were extinguished on her arm.

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6.6.28 Albert Kweku Cudjoe was the owner of an electrical appliances shop in Market Circle, Takoradi. On 23rd June, 1979 soldiers went to the shop and carted his goods away to the Air Force Base, Takoradi. They took Cudjoe to the Barracks at Apremdo, shaved off his hair and subjected him to beatings. A few days later, he was brought to the Market Circle and publicly caned. The soldiers then demolished his shop and the adjoining one even though he was not the owner of the building. The incident was reported in the *Ghanaian Times* of 28th June, 1979.

6.6.29 Alhaji Bawa Ayamga On 5th July, 1979 soldiers led by Lt Patrick Donkor arrested Ayamga, now deceased, at Bolgatanga on an allegation that he was hoarding lorry tyres. While singing a profane Hausa song, Lt Donkor hit the Alhaji on the head several times with a hammer and detained. On 3rd September, 1979 the Alhaji was convicted of hoarding by an improvised public tribunal constituted by Lt Pattington, Lt Donkor and other soldiers and sentenced to three years' imprisonment in hard labour. He was made to drink cement mixed with water. He was taken ill and was transferred from Navrongo Prison to Tamale Prison where he died on 17th January, 1980.

6.6.30 Mathias Komla Anku In August, 1979 Anku was detained at the Ho Medium Mortar Regiment on an allegation that he had installed a second petrol tank on his taxi-cab. During the one month he spent in custody at the Barracks, Anku was repeatedly slapped by soldiers, even though an examination of his vehicle had shown that there was no such tank.

6.6.31 Richard Kwabena Abugumzio In September, 1979 Abugumzio came upon some soldiers in Bolga who were beating one Amenasah, now deceased. When he exclaimed 'Oh!' in sympathy with the victim of the attack, the soldiers emptied the contents of a coal pot onto the ground and forced him to sit in the embers of the fire. He sustained burns and blisters on his buttocks.

6.6.32 Robert Akuamoah Boateng A soldier who overheard Boateng and one Abunuwa discussing the killing of Lt Gen Afrifa had them arrested by the police. The next day, they were taken to the army barracks in Kumasi where the two of them were made to fight each other before a large crowd. Boateng sustained injuries which required medical attention.

6.6.33 Mathew Adams and other employees of Hohoe Hospital were arrested on suspicion of stealing drugs. They were handed over by the police to the military authorities at the Ho Mortar Regiment where they were subjected to brutalities such as being made to slap each other. They were then returned to police custody. This is confirmed by Chief Supt George Ohene (Rtd.).

6.6.34 Cobbold, an employee of GNTC motors in Takoradi, owned two buses, two taxis and a saloon car. On 7th September, 1979 he was arrested by soldiers and questioned about his wealth. He was taken to Apremdo Barracks where he was made to lie on the ground and stare at the sun. He was also flogged. His vehicles which were seized were later returned to him but in a dilapidated state.

6.6.35 The attack on Cobbold was wholly unjustified. When he appeared before the Commission, we were impressed by the way he was able to establish by documentary evidence that he came by the vehicles lawfully. Here was a man who by dint of hard work and careful management of

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resources was able to build up a thriving transport business. He was a victim of high-handedness born of envy.

6.6.36 Mohammed Shaibu, a dealer in yams, was subjected to cruel and inhuman treatment at the Air Force Base, Takoradi. He was made to roll on the ground, lie flat and look at the sun, given 48 lashes, and was shaved with a broken bottle. He was also made to slap his brother, Ango, who in turn was ordered to slap him. This was repeated several times.

6.6.37 Stephen Robert Kwawu, a police constable stationed at Ho, appeared before the Huppenbauer Committee at its sitting in Ho. Before he appeared at the hearing he was drilled, his hair was shaved off with a broken bottle and he was subjected to beatings. After his appearance, he was brought to Accra where he received further ill treatment while in confinement at the MATS guardroom and at the Police Headquarters.

6.6.38 Yakubu Norga petitioned that his late father **Norga Moshie**, a night-watchman at Darko Farms, Akropong, Ashanti was caned by soldiers in 1979 at the instigation of Kwabena Darko, Managing Director of the Company.

6.6.38.1 When he was invited to comment on the petition, Kwabena Darko stated in part:

....like many other industrialists, I was especially targeted for persecution and harassment by the military machinery. Indeed, it was quite a frequent occurrence for loose bands of soldiers to make forays to the farm, issue threats and generally harass management.

It was on one such morning when I was informed that three unnamed soldiers were on the premises. I went downstairs to inquire from them the purpose of their mission, since I had already endured all sort of searches, interrogations, and seizures of some of my assets. There were the usual threats, intimidation and verbal abuse, but I suspected that it was all a ploy for some free chicken.

Therefore, when they headed towards the chicken farm, I accompanied them with the view of at least limiting the number of birds they were bound to forcefully seize for their personal use. As we walked towards the chicken farm, we were met by the farm manager, Mr. Kwesi Kuma, who said I was urgently needed on another part of the farm because three employees had been caught red-handed, having stolen about thirty bags of chicken feed....

As I looked on helplessly, they proceeded to whip them with canes, one after the other.

The soldiers, upon hearing the farm manager's report about a theft, insisted on instant revolutionary justice, especially since the culprits had already confessed..."

6.6.38.2 Since the petitioner was not present when the incident occurred, we prefer the account related by Darko which we find entirely credible. It is hard to imagine any businessman being in a position to use soldiers against his employees. Rather there were countless cases where employees used soldiers to harass their management. Kwasi Kumah, the Farm Manager who reported the theft to Darko and was present throughout confirmed Darko's version of events.

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6.6.39 Joseph Suglo (now 29 years old) petitioned that in 1982 his grandmother, **Banyeke Gandama**, and another lady, **Bakozie Mwinvi**, pito sellers, were arrested by soldiers who claimed that their pito was too expensive. He claimed that the women were made to roll on the ground and to drink dirty water from a borehole. Their pito was distributed to passersby without payment. The petitioner who must have been only 7 years old when the incident was alleged to have occurred did not have any witness who could support his story. Clearly, he cannot vouch for the truth of the allegation made by him.

6.6.40 Kwabena Badu; Otuo Acheampong; Kwaku Kyei three brothers were running two shops, a provisions shop and a drug store, in Kumasi. On 21st July, 1979 as Badu and Acheampong were about to open the shops a soldier, Cpl Appiah, came up and questioned them as to why they had not opened them earlier for an inspection for hoarded goods. The brothers responded that traders in the area had been instructed to open their shops at 9.00 am, and not earlier. Appiah sought the aid of other soldiers and amid slaps and kicks took the two brothers to the military barracks. Their keys were seized. At the barracks they were questioned.

6.6.40.1 On the third day, as narrated by Badu,

At about 10 o'clock that morning the officer instructed one of the soldiers to give each of us twenty-four lashes on our bare backs. We were made to remove our shirts and singlets.

I was instructed to hold onto a branch of a mango tree nearby with both hands and warned that if I took off my hands from the branch, the lashes I had already received would not be counted as part of the twenty-four. I was to count the number of each strike aloud.

After the first six lashes, the pain at my back was so severe that I took my hands off the mango tree in an attempt to massage my back. I discovered that there was blood all over my back; the back and palm of my hands that I had used to touch my back were smeared with blood. Some of the lashes cut open the skin of my back and blood was oozing out. I could not hold back my tears.

I was made to re-start the counting, while weeping openly, from one to twenty-four. In all I received thirty lashes at my back the majority of which opened parts of the skin at my back.

They did the same thing to my junior brother Otuo Acheampong. Our senior brother Kwaku Kyei was made to remove his shirt but before they could start lashing him the officer said since he was not at the shop when they had come to 'arrest' the two of us, he could be spared.

Our keys were given to us. We could not put on our shirts because of the blood at our backs. We were treated and discharged at the Komfo Anokye Hospital. The scars are still visible at our backs.

6.6.41 Kenneth Assan Dadzie On 12th June 1979, the petitioner, a shop-keeper of Sunyani, Brong Ahafo Region was arrested when his assistant sold two electrical bulbs to a soldier at 75 pesewas each. He was taken to the military barracks where his hair was partially shaved off. He was ordered to undress. He was flogged with a flexible electrical cable.

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6.6.42 Philip Yeboah a shop-keeper at Adum, Kumasi was arrested by soldiers for selling paint at an excessive price. He was taken to the military barracks where he was slapped and given 24 lashes on his bare back.

6.6.43 Mohammed Issifu's father, Issifu Sulemana was arrested by soldiers for selling a bicycle tyre above the controlled price. He was taken to the military barracks and later brought to the Tamale police park where he was publicly flogged.

6.6.44 Francisca Osei After soldiers had seized and auctioned the goods of Francisca, a trader in ladies' and men's wear at the Kumasi Central Market she was taken to the military barracks and kept in a guardroom for a month. During this period she was stripped half naked and caned at the barracks. Later she was brought to Kejetia where she was stripped to her underwear, laid on a table and publicly caned again.

6.6.45 Kramo Osmanu lived at Bohyen, Kumasi with Abossey and Appiah, both of whom are deceased. A group of soldiers went to the house and accused them of dealing in Indian hemp. They arrested them and ordered them to lie on the ground and stare at the sun. They were beaten and hit with the butt of their rifles. They were then taken to the military barracks where they were subjected to further assaults. The next day they were taken to a public toilet and made to carry pans full of faeces through Kejetia in the heart of the city to a public drain where the faeces were discharged. They were made to wash the pans using their bare hands. They were then taken back to Kejetia where they were publicly flogged. They were released after five days.

6.6.46 Habibata Amadu, a baker at Wa, was arrested by soldiers for selling bread at too high a price. She was taken to the soldiers' camp where part of her hair was shaved off, leaving the rest in order to make her an object of public ridicule. She was flogged with a belt, leaving her with bruises on her back. The soldiers then hung a loaf of bread round her neck and paraded her in the streets. At one point she was made to dance for the spectators who had gathered to watch her being humiliated. She was also made to roll on the ground. By the time the soldiers were through with her an amount of money she had in her waistband was missing.

6.6.47 Stephen Opoku Osei In July, 1979 Osei and others were travelling in the hold of a cargo truck along the Bawku-Bolga road, when at Nangode the vehicle was stopped at a road block mounted by soldiers. They questioned them on why they were riding as passengers on a vehicle which was meant to carry only goods. They ordered them out, arranged them in pairs and asked them to fight each other. Osei was reluctant to hit his opponent hard as he appeared old. There and then one of the soldiers struck him from behind, causing him to fall. He was set upon and severely beaten up. The passengers were taken to the Regional Office, Bolgatanga and placed in a guardroom.

6.6.48 Isaac Mensah had a shop near Kejetia, Kumasi. He was arrested by a team of soldiers and policemen for selling above the controlled price. He was taken to the Central Police Station where he was flogged.

6.6.49 Yaa Nyarko, a trader, was flogged at Kejetia by soldiers.

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6.6.50 Benny Ashun While in detention, Ashun was taken to the Teshie Military Firing Range and subjected to a mock execution.

6.6.51 Abba Negble Following the seizure of her maize at Agomenya, Abba was arrested and detained at Michel Camp for three days. She was then brought to the Agomenya market where she was put on a table and caned. If the age she gave on her petition is correct – 90 years – she must have been 67 years old at the time.

6.6.52 Adwoa Dede carried on the business of buying and selling fish. She bought the fish at Koforidua and sold it at the Begoro Odumase Market. In 1979 a policeman called Atta went to her at Begoro Market and accused her of selling a quantity of fish to his wife at the high price of ₵5.00. Atta beckoned another policeman to join him and together they put Adwoa on a table in the market and caned her.

6.6.53 Kwasi Bofo was a trader at the Central Market, Dunkwa-on-Offin. He was arrested by a soldier who accused him of hoarding goods. The soldiers removed his shirt and singlet and put him on a table. He was flogged with cable wires. After that he and two other persons who had been treated in a similar way were ordered to slap each other several times. Bofo still bears marks of the beating on his body.

6.6.54 Yaa Ntiwaa re Kwabena Mesu Yaa's husband and her father, Mesu, lived at Mbradan near Dunkwa-on-Offin. Following complaints that he and others had refused to take part in communal labour, Mesu was arrested by soldiers who subjected him to beatings. He was taken to the house of the queenmother where one Kofi Mensah was also brought in. Mesu and Mensah were ordered to slap each other several times. They were then taken to the residence of the District Secretary where they were beaten with belts. Mesu sustained injuries to his body. He died after two years.

6.6.55 Yaa Asantewaa was at her home at Denkyira Dominase, near Dunkwa-on-Offin when she was arrested by armed soldiers who accused her of selling kerosene above the controlled price. They ordered her to remove her *kaba*, placed her on a table and caned her. Yaa was then four months pregnant. As a result of the treatment she received, she had a miscarriage.

6.6.56 Johnson Kofi Frimpong lived at Mbradan, near Dunkwa-on-Offin. A Sgt Ewusie who hailed from the area went to the village and arrested Frimpong, **Opanin Kofi Mensah** and Kwabena Mesu, now deceased. He took them to the palace of the queenmother. Armed with a gun he beat them and made them slap each other. He then took them to the residence of the District Secretary, known as Bungalow No. 1 where Airforce personnel had been camped. The three were subjected to further beatings.

6.6.57 Kwadwo Owusu Sekyere On 15th September, 1979 petitioner, a candidate in the Parliamentary elections was arrested by soldiers in Sunyani. He was slapped and beaten and taken to the Police Station. Two other persons, the Regional Prisons Officer and the Superintendent of Police were also arrested. The three of them were taken to the military barracks.

6.6.57.1 What happened there is best told in his own words:

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I was slapped and kicked on the ground for several times while I wetted myself on the ground being beaten continuously. Consequently, I was thrown like a bag of sand onto that truck. ...

We were asked to give out to the guard our wristwatches, monies and other items on us, which we did. Then came an order that we should sit down on the ground. One of the soldiers came with a piece of broken bottle and shaved off our hair one by one. ...

Well, we were asked to come out and one of the armed soldiers kept asking the rest “who are those to face the firing squad.” They asked us to put our hands above our heads and face the wall as they kept cricking the triggers of their guns.

We lined ourselves up and faced the wall as we had been commanded. Then again, came another command “turn round” which we all did. There were about 30 to 40 detainees. ...

Out of the blue, one soldier with his name on a tag in front of his uniform rushed forward and placed my son next to me on my left and counting from the right hand side of the line, I was fourth and my son was third on the line. The soldier who rushed forward to place my son next to me had the name AMUZU written on the tag.

The AFRC member whose name I’ve forgotten accompanied by local officers started going round and asking each one why he had been brought there followed by the first questioner being asked to slap the one next to him and he too to slap him back and when they reached my son Patrick Owusu-Sekyere he was asked to slap me and for me to return the slap. Quite obviously my son couldn’t deliver it to their satisfaction and as a result the said soldier AMUZU taught him how to do so. I was surely shaken. I was at that time 49 years old and feared that if I did not do it well to satisfy them, I might be given a similar lesson. I reluctantly summoned all my strength and really gave my son a slap on the right cheek. I replied that I did not know why I had been brought there. Then the said AMUZU retorted and said to the officer and I quote “In a Revolution there are some people who have been targeted and he is one of such people.” I must add that I immediately broke down and sobbed uncontrollably but I was shouted down to stop.

I felt instantly that my honour and dignity had been irreparably dented. No sooner had this ugly incident happened than my son Patrick left for Britain where he has been domiciled till to-day. He came to Ghana in July this year i.e. 2002 and sitting down at the living room with him, he told me and I quote “Daddy do you know that I cannot look straight into your eyes”. I asked him to forget and leave the past to history.

Now at the autumn of my life, my son Yaw would have been my best, reliable and constant companion and adviser but for that brutish and inhuman act perpetrated on us he has no desire of living in Ghana again.

6.7 SEXUAL ABUSE

6.7.1 M Soldiers looking for M’s husband placed her under arrest to await his return. When night fell, the soldiers left one of their number to watch over her. During the night the soldier raped her.

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6.7.2 D On 4th June, 1979 soldiers went to a popular entertainment joint in Accra owned by the petitioner who was known in military circles as the girl-friend of a senior officer. They turned the place inside out and carried away drinks kept there for sale to the public. The soldiers then went to the residence of the petitioner and took away drinks, cash and other goods. Several of the soldiers raped her. After her ordeal she was taken to Gondar Barracks, but her condition saved her from further sexual assault. She was later released, but a few days later three military officers (two Majors and a Captain) came for her and took her to an isolated place and raped her. One of her assailants told her it was for the record. A further attempt, this time at Nsawam where she had been taken by three other soldiers, was foiled when a Capt Owoo came to her aid.

6.7.3 Ekua Bentil, On or about 7th June, 1979 soldiers went to a store at Agona Swedru run by Kodwo Addison and his wife, Ekua Bentil, now deceased, and got hold of Ekua. They put her on a table, face upwards, stripped her naked, opened her legs and beat her with a military belt between her thighs while the public, including young children, looked on and sang in unison “Eye hann, eye kanea” meaning “It is clear, it is light.” Ekua bled from her genitals. She was taken to Cape Coast Regional Administration where the soldiers were based. Addison followed them and got Ekua released. Ekua was treated at hospitals in Ghana and Nigeria without success. She also tried herbal treatment. She continued to bleed from her genitals and was unable to resume sexual relations with her husband up to her death in 1991.

6.7.4 Jacqueline Acquaye alias Ama Akuffo petitioned that when on 17th July, 1979 she was arrested for hoarding flour a soldier mixed gun powder and pepper and used the solution on her as a douche. She later underwent a hysterectomy operation to remove her uterus.

6.8 ILL-TREATMENT

6.8.1 Victoria Lankai Aniagyei, a trader at Makola Market, Accra, was arrested by soldiers for selling hair cream above the controlled price. She was then some three months pregnant. Alleging that she was pretending to be pregnant when she was hiding money, a soldier made a manual examination of her body and in the process squeezed and punched her in the stomach

6.8.2 Mary Adukwei Allotey was arrested in August, 1979 for hoarding. She was taken to Burma Camp, and then to the Border Guards Headquarters. This is how she described her ordeal:

We were marched into a big room where there were two long tables with soldiers of high ranks (she could tell by the stripes on their shoulders) behind them. The soldiers were then interviewing other men and women seated before them. We watched whilst those being interviewed by the soldiers were slapped from time to time by other soldiers who were standing behind them. We were made to sit on the grass in the sun from 12 to 3 pm.

When it got to our turn, it was just like those who we saw being interviewed. Before any words can come out of our mouths we were slapped by the soldiers who were standing behind us. The slaps came from both the left and the right side.

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I was asked what my name was, where I got my goods from, which particular stores I bought them from, how I got the money to buy the good among others. All this while, we were being slapped at the nod of the head from the soldiers interviewing us.

I started bleeding from my left ear and was sent to another room where they cleaned it and was sent back again. This did not stop them from slapping me. We were sent to the “border guard” and were detained for three weeks. Each morning we were beaten before being allowed to go and sweep the compound.

6.8.3 John Kwabena Adom was arrested at Hohoe in July 1979 in place of his father, Daniel Ameyaw, a trader. Adom was taken to the military camp at Ho and subjected to ill-treatment which he described thus:

I was brought to the Volta Barracks and was put into the guardroom. In the night they brought me out of the guardroom and started beating me up. They sent me back into the guardroom until the following morning when I and others were lined up and started interrogating us.

I was told that I was charged for profiteering. After the interrogation, we were sent to be drilled. We were whipped with electric cables at our backs.

6.8.4 During the run-off of the Presidential elections in 1979 **Seidu Prince Mahama PFP** Constituency Secretary for East Gonja was subjected to ill-treatment at the Kamina Barracks, Tamale by Sgt. Odum and other soldiers for 29 days.

On the way to the guardroom, the soldiers started beating me and hitting me with the butt of their guns. The butt of their guns hit my eye-brows and my eyes were filled with blood so I could not see my way to the entrance of the guardroom. Until the guard officer Sgt Owusu led me in.

In the guardroom were, a police M.T.U officer Inspector Antwi of Tamale, Alhaji Sumani Bukari popularly known as “Suffer to Gain”, some three Dagomba women, Mr. Abu Wemah, a magistrate at Wa and Alhaji Nuhu from Kadelso.

We were in the guardroom for 29 days and each of the 29 days were brought out and depending on the number of soldiers each one of us received a slap in the face from the soldiers. Thus if there were 10 soldiers each of us received 10 slaps in the face from them. In the process my eye sight became blurred and blood was oozing from my ears.

6.8.5 John William Opoku A few days after 4th June, 1979 soldiers went to Opoku’s big general merchandise shop at Bawku and over some days sold most of the goods in it. Later they alleged that Opoku had sold a pair of shoes at an excessive price. One Lt Patrick Donkor came to Bawku and ordered Opoku to open his wholesale. On seeing the goods in the wholesale Donkor exclaimed, ‘Hoarding!’ and fired a shot in the direction of Opoku. Donkor poured petrol on the goods and in the building and set them ablaze. He placed Opoku in police cells at Bawku and later collected him for a trip to Bolgatanga.

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6.8.5.1 On the way, Donkor slapped Opoku several times and ordered soldiers to throw him into the White Volta from a bridge. The soldiers refused. Opoku was taken to Bolgatanga and then to Tamale and kept in a guardroom for four months during which he was made to undergo physical exercises as punishment. Donkor then took Opoku and Alhaji Bawa Ayamga (BLG 3) to the BNI office at Bolgatanga. After that Opoku spent three weeks at Navrongo Prisons and then he was brought back to Bolgatanga where a Peoples' Court comprising Lt Pattington, Lt Donkor and other soldiers tried Opoku and sentenced him to nine months imprisonment.

6.8.6 Susana Koomson On 4th June, 1979, after several bales of cloth had been seized from her shop in the Market Circle, Takoradi, Susana and other traders whose goods had similarly been seized were taken to the barracks at Apremo where they were made to sit on the ground and stare at the sun for hours.

6.8.7 Omink Mensah Asigbe On 15th June, 1979 soldiers led by L/Cpl. Peter Tasiri went to the Accra Kotobabi branch of the Meat Marketing Board. Tasiri mistook petitioner for lawyer Mensah, the Managing Director, and questioned him as to why meat was being distributed to the workers. Tasiri ordered soldiers with him to punish the petitioner. Asigbe was made to do physical exercises and to lie on the ground and stare at the sun for over an hour. The vision in his left eye is now blurred and that in the right is fast deteriorating.

6.8.8 William Thomas Bruce-Tagoe On 29th July, 1979, four soldiers went to the Coconut Grove Restaurant on Derby Link, Accra for a meal of banku and okro soup. After eating, they complained that the bill of ₵40.00 for double helpings was exorbitant. They arrested petitioner who owned the restaurant, took him to Burma Camp and subjected him to cruel and inhuman treatment.

6.6.8.1 This is his account of what was done to him:

On 20th July, 1979, around 9 a.m. soldiers came to my restaurant to eat. They ordered for a plate of banku and okro stew and asked for extra plates later. They were served and after they had each finished eating their second servings, they asked for the bill. A plate was then ₵5 (five cedis) so the bill was ₵40.00. One of the waitresses who served them was Doris Adjei, then my wife.

I wasn't then in the restaurant. I was outside. I was there when they came out with Doris and she told me that the soldiers had complained that the food was too expensive and that they did not understand why a plate of banku and okro stew should be sold for ₵5. They were therefore arresting her as I wasn't around so when they saw me, she was released and I was arrested. The soldiers were from the Red Berets section and they took me to 5Bn. They did not beat me on the way and neither did they ask me any questions.

As soon as we got to the 5Bn compound, the 4 soldiers (I don't know their names) and other soldiers on the compound started saying "Fresh Fish, Fresh Fish". The four soldiers took me to a small room and they poured salt (Ada Salt) into my cupped two palms and asked me to chew. They stood for a while to watch me chew the salt and left after some time. ...

After this, the same four soldiers came to the room which was like a bathroom with a toilet facility and showered me. After this, they took me to the compound and asked me to remove

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the T-shirt. They placed a chair there and asked me to hold it with my two hands as if leaning on it. Other soldiers joined them and they formed a horseshoe pattern. Without my T-shirt and bare backed, the soldiers started beating me with electric wires. The 4 soldiers plus two others beat me up with electric wires simultaneously until they were tired. I was bleeding all over my back and also from some parts of my chest where the electric wire had cut me.

...after the soldiers had finished beating me and asked me to chop big firewood there, I did it quickly. The soldiers gave me an axe to cut up the firewood and after I finished they remarked that I was a strong man.

Then I was asked to roll on the ground and whilst doing this, the soldiers stamped on my abdomen, neck, chest etc. After this, I was asked to crawl with my elbows and knees for a distance of about 100 metres and back – 100 metres in, 100 metres out. This was not the end, they told me I was going to face the firing squad. They took me to another compound...

I was blindfolded and asked to jump, sing and say recitation at the same, time. All this while, one of them used his bayonet to hit my chest repeatedly. I had a deep cut on my chest because of this. ...

I was so tired and weak and could no longer jump... The soldiers then pushed me out of the gate.

6.8.8.2 Tagoe was released the same day. On 7th August, 1979, he was again arrested by soldiers and taken to Burma Camp. This time, too, he suffered ill-treatment.

6.8.9 Soldiers who went to **Emma Anin's** shop at the Kumasi Central Market to seize her goods for alleged hoarding subjected her to beatings which included slapping. She now suffers from a hearing defect.

6.8.10 Kate Abbam, In the wake of the 4th June, 1979 coup, petitioner was arrested and taken to Burma Camp for questioning about profiteering by an association of market women of which she was the head. She was slapped under questioning.

6.8.11 Nana Boakye Tromu III; Kwame Boateng, Nana is the chief of Duayaw Nkwanta, Brong Ahafo and Boateng was Secretary to the Town Development Committee. On 6th August, 1979 a group of soldiers led by Lt Sabun arrested Nana and Boateng for allegedly failing to organize communal labour in obedience to a directive of the AFRC. They beat them up and forced Nana to drink dirty water from a gutter. They took them to the military barracks at Sunyani and released them the following day.

6.8.12 Rose Dompseh, a bread baker at Adoagyiri, Nsawam, was attacked by a soldier for selling a loaf of bread for 50 pesewas. He hit her with his belt, boots and hands. When she was taken to the hospital other soldiers came for her and took her to Nsawam Prisons. She was released the same day.

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6.8.13 Kwame Ofori-Yentumi was a Commander of the Ghana Navy and lecturer at the Staff College. On 4th June 1979 his house at Burma Camp was raided by three soldiers who collected all his personal belongings and those of his wife. His car was also seized. When the wife resisted she was badly beaten up in front of her 11 year-old son. The soldiers took the personal effects away in the wife's car. Yentumi's wife developed a mental problem which persists to this day. His son still suffers from the effects of the trauma.

6.8.14 Joseph Mensah Asante, a trader, was arrested and taken to Burma Camp where he and other traders were forced to sing a song in which they referred to themselves as 'kalabule', that is, profiteer.

6.8.15 Stephen Anin Acheampong A soldier hijacked Acheampong's car and forced him to take him to various locations where he robbed persons of their money. The soldier also looted goods from a shop said to belong to one Kofi Amoakohene in Accra.

6.8.16 Charity Nuerkie Noi, a trader was returning to Ghana from Nigeria on 15th June, 1979 when soldiers stopped the vehicle on the Motorway, Accra. The soldiers assaulted her and the driver and seized the goods. Charity lost two teeth in the confrontation.

6.8.17 Daniel Ohene Adjei, a yam seller of Accra, was brutally assaulted by soldiers who claimed that his prices were too high. He was slapped, kicked and struck with belts and the butts of rifles.

6.8.18 Comfort Akonobea, a trader, was assaulted at Tutu, Akwapim when soldiers went to her house to seize a quantity of cigarettes.

6.8.19 Doris Dodua Quartey, Chairman of the Bakers' Association at Chorkor, Accra was arrested with other bakers and taken to Burma Camp. They were accused of reducing the size of the bread they baked as a way of making more profit. At the camp they were abused verbally and physically. Petitioner was slapped and struck with sticks. A soldier attempted to rape her.

6.8.20 Yaw Sarfo On 19th June, 1979, soldiers who had gone to Sarfo's shop at Suame Magazine to seize engine oil, brake fluid and welding rods hit him on the head with a belt hook resulting in a deep cut.

6.8.21 Faith Esi Amegah, a trader at Ho market, was arrested and taken to the military barracks at Ho where her hair was shaved off. She was also beaten.

6.8.22 Addy Augustine Kwasi Ketorwoko was arrested at Mafi Akyenfo, Volta Region for alleged misappropriation of funds of the North Tongu Rural Bank. He was taken to Gondar Barracks, Accra. While in custody at the Barracks, a soldier struck him on the side of the head with the butt of a rifle.

6.8.23 Victoria Lankai Aniagyei, a trader at Makola Market, Accra, was arrested for selling hair cream above the controlled price. On the way to the military's operational base, she was slapped several times. After the demolition of the market she was arrested for selling in the street. She was

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made to scoop filth from a gutter with her bare hands. She was slapped and hit on the hand and on her back.

6.8.24 Elizabeth Buabeng, a trader at Makola Market, Accra was arrested for refusing to sell and taken to a place near 37 Military Hospital which was being used by soldiers as a base for their price control operations. Her hair was shaved, she was slapped leading to the loss of two teeth and was hit with sticks and belts.

6.8.25 Fred Kwame Baah a shop owner of Hohoe, Volta Region was in his shop with a friend listening to music when one of a group of soldiers led by Lt Kwami, who were searching a hotel opposite the shop for hoarded mattresses, claimed that they were laughing at them. Lt Kwami ordered that they be taken through drills. They were made to hold their ears and leap frog, to carry a large signboard and to roll on the ground. One of the soldiers kicked Baah in the groin, inflicting injury to his testicles. They were beaten when they could no longer continue with the drills.

6.8.26 Emmanuel Korku Adelayita; Emmanuel Besa Agbedzofe; Gabriel Kwami Adjei, Petitioners were all porters at the Ho lorry park. Following a ban on the activities of porters at lorry parks, they were arrested by soldiers and taken to the military barracks in Ho. They were slapped, made to hold their ears and leap frog, to roll on the ground and to lie supine looking at the afternoon sun.

6.8.27 Comfort Quayson, was a trader at Makola No. 1 Market, Accra. After soldiers had raided her shop and seized her goods she was taken to Nima Police Station. Although she was five months pregnant, she was subjected to beatings with belts and canes. At a place of detention opposite the 37 Military Hospital she was hit on the head with the butt of a gun and cut with what appeared to be a bayonet. She was later taken to hospital where she had a miscarriage.

6.8.28 Isidore Kwame Gyamfi now lives at Dunkwa-on-Offin. In 1979, while working as a welder at the lorry park in Bolgatanga, soldiers arrived to effect the arrest of Alhaji Bawa Ayamga, a tyre and cement dealer. In the course of effecting the arrest, one of the soldiers, Lt Donkor, hit Gyamfi several times on the ribs with a hammer, ostensibly for obstructing them. In response to this allegation, Lt (now Captain) Donkor admitted that he arrested Alhaji Bawa Ayamga, but said he did not remember the encounter with Gyamfi.

6.8.29 Joseph Esmond Polley, a bar keeper of Axim, was arrested by soldiers. His crime was that he had demanded that customers who bought drinks without bottles deposit a sum to be refunded when the bottles were returned. The soldiers forced him to lie down and roll on the ground a distance of 30 metres to the Police Station. They hit him with the butts of their rifles. While in custody over a period of seventeen days he was regularly beaten.

6.8.30 Beatrice Bentil, a Nursing Officer working at the Military Hospital at Appremdo Barracks, Takoradi was arrested with her maidservant for selling provisions at her Sekondi home. She was taken to the Airforce Station where she was assaulted by new recruits with their fists, belts and canes. She bled from wounds inflicted upon her back. She was rescued by the doctor with whom she worked at the Barracks.

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6.8.31 Patrick Moffat Kassar On 29th July, 1977 Kassar was driving his car in Accra with his pregnant wife beside him when two soldiers following them in a military vehicle took exception to his manner of driving. Kassar was then near his workshop, Safari Motors. When he reached the garage, the two soldiers came out of their vehicle and attacked him and his wife. While one hit him with his fist, the other kicked his wife causing her to fall on the ground.

6.8.32 Richard Effah, a welder's apprentice at Akim Swedru, Eastern Region was attacked with gun butts and fists by soldiers who had gone to the town in search of one Rockson. The senseless attack took place after the soldiers, who had driven to the town in an armoured vehicle, had asked for directions to Rockson's house and Effah had said he did not know him. Apparently, they thought Effah was being obstructive.

6.8.33 Davidson Kissi Owusu On 3rd July, 1979 Owusu, a trader at Mpraeso, Eastern Region, was arrested by the police for allegedly reducing the quantity of rice which he sold in 4 kilo bags. While at the Police Station, soldiers who had arrived at the station from Kumasi took him away. They slapped him and hit him with their belts. The soldiers took him to Nkawkaw Police Station where, in the course of further ill-treatment, he was hit on the side of the head with the butt of a gun. This has affected his sight.

6.8.34 Kate Ocran After raiding Kate's drinking bar at Takoradi, military personnel poured hot water on the ground and asked her to roll in it. She was slapped and hit with the butts of rifles, belts and canes. She was then taken to the Airforce Base where her hair was shaved off with a broken bottle.

6.8.35 Esi Tawiah and Grace Enyan, widows of **Clement Kwame Mensah**, petitioned that one Esi Alice, a trader at Mankessim, took her flour to the premises of Mensah at Enyan Maim to keep them from the prying eyes of soldiers. The soldiers got wind of it, went to the house and seized the flour. They lay in wait for Mensah for five days. When he did not show up, they left, but warned that if he did not report himself and was caught he would be killed. Mensah decided to go to Cape Coast to report. According to the petitioners, he was baldy beaten up by the soldiers. He later showed signs of mental instability, which persisted, till his death a few years later.

6.8.36 Awuley Quame After soldiers had seized her goods at Tarkwa and sold them to the public they set upon her and beat her up. She was then seven months pregnant. As a result of the beating she received, she had a miscarriage.

6.8.37 Mary Kwarteng After they had seized rubber mats and other goods being sold at the Kintampo Market, the soldier who had gone there from Sunyani flogged the traders, including Mary with their belts. Each trader was given 18 lashes.

6.8.38 Samuel Addo Yeboah a shopkeeper at Adum, Kumasi was paraded through the streets with the inscription "I deserve to die" pinned to his chest. Two other persons with him had the inscriptions "I am a cheat" and "I am chief of Kalabule". Their goods had been seized by soldiers who told them they were to be shot.

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6.8.39 Helena Poku In 1979, while she was riding in a taxicab from Bantama to Kejetia in Kumasi, Helena remonstrated with the driver of a military vehicle which nearly ran into the taxicab. The soldiers in the military vehicle came out and used the butts of a rifle to hit Helena in the eye and in the mouth. Helena was taken to a private clinic for treatment. Her right eye was permanently damaged and five of her teeth had to be pulled out.

6.8.40 Kofi Oti a trader used to go to the Atebubu market to sell his goods. He gives this account of what happened to him on one of such days:

One Tuesday in 1979, barely three weeks after Gen. Afrifa was killed, I was at the Atebubu market, when a young man approached me. He told me he wanted a tin of milk to buy. After selling to him, this young man said I had sold above controlled price and that I was under arrest. I pleaded with him but the man would not listen to me. He asked me to pack my items and follow him to the Atebubu Police Station. I did as he said. While getting closer to the police station, I saw a table standing in front of the office. There, I remembered the incident of some people who were laid on tables and beaten at Ejura. I then attempted to run away but the young man pulled out a pistol, which made me follow him. When we entered the office of the Station, there I saw about ten men, who happened to be soldiers. Some were in their uniforms and armed. Others were in mufti. These soldiers had come from the Sunyani Military Barracks. The young man reported to them that I wanted to run away. There and then, I received a hefty slap on my face, which affected my left eye for quite a long time. I met some men and women numbering about fifteen who had been arrested under similar conditions. We were layed on the table that stood in front of the station and given twenty-four lashes on the bare back one after the other. After the beating, our hairs were shaven with a broken bottle. All our items were seized and we were asked to go. I sustained some cuts at my back which were very painful.

6.8.41 Ernest Acheampong's brother Kwame Adjei was arrested near Bimbilla, Northern Region on suspicion of smuggling cigarettes. When on his release he went home after days he showed signs of having been beaten up. He was bleeding from the ears. After a month he fell ill and was taken to the Komfo Anokye Hospital for treatment for suspected fracture of the skull. Not long thereafter he died.

6.8.42 Ama Bosuo a trader of Diaba, near Dormaa Ahenkro was attacked by three soldiers, Klutse, Adamnyo and Marfo who accused her of doing 'kalabule' business. They slapped her. Adamnyo snatched the baby on her back and threw it away. They flogged her and Marfo attempted to kick her in the abdomen.

6.8.43 Micah Osei was among a crowd watching while some shop keepers were being flogged at the Police Station at Konongo-Odumasi, Ashanti Akim. Upon a report that he was making critical remarks about the event he was pounced upon by the soldiers and given a severe beating. The petitioner claimed that the beating affected his eyes.

6.8.44 Elizabeth Kankam was accosted by soldiers in Kumasi who ordered her to open her handbag for inspection. When they found skin pomade in it they asked her to take them to the person who sold them to her. As she was unable to do so, they arrested her to the military barracks and shaved off her hair with a broken bottle.

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6.8.45 Paul Amoabeng was sitting in front of his home in Kumasi when he saw two policemen questioning two boys as to how they came by a sheep they had in their possession. As the policemen seemed not to be satisfied with the explanation that they had fetched it at their father's request from the village, the petitioner intervened to suggest that the policeman take the boys to their father to find out the truth. The policeman became offended and with the assistance of some soldiers arrested the petitioner and the boys and took them to the military barracks. The petitioner was slapped and beaten. In the process, he lost his wallet and wristwatch.

6.8.46 Nana Baffour Asare was travelling in the hold of an articulated truck when on reaching the UST police barrier the vehicle was stopped by soldiers. Those riding in the hold were made to come down. They were then lined up and slapped. Even though Asare and the other passengers were breaking traffic rules, it was not permissible for the soldiers to assault them.

6.8.47 Nana Baffour Asare Following a government directive that all persons should surrender their ₵50 notes, Asare went to the Bank to surrender his. While there he was assaulted by a soldier on duty for not joining a queue which had been formed for the purpose.

6.8.48 Gladys Oteng Soldiers who arrested the petitioner at her shop in Tamale made her lie in a pool of dirty water and roll on the ground, she was also beaten.

6.8.49 Peter Alex Kwasi Oppon proprietor of Pakos Restaurant and manager of Carousel Agogo Nite Club, Takoradi was arrested and taken to Apremdo Barracks where he was questioned about how he disposed of beer received by him from the breweries. His hair was shaved off, he was slapped and badly beaten up by the soldiers who insisted he gave them to women traders to hoard.

6.8.50 Charles 'Kid' Odumasi was in his youth a boxer and champion in the Featherweight Division. In 1955 he went to the UK to seek his fortune there. He later returned to Ghana and became a farmer and soap manufacturer. His poultry farm was at Adumaanu, near Adoato. He carried on the soap-making business at his house at Dichemso, Kumasi. In August 1979 his wife sold a fowl to a soldier at ₵28.00, a price the soldier said was excessive. As a result the farm and his house were invaded by soldiers.

6.8.50.1 He gave this account of what followed:

I had a message that about fifty soldiers had surrounded my house and firing gun shots into it. I had drums of 400kg oil and caustic soda. I feared there might be fire outbreak. This prompted me to go to the 4Bn Barracks at once. I reported the case to one Commanding Officer. He, the Commanding Officer asked two other soldiers to accompany me to the house, where the factory was located and to stop the soldiers from what they were doing. We got to the house around 6.30 pm where the soldiers chanted that I had come. As soon as I got out of the car all these numbers of soldiers started beating me from angles. They put me in a car after the severe beating and sent me to the 2Brigade. By that time, blood was oozing out of my ears and my eyes were closed. I could not see for about three months. When we reached the 2Brigade Barracks, I was sent to a room (guardroom) with some others. The soldiers had poured water on the ground – we could neither sleep nor sit. After three days in the guardroom, I was marched to my house. The soldiers had earlier on broken

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into the house, all the locks destroyed and all my personal belongings and that of my wife were picked. ...The following day, I was marched to the farm which was just about a ¼ of a mile from the barracks. All the fowls and eggs had already been sold under control price.

6.8.51 Kwasi Amankwah and his wife were arrested when his wife sold cigarettes above the controlled price. Both of them were taken to Bungalow No. 1 Dunkwa-on-Offin. His wife who was pregnant was spared but Amankwah was slapped and beaten. He petitioned that his eye-sight was adversely affected.

6.8.52 Afua Fofie a vegetables seller at Bantama, Kumasi was arrested by soldiers and taken to the barracks where she was beaten, slapped and kicked. This was supposed to be in retaliation for a similar attack on a market queen, Nana Ama Serwaah, who had been brutalized by other soldiers on a complaint by some market women that she had caused the temporary structures from which they carried on their trade to be demolished.

6.8.53 Victoria Aso Bamfo After a team of soldiers and policemen led by Inspector Nyame had searched the home of the petitioner, a GNTC storekeeper at Nkawkaw, she was taken to the Nkawkaw Police Station where she was maltreated. She was made to hold her ears and hop; to crawl on her hands and knees and to roll on the ground. She was also made to fight with a woman detainee. All this took place in the full view of the public.

6.8.54 Samuel Kwesi Manu The petitioner was attacked when a team of soldiers and policemen seized car spare parts he was conveying from Accra to Koforidua for sale. He was hit with hands and the butt of rifles and kicked with their boots.

6.8.55 Kwame Nkrumah a musician was arrested at Nsawam by soldiers. His instruments were seized and he was subjected to beatings. He lost some teeth and received a cut on the ear. It appears that the vendor from whom he bought the instruments was suspected to have stolen them.

6.8.56 Francis Kojo Ackom-Dafo Soldiers went to the home of the petitioner at Darkuman, Accra and insisted on searching the premises for hoarded goods. When he protested, they attacked him. He lost two of his front teeth. The search revealed nothing except a single-barrelled gun and 30 cartridges. These were seized and the petitioner was taken to the Airforce Base where he was detained for three days.

6.8.57 Martin Mutuo Bugu Some students at Tumu reported the petitioner to the police for selling beer above the controlled price. The police arrested the petitioner and handed him over to the military authorities at Bolgatanga. There he was brutally assaulted by several soldiers. His hair was shaved off with a broken bottle and he was made to lie down in a drain while dirty water was poured on him. He was given gari and hot pepper to eat.

6.8.58 Abdul-Samed Musah was on his way to Janga Market in West Mamprusi District to sell bicycle spares when he was stopped by two soldiers and taken back to his shop in Tamale. When he pleaded to be allowed to go to Janga, one of the soldiers kicked him. He sustained a fracture of the leg.

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6.8.59 Tong Zagskopoya, a trader, was on his way from Accra to Tongu, near Bolgatanga with 23 barrels of akpeteshie when at Yapei the gin was seized by a team of soldiers and policemen. He was forced to drink a cupful of the gin. He became unconscious. When he recovered he found himself at the Bolgatanga Hospital. He was a teetotaler.

6.8.60 Agnes Amori After seizing her akpeteshie and beer for selling above the control price, the soldiers arrested Agnes and subjected her to brutalities. She was made to hold her ears and hop while children were encouraged to hoot at her and chant that she was a 'kalabule' ie a profiteer. A broken bottle was used to shave off her hair leaving her with numerous cuts. A soldier tried to shoot her in the leg but missed. She was also slapped.

6.8.61 Kingsley Amoah was a Treasury Administrator at the Kumasi City Council. He and other employees were attacked at the office and beaten up by soldiers. They were paraded through the streets and taken to the military barracks where they were subjected to further beatings.

6.8.62 Elisabeth Karikari was arrested and taken to 4Bn, Kumasi and ill-treated.

6.8.63 Veronica Mensah Sqn Ldr E. C. Dargbe, Chairman of the AFRC Peoples' Court at Peduase was a frequent visitor to a lady who lived with her brother, one Yartey, as tenants in Veronica's house. The lady made a report to Dargbe about domestic quarrels she had had with Veronica. Dargbe accompanied by Lt Kusi and another soldier went to the house in uniform and told Veronica they were arresting her. When she resisted, they used force on her and her three sisters who came to her aid and took them to the Border Guards Headquarters, Accra. In the guardroom the soldiers used their belts to beat them. Veronica sustained several cuts on her body. She and her sisters were also made to crawl on the ground and to hop. In all she spent about eight days in custody.

6.8.64 Joseph Gampson was a Field Assistant of the Cocoa Services Division of the CMB based at Duayaw Nkwanta in the Brong Ahafo Region. On 22nd July, 1979 soldiers led by Lt Dan Coffie went to question him about reports from his co-workers that he was using the resources of the CMB for his private benefit. Gampson was slapped several times. Gampson now has difficulty in seeing with the left eye.

6.8.65 Nana Boakye Agyemang was Branch Manager of Lenards Shoes (Ghana) Limited. On 11th June, 1979 he was arrested and taken to the Kamina Barracks, Tamale. He and other persons he met there were made to take off their clothes. They were beaten and ordered to crawl on their knees on gravel. Water was poured on them.

6.8.66 Mark Yaw Gyamfi On 4th June, 1979, Gyamfi, a shop owner of Berekum was arrested while unloading a large consignment of goods he had brought from Kumasi. He was taken to the military barracks in Kumasi where his hair was shaved off. After he had spent three days in the guardroom he was released. The goods in his wholesale and shop were sold. When he later went to the Barracks to ask for the proceeds of sale, he was made to hold his ears and hop like a rabbit. He was ordered to crawl on his knees and elbows and he was beaten with sticks and kicked with their boots.

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6.8.67 Adwoa Sanoa lived at Denkyira Dominase with her parents. Her father dealt in kerosene which he sold to persons in Dominase and the surrounding villages. She was in the house when four armed soldiers came in and accused them of selling kerosene above the controlled price. She and her mother were beaten up by the soldiers. Adwoa claimed that she was then three months pregnant and that following the beating she had a miscarriage.

6.8.68 Benjamin Kwabena Oppong was secretary of the Asuotiano Town Development Committee. In September, 1979 he was summoned before the Brong Ahafo Region Investigation Committee where he was accused of misappropriating ₵6000. He was subjected to beatings and ordered to refund the amount. His protestation that he was innocent of the charge was not heeded.

6.8.69 Yaa Agyapomaa; Kwaku Gyeke Petitioner was being driven in her car from Kumasi in the direction of the University of Science and Technology when their vehicle was overtaken by another. Petitioner's driver, Gyeke remonstrated with the other driver over his manner of driving. When the two cars arrived at the police barrier along the road the occupants of the other vehicle who were soldiers came out and assaulted petitioner and Gyeke. Petitioner was slapped but managed to escape. Gyeke was beaten up.

6.8.70 Theresa Nkansah On discovering that goods displayed by her for sale had been sold by soldiers and policemen to the public at reduced prices, petitioner followed up to the Zongo Police Station, Kumasi to ask for the proceeds. On seeing her, the soldiers set upon her and beat her up. She bled from the nose. Later she was released and she went to KATH for medical attention. The proceeds of sale were not given to her.

6.8.71 Francis Kwadwo Awuku went to Quartey Junction, Old Edubiase to buy plantain. While there he was assaulted by two soldiers. He was made to do physical exercises and hit with the butt of a rifle.

6.8.72 Elliot Nsia Kwadwo Twumasi On 8th June, 1979 the petitioner who was the Manager of Boateng & Darko Trading Company in Kumasi was arrested and taken to the barracks. There he was made to engage in physical exercise and hold his ears and hop. On other occasions he was made to crawl on his knees and elbows. Later, word went round that he and other businessmen who were in custody would be released if they paid ₵30,000 each. The petitioner raised the money, paid it to the soldiers and was released.

6.9 HOSTAGE TAKING

6.9.0 A disturbing feature of the atrocities committed during military regimes was the practice of taking hostages. Soldiers sent to effect arrest quite often arrested wives, children, relatives, friends and even complete strangers either with or without the person to be arrested. Such cases include:

6.9.1 John Kwabena Adom Soldiers sent to Hohoe to effect the arrest of Daniel Kwaku Addae Ameyaw took his son John instead when he told them his father was old and infirm.

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6.9.2 Margaret Soldiers went to Margaret's house to arrest her husband. When he could not be found, they confined Margaret to her home till the next day when she was taken to Gondar Barracks and then to Nima Police Station. She fell ill, was taken to the Police Hospital and was subsequently discharged.

6.9.3 David Kofi Buahin Soldiers looking for Nana Anim Bedwai, who was alleged to have defaulted in making travel arrangements for the brother of Darko Kumi, a Naval Officer, arrested his friend Buahin and took him to Gondar Barracks. There, he was slapped, kicked and caned. A lighted cigarette was put in his ear. He was released the next day.

6.9.4 Emmanuel Kwaku Atuahene: When the petitioner, a driver and salesman of the Pioneer Tobacco Company in Kumasi heard that some soldiers were looking for him to arrest him, he went into hiding. The soldiers arrested his cousin **Kwaku Asante**, his wife, **Abena Aso** who was then pregnant and his sister **Akua Serwaah** and detained them for one week. The petitioner later surrendered to the soldiers.

6.9.5 Stephen Yaw Asiedu worked as a cook in the household of the Managing Director of Irani Brothers Limited, manufactures of flour at Tema. On 4th June, 1979 he was seized by soldiers who forced him to take them round in search of his employer. He was slapped and hit with the butt of the rifle.

6.10 DETENTION

6.10.1 Seidu Prince Mahama, Popular Front Party (PFP) Constituency Secretary for East Gonja, was arrested by soldiers in the run-off to the 1979 Presidential elections and detained at the Kamina Barracks, Tamale for 29 days.

6.10.2 Mathias Komla Anku, a taxi driver based at Ho, was arrested on 2nd August, 1979 and detained at the Mortar Regiment Barracks on an allegation that he had installed a second petrol tank on his vehicle. An examination of his vehicle showed that the allegation was false. In spite of this, he remained in the guardroom for one month before being released.

6.10.3 Samuel Sarpong-Myles In July, 1979, Miles and his brother, Kwame Kuma, were arrested and charged with hoarding before a Magistrate's Court at Saltpond. Soldiers went to the court to ask that the two be handed over to them. The Magistrate refused and, instead remanded them in custody at Anomabo Prisons where they remained for three months.

6.10.4 John Nii Nmashi Adjetey, Director of Fisheries in the Ministry of Agriculture, was arrested and detained at the Airforce Station, Accra guardroom for one month.

6.11.5 Edmund Ocansey, Managing Director of the State Fishing Corporation, was arrested with some of his staff and kept in custody for twelve days at the Signal Regiment, Accra.

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6.10.6 Kofi Antwi a police inspector based at Tamale, was arrested along with his wife Serwaa, a trader, for hoarding. Antwi was kept in custody at Kaladan Barracks, Tamale for 47 days.

6.10.7 Juliet Serwaah's husband, Dwomoh, who was also married to General Afrifa's sister, was arrested and detained in various prisons for one year nine months.

6.10.8 Ellison Owusu Fordwour, Director of the Special Branch, was arrested and detained for eight months.

6.10.9 Ibrahim Sefa Soldiers led by Chris Atim arrested Sefa at Wa and took him to Navrongo where he was detained for one year nine months.

6.10.10 George Kojo Addai, a businessman was arrested and detained at the Apremdo Barracks, Takoradi for two months.

6.10.11 Anthony Kwabena Appiah, a driver of the Ministry of Health, Koforidua, was arrested in August, 1979 and detained at Nsawam Prisons until early 1984. He appeared to have been mistaken for one Kwaku Appiah who was alleged to have been convicted by the AFRC Special Court.

6.10.12 Joseph Kornor Aziabor, an Internal Auditor of the Ghana Food Distribution Corporation (GFDC), was taken to Gondar Barracks to answer questions about the Corporation's stock of food items. He was made to spend the night in the guardroom against his wishes as the Commanding Officer was not immediately available. He was released the next day after meeting the Commanding Officer and explaining the Corporation's policy with regard to stocks.

6.10.13. Michael Ayawo Kubunya, was an Assistant Superintendent of Police (ASP) in charge of Audit at the Regional Police Headquarters, Kumasi. On 9th June, 1979, he was arrested when a carton of whisky was found in one of the cars in his outfit. He was placed in a guardroom at the military camp and detained for one month.

6.10.14 William Dusu After he had been subjected to torture and other brutalities for confronting soldiers who were selling his girl friend's kenkey at a reduced price, Dusu, a trader of Kpando, was taken to the military barracks at Ho and detained for two weeks.

6.10.15 Faith Esi Amegah, a trader at Ho market, was detained at the military barracks, Ho for two days and at Ho Prisons for one month.

6.10.16 Mary Tweneboa Kodua's husband, Joseph, was the Executive Director of the Prices and Incomes Board. In July 1979, Joseph was arrested in Kumasi and detained at the military barracks. Mary was arrested in Accra and taken to Kumasi where she was detained at the Central Police Station. Later, she was brought to Accra and detained at the Special Branch. Mary and Joseph were questioned as to how Joseph came by his properties. Mary was in detention for three weeks. Joseph was made to appear before the 'Kangaroo' court at Peduase Lodge.

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6.10.17 Kenneth Assan Dadzie a shopkeeper of Sunyani was arrested on 12th June, 1979 when his assistant sold two bulbs to a soldier at 75 pesewas each. After having been flogged with a flexible electrical cable and released he was arrested again two days later and detained at the military barracks for six weeks.

6.10.18 Kofi Agyire Kwakye Managing Director of the Ghana Federation of Farmers Associations Limited former buying agents of the CMB was arrested and detained for three months on account of its unpaid debts to the CMB.

6.10.19 Stephen Opoku Osei was arrested by soldiers at Nangodi, along the Bawku-Bolgatanga road. He was taken to the Regional Office, Bolgatanga and placed in a guardroom where he remained for a month until he managed to escape.

6.10.20 Joseph Gampson, a Field Assistant of the Cocoa Services Division of the CMB was arrested at Duayaw Nkwanta in the Brong Ahafo Region by soldiers led by Lt. Dan Coffie and detained at the military barracks, Sunyani for 53 days.

6.11 PRICE CONTROL

During the AFRC period, price control measures were intensified: traders were arrested and placed in guardrooms, shops raided and goods sold. More often than not, the proceeds of these forced sales, which were attended by acts of cruelty perpetrated on the shop-owners, their spouses, and even their children, were taken away by the soldiers. Sometimes lives were lost. The Commission received petitions from the following:

6.11.1 Abena Atoaba and Adwoa Okyerewa earned a modest living selling ‘khebabs’ or roasted bush meat by the roadside at Winneba junction. Abena was two months pregnant, and Adwoa was nursing an eight-month old baby whom she carried on her back. About two to three weeks after the 4th June, 1979 insurrection, some soldiers in a car stopped by the roadside. They seized the ‘khebabs’ being sold by the two women and auctioned them off to passersby. After that they put the women on a table and flogged them. Shortly thereafter Abena had a miscarriage, and Adwoa’s baby, who was on her mothers back during her ordeal, fell ill and died.

6.11.2 Joseph Esmond Polley owned a drinking bar in Axim, Western Region. On three successive days soldiers went to his house and searched him. On the third occasion, the soldiers were accompanied by local inhabitants who had bought drinks and had been required by Polley to deposit various sums to ensure that the bottles were returned. The soldiers sold out all the drinks in the bar and made away with the money.

6.11.3 Alice Koomson operated a drinking bar called Frinco Café in Takoradi. When she received a supply of 100 cartons beer from the brewery, it was seized by armed soldiers who took them away to the barracks. Alice received neither the proceeds of the sale, nor the bottles which were then in short supply.

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6.11.4 Kwesi Ocran was the owner of Havana bar in Takoradi. On or about 12th June 1979, soldiers arrested him at his home and took him to the bar where they seized 2 crates minerals, 4 crates beer, 4 crates Guinness Stout and spirits. Three days later the soldiers went back to the shop and destroyed the furniture. They also removed some building materials kept there.

6.11.5 Zenabubila Saaka, Hajia Safia Adam, Salima Musah and Abibata Abdulai, were traders living in Walewale. They dealt in a variety of goods including soap, powder, wax prints, saltpetre and Vaseline. They were arrested by soldiers who accused them of profiteering. Their goods were seized, sold and the proceeds kept by the soldiers. Besides they were subjected to brutalities such as having their hair shaved off, being slapped and forced to roll on the ground in muddy water.

6.11.6 Abdulai Abdulai, and his friend **Sirazu Mahama**, now deceased, were conveying 23 bags of seed rice to their farm when they were stopped at a barrier in Tamale manned by soldiers who said they suspected that they were going to hoard the rice. The soldiers seized the rice. After this Abdulai went to Wa and bought 45 bags of sheanuts for sale in Tamale. Soldiers seized the entire consignment.

6.11.7 Stephen Bekoe Agyeman On 4th June, 1979 soldiers went to the Texaco Filling Station at James Town, Accra and filled their vehicles with petroleum products without paying for them. When the stock got finished other soldiers who went to the station in the expectation of getting free fuel but were disappointed, they pounced on him and beat him up. In all Agyeman lost 320 gallons of super and 150 gallons of regular petrol.

6.11.8 Soldiers led by Sgt Quarshie arrested James Abass Japat at Daboya and forced him to go with them to Lingbinsi to show them the shop of his brother **Malam Saka Tika**. There they seized the goods comprising soap of different kinds, cigarettes, towels, men's and women's underwear, toothpaste and exercise books, took them to Tamale and sold them at ridiculously low prices. The soldiers took the proceeds away.

6.11.9 Augustus Owusu Gyimah In August, 1979, soldiers led by Lt Kwayisie, Lt Ribeiro and Flying Officer Tackie of the Airforce Station, Accra raided Gyimah's shop and made away with 175 empty crates of coca cola and fanta bottles, children's foot-wear, Wellington boots and jungle boots.

6.11.10 George Kojo Addai, owned a shop in Takoradi called 'Pennywise'. Sometime after 4th June, 1979, he was summoned before the Citizen's Vetting Committee. Thereafter his house and shop were searched and goods, mainly foam, seized and sold by auction. Later, soldiers from Apremdo Barracks dynamited his four-storey block causing considerable damage to the property.

6.11.11 Emmanuel Awuku Yirenkyi, A day after he had been arrested and tortured for selling fuel on a Sunday, soldiers based at the Regional Office, Cape Coast, went to the filling station operated by Yirenkyi at Bakano, Cape Coast and sold out his stock of fuel. The soldiers took the proceeds away. When Yirenkyi followed up to the Regional Office, he was told the soldiers had gone back to Takoradi.

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6.11.12 Theresa Adomaa of Accra sold cloth which she kept at her house. In July 1979 three men in civilian clothing accompanied by an armed soldier in uniform went to search her house. They accused her of hoarding. The men seized 15 full pieces of cloth, some personal clothing of her own and suiting material belonging to her husband. She was taken to the Border Guards Headquarters where she was detained for a week.

6.11.13 Rebecca Aryee, a trader of Takoradi, sold 10 refrigerators to the Effia Nkwanta Hospital, Sekondi. Two days later, the refrigerators were seized by personnel from the Airforce Base, Takoradi who claimed that the prices were too high. They raided Rebecca's shop and seized various goods, including refrigerators, florescent tubes, carpets and suiting materials.

6.11.14 Elizabeth Arthur, a trader at the Kotokuraba Market, Cape Coast had her milk powder and tinned tomatoes seized.

6.11.15 Alhaji Abdulai Abu-Jajah In June 1979 soldiers seized 18 cows and two bulls from Jajah's kraal at Kasoa and took them to Gondar Barracks. He never recovered the cattle.

6.11.16 James Mustapha Kwablah Boateng, a petrol dealer at Golokwati, Volta Region he claimed that while he was away from his work-site soldiers from the military barracks, Ho went and carted away 3000 gallons petrol, 500 gallons diesel and 500 gallons kerosene. He was unable to bring a single eye-witness to testify to the facts. In the circumstances we are unable to accept his claims.

6.11.17 Elizabeth Agbaku, claimed that her husband who is now deceased, paid for 180 bags of cement to be supplied by the Volta Region Development Corporation but that these were not supplied. Petitioner did not produce any documentary evidence in support of her claim.

6.11.18 Gabriel Kofi Amegbor's brother, John Kobla Amegbor, owned a shop at Asadame, Volta Region where he sold medicines and beverages. Soldiers went to the shop and under the pretext that he was hoarding the goods seized them and carried them away to the military barracks at Ho. The goods were never returned

6.11.19 Esther Frimpong, Soldiers led by Capt Adam Mensah and one Iddrissu Mahama went to Esther's shop at Tema and carried away all the items including ladies shoes, dresses, hats and pants to the Community Centre where they were auctioned off.

6.11.20 Sarah Nartey, a trader at the Makola Market, Accra – Cloths.

6.11.21 Comfort Akonobea, who sold provisions from a kiosk at Tutu in Akwapim - Cigarettes

6.11.22 Jacqueline Acquaye alias **Ama Akuffo** of Akropong-Akwapim - 260 bags of flour.

6.11.23 Valisa Yawa of Dodo Papase Market - Cloths.

6.11.24 Ricky Nelson Atianah of Ho - Drinks.

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6.11.25 Juliana Yawa Bobi , a trader at the Makola Market, Accra - ladies blouses.

6.11.26 Grace Nii Moi , also a trader at Makola Market, Accra - men's and children's shoes.

6.11.27 Gladys Abla Dogbatse of Ho - Rice, sugar, milk, sardines and soft drinks.

6.11.28 Juliana Agyekumwaa Dompkeh a trader at Makola Market, Accra - African print fabrics.

6.11.29 John Kwabena Adom and his father, **Daniel Kwaku Addae Ameyaw**, lost electrical goods when soldiers from the Medium Mortar Regiment, Ho raided their shop at Hohoe.

6.11.30 Mary Botwe of Nsawam had her kenkey seized.

6.11.31 Sirikatu Dogbe Ajani On an allegation of hoarding, soldiers went to the Accra workshop of Issifu Ajani, petitioner's now deceased husband, who was then away in Nigeria, and seized vehicle spare parts.

6.11.32 Samuel Boamah Denkyi, a shoe-maker of Kumasi Central Market – Leather and shoe-making materials. They were taken to the Kejetia Police Post where they were left at the mercy of the weather.

6.11.33 Afia Serwaa of Tamale – General goods.

6.11.34 Samuel Yaw Asumadu a trader at the Kumasi Central Market – General goods.

6.11.35 Emma Anin & Francisca Osei, traders of Kumasi Central Market - Rice and ladies' and men's wear.

6.11.36 Kwame Osei, Petitioner alleged that in 1979 he was a cement dealer, that soldiers seized his stock of 500 bags and carted them away together with his VW car. On the Statement Form, petitioner gave his date of birth as 9/1/64 and his age as 38 years. By the petitioner's own story, he was 15 years at the time. He failed to appear to substantiate the claim.

6.11.37 Kojo Agorna, a trader at the Old Bolga Central Market – General goods.

6.11.38 Mercy Larbi and her husband, **Tonto**, traders at Kojokrom, near Sekondi - 300 bags flour, car batteries, mats, wax prints, trouser materials and shirts.

6.11.39 Albert Kweku Cudjoe a trader at the Market Circle, Takoradi - Electrical goods.

6.11.40 Elizabeth Pedu was intercepted on her way from Jaway Wharf, near Half Assini. Her 10 bags of rice and two baskets of crabs meant for sale in Takoradi were seized.

6.11.41 Susana Koomson a trader at the Market Circle, Takoradi - Bales of cloth.

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6.11.42 Faustina Dadzie, a trader at the Market Circle, Takoradi - Cloths.

6.11.43 Robert Dadson Adams, a store-keeper of CFAO Sekondi - 96 bags cement and 68 pieces of iron rods.

6.11.44 Mohammed Shaibu, a trader of Takoradi - Yam.

6.11.45 Samuel Kwabena Boateng a trader at the Market Circle, Takoradi - 500 pieces of foam cushions.

6.11.46 Benjamin Kojoe Amissah, a trader of Apowa, near Takoradi - Provisions.

6.11.47 Janet Akua Yeboah, a trader at Makola Market, Accra – Cloth

6.11.48 Afua Serwaa, a trader of Tamale - Wax prints, and bales of school uniform material.

6.11.49 Comfort Aku Dedzo-Dzokoto, a trader of Ho - Flour, sugar, rice, drinks and soap.

6.11.50 Beatrice Korkor Doku and her husband, **Daniel Adama Solomon**, traders at Tarkwa - Provisions and building materials.

6.11.51 Emma Anin, a trader at the Kumasi Central Market - 5 bags of rice and 70 dozen ladies panties.

6.11.52 Akosua Serwaa Sarkodee and her husband, Kwadwo Sarkodee, traders of Sunyani - Cloths, saucepans and lanterns.

6.11.53 Joseph Yaw Mensah, an ex-policeman, owned a shop and a 'Rest House' in Sunyani. Police raided his shop and sold all the goods at reduced prices. His 'Rest House' was also ransacked by soldiers and closed down.

6.11.54 Emmanuel Mensah Tabiri owner a pharmacy shop in Sunyani – Drugs.

6.11.55 Elisabeth Aniniwaah, a trader of Tarkwa Makro, near Kumasi - Engine oils and brake fluid. They were enough to fill two Bedford trucks.

6.11.56 James Osei, a trader at the Sunyani Central Market - Bicycle spare parts.

6.11.57 Margaret Nketsiaba Cobbinah, a trader at the Market Circle, Takoradi – General merchandise.

6.11.58 Joseph Mensah Asante a trader in Accra - 100 cartons lamp globes, 27 cartons toffees and over 400 crates of tricycle spare parts.

6.11.59 Rose Dompseh, a bread baker of Adoagyiri, Nsawam - Bread and the day's takings.

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6.11.60 Henry Gyebi, a trader of Nkawkaw – Electrical goods.

6.11.61 Juliana Agyekumwaa Dompseh a trader of Accra – Cloths.

6.11.62 Jacob Belba Smith was Personnel Manager at GIHOC and owner of a shop at Accra New Town. While at work he received a message to go the shop. On arrival he found that soldiers and police were loading goods from his shop into a vehicle. They also sold some to the public.

6.11.62 Yaa Serwaah, a trader of Kumasi - 6 bales of Used Clothing.

6.11.63 Larkyne Mary Tawiah, trader at the Makola Market, Accra - Used Clothing.

6.11.64 Juliet Serwaah, a trader of Ashanti-Mampong - Suiting materials and school uniforms.

6.11.65 Charity Nuerkie Noi, a trader, was returning to Ghana from Nigeria when she was stopped by soldiers on the Accra Motorway. Her consignment of 370 bundles of trouser materials were seized.

6.11.66 Benjamin Ntiamoah, a trader of Adeemra, near Donkorkrom in the Afram Plains - Lanterns, machetes and galvanized buckets.

6.11.67 Beatrice Boakye, a trader of Ho - Rice, sugar, milk, cooking oil, soft drinks and ‘ice’ kenkey.

6.11.68 Elizabeth Agbozo a trader at Aflao market - 30 kente cloths.

6.11.69 Andrews Kwame Tre, a trader of Ho, - Radios and electrical goods.

6.11.70 Lucy Abl Affram, a trader at Kpando market - 70 pieces of cloth.

6.11.71 Rebecca Ama Buor Nsana, who carried on her business as a trader at Bonakye, Sibi and Nkwanta, all in the Volta Region – Cloths.

6.11.72 Kate Ocran, manager of a drinking bar in Takoradi - Schnapps, gin and brandy.

6.11.73 Comfort Quayson, a trader who owned three stalls at the Makola No. 1 market, Accra - Canned beer, cosmetics and provisions. She became virtually bankrupt.

6.11.74 Amos Rockson Yeboah, owner of a block-making factory at Madina, Accra - 400 bags of cement and a quantity of sandcrete blocks.

6.11.75 Joshua Yaw Oduro a shop-owner of Assin Fosu - General merchandise.

6.11.76 Ernest Okai Osei, was selling cigarettes in front of Orion Cinema, Accra when soldiers seized them, claiming they would sell them to the public.

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6.11.77 Yaw Sarfo, a mechanic at Suame Magazine, Kumasi - Engine oil, brake fluid, welding rods and cash.

6.11.78 Beatrice Darkwa Boatemaa, a seamstress - Bed Sheets.

6.11.79 Victoria Torkonu a trader, wax prints and tie and dye materials.

6.11.80 Agnes Ofori was the owner of a shop in Kumasi Central Market. She sold provisions. In June 1979 soldiers went to the market and auctioned her goods. The soldiers took the proceeds away.

6.11.81 Badu Osei went to the Volta Region and bought 25 cartons cigarettes to sell in Kumasi. At the police check-point at Tafo, the cigarettes were seized. Osei was accused of smuggling.

6.11.82 Comfort Agyeman bought 120 cartons of tinned fish in Togo and brought them for sale in her shop at the Kumasi Central Market. Soldiers arrived and auctioned off the fish. The small amount of money realized from the sale was given to her.

6.11.83 Issah Boateng was conveying a quantity of used clothing from Togo to Ghana for sale when at a point near the Adidome Bridge the goods were seized by soldiers.

6.11.84 David Dankwah had a shop at Kotokrom in Ashanti Region (Atwima District). Soldiers went to the shop and auctioned the goods. They gave Dankwah ₵6000 out of the proceeds.

6.11.85 Nana Essankwa Baah had four shops in Obuasi. In 1979 soldiers raided the shops and auctioned the goods.

6.11.86 John Ben Bekoe, Bekoe operated a drinking bar at his home at Gomoa Ekroful, Central Region. On 30th June 1979, four soldiers came to the village to conduct a search of his premises. They seized a quantity of akpeteshie found there, sold part and took the rest away.

6.11.87 Efia Bonsu: a policeman in civilian cloths went to Efia's shop in Kumasi and asked for the price of Vaseline pomade. When Efia offered him a small sized bottle for ₵4, the man claimed the price was too high. He then proceeded to auction the goods in Efia's shop. The policeman kept the money and asked Efia to accompany him to the police station. While on their way, Efia escaped.

6.11.88 James Kofi Karikari had a shop at the Central Market, Kumasi where he sold men's and women's underwear and other goods. In 1979, soldiers went to the shop and auctioned the goods.

6.11.89 Georgina Appiah had a wholesale in Accra in which she stocked building materials. Among her customers were the PWD, A Lang Limited, State Housing Corporation and the State Construction Corporation. In 1979 soldiers surrounded her premises and carted her stock away. It was enough to fill 17 articulated vehicles. After investigations she was cleared of hoarding and promised that she would be paid. She was eventually given ₵20 million as compensation in 1990.

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6.11.90 Akua Afriyie petitioned about the seizure of goods she had brought into the country from Nigeria. The goods mainly shoes, tye and dye, textile materials were seized at the Airport and auctioned. The proceeds of sale were not given to her.

6.11.91 Kwesi Amiaku owned a shop at Tarkwa where he sold various items, including bowls, roofing sheets, sugar, flour and rice. Soldiers raided the shop and auctioned off the goods.

6.11.92 Awuley Quame wife of Kwesi Amiaku, had wind that soldiers would be going to Tarkwa to auction goods in the shops. She collected her own goods and tried to escape with them. She was intercepted and the goods were sold to the public. She was not given the proceeds.

6.11.93 Mary Kwarteng a trader, dealt in rubber mats which she sold at the Kintampo Market. Soldiers from Sunyani went to the market and seized the goods of several traders, including her own.

6.11.94 Kwabena Dapaah was a trader at the Kumasi Central Market where he sold trunks. He petitioned that in 1979, soldiers sold his stock of 53 trunks by auction resulting in severe financial loss to him.

6.11.95 Osei Tutu's late father **Kwabena Agyeman** had a shop in the Kumasi Central Market. In 1979 the shop was broken into and ransacked by soldiers. Official complicity in this is shown by the fact that not long thereafter the shop was allocated to another person.

6.11.96 Nana Yaa Achiaa, now deceased, had a shop at Asafo Market where she sold clothing materials. In 1979 soldiers went to the shop and made away with African prints, trouser material and other goods. On another occasion the soldiers went to her shop, auctioned off her stock of goods and gave her a fraction of the money.

6.11.97 Elisabeth Boateng was a trader who sold clothing materials at Kejetia, Kumasi. Her suppliers were UAC, UTC, S. D. Karam and GNTC. On 14th September, 1979, six soldiers went to her shop and carried away to the Kejetia Police Post suiting and other materials she had in stock. By her count, they took away 30 bundles of suiting materials, 10 bundles of crimplin and 30 yards of shirting materials. As a result of these seizures the petitioner's business collapsed.

6.11.98 Yaw Kwarteng who dealt in secondhand clothes in Kumasi petitioned that soldiers seized his stock of 20 bales and took them to the Kejetia Police Post. This was in spite of the fact that he produced documents showing that he was engaged in lawful business.

6.11.99 Ama Bosua In July 1979 three soldiers Klutse, Adamnyo and Marfo went to Diaba, near Dormaa Ahenkro to search the home of the petitioner for hoarded goods. They seized her personal clothing and sold them to the public. Cooked rice which she was offering for sale was sold to school children below cost. Her stock of uncooked rice was carted away.

6.11.100 Akua Akyaa who hails from Mampong, Ashanti Region kept a shop at Agona Swedru in the Central Region. From time to time she stocked her shop with Kente, adinkra, tye and dye

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cloths which she bought in Kumasi. In 1979 soldiers went to her shop and auctioned off the goods. In the course of the sale, a soldier hit her in the elbow with the butt of a gun, injuring her. The soldiers took the proceeds of sale away.

6.11.101 Grace Ama Abartey owned a shop in Bolgatanga. Among her suppliers were Akosombo Textiles, GTP, Pioneer Aluminum Factory and Danafo. In July 1979 soldiers raided her shop and carried away all the goods. The petitioner became indebted to her bankers and had to sell two of her vehicles to pay off her debt.

6.11.102 Abena Dwomoh was a trader at the Kumasi Central Market. She sold saucepans, spoons and other products. Soldiers went to her shop and sold the goods, destroyed others and took the rest away. They gave her part of the proceeds.

6.11.103 Adwoa Gyaama was a trader at the Kumasi Central Market. She sold children clothing. On the orders of the military she and other traders collected all their wares and sent them to the Kejetia Police Post. The soldiers later conveyed the goods to their barracks.

6.11.104 Gladys Oteng had a shop near the Tamale Market. She sold saucepans. One day during the AFRC period she was about to open the shop when some soldiers came to her and demanded that she surrenders the keys. Gladys did so. She was taken away but later released. When she came back to the shop, it had been emptied.

6.11.105 Kwasi Bio had a shop at the Central Market, Kumasi where he sold traveling bags. After soldiers had arrested Bio's wife, Badu, for alleged hoarding of cigarettes they seized the handbags which had been put up for sale. They were never returned, leading to substantial loss for Bio.

6.11.106 Samuel Kodzo Zogli was a shopkeeper at Wodze, near Hohoe, Volta Region. Soldiers from the Ho Motar Regiment raided his shop and auctioned off all the goods, among them, hurricane lamps, corned beef, pilchards, sugar and buckets. He was given part of the proceeds.

6.11.107 Edith Tee Bubu was a cloth seller at Kpando Market. Soldiers went to her stall at the market and seized 150 pieces of cloth and trouser material. They sold some of the goods and took the rest away.

6.11.108 Godfrey Yaafi Kodjoe was a shopkeeper at Asankragwa, Western Region. Two soldiers and a policeman went to his home and asked him to accompany them to his shop. When he got to the shop he found that it was under guard by four armed soldiers. The team sold all the goods in the shop and gave Kodjoe ₵4,850 as the proceeds of the sale.

6.11.109 Samuel Sarpong-Myles was a businessman dealing in bicycle tyres, lantern globes, glasses and plates which he imported from China. He had a wholesale at Darkuman, Accra. Following the 4th June, 1979 insurrection, he was ordered to send all the goods in the wholesale to Kaneshie Police Station where they were sold under the supervision of the military. It took about two weeks to complete the sale.

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6.11.110 Francisca Osei was trading in ladies' and men's wear at the Central Market, Kumasi. Soldiers went to the market and auctioned her goods.

6.11.111 Isaac Bediako Poku was a shop keeper at Akim Oda, Eastern Region. A group of heavily armed soldiers went to his shop where he sold building materials and cosmetics. The soldiers auctioned the goods for a fraction of their prices, gave him ₵9000 out of the proceeds and took the rest away.

6.11.112 Ama Korankyewaa's father, Daniel Kwarteng, who is now blind, had a shop at the Kumasi Central Market where he sold kente cloths. Soldiers raided the shop and carried away all the goods.

6.11.113 Victoria Aso Bamfo was a GNTC storekeeper at Nkawkaw. Following the 4th June, 1979 insurrection, a team of soldiers and policemen led by Inspector Nyame searched her home and seized 11 half pieces of cloth and some jewelry. They also took a large amount of money being the proceeds she realised from sales over a two-day period.

6.11.114 Samuel Kwesi Manu a car spare parts dealer was sending a consignment of goods from Accra to Koforidua when at the Dodowa junction it was seized by a combined team of soldiers and policemen.

6.11.115 Samuel Kofi Osei Owusu a shop-owner sold blankets, drugs and shoe polishes in Accra. Soldiers went to the shop and seized all the goods.

6.11.116 Tutu Osei was a trader in clothing materials at Adum, Kumasi. For several days running soldiers would go to his shop and seize quantities of goods. After a while, he moved to the Central Market in Kumasi but here too the soldiers followed him and seized the goods until the entire stock got finished.

6.11.117 Comfort Akosua Afrah On the day the building of "Pennywise" was dynamited by soldiers in Takoradi, four naval personnel led by Petty Officer Agyemang went to the home of the petitioner, a cloth seller and conducted a search for hoarded goods. She told them all the cloth she had were seized in March 1979 during the latter days of the SMC regime. After conducting the search, the naval personnel seized the petitioner's clothes, tied them up in a cloth and took them to the Takoradi Naval Base. The petitioner's efforts to recover them came to nothing.

6.11.118 Charles Badu Ansong proprietor of C B Ansong Agencies hired a vehicle to convey a consignment of goods to his house which he used as a wholesale. He was intercepted by soldiers who accused him of hoarding. The entire load of merchandise was seized.

6.11.119 Salifu Imoro was the owner of a shop in Tamale where he sold plywood and boards. Sometime after the 4th June 1979 insurrection armed men dressed in military uniform went to the shop in the middle of the night and set it alight burning a large quantity of plywood and boards.

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6.11.120 Moro Alhassan a trader in Tamale got together 27 bags rice, 10 bags beans and 12 bags maize ready for transportation to Techiman market for sale. Just then soldiers seized the consignment and auctioned the goods to the public. Alhassan was not given the proceeds of the sale.

6.11.121 Abdul Kadr Saibu had a shop at the Walewale lorry station. Soldiers led by the police inspector at Walewale went to the shop, seized 20 bags maize kept there and auctioned them to the public.

6.11.122 Jacob Anane-Adjei On 7th June, 1979 Adjei sold trouser-length material to a young man. After the young man had paid for it he told the petitioner he was under arrest for selling the material to him above the controlled price. All the goods in the shop were seized and taken to the Bolgatanga Police Station. They were later sold to the public. Adjei was given only part of the proceeds.

6.11.123 Ashetu Saibu Soldiers who said they were on anti-hoarding operations went to the village of Wungu, near Walewale and searched Ashetu's mother's room. Personal effects bought for the wedding of her sister were seized and sold to the public. The items included cloths, footwear, pomade and soap. At about the same time, foodstuffs which Ashetu and other traders had loaded into an articulated vehicle for sale at Techiman market were seized and taken to Sunyani, where they were sold to the public.

6.11.124 Talhatu Saibu a trader at Walewale had 100 bags of sheanuts which he was selling at a price of ₵1.00 per bag. The sheanuts were seized and sold to the CMB which paid him 70 pesewas per bag. This ruined his business.

6.11.125 Memunatu Saibu a trader of Nalerigu was conveying her cigarettes to Tamale for sale when she was intercepted by soldiers. The cigarettes were seized. In all she had 3 boxes of King Size Rothmans cigarettes on her.

6.11.126 Musa Yakubu was proprietor of Narannia Company. In May 1979, he purchased a 36-seater Neoplan bus with a loan from the Social Security Bank Limited. Shortly after the 4th June 1979 insurrection the vehicle was seized by soldiers. The petitioner never recovered it.

6.11.127 Mohamadu Kaleem was a cement distributor in Tamale. Soldiers in an army truck went to his depot and carted away 600 bags cement.

6.11.128 Charles Kwame Bediako's father, Benjamin Kwame Bediako, deceased, was a shop owner at Adeiso, Easter Region. A few days after the 4th June, 1979 insurrection soldiers in about 10 vehicles went to Adieso, arrested Bediako and took him to the shop. Amid the firing of guns, they ordered him to open the shop after which the goods were all sold over a number of days. The soldiers took the proceeds away. The soldiers also took money from Bediako. Sgt. Abrokwa who took part in this incident confirmed the evidence of the petitioner, Charles Bediako.

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6.11.129 Baavi In July 1979, soldiers from Tamale barracks went to Jirapa market ostensibly to enforce price control. They went to the shop of the petitioner, invited members of the public to form a queue and sold the goods to them at reduced prices. The soldiers took the proceeds of sale away with them. As a result the petitioner's business collapsed.

6.11.130 Mahama Yahaya was a storekeeper at the Wa market. In August 1979 when soldiers entered the shop in a threatening manner, the petitioner ran away leaving his wares behind. When he returned, the shop had been cleared of the goods.

6.11.131 Tong Zagskopoya a trader bought 23 barrels akpeteshie in Accra and was conveying them to Tongu near Bolgatanga for sale when they were seized by a policeman. Neither the price nor the gin was ever recovered.

6.11.132 Agnes Amori In July, 1979 soldiers went to Agnes' bar in Bolgatanga and seized 10 drums of akpeteshie and 50 cartons beer. This was after a customer had bought some gin and complained of the price. The drinks were taken to the Residency where the soldiers were based. A few days later the empty drums were returned to her. The bottles were not returned. Agnes became indebted to her creditors and was reduced to poverty.

6.11.133 Gilbert Atanga petitioned on behalf of his late father **Atanga Akanzabe**, a cattle dealer of Navrongo. Early one morning, Sgt Agana and two Border Guardsmen went to his home, ransacked the place and brought out millet, groundnuts and timber boards. They sold them to the public and kept the proceeds. They also seized money he had in his home.

6.11.134 Asampambilla Gandina had a shop in the Bolgatanga market where he sold shoes, sandals, blankets and towels. Following an announcement that all shop keepers should open their shops for an inspection, he went to the shop only to find that soldiers had already forced the door open. They accused him of hoarding goods and took them away. This included roofing sheets he had bought to roof a house which was under construction.

6.11.135 Dasaa Bakyee was a shopkeeper and tailor. Soldiers went to his shop, asked members of the public to form a queue and sold out everything from soap and pomade to shirts at reduced prices to them. The soldiers gave him the meager amount realised from the sale.

6.11.136 Martha Teronwee was managing a shop at the Jirapa Old Market for her husband when soldiers from Tamale surrounded the shop. The soldiers invited members of the public to line up and buy the goods at reduced prices. They sold cloths, towels, soap, bowls and basins. At the end of the sale, the soldiers took the proceeds away.

6.11.137 Ignatius Arizi Blay owned a shop at Ahobre, near Half Assini, Western Region. Soldiers from Apremdo Barracks, Takoradi went to the village and auctioned off all the goods, including drinks, buckets and cooking utensils. They damaged a sewing machine in the shop and took the proceeds of the sale away.

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6.11.138 Abia Negble did business buying and selling maize. She bought the maize at Agomenya and sold it at Obenyaame Nkwanta. After 4th June, 1979, soldiers seized seven and half bags of maize from her.

6.11.139 Ama Asantewaa traded in rice which she bought at Dominase near Dunkwa-on-Offin and sold at Agona Nkwanta in the Ahanta District, Western Region. While conveying a consignment and other goods from Dominase armed soldiers stopped the vehicle at Tarkwa and sold the rice to the public. Out of fear Ama mingled with the crowd and ran away. She had been told she would be taken to the Aprembo Barracks at Takoradi when the sale was over.

6.11.140 Sophia Krofuah carried on her trading activities on a table at Mankesim market. After 31st December, 1981 coup soldiers went to the market seized her goods which consisted mainly of clothes and carried them away.

6.11.141 Catherine Kojo was a trader at Tarkwa. She obtained her supplies of wax prints from reputable firms such as UAC, GB Ollivant, UTC and GNTC. She also had a drinking bar attached to her house. Soldiers went to her shop and sold out all the wax prints. They took the proceeds away with them. The soldiers also went to her house and seized the drinks in the bar. In all Catherine lost 70 cartons beer, 5 cartons stout and 6 cartons soft drinks.

6.11.142 Elizabeth Sekyi's husband, Emmanuel Tannor, was a trader in Takoradi. Soldiers went to his shop, forced the door open and sold all the goods. Fearing for his safety, Tannor did not make any claim for the proceeds of sale. The soldiers took the money away.

6.11.143 Ekua Sekyiwa was a trader at Ajumako market in the Central Region. While in the market a soldier in civilian clothes who offered to buy cloth from her accused her of selling above the controlled price. He brought other soldiers to the shop and seized 30 pieces of cloth which had been displayed for sale. Fearing that she might be maltreated, Ekua left the scene.

6.11.144 Ekua Kakraba, a trader at Mankesim market in the Central Region had displayed cloth for sale. Soldiers shouting "control" entered the market and auctioned her 26 pieces of cloth. The soldiers took the proceeds of the sale away.

6.11.145 Moro Nuuri was a trader in Sunyani. He sold sewing machines and clothing materials for both men and women. A group of armed soldiers went to his shop and sold out most of the goods. The rest they took away to their camp. They also took the proceeds of the sale away.

6.11.146 Simon Ohene Peprah During the rule of the NRC, Peprah, a Sunyani trader who was popularly known as Big Bosun, was arrested and ill-treated for selling a bottle of guinness stout above the controlled price. When the 4th June, 1979 insurrection occurred he decided to leave town for fear of molestation. While he was away, soldiers forced the door of his shop open and auctioned the goods.

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6.11.147 James Osei was a trader who dealt in bicycle spare-parts. His shop was in Sunyani. A week after 4th June, 1979 soldiers went to the shops and auctioned all the goods. The soldiers took the proceeds away.

6.11.148 Amoh Bediako Acheampong was proprietor of Modern Shoe Store in Sunyani. On 22nd June, 1979 soldiers went to the store and sold the shoes, boots sandals and slippers at low prices to the public. Shoes worth ₵45 were sold at ₵5. After the sale the soldiers carried away what was left over.

6.11.149 Yaw Anning Boateng was a wholesaler dealing in suiting materials. Soldiers went to the wholesale sold the materials at reduced prices and gave him the proceeds.

6.11.150 Joseph Yaw Mensah retired from the Police Service in 1973. He established himself in Sunyani where he kept a shop managed by his wife, Mary Kumi. Soldiers went to the shop and sold all the goods at reduced prices.

6.11.151 Mark Yaw Gyamfi on 4th June, 1979 Gyamfi a shop owner of Berekum arrived from Kumasi with a lorry load of goods. As he was unloading the goods at his wholesale, soldiers from the military barracks in Sunyani arrived at the scene, arrested him and took him, his two assistants and the goods to the barracks. The next day the soldiers sold all the goods in the wholesale and in his shop at reduced prices. The proceeds were confiscated.

6.11.152 Ansah Offei's uncle J. K. Manu was the proprietor of Ashanti Food Supply, Kumasi. He owned a bookshop and was in the process of establishing a hotel. He kept books and mattresses for the hotel in a warehouse. After 4th June, 1979 soldiers went to the warehouse and seized the books and mattresses on the ground that he was engaged in hoarding. Efforts made by Offei and his uncle to retrieve the goods from the military came to nothing.

6.11.153 Theresa Nkansah Petitioner was engaged in petty trading with capital supplied by her grandmother. She had displayed on a table at her selling point in Kumasi polyester materials. While she was away visiting a friend at the hospital soldiers arrived at her stand and sold all the goods at reduced prices.

6.11.154 Ama Bosuo Petitioner lived at Diaba, near Dormaa Ahenkro. Three soldiers, Klube, Adamyo and Marfo searched her house and seized cloth she had there on the ground that they were being hoarded. They sold her bags of rice and cooked rice.

6.11.155 Akua Akyaa, a trader at Swedru, soldiers went to her shop and sold the goods.

6.11.156 Akosua Saa Her consignment of eggs was seized and sold. She was hit on the eye with a belt.

6.11.157 Nana Kwame was a trader in men's and ladies watches in Accra. His stock was taken over by soldiers in June 1979 and sold to the public. The soldiers took the proceeds away.

VOLUME 2 CHAPTER 6**6.12 INVASION OF PROPERTY RIGHTS**

Apart from the harassment of shop-owners, there were also seizures/confiscation of property. Petitions were received from the following:

6.12.1 Ellison Owusu-Fordwouh on 7th September, 1977 Ghana Commercial Bank granted petitioner a loan of ₵95,000 for the purpose of building a house on a plot of land at Kwadaso, Kumasi. Following the 4th June, 1979 coup, the petitioner, then Director of the Special Branch, was arrested and taken into custody. While in custody, he was put before a kangaroo court at Peduase Lodge which ordered the confiscation of his house as having been unlawfully acquired. Since it is not unlawful to take a bank loan the decision to confiscate the house was clearly wrong.

6.12.2 Prof. Agyeman Badu Akosa's brother, **James Charles Akosa**, was a businessman of Accra. After 4th June, 1979, he went into exile for fear of persecution. Security personnel raided his establishments and carried away 17 vehicles of various makes, among them were two Land Rovers and six Toyota pick-ups. None of these have since been recovered.

6.12.3 Alhaji Abubakari Suley In May, 1979, Suley bought a Datsun car from a Yugoslav diplomat for US \$3,000. The vehicle was seized from him on the instructions of the military authorities. When he went to Burma Camp to enquire of the vehicle, the Peugeot car he was driving was also seized.

6.12.4 Joseph Apeadu is the executor of the late **Joshua Kwabena Siaw**, majority shareholder of Tata Brewery Limited. Following allegations that the company had evaded tax, the Government of Ghana in 1978 took certain measures against the company. One was the making of the Assets & Bank Accounts (Schedule) (Amendment) (No. 20) Instrument, 1978 (LI 1188) freezing the assets and bank accounts of Tata Brewery Limited, two other companies in which Siaw had an interest and the personal assets and bank accounts of Siaw, his wives and other specified relatives. Another was the Taxation (Amendment) Decree, 1979 (SMCD 222) canceling duty and tax concessions granted to the company. When the AFRC came to power, it enacted the Transfer of Shares & Other Proprietary Interests (Tata Brewery Limited) Decree, 1979 (AFRCD 9) transferring all the shares of the company to the State.

6.12.4.1 Even if as a temporary measure, the freezing of the assets and bank accounts of Tata Brewery under LI 1188 was justified, it was wrong to extend its reach to other companies and the personal assets and accounts of Siaw, his wives and relatives. Further while fines and other penalties may be imposed on companies for failing to honour their tax obligations or for other infringements of the law, in a democracy expropriation is not an option. The Commission therefore finds the expropriation of the company to be a breach of the right to own property, and therefore, illegal.

6.12.5 D, Goods, cash and vehicles said to be worth over £100,000 were seized by soldiers from the business premises and home of the petitioner. After 1981 coup soldiers again went to the Theatre and carried away drinks and other goods.

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6.12.6 Emmanuel Kwaku Osei was the owner of three Bedford trucks bearing the registration numbers GK 210, GK 6856 and GF 9141. He sold them and deposited the purchase price in his accounts at Barclays Bank, Nkawkaw. Later he went to withdraw the money which he claimed amounted to ₵6 million. As he left the Bank three soldiers seized the money, arrested him and took him to Gondar Barracks, Accra. He was later released but did not get back his money.

6.12.7 Grace Tetteh and her diplomat husband returned to Ghana from the United States on re-posting. They lived in Accra in a flat above some shops. Soldiers who raided the shops for hoarded goods went to their flat and carried away all their personal effects, including furniture, cooking utensils and their children's clothes.

6.12.8 Alhaji Mahama Abudulai, a contractor based at Wa, he traveled to Bolgatanga in July 1979. He was stopped by soldiers who seized his pick-up. When he finally recovered it, it was a total wreck.

6.12.9 Soldiers went to the house of **Apea Bempong** alias Nana Twum Ampofo II at Agona Nsaba and seized six vehicles, including a Mercedes 230, an Audi 80 LS and a Nissan Patrol 4WD. They used them for so-called operations and later returned them in a run-down state. Bempong was obliged to sell them as scrap.

6.12.10 On 20th September, 1979, armed soldiers went to **Samuel Emmanuel Percival Oddoye's** petrol filling station at Labadi T-junction, Accra and helped themselves to kerosene. A few among them paid him. The soldiers also carried away drinks he had on sale.

6.12.11 Yaw Koranteng was the owner of a Toyota Hiace bus. His vehicle was seized by soldiers in 1979 while his driver was on his way to Nigeria. Cash of ₦190 was also taken.

6.12.12 Victoria Amartey, Soldiers went to petitioner's house in Accra, ordered all the inmates out of their rooms and seized their properties. The soldiers accused the inmates of profiteering.

6.12.13 Rose Obiri-Kumi Owusu In 1972, Rose applied to buy a State Housing Corporation (SHC) house at Koforidua on hire-purchase. She was required to fill a form and indicate, among other things, whether she or her husband owned an SHC house or any other house. Her answer was "No". These questions were put because it has always been the policy of the government that no person should be permitted to acquire more than one house built with public funds. By a private arrangement Rose was permitted to acquire two semi-detached houses as one, ostensibly because a two bed-roomed house, which she desired, was not available. In 1979 the SHC abrogated the lease on one of the houses and allocated it to one Akagbor who was occupying it with Rose's consent.

6.12.13.1 The policy decision to abrogate the lease was a sound one. However, since the original allocation was made with the connivance of officers of the Corporation, Rose ought to be compensated for the loss incurred.

6.12.14 Christian Kwaku Owusu was a tenant in a SHC low cost house at Ahinsan, Kumasi. In 1979 he left the premises and put two women in occupation. A committee of the AFRC called the

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Housing Rent Review Committee set up to check on sub-letting of SHC houses summoned him to appear before it. They did not believe his story that he left the premises to seek treatment for an ailment and that the two women paid no rent to him.

6.12.14.1 The Committee was entitled to disbelieve Owusu even though the women denied paying him any rent. The Committee seized the property and allocated it to someone else.

6.12.15 Akwasi Ntiamoah. Following the 4th June, 1979 coup, all members of Parliament were ordered to return Peugeot Saloon cars purchased for them by the State. Ntiamoah who had custody of the vehicle allocated to one Akuoko, Member of Parliament for Mampong (Ashanti) North surrendered the vehicle to the military authorities. His petition is for the return of the vehicle.

6.12.15.1 The proper person to make such a claim is Akuoko himself.

6.12.16 John Kofi Asante claimed that he was the owner of a plot of land at Roman Ridge, Accra. On 9th August, 1979, a house he had built on the land was demolished on the orders of the Lands Commission. A search at the Lands Department reveals that the house was in fact built on land acquired by the Government of Ghana under Certificate of Title No. 94/48 dated 31st December, 1947 for Military Signals Area.

6.12.16.1 If, as Asante claims, the land was originally acquired by his father, Henry Forson Asiedu, in 1939, this may be a ground for seeking compensation for any structures thereon. However, his own document of title was made in 1976 and his building was completed in or about May, 1979.

6.12.17 On 23rd June, 1962 Martin Agyei Okyere's father, **Emmanuel Adjei**, acquired a plot of building land at Dzorwulu, Accra from the Osu Stool. He put up a building on the land. Unfortunately the land had previously been acquired by the government of Ghana. In 1979, bulldozers were moved in to demolish several houses on the land, including that belonging to Adjei. Although Adjei had a document of title from the Osu stool it was not registered, nor did it have a proper site plan.

6.12.18 Rosa Mills, a former Army-Nursing officer, was the wife of **Charles Osah Mills**, a licensed moneylender of Accra with a reputation of being wealthy. Following the 4th June, 1979 insurrection soldiers went to his house, took the entire family hostage and demanded money. After giving them all the cash he and his wife had, they insisted on taking a cheque from him warning him that if it was not honoured by his bankers he and his family would pay dearly for it. Mills issued a cheque and gave it to the soldiers. The family vacated the house shortly after they had left.

6.12.19 Baiden Amissah, returned to Ghana after a long sojourn in Germany. He brought with him household effects and equipment for farming. On arrival he cleared his goods at Takoradi Harbour and was proceeding to the town when he was stopped by soldiers. They took him to his home for a search and then seized the goods he had cleared. These included electric cookers, television sets, sound systems and clothing. The soldiers later came for his bulldozer, tipper truck and tractor. They used these in carting cocoa and forest products until they broke down. The items were abandoned at Samreboi.

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6.12.20 Jonathan Robert Owiredo On 28th March, 1977, Owiredo was appointed Deputy General Manager of Kowus Motors Limited and Kowus Motor Assembly Industries Limited. On 14th July 1978, he was promoted to the position of Managing Director. On each occasion a lengthy letter setting out the terms of his engagement was written to him. In neither was there any mention of his entitlement to an allocation of shares. On 18th July 1978, an emergency meeting of the Board of Directors was held in the absence of E.K. Owusu, the proprietor of the Company.

6.12.120.1 An extract from the minutes reads: “Mr. Owiredo informed the other Board members that Mr. Owusu had directed that 10% shares in the company be given to the workers, 30% to other persons listed below and the rest to his family”. Owiredo was one of five beneficiaries of the 30% shares. His 6% was valued at ₵7,763. Neither Owiredo nor any of the other beneficiaries gave consideration for their shares. All shares of the two companies were confiscated and appropriated by the State under AFRCD 60. By his petition, Owiredo is asking that the shares for which he paid nothing be returned to him.

6.12.120.2 Owiredo’s status as a shareholder is not different from that of other beneficiaries of Owusu’s largesse. It is an issue to be resolved between them and the company. What ought to engage the attention of this Commission is the larger question of whether the seizure of the company was justified.

6.12.121 Sylvester Adzroey, now deceased, was the owner of a Toyota Hiace 15 seater bus which plied on the Ho-Hordze road in the Volta Region. On 16th June, 1979 his driver and his mate were arrested by soldiers when Indian hemp was alleged to have been found on the vehicle. The driver and the mate were brought with the vehicle to the Ho Civic Centre where they were publicly flogged. After that the soldiers poured petrol on the bus and burnt it down.

6.12.122 Benny Ashun Following the 4th June, 1979 coup Ashun was taken into custody. While in detention he was made to sign cheques on his local and foreign bank accounts in favour of the AFRC. The foreign cheques were given into the custody of Commander Apaloo and were subsequently cashed.

6.12.123 Patrick Moffat Kassar Following an encounter with two soldiers in the street in Accra on 29th July 1977 resulting in an assault on Kassar and his wife, the soldiers went to the barracks and brought a truck load of soldiers to destroy property and ransack Kassar’s Safari Motors workshop. The damage caused amounted to ₵23,796.

6.12.124 Sophia Boamah paid the SHC ₵2000 in 1979 and ₵32,000 in 1980 for the purchase of a house. The SHC failed to build an estate house for her. She is entitled to recover her money with interest.

6.12.125 Agibasse Anabila In 1976, the petitioner bought a tractor No. GF 1449 from the Ministry of Food & Agriculture. On 12th July, 1979 he was arrested by soldiers at Karemenga and made to drive the tractor to the Residency at Bolgatanga. The petitioner has not seen the tractor since.

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6.12.126 Benjamin Kuffour Oppong was Secretary of the Asuotiano Town Development Committee in the Brong Ahafo Region. In September, 1979 he and members of the executive of the Committee were summoned to appear before the Brong Ahafo Investigation Committee. When they attended Oppong was accused of misappropriating ₵6,000 and told to refund the money. When Oppong went into hiding at Techiman, his brother Kyeremeh was arrested and forced to pay the amount.

6.12.127 Charles Yeboah In 1979, Yeboah, who was then 28 years old, was accosted at a petrol filling station by two soldiers who questioned him as to how a young man of his age came by such a fine sports car. They attacked him and took the car with registration No. GG 1085 away. A second car, No. GL 536 was seized from his house by Sgt. Yankey, a soldier.

6.12.128 Charles ‘Kid’ Odumasi In August 1979 after the petitioner’s wife had sold a fowl to a soldier for ₵28 the petitioner’s poultry farm at Adumanu was invaded by soldiers who auctioned off all the birds and eggs at the farm. The petitioner claimed that there were 6,550 layers, 1,400 broilers and 12,000 eggs at the farm. At his home the soldiers looted his properties which included cloths, wax prints sardines, mackerel, milk and milo. He also stated that his cash amounting to ₵236,000 was stolen.

6.12.129 Lawrence Kwame Blay Acting Managing Director of the GNTC petitioned that after the 4th June, 1979 insurrection he and other senior officers of the GNTC were summoned to the Immigration Office, Accra and asked to declare their properties. Having done so, he was made to write to the AFRC that he was surrendering his plot No. 227 East Legon to the State. On 19th November, 1982 the Lands Commission wrote No. Scr/LCS.55/44 acknowledging receipt of his letter dated 20th September, 1979 and informing him that plot No. 227 had been re-allocated. He was informed that the development charge paid by him would be refunded on demand. The AFRC left office on 24th September, 1979. Between then and 31st December, 1981 when the military seized power again, the petitioner could have gone to court for an order that the property was surrendered by him under duress. That he did not do so indicated that he had resigned himself to the loss of the property.

6.12.130 Joseph Agyeman In 1976 the petitioner applied for and was allocated an estate house No. D. 20 Type HC.35A built by the State Housing Corporation at Koforidua. He made a cash payment of ₵2,950 for the house. The petitioner complains that in 1979 the SHAPIC confiscated the house on the ground that he acquired it under the colour of his office.

6.12.130.1 The function of the SHAPIC was to deprive those who had managed to acquire more than one house built with public funds of the surplus. It had nothing to do with how the property was acquired.

6.12.131 Emmanuel Kwaku Osei sold three Bedford trucks Nos. GK 210, GK 6856 and GF 9141 and deposited the proceeds which he claimed amounted to ₵6 million in the bank. He later went to withdraw the money to enable him replace the vehicle with two cargo trucks. As he was leaving the bank he was arrested by soldiers one of whom had the nickname “Sasabonsam” or Devil. The

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money was seized and he was taken to Gondar Barracks where he was questioned about his sources of wealth. He was later released without being given back his money.

6.12.132 Wanye Domo On 18th May, 1979 the petitioner bought a Nissan Pick-up from one Agyekum. On 21st June, 1979 while driving the vehicle in the direction of the Airport, Accra the petitioner was stopped by three soldiers who claimed that the vehicle had been confiscated by the State. The soldiers seized the vehicle and took it to Burma Camp where one Lt. Dedeji took charge of it. After going to and fro in an unsuccessful endeavour to recover the vehicle, the petitioner finally gave up. It was not until three years later that the vehicle was then returned to him. He sold it as scrap.

6.12.133 Stephen Opoku Osei an employee of the P & T Corporation at Bolgatanga, was also managing a kiosk from which he sold provisions. He went to Sankasi in Burkina Faso to buy goods to re-stock his shop. On the way back, the vehicle he was traveling on was stopped at a road block mounted by soldiers. Osei and the other passengers were arrested for riding in the hold of a goods vehicle. The commodities Osei had bought at Sankasi were seized.

6.12.134 Isaac Mensah operated a grinding mill at Manso Akropong, near Bekwai. Soldiers went to the village and seized 12 bags milled rice and 20 bags unmilled rice.

6.12.135 Dulugu Adams A group of soldiers led by Corporal Lawson searched the Tamale home of the petitioner and found 200 bags cement and eight packets roofing sheets. They arrested him and carried away the cement and the roofing sheets he was released the next day. A few days later soldiers went to the house and using explosives destroyed part of the house.

6.12.136 Samuel Simple Ocran was a cigarette dealer at Tarkwa, Western Region. When driving his Datsun 1200 car No. GN 7725 C in Tarkwa he was stopped by soldiers at a Railway crossing. The soldiers took the car from him. It has not been seen since.

6.12.137 Alhaji Ibrahim's Toyota car No. GK 4434 and Bedford Truck No. UR 3605 were seized in Kumasi by soldiers. The car is believed to have been taken to Sankore in the Brong Ahafo Region and the truck to Nandom in Upper West Region. They were never returned to him.

6.12.138 Tutu Osei's father Kwabena Agyeman was ejected from his store at Central Market, Kumasi by soldiers. The store was allocated to another person, Osei Kofi.

6.12.139 Elisabeth Boateng Goods seized by soldiers.

6.12.140 Nana Yaa Achiaa Seizure of goods.

6.12.141 Charles Yeboah Seizure of cars.

VOLUME 2 CHAPTER 6**6.13 INTERFERENCE WITH THE RIGHT TO WORK**

6.13.0.1 Under the Police Service Act, 1970 (Act 350) disciplinary proceedings may be taken against a pensionable officer for misconduct or unsatisfactory service. Penalties are of two kinds: major and minor. Dismissal or removal from office and reduction in rank are major penalties. Section 20(2) provides that, “No major penalty shall be imposed on a pensionable officer in summary proceedings not arising out of a conviction.” In formal proceedings, written charges are preferred and the defendant may be represented by Counsel and call witnesses. Proceedings are conducted in accordance with the Police Force (Disciplinary Proceedings) Regulations, 1974 (LI 993) and there is a right of appeal to the Police Council.

6.13.0.2 On 12th July, 1979 the AFRC made the Committee of Inquiry (Recent Disturbances in the Police Force) Instrument (EI 38) setting up what became known as the Huppenbauer Committee. Several police officers were summoned to appear before the Committee for brief hearings which consisted for the most part of establishing their identity. No written charges were preferred against any of them, nor were they informed of their right to be represented by Counsel or to call witnesses. Each ‘hearing’ was concluded in a matter of minutes. Thereafter, the AFRC made the Police Force (Implementation of Findings) Decree 1979 (AFRCD 12) to give effect to the recommendations of the Committee and, by section 1(2) and (3), barred the affected officers from challenging the decisions by way of an appeal or in proceedings for prerogative orders.

6.13.1 Among the police officers who were either dismissed or retired from the Service on the strength of the Committee’s findings were:

6.13.1.1 (a) ACP Michael Kojo Adusah

6.13.1.2. (b) G/Cpl Edward Yeboah Abrokwa

6.13.1.3 (c) DSP Lawrence Kwaku Zikpi

6.13.1.4 (d) CSP Stephen Maxwell Kofi Donkor

6.13.1.5 On appeal to the Court of Appeal, it was found that Donkor’s name did not appear in the report of the Committee and that no findings, whether favourable or adverse, had been made with regard to him. The Court allowed the appeal, saying “The facts of this case cry aloud for redress.” Adusah also appealed to the Court of Appeal. The findings were set aside, as was the decision to retire him from the Service. Adusah was, however, not re-instated.

6.13.2 Stephen Robert Kwawu, a Police Constable stationed at Ho, Volta Region, was dismissed on the basis of the findings of the Huppenbauer Committee. He lodged an appeal with the Court of Appeal but failed to pursue it.

6.13.3 Beatrice Acheampong’s husband, **Hanson Owusu Acheampong** was a Chief Superintendent of Police. On 23rd September, 1979 he was dismissed by the AFRC from the Service on the strength of the recommendations of the Huppenbauer Committee. He appealed to the Court of Appeal, but the appeal was never heard. He died in 1997 without having received either gratuity or pension.

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6.13.4 Jerome Apenu-Doh, an Assistant Superintendent of Police was arrested in early September 1979 on an allegation of accepting bribe. He was detained in the Military Intelligence guardroom and later sent to Nsawam Prisons. He was granted bail by the High Court but absconded. He was dismissed by the Police. At the time Doh absconded, constitutional rule had been restored and the Limann Administration had taken office. Doh ought to have allowed the law to take its course.

6.13.5 Mark Anthony Koomson On 13th October, 1979 the *Daily Graphic* published a report which said that on 20th July, 1979 the AFRC Special Court had sentenced Constable Koomson and other policemen to various terms of imprisonment. On the strength of the report, the Police Administration by letter No. SO.24003/50 of 30th January, 1980 dismissed Koomson from the Service. Before then Koomson had appeared before the Huppenbauer Committee to answer questions relating to a bribery allegation against his superior officer.

6.13.6 Edward Mensah-Bonsu, a Deputy Superintendent of Police at Asokwa, Kumasi, vacated his post and went into hiding when policemen rioted against their officers in the wake of the 4th June, 1979 uprising. On 29th June, 1979 he was ordered to vacate his bungalow and proceed on his earned leave of 283 days. He was subsequently retired from the Service. As the officer in charge of the station, petitioner ought to have exhibited greater courage in the face of indiscipline. Going into hiding for 17 days was inexcusable.

6.13.7 Michael Ayawo Kubunyah, an Assistant Superintendent of Police in charge of Audit and stationed in Kumasi, was arrested on 9th June, 1979 when a carton of whisky was found on one of the vehicles in his outfit. He was taken to the military barracks and detained in the guardroom for a month after which he was given a letter of dismissal from the Service, signed by the Inspector General of Police. No formal enquiry was held to determine responsibility for the presence of the whisky in the vehicle.

6.13.8 Ebenezer Abaka Parker, a police constable based at Axim, Western Region, went to Nigeria during his leave in April – August 1979. When he sought to extend his stay, he was told in plain language that an extension would not be granted. He defied an order to return. He remained in Nigeria for some years and now asks to rejoin the Police Service. It is clear that Parker vacated his post and is not entitled to be re-instated in the Service.

6.13.9 Robert Kofi Kwakye, On 15th September, 1979 the *Daily Graphic* published an announcement issued by the AFRC to the effect that Robert Kofi Kwakye, Chief Engineer of the Public Works Department, but then seconded to the Ghana Highway Authority, had been dismissed and was to be put on trial for alleged financial malpractices while he was on secondment at the Department of Social Welfare and Community Development. Kwakye says that for fear that his life was in danger he went into hiding. He re-surfaced after three months. He has petitioned the Commission over his removal from office.

6.13.9.1 Kwakye can justifiably complain about being dismissed by radio and television announcements and by publication in the press. However, it is a matter of record that the AFRC handed over power on 24th September 1979, that is, nine days after his purported dismissal. It was

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for him to have come forward after that date to confront his accusers and to clear his name. It is too late for him to try to re-open the matter.

6.13.10 Isaac Opare-Addo Following the 4th June, 1979 uprising, there was agitation in the Ghana Fire Service for the removal of Opare Addo, now deceased, who was then the Chief Fire Officer. This was done and letter number FS. 3.12/466TJ/10 of 9th August, 1979 was written to him asking to retire from the Service with effect from 14th August, 1979. For unexplained reasons, his terminal benefits were not been paid.

6.13.11 Robert Kwamiga Attipoe an Assistant Commissioner of Police was dismissed on 23rd September, 1979 on the basis of adverse findings made against him by the Huppenbauer Committee.

6.13.12 Kwaku Boakye's uncle, Aboagye Acheampong, was an Assistant Commissioner of Police. On 23rd September 1979, he was dismissed on the recommendation of the Huppenbauer Committee by a letter signed by the Chairman of the AFRC.

6.13.13 Kingsley Amoah After Amoah, a Treasury Administrator and other employees of the Kumasi City Council had been brutalised by soldiers, Amoah spent one week in hospital. When he returned to work, he was told to go home and that he would be called back later. He was never permitted to resume work. At the time he had been in the employment of the Council for 18 months.

6.13.14 DESTRUCTION OF MAKOLA MARKET

6.13.15 This wanton act of destruction took place on 18th August, 1979. In an article published in the *Chronicle* of 16th September, 2003 Joss Aryee, a journalist gave a graphic eye-witness account of the event. Aryee wrote:

The suddenness and the timing of the announcement sent shivers down the spine. And it was short and terse: "All traders at Makola No.II Market are advised to remove their goods before tomorrow morning 7 o'clock am prompt. Those who cannot do so will have themselves to blame."

This was after the GBC radio news highlights at 7 pm on Friday evening. They literally had just twelve hours to do so. And this was when a 10pm to 6am curfew was in place. Meanwhile, the market gates were always locked after 6pm.

Besides, how many could dare go back to central Accra to, as it were, rescue their goods from what appeared to be imminent trouble, especially when heavily armed soldiers had been sent to "protect" the premises that very night.

By 5am the next morning that august, 1979, Saturday, a contingent of soldiers surrounded the market, all access roads leading there were blocked. A state construction company bulldozer, painted a malevolent, jaundice yellow, stood by, like some hungry predator, ready to pounce on its hapless prey.

When I got to the office that morning at the Ghana News Agency, I had been assigned to cover the Makola market saga. Not being far, I decided to stroll down the road from the Ministries to Tema Station and onwards to the market.

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On the way, I saw a cluster of people, some obviously affected traders and Makola mummies. They looked grief-stricken. Some moaned and cried softly, some fumed at the injustice of it all and still others were simply shocked and dumbfounded, unable to utter a word, just a deep pain in their eyes. My impression was that they would be ruined for life if they lost their goods; many were just working from hand to mouth and traded from a commission on goods they did not own. Meanwhile, the armed and mean-looking soldiers allowed nobody to even come near them much less for them to take out the little they could. The time for that had expired the previous night!

By 9 o'clock, the military contingent charged to carry out the operation arrived, led by a Captain Kpani Addy with Lt. Blood Dzraku, a mate at the Institute of Journalism, as his second-in-command. The commander, wasting no time, issued verbal instructions to his men and retired to the grassy knoll at the Makola roundabout, where the statue of King Tackie Tawiah now sits.

Apart from the soldiers detailed for the operation, groups of "machomen" and touts from surrounding communities like Okaishie, Tudu, Swalaba and others stood by. Armed with iron rod bars, clubs and sledgehammers, they would help break into the shops and stalls. For them, it was like Christmas time!

They started from the entrance near the Central Mosque, which abutted the market. The padlocks fell apart with some well-placed shots from an AK 47 rifle. They surged inside, shooting doors open, smashing chop-boxes open with axes, pick-axes, sledgehammers, and what have you.

Bales of materials, thousand of prices of textiles, Dutch wax prints, GTP cloth, fridges, TV sets, indeed all the sundry goods one expect to be sold at a leading market of Makola's type were gradually brought out and piled on the grassy knoll outside.

As the goods increased, soldiers would commandeer passing cars and trucks, load them to the brim and take off – with armed guards hanging on. Where they ended up, nobody seemed to know. After a while, some of the journalists covering the operation plucked up the courage to ask from the soldiers where the goods were being taken to.

We got various vague answers: The Trade Fair Site, Burma Camp, University of Legon, etc. as the newsmen kept pressing, the soldiers got belligerent. "Wetin concern you, eh? Na you go guard am?" The journalists shut up. The soldiers were getting too excitable for comfort.

Some people lost their lives. Groups of men lurking around looked for opportunities to loot and whenever soldiers' backs were turned, a fast move would be made to snatch anything valuable and take off with it. Some unfortunate ones were short at by the excited, hot and sweaty soldiers when they failed to stop when ordered to. They were the collateral damage.

By 2 pm in the afternoon, much of the market had been stripped of good and nothing really worthwhile remained inside. Suddenly the silent bulldozer roared to life, its engines growling like some pre-historic dinosaur that had seen its lunch meal close by. As it trundled towards the market walls with the iron chain wheels clanging on the road, the walls fell down in a heap of blocks and dust flying about.

The famous Makola No1 market crumbled down. The wooden stalls snapped and cracked. A golden of dye burst open and the blood-red liquid gushed out. A nearby soldier, watching the liquid course through the debris, remarked with sarcasm: "Makola dey die, see the blood ...ha ha ha!"

By the time I returned to the office to file my story, the news had already spread like wildfire. Some people said it had been destroyed because it was symbolically the heart of "Kalabule." Good riddance, they opined. Others were as angry as could be, saying it all was nothing but petty revenge by vengeful soldiers who wanted to punish the Makola women who had in the past, allegedly insulted soldiers who insisted on buying things at the controlled prices.

It was alleged that some women had even poured stored urine on some soldiers. But no matter what, to me, as an observer, it seemed to be nothing but "booty for the boys" after the June 4 Uprising. Nothing more, nothing less, period! If not, where exactly did the goods costing millions of cedis even at that time, all end up? Who benefited from them? Who was accountable for all the money

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taken from the hundreds of shops and stalls in the market. I saw with my own two eyes the money seized by the second-in-command of that operation?

Even more saddening is the trauma many of the affected traders underwent. Some were broken for life. Many are they who could never pick up the pieces after their ignoble and treacherous act. Some even lost their sanity. Others died from the shock. After all these years I still get a strong sense of “deja vu” anytime I pass by the place. It is now called “Rawlings Park.” How ironic!

One wonders whether the National Reconciliation Commission will make any recommendations for the relief of victims of the rape and destruction of the market, if any have petitioned for redress

Whatever happens, let it be on record that what happened that august Saturday in 1979 benefited a few selfish people at the expense of thousands: The traders, businessmen and ordinary law-abiding citizens and their dependants, who made their living from the market.

They deserve our sympathy.

6.13.16 **Fofu Sasraku** was one of the women affected by the destruction of the market. In her statement to the Commission she said:

I was a trader and had a very big shop at Makola where things like plates, men towels, napkins, tumblers, and other items were sold. I also sold already-made dresses and school uniforms.

One morning as usual I set off to the market and just as I was about to enter I heard people crying and wailing over the place. I tried to enquire what was going on but my effort was in vain. The place was very busy and rough than the ordinary day and no one seemed to think about the other. My co-traders were actually crying uncontrollably.

After fruitless effort I entered the market to find out what was going on myself. As I lifted my eyes all I could see was broken structures. I hurriedly went to see what had happened to mine and lo and behold the story was not different. This led me to cry too. I tried checking from my aunt whose shop was near to mine to see what had happened to her and this misfortune had no mercy on her. Everything of hers was taken away.Soldiers had come to destroy our structures and stolen everything we had toiled for. Our input throughout our lives vanished into thin air on that day.

6.13.17 **Ofosuah Komeng**, a single mother with seven children, made a modest living selling cloth at the Makola Market. All her wares were seized and taken away or destroyed in the fire.

6.13.18 **Cecilia Agyapong** When she heard of the destruction of Makola Market, Cecilia, a cloth seller, went there in an effort to retrieve her goods. She was driven away by soldiers.

6.13.19 Like many of the traders, Fofu, Ofosuah and Cecilia lost everything. The wares were looted by the soldiers who prevented the women from entering the market to retrieve their goods. It was a wanton, senseless attack on the citizens which deprived many of their livelihood. Overnight they had become poor and wretched. As Joss Aryee told the Commission in his evidence, some died, others went mad and many more became paupers. It was, indeed a traumatic experience unparalleled in the history of this nation.

VOLUME 2 CHAPTER 6**F. 24TH SEPTEMBER, 1979 – 30TH DECEMBER, 1981
(LIMANN'S ADMINISTRATION)**

6.14.1 By the time the AFRC left office, it was deeply divided between those who, having enjoyed the trappings of office, wished to cling to power, and those who desired to see constitutionalism and democracy restored. With their civilian collaborators the former group began to plot the overthrow of the Limann Administration even before it had settled down to govern the country. The Commission received evidence from Major Boakye Djan, a leading member of the AFRC, that it was William Adumua-Bossman, a lawyer and confidant of Flt Lt Rawlings, who inserted in the speech delivered by Rawlings at the handing over ceremony the now infamous threat to the incoming Administration that the military were ready to resume power if things were not done the way they wished.

6.14.2 Unfortunately, President Limann lacked the political will and courage to take on those who would subvert the democratic order. He was all too trusting of Flt Lt Rawlings to whom he looked for support against members of his own party who, he feared, were determined to undermine his position and replace him at the next general elections. He spent his short term of office grappling ineffectively with the problems created by the AFRC's three-and-a-half month 'reign of terror'.

6.15 MAIMING

6.15.1 Kwaku Tawiah On 26th January, 1981, Tawiah, a commercial driver plying his trade along the Adukrom-Awukugua road in the Eastern Region was involved in an accident with a VW Golf car. The Golf car turned round and caught up with him. One of three soldiers who were in the VW car hit Tawiah on the right eye with his belt. As a result of the attack, Tawiah lost the sight in the eye and was obliged to give up driving.

6.15.2 Isaac Tetteh Quarcoo was Organising Secretary of the People's National Party (PNP) in Okaikwei Constituency, Accra. On 21st February, 1981 he and others were arrested by the police. While they were being conveyed to the Police Station in a vehicle, a policeman fired a shot at one of arrested persons. The shot hit petitioner in the leg seriously injuring him.

6.15.3 Felix Ofosu Oduro On 20th December, 1979, Oduro was driving a taxicab in the evening along High Street, Accra when he was hailed by two ladies. He agreed to take them to Labadi. Along the route a soldier stopped him and asked to be taken to Arakan Barracks. Oduro refused but the soldier joined the two ladies on the understanding that he would be dropped at Labadi. When the ladies arrived at their destination and alighted, the soldier told Oduro he was under arrest for overcharging the ladies. He ordered Oduro to drive to Arakan Barracks. Oduro refused and came out of the taxicab. The soldier then brought out his rifle and fired at Oduro hitting him in the shoulder. The soldier fled and was never found. Oduro received medical attention at Korle Bu Hospital.

VOLUME 2 CHAPTER 6**6.16 TORTURE**

6.16.1 Emmanuel Asante, a trader of Chindari, near Kete Krachi was arrested by soldiers along the Red Volta while conveying 200 cartons of cigarettes to Chindari for sale. He was taken to Esukawkaw where he was beaten up and subjected to ill-treatment. He was then taken to Jasikan where again he was subjected to ill-treatment. He gives this account of his ordeal:

I am a trader and in 1980 during Liman's administration I came to Accra to buy 4 boxes of 555 cigarettes, that is 200 cartons of cigarettes. ...After boarding a bus the previous evening from Accra, I got to the Red Volta waiting for the ferry to ferry us across the river the following day. At that time there was no bridge and around 7.30 am, a group of soldiers numbering around 9 came to where I was waiting with others for the ferry.

They asked each one of us what we were carrying in our luggage and went around searching each luggage. When it got to my turn, they asked me where I got the cigarettes from and I informed them that I bought them from Accra. ...I was made to carry the things/goods into the vehicle they came with and we were ferried across, when the ferry started operating for the day.

I was driven to 'Esukawka' market and my things were placed beside me. Without asking any more questions, these soldiers started beating me. They kicked and stamped me all over. They also used the soles of their boots to step on top of my shin and drag it down. This was very painful. Apart from this they used the butts of their rifles to hit me repeatedly just below my right shoulder and my back until I went onto my knees and they used their belts on me as well. On lookers had circled us and after some time, a young teacher was also brought there and beaten alongside me.

One of the soldiers used his bayonet on me and this gave me a deep cut on my left wrist. I still have that scar and other scars on my head, face, back arms etc. I was bleeding all over and around that time, my girlfriend Akos, was about 2 months pregnant. She heard that someone was being beaten at the market place and so she came to see who the person was. I was later informed that when she saw that it was me, she collapsed and miscarried.

They then led me to a collapsed house there and in a position of a crucifixion, they asked me to tell them the truth. Before being led to the collapsed wall, I was stripped totally naked and when I told them that the goods were from Accra, they started firing indiscriminately into the air for some time. This continued for a long time and when I kept on insisting that I bought them from Accra, the firing stopped and they started with the beatings again.

After this I was made to carry my things back into the truck and my briefs was given to me to wear. They then asked me not to board the vehicle but walk behind it. We took the ferry and we went to Jasikan. I was sent to their camp there and they sent my goods into a room there. As they were then going to eat, I was asked to lie on the ground and watch the sun. I was told that if I turn, they would beat me. I was in this position for over one hour. ...

I was beaten again and asked to board their vehicle later. They brought my things on board and we set off. ...they took me to...Menuso near the border with Togo.

I was sent to a sort of barracks there as there were soldiers and border guards.

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6.16.2 Mohammed Ali was a sailor and father of nine children. He lived with his wife and children in Takoradi. In March, 1982, military personnel from the Airforce Base went to his house and conducted a search. They seized various items including a television, a refrigerator and a wall clock. Later, another set of military personnel went to the house. Ali told them of the earlier search and seizure. Seeing his children, the soldiers enquired who the fathers were. When Ali told them they were all his children, they asked him to undress. One of them hit Ali's penis several times with a stick. Ali bled from the penis which became swollen. He was taken to the Effia Nkwanta Hospital for treatment. Ali said he had become impotent as a result of the attack.

6.17 ILL-TREATMENT

6.17.1 Faustina Ardua Aryee was arrested by soldiers in Accra while she was conveying home cloth she had bought through a third party from PZ Company Ltd. Her supplier, one Doris Fofu Addo, was also arrested. They were paraded through the streets amid beatings and slaps. They were subjected to public ridicule when, fully clothed, Faustina was compelled to lie on the ground while Doris lay on top of her simulating sex. A report on the arrest of the petitioner appeared in the *Ghanaian Times* of 17th October, 1979 and the *Daily Graphic* of 18th October, 1979. Faustina's face shows obvious signs of the assault.

6.17.2 Ayanga Tindana and Lamisa **Busanga**, watchmen, and **Charles Aidoo**, a driver, now deceased, were arrested on charges of being implicated in the theft of a motor vehicle belonging to the Town & Country Planning Department, Cape Coast. They were ill-treated while in custody. Tindana sustained a fracture of the arm; Busanga was hit on the head with a truncheon; Aidoo had his testicles squeezed.

6.17.3 Samuel Kwesi Mensah owned a Datsun pick-up. In 1981, while he was travelling from Accra to Swedru, three soldiers stopped him and enquired how he got money to purchase the vehicle. They kicked him, slapped him and hit him with their belts.

6.17.4 Samuel Emmanuel Percival Oddoye, a petrol dealer at Labadi T-junction, Accra was frog-marched to the Military Barracks at Teshie by armed soldiers who accused him of profiteering.

6.17.5 Yaw Barimah In 1981 the petitioner was arrested by four soldiers accompanied by a policeman from the Adoe Nkwanta Police Station. They accused him of dealing in fake currency and took him to the guardroom at the Military Barracks, Kumasi. His hair was shaved off and he was beaten.

6.18 DETENTION

6.18.1 Wisdom Adika was remanded in custody on 31st December, 1979 by a Magistrates' Court Grade II at Dunkwa-on-Offin to await trial on a charge of murder. He was released on 12th September, 1987 after eight years in custody without being tried.

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6.18.2 Yaw Barimah In 1981 after the petitioner had been arrested by soldiers and a policeman at Adoe Nkwanta on suspicion of dealing in fake currency, he was taken to the Military Barracks in Kumasi where he was detained for two weeks.

6.18.3 Joseph Wodzidzro Van-Sagodo a Senior Accountant of the Volta Region Development Corporation petitioned that on 25th November, 1981 he was arrested and taken into custody pending an enquiry into the affairs of the Corporation. In all he spent 10 months in custody at the Ho Prisons and Ussher Fort Prison.

6.19 INVASION OF PROPERTY RIGHTS

6.19.1 Joseph Kenneth Addoh In October, 1980 soldiers mounted what they called ‘Operation Fair Deal’ against shop owners. They were led by DSP Cartey and Capt Nsiah. During the operation soldiers went to Akosmar Enterprises at Tudu, Accra owned by Addoh and his sister Mary Osei. The team seized and sold 21 dozen ladies panties to the public for ₵25.20. They took the money away.

6.19.2 Joseph Nyarko, a baker who had dealings with the army and several educational institutions in Kumasi, had 600 bags of flour in his wholesale. In October/November 1979 soldiers accused him of hoarding and seized the flour as well as his building materials, mainly iron rods, paints, roofing sheets and floor and wall tiles.

6.19.3 Samuel Kofi Osei Owusu On 19th January, 1963 the Ghana Housing Corporation allocated an estate house in Kumasi to the petitioner. The terms and conditions were set in a letter addressed to him. It stated as follows:

Dear Sir,

ALLOCATION OF UNIT NO I.1
HC.B5^B (FLAT) KWAME NKRUMAH ESTATE:

The above-mentioned property has been allocated to you and we wish to make it quite clear that we shall not under any circumstance allow you to sub-let it or part with possession for any reason. The house is allocated to you for your personal occupation ONLY.

2. This is an essential condition of the allocation and before you are allowed to take up occupation of the property you should acknowledge the fact that you fully understand and agree to the condition and the implication involved.
3. If you agree you should sign this notice in the space provided below, for retention by the Corporation.
4. The keys of the property will be released to you when this document has been signed.
5. If at any time you cease to occupy this property yourself the allocation will be cancelled and the occupier will be ejected.

Yours faithfully,

VOLUME 2 CHAPTER 6**GHANA HOUSING CORPORATION**.....
HOUSING OFFICER

(Sgd).....

TENANT OF UNIT NO. I.1

KWAME NKRUMAH ESTATE

6.19.3.1 In 1972 the petitioner rented out the house to one Aheto. During the AFRC regime Aheto had the premises re-allocated to him. The petitioner chose to flout the terms on which he was permitted to occupy the premises. No injustice was done to him in re-allocating the property to Aheto.

6.19.4 Dickson Jeremiah Acheampong was the owner of a vehicle bearing a foreign number plate. On 31st December, 1979 the vehicle was seized by militiamen at Koforidua. When Acheampong's driver, Frank Sarpong, protested, WO I Nkwantabisa, the leader of the militiamen, fired shots at the petrol tank and set the vehicle ablaze.

6.19.5 Ibrahim Sefa On 16th December, 1979, soldiers led by Chris Atim seized Sefa's tipper truck and handed it over to the CDR. When he recovered it, it had become a total wreck. The CDR also seized 230 bags cement, 300 wawa boards, 45 emulsion paints and 50 oil paints from Sefa's worksite at Wellebelly.

6.19.6 Malam Issifu Musa On 23 September, 1981 soldiers raided the village of Adeiso Domeabra, Eastern Region and seized 123 bags dried cocoa beans, a double barrelled gun, a gold wrist watch and ₵234 cash belonging to Musa. A report in the *Ghanaian Times* of 22nd October, 1981 shows that several farmers in the Adeiso area were attacked that day. Even though Musa went to court and got judgment for the recovery of the price of his cocoa, he was unable to enforce it.

6.19.7 Adi Korsah Amponsah was Works Manager of the GNTC Estate Department. In 1975 he entered into an agreement with the TDC for a 90-year lease of House Nos. C8/T. 62 & 64 Community 8, Tema. He combined the names of his two under age sons, Affum and Yeboah and entered into the agreement as Affum Yeboah Addison. He signed the document in that name as lessee and also signed as witness in the name Korsah Adi Amponsah. When he was found out by the SHAPIC he was called upon to surrender one of the houses. In a letter dated 18th September, 1980 he wrote that he was "the legal owner/purchaser of the houses which were genuinely acquired from the TDC to house myself and my dependants." He offered to surrender House No. C8/T. 62. The SHAPIC accordingly allocated the house to another person. Amponsah has no grounds for complaint.

6.19.7.1 The policy of barring all persons from owning more than one house built by the SHC or the TDC is a sound one and in the public interest.

6.19.8 Patrick Akoetey, a Sergeant in the Ghana Army, paid ₵2,900 to the Volta Region Development Corporation for 100 bags cement. As at the time the Corporation was liquidated, Akoetey had not received his supply of cement. In spite of efforts to retrieve his money he has not been paid.

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6.19.9 John Albert Elephant Ansah, On 16th September, 1981 Ansah, a sailor, arrived at Tema Harbour on board M.V. Tano River. He brought with him his personal effects which included a deep freezer and a bicycle. He paid the required duty. As he was leaving the Harbour with his goods, he was stopped by soldiers who had been placed at vantage points at the Harbour to re-check goods for the payment of duty. He was taken to a guardroom where he remained for some eight hours. On his release his effects were seized.

6.19.10 Emmanuel Kofi Frimpong Soldiers went to Frimpong's shop at Tudu, Accra and carried away vehicle tyres he had put on sale. Later, they took him to his home for a search and seized cash and a sounds system.

6.19.11 Latif Abdul In 1962, petitioner's father, Alhaji Seidi Moshie acquired a plot of land at Dzorwulu, Accra from the Osu Mantse. The conveyance was never registered. When in 1981 he started to put up a building on the land he was informed that the land was government land. Petitioner's remedy lies against the Osu Stool.

6.19.12 Yaw Barimah In 1981 four soldiers accompanied by a policeman of the Adoe Nkwanta Police Station went to the home of the petitioner and arrested him alleging that he was dealing in fake currency. They packed his personal effects in his brother's Peugeot 504 taxicab and took him to the military barracks in Kumasi. He was released after two weeks without the taxicab or his personal effects.

6.19.13 Ama Owusu In July 1981 soldiers seized 500 bags flour belonging to the petitioner at Kwadaso, Kumasi. They carried them away to a military-run bakery at Kwamo. The petitioner complained to the Ashanti Regional Minister, but he was unable to grant her any relief.

6.19.14 Witty Heartwill Quao's late mother, **Agnes Amegashie Quao,** was a trader at Keta market. In 1980 she was arrested by the police who took her goods mainly clothing away and sold to the public. They searched her home and took other items which were also sold. The Police told Agnes that the proceeds of sale would be paid into government chest.

6.19.15 Ayambilla Akologo: In 1980 there were disturbances in Bolgatanga involving the civil population and personnel of the Border Guards. Several properties were damaged or destroyed, among them the house of **Akolgo Akaba,** father of the petitioner. It was recommended that Akaba and other victims be compensated. His name appeared as number 43 at paragraph 87 on the list of persons to be compensated. His damage was assessed at ₵3000 as at 1980. Money was released by the Ministry of Finance for the payments to be made. A total of ₵257 million was disbursed. According to letter No. SCR 004/SF.62/34 dated 31st January, 1987 signed by Mrs Asie Allotey, Principal State Attorney, Akaba's name was inadvertently left out of the list of beneficiaries and was never paid. The petitioner asked that his late father's compensation be now paid. Akaba's compensation should be calculated at current value.

6.19.16 Issifu Musah was a cocoa Purchsing Clerk at Domeabra near Adeiso, Eastern Region. He petitioned that on 23rd September, 1981 his home was raided by soldiers who claimed that he was a

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cocoa smuggler. They seized 123 bags of cocoa, a double-barelled gun, a gold wristwatch and some cash. They took him along with them to Gondar Barracks but was released soon afterwards. According to the petitioner he took action at the High Court in Koforidua and got judgment. The petitioner stated that he was asked to go to Gondar Barracks for his money but when he got there he found a pool of blood at the entrance and was advised to flee. The petitioner was unable to supply the Commission with a copy of the High Court judgment or to give sufficient particulars to enable the Commission trace it.

6.20 INTERFERENCE WITH THE RIGHT TO WORK

6.20.1 Shawcross Kenneth Gyebi, an Inspector of Police, was dismissed from the Service on 14th April, 1980 on the recommendation of the Huppenbauer Committee. Since he was not invited to appear before the Committee, the Committee could not lawfully make any recommendations with regard to him.

6.20.2 Edward Asuming Adu, a L/Cpl in the Ghana Army, was dismissed for involvement in a plot to overthrow the government of President Limann. The punishment was well-deserved.

6.20.3 Quessie Daniel Agyei After working for the Cocoa Marketing Board for seven years as Chief Accountant, Agyei was ordered to be re-deployed. However, attempts to get Agyei employed by African Plywood (Ghana) Limited and Ghamot Motors were unsuccessful as neither needed his services. There is no evidence to suggest that the re-deployment was intended to be punitive. It is known that as many as 10,000 employees of the Board were affected.

6.20.4 John Alex Kofie was an employee of the State Gold Mining Corporation at Prestea. In October, 1981 he went on leave. He failed to report for duty on the date he was expected to resume work. He turned up three weeks later with the excuse that he had been ill. His explanation was not accepted and he was dismissed. The general rule is that where an employee absents himself from work without permission for more than 10 days he is deemed to have vacated his post. In this case, Kofie neither sought nor was granted permission to absent himself from duty.

6.20.5 Laurence Bruce Kyei Following the submission of the Report of the Committee of Enquiry into the operations of GEA & Associates, the appointment of Kyei as a Principal Commercial Officer in the Ministry of Trade was terminated. On 12th January, 1980 Kyei applied to the Abban Tribunal for relief but his petition was dismissed. An extract from the report submitted to the Committee showed that there was no malfeasance on the part of Kyei. What he was accused of was negligence in the supervision of a subordinate staff, Margaret Voyie, who was apparently responsible for the processing of the customs entries which resulted in the loss of ₵692,779.23. For a senior officer to lose his job and pension rights for the misdeeds of his subordinates is an extreme measure which the facts of his case do not support. Demotion in rank or at worst termination would have been enough punishment.

VOLUME 2 CHAPTER 6**6.21 ABUSE OF THE JUDICIAL PROCESS**

6.21.1 Alhaji Abubakari Suley, a citizen of Niger, was admitted into prison custody in March, 1981 for an unspecified offence but with a sentence of 25 years in hard labour. He was released from prison on 12th April, 1984 on the orders of the Director of Prisons.

6.22 KILLING

6.22.1 Zakari Salifu On 24th November, 1979, the petitioner's brother, **Ishahaku Halida**, was traveling by road from Adwira to Ahiao in the Ashanti Region when at Adwumakona he came upon some soldiers who were molesting a lady he knew. Halida intervened on behalf of the lady. One of the soldiers threatened to shoot Halida if he went any nearer to them. Just as Halida took another step towards them the soldier fired several shots at him. The soldiers left the scene. Halida died on the way to Mampong Hospital.

6.23 DISAPPEARANCE

6.23.1 Azurg Alapelum's brother **John Atanga** was a police constable stationed at Savelugu. He had a history of mental illness. On 31st March, 1981 he took his annual leave. He was to report for duty on 11th May, 1981. When he did not report he was declared to have vacated his post and was formally dismissed from the Service with effect from 12th May, 1981. To date his relatives have not found him. However there is no evidence of foul play.

VOLUME 2 CHAPTER 7**CHAPTER 7****REVIEW OF PETITIONS:**

G. 31ST DECEMBER, 1981 – 6TH JANUARY, 1993

(PNDC GOVERNMENT)

7.0.1 During the short period of AFRC rule, the men in uniform had been a law unto themselves. They had killed, maimed, abducted, tortured and ill-treated their fellow citizens without fear of any sanctions whatsoever. They had burnt down markets built with public funds and robbed both the well-to-do and the poor alike. Many of them had enriched themselves at the expense of their victims. After the return to the barracks, they looked back with nostalgia to those tragic days and plotted and schemed for their return to power. Unable to contain them, the Limann government fell like a pack of cards.

7.0.2 The Provisional National Defence Council (PNDC) which was formed after the 31st December, 1981 coup was greeted with joy by the rank-and-file of the military who saw it as another opportunity to commit acts of brutality against their fellow citizens with impunity and, in the process, enrich themselves. The period of rule of the PNDC saw a continuation of the killings, abductions and disappearances, maiming, torture, ill-treatment, hostage taking and the other abuses associated with the AFRC.

7.1 KILLINGS

The killings started almost immediately and was directed mainly at the military and other personnel of the security services.

7.1.1 Victoria Joyce Osei's husband, **WO I Kingsley Sarpong** was shot dead on 1 January, 1982 by Private Adjei in the Mystery School compound near Apremde Barracks, Takoradi. Felix Ampah Korsah, an eyewitness of the killing gave this account of it:

I knew the late WO I Sarpong. He was the R.S.M at the 2nd Battalion of Infantry, Takoradi. He died on 1st January 1982 at the premises of the Mystery School (a church) in Apremde near Takoradi. At the time of his death, I was in the army with the rank of Staff Sergeant, stationed at 2Bn. I was also a member of the church (Mystery School). He was a member too.

It happened that in the night of 31st December, 1981 our church had just closed from a watch-night service when some of our members who had left the church premises observed that the 2Bn road had been blocked by the soldiers. There was also sporadic shooting.

I was at the material time in the mission house....

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Because of what was happening at the time, I felt it was unsafe to go to Barracks that night. I slept at the mission. ...

At about 9 am (1st January 82) I saw WO Sarpong entering the mission with all his military accoutrements. I asked what had happened in the Barracks during the previous night. He told me that in the night the junior ranks were chasing out their superiors.

The mission had served some tea so I invited him to join us. Just when we were proceeding to the dining room we heard gun shots at the mission premises.

I learnt that there was one soldier at the main gate who was interrogating our church leader as to the whereabouts of WO Sarpong.

Another soldier entered the premises via another gate and shouted “come out”, referring to WO Sarpong. Apparently someone had tipped them that he (Sarpong) had entered the Mission House.

WO Sarpong obliged. He was still with his gun in hand. His assailant, a private popularly called “Boho” (I don’t know his real name) then demanded the deceased’s gun which he readily handed over.

Boho then detached the magazine from the gun and discovered that it was full. A full magazine would contain 20 rounds of ammunition. Then he shouted; “he was going to kill me. He was going to kill me”. The next thing he did was to shoot WO I Sarpong in the abdomen. I was an eye witness. I saw the deceased fall. The weapon was a G.3 assault rifle.

After this, Boho just picked Sarpong’s gun once again and left the premises. He went straight to the Barracks gate and bragged about the mission he had accomplished.”

7.1.2 Mary Ansong, a Policewoman, lived in a block of flats at Kanda, near Broadcasting House, Accra with her children, mother and other members of her family. Her husband, a Police Officer, was on transfer to Hohoe. On 31st December, 1981, while she was at home, what appeared to be a rocket-propelled grenade was fired through her window into her flat. The resulting explosion killed her son, **Matthew**, and her brother, **Kofi Nkrumah**. Her son Francis sustained injuries to his legs; her maid servant was left with a gaping wound in her head, and her mother was injured in the ribs, chest and under her breast.

7.1.3 Gifty Boham’s husband, **George Kwesi Hughes**, was a Chief Petty Officer in the Ghana Navy. On 4th February, 1982, he left home to attend to his duties at the Naval Base, Sekondi. Mutinous seamen shot him and two officers, Commanders Barnor and Adjavon, dead. The bodies were conveyed to the mortuary at the Effia Nkwanta Hospital.

7.1.4 Sgt **Joseph Aikins**, was a policeman based at Kwesimintsim, Takoradi. On 11th February, 1982, while on duty at the Apremdo Barrier, he accepted a gift of some soap from a lady acquaintance on behalf of his wife. Soldiers arrested him alleging he had taken a bribe. He was made to lie down while passengers on vehicles crossing the barrier were ordered to hit him with pieces of wood. When he became weak, the soldiers took him away and shot him dead.

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7.1.5 The worst atrocities committed by the PNDC were against members of the Military Intelligence. These men who had done their best to check the subversive activities of the coup plotters, were hunted down and killed. Many were obliged to flee from the country; those who remained were either shot on sight or, if they were lucky, kept in prison where they were subjected to brutal treatment.

7.1.6 Seidu Azaah was a staff sergeant attached to Military Intelligence at Burma Camp. In the night of 31st December, 1981, he was called by a colleague to investigate what was going on at Gondar Barracks. He was killed by the insurgents. The body was deposited at 37 Military Hospital and buried on 30th January, 1982.

7.1.7 Maj Collison was shot and killed by the insurgents in the night of 31st December, 1981.

7.1.8 Maj Nantogma was taken to the guardroom at Airforce Station in a military vehicle with an ambulance following. He was ordered to enter the guardroom. Shortly thereafter he was shot dead and the body was conveyed by the ambulance to the 37 Military Hospital. David Welbeck who was in the guardroom gave this account of the killing:

...we heard the noise of an armoured car coming towards the place. We heard that the gate was being opened. My Lord, there was a vehicle from the 37 Military Hospital Ambulance in front of the armoured vehicle. It came and stopped in front of the guardroom, my Lord. The armoured car stopped behind the ambulance. An order was given that somebody from the armoured car should come out.

My Lord, the fellow who came from the armoured car was an officer, having some tusks on his yellow cap. They brought him to the guardroom and we were three in the place. Another soldier who was fair coloured asked the officer to remove his cap. He asked him to loose his boots. He shot the officer in the chest. He went backwards and leaned towards the wall. The one who shot at the officer went outside. My Lord, when he came back, the army officer who had been shot had his eyes opened, and they were turning into several colours. He took up the gun, he shot at the forehead. My Lord, after the gunshot his cap and his brains scattered. Some of the bones scattered on the floor of the guardroom.

We were asked to take him and put him in the vehicle – ambulance. ...

We put him in the ambulance and we were asked to put his hands across the chest. We saw that he was putting on a wristwatch. I was asked to remove the wristwatch, my Lord. The stripe of the watch was in colours – red and black. We were asked to put it on his chest. We came down. The ambulance moved away.

We went back to the guardroom; we were given some kerosene to scrub the floor. In the evening we went to the guardroom and slept. ...

My Lord, I collected the pieces of the skull and then I put them by my side and I prayed. The following morning, I called Corporal Bismark and told him, “These are the pieces of the skull.” He told me I was a brave man, a strong man.

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7.1.9 Sgt Edmund Peprah, a soldier serving with Military Intelligence, was taken into custody after 31st December, 1981 coup. Following an abortive attempt to overthrow the PNDC on 19th June, 1983 he escaped from James Fort Prison. When the coup attempt failed he reported back at the Prison. Assistant Director of Prisons Wemegah, now deceased, telephoned the Castle, Osu to report of Peprah's return. A group of soldiers from the Castle went to the Prison and shot Peprah dead.

7.1.10 Cpl Samuel Gyimah, a soldier in the Military Intelligence, was taken into custody after the 31st December coup. He was detained at Nsawam Prisons. On 19th June, 1983 he escaped from the prison when the attempt to overthrow the PNDC took place. He made for the Ivory Coast border in the company of another soldier, **Sgt Arthur**, and three civilians, **Stephen Ofori**, **Napoleon Kofi Kyei** and **Patrick Kwadwo Panti**. They were arrested and brought to the Border Guard Headquarters, Accra. WO I Adjei Boadi, a member of the PNDC, went to the place of detention, brought out six detainees held there, and shot them dead. In all probability, Cpl Gyimah, Sgt Attah and the three civilians were among them. The petitioner John Gyimah submitted a letter No. MOD/1528/CAMP signed by Lt JYJ Dewotor dated 27 July, 1984 inviting him to attend a meeting of a Committee of Adjustment at Burma Camp on 31 July, 1984 in connection with the death of his brother, Corporal Gyimah.

7.1.11 Mary Gyang's twin brother **Sgt Emmanuel Arthur** was a soldier serving with Military Intelligence. After the 31st December, 1981 coup he was arrested and detained at the Nsawam Prisons. He escaped during the jail break of 19th June 1983 and in the company of Samuel Gyimah made for the Ivory Coast border. He was arrested and sent back to Accra. His wife visited him at the Police Headquarters. When she went back two days later, he was nowhere to be found. The body was later discovered at the mortuary at Korle Bu Hospital.

7.1.12 Joseph Gyekye, a Leading Seaman serving with Military Intelligence, went into exile in the Ivory Coast after the 31st December, 1981 coup. In March 1984 he was arrested while crossing the border into Ghana. He was summarily executed at the Liberation Barracks, Sunyani a few days later.

7.1.13 The PNDC was merciless in dealing with attempts to remove it from office. It had little respect for the rule of law: it permitted torture and ill-treatment as a means of extracting confessions; and, to ensure that its will prevailed, it appointed persons of dubious character and doubtful competence to head public tribunals where it churned out its own brand of 'popular' justice. Suspicion was as good as proof, and many an innocent man was sent to his death.

7.1.14 Flt Lt Samuel Asiedu (Rtd.), a businessman, was arrested by soldiers on 23rd March, 1983 and taken to the Castle, Osu, Accra where he was placed in the guardroom. The Commission received an eye-witness account that while Asiedu was in the guardroom, a soldier came in with a 2" x 2" plank of wood and hit him across the face. He fell down unconscious with blood splattering the walls and the floor. From the nature of his injuries it is unlikely that he survived this grievous assault. Asiedu has not been seen since and is presumed dead.

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Unconfirmed reports have it that the body was dumped into the sea by a helicopter flown by a pilot of the Ghana Armed Forces who is now dead.

7.1.15 Cecilia Afriyie's husband **Rockson Manu**, was a soldier in the Ghana Army based at Takoradi. In 1982 he and other soldiers were arrested on suspicion of involvement in a plot to overthrow the PNDC. He was later released. Six months later he was called to duty in Accra. One evening he was taken away from his living quarters in Accra. Cecilia was later informed of his death. The family removed the body from the 37 Military Hospital and buried it.

7.1.16 L/Cpl **Abbas Sinah** was a soldier in the Ghana Army stationed at Burma Camp. He and two other soldiers, L/Cpl Umaro and Ibrahim, were arrested on 19th June, 1983 on suspicion of involvement in the Gyiwa-led coup attempt. They were taken from the Gondar Barracks guardroom to the Airforce Station. They were shot the same day and the bodies deposited at the 37 Military Hospital Mortuary. It was later discovered that Sinah was still alive. He died in the theatre while undergoing an emergency surgical operation.

7.1.17 Cpl **Edward Ofei** and Pte **Henry Obeng**, brothers and soldiers in the Ghana Army, were said to have taken part in abortive attempts to overthrow the PNDC. They were arrested, tried by a Public Tribunal and sentenced to death. The sentences were carried out on 13th August, 1983.

7.1.18 Maj **Samuel Okyere Boateng**, was arrested on suspicion of involvement in a plot to overthrow the PNDC. He was tried, convicted and executed on 13th August, 1983.

7.1.19 **Sylvester Tanti Adomogre**, was a soldier stationed in Tamale. On 15th August, 1983 he and one **Kojo** from Paga were shot dead in the street at Adabraka, by agents of the PNDC.

7.1.20 **Anthony Kofi Yeboah** was a Corporal in the Ghana Army stationed in Kumasi. In February, 1985 he and other soldiers, including Sawundi were arrested and sent to Accra on suspicion of being involved in an attempt to assassinate the Chairman of the PNDC. He was detained at the BNI Headquarters. In the night of 28th March, 1985, Yeboah and Sawundi were removed from the Bureau of National Investigations and taken to a place where they were subjected to torture. Yeboah died.

7.1.21 Maj **John Ocran** was arrested in January, 1985 at Esiama in the Western Region on suspicion of plotting to overthrow the government of the PNDC. He was tried, convicted and sentenced to death. He was executed in May, 1985 along with Sgt Issaka.

7.1.22 Provost Sgt **Joe Issaka** was arrested at his home in Burma Camp on 6th December, 1984 and taken away. His wife Martina Atibila later traced him to James Fort Prison. His saloon car was seized and his wife driven away from the Barracks. He was transferred to Ussher Fort Prison and then to Nsawam Prisons. He was executed on 25th May, 1985 along with Maj Ocran for alleged subversion.

7.1.23 **Carlos Halidu Gyiwa**, a soldier, was arrested and placed in custody on suspicion of involvement in a plot to overthrow the PNDC. He escaped from prison on 19th June, 1983 and

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went to Broadcasting House to announce that the PNDC had been overthrown. He went into exile in the Ivory Coast when the attempt to overthrow the government failed. On 23rd March, 1984, he and others who entered Ghana were arrested and summarily executed on 24th March, 1984.

7.1.24 Martin Adjongbah, Gabriel Apatinga, Bamfo Sarkodee Addo, Abdul Mumin Malik Ibrahim, were soldiers in the Ghana Army who took part in abortive attempts to overthrow the PNDC. They were arrested and summarily executed at the Airforce Base, Accra along with Halidu Gyiwah. Corporal Daniel Opare Sarpong who was an eyewitness gave this chilling account:

When we were about to embark the plane, I saw Alidu Gyiwa, Sarkodie-Addo, Trooper Gyabaah, one Bismark Apatinga and then, I think, in all they were six. When we were in the plane, they were all six in number whereby people had been put in thick type of shackles like the one they used to put, chain Sampson. Very, very big, big ones. Sarkodie-Addo and some other people and Gyiwa and some other people. Meanwhile, Gyiwa, he had been fired on the left thigh like this whereby blood was just oozing on the ground. ...

So, Sir, by His own grace, we were able to get to Accra, Airforce Station. ...

So, later, we were in the room when they started calling Ajongba and Malik...

After finishing with Ajongba and Malik, one Riad, a Lebanese man that I know who happened to live at our place there, Airport Residential down there. He was videoing the whole thing and he only come in to tell you that "It is your turn, go". Then you see them going to kill human beings like fowls. ...

it was there when, whenever Riad comes, he will send me to Lt. Commander Baafour Assasie-Gyimah's place. By then they've set up a panel. ... It consist of one Mr. I. B. Quantson, who was formerly a BNI director. He was with them, Assasie-Gyimah, ... So, they were judging the people and the judgement wasn't all that serious that you will only go to the room for about two minutes, three minutes, all of a sudden, before you hear, you hear the bullets just crying over there at their so called Gaddafi Camp.

7.1.25 Comfort Odeibea's husband, **Bismark Seth Owusu**, was a Corporal in the Ghana Army. He left his station, Takoradi, to visit L/Cpl Sarkodee Addo at Asamankese. The two went to Togo. Comfort visited them there. Since then nothing has been heard of Owusu. He is believed to have been executed along with Gyiwa and Sarkodee Addo.

7.1.26 Alex Apana was a soldier in the Ghana Army based at Burma Camp. Late one evening in 1984 soldiers went to his quarters and called him. He left his wife Abiba Frafra and their children and went away with them. When after two days he had not returned, Abiba went looking for him. His body was eventually found in the mortuary at Korle Bu Hospital. He had been shot in the forehead and chest.

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7.1.27 John Ofori Wilson, a businessman, was arrested by soldiers in his house in Accra on 24th March, 1984 and taken away. Members of his family mounted a search for him. At Gondar Barracks in Burma Camp the family saw Wilson's Mercedes Benz car which was taken away at the time of his arrest parked in front of the PNDC office. Further enquiries by Wilson's brother, ex-S/Sgt Emmanuel Oko Wilson took him to the 37 Military Hospital, Accra where he found the body of John Wilson in the mortuary. He had a bullet wound in his left breast and some of his fingernails had been removed. For the role he played in discovering the body of John Wilson, the S/Sgt was immediately ordered to proceed on posting to 2 Brigade in Kumasi. The body was not released to the family, nor was the Benz car. Evidence received by the Commission from a former member of the security services indicates that John Wilson was suspected of complicity in a plot to overthrow the PNDC and that he was executed.

7.1.28 Margaret Darko's husband, Cpl James Ankomah, was a soldier with the 2BN, Takoradi. Sometime in March, 1984 he left his quarters at Apremde Barracks and did not return. Rumours had it that he had been shot dead and the body left at Kasoa. Margaret went to Kasoa and upon information proceeded to the 37 Military Hospital, Accra where she found the body. The Military ejected Margaret from her husband's quarters and seized an amount of 120, 000 CFA found in his room. Margaret was refused his pension and gratuity on the ground that Ankomah deserted his post.

7.1.29 Godwin Mawuli Dra-Goka, Kyereme Djan, Yaw Brefo Berko, Samuel Boamah Panyin, Private Charles Koomsoon, WO I Samuel Aforo, were charged with subversion before a Public Tribunal, convicted and sentenced to death. The sentences were carried out on 21st June, 1986.

7.1.30 Joseph Ocansey Numo, a Ghanaian resident in Italy, came home on holidays. On 6th March, 1989 he was arrested at the Accra Sports Stadium on suspicion of plotting to assassinate the Chairman of the PNDC. He was shot and killed while allegedly trying to escape from custody at the BNI. He was unarmed. In 1995, the government made an ex gratia payment of one million cedis to his family.

7.1.31 William Koffie Domie was a Flight Lieutenant in the Ghana Air Force. Originally stationed at Takoradi, he had been brought to Accra to join the security apparatus of the government of the PNDC. He was later arrested and placed in the custody of the BNI on suspicion of being involved in a plot to overthrow the government. On 29th September, 1989, while still in custody he died. An 'Interim' post mortem report signed by Lt Col Wadhwani gave the cause of death as "Asphyxia by hanging" and expressed the opinion that Domie committed suicide. Although Lt Col Wadhwani stated that he issued a final post mortem report, he was unable to produce it. For unexplained reasons, the body was not released to the family until some ten months later. Photographs taken of the body show wounds in the right armpit, the arm and cuts on the back. His ribs and jaw were said to be broken and he had lost some of his front teeth. The Commission is satisfied that if, indeed, Domie hanged himself this was after he had been subjected to the most cruel tortures. However, the possibility cannot be ruled that he died while under torture and that the hanging was stage-managed as a cover-up.

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7.1.32 The soldiers showed the same lack of respect for human life when it came to dealing with private individuals. Sometimes civilians were shot and killed for no apparent reason; sometimes it was done in the course of stealing.

7.1.33 Mary Afriyie re **Anthony Kwaku Boakye** In 1982, after Boakye had seen his wife, a white lady, off at the airport, Accra, Boakye was returning home when soldiers stopped his vehicle, shot him dead and took the vehicle away.

7.1.34 **Isaac Kweku Johnson**, popularly called 'Boye' Johnson, a sailor by profession, also traded in electrical appliances which he bought at the harbour. On 21st January, 1982 soldiers from the Apremo Barracks went to Boye's house in Takoradi to look for him. When they did not find him they arrested his wife Georgina. As they were leaving with Georgina, Boye came to the house. The soldiers shot and fatally injured Boye. He was conveyed to the Effia Nkwanta Hospital where he died.

7.1.35 Georgina Eshun re **Meshach Lord Manteaw** After the military personnel had shot and killed "Boye" Johnson on 21st January, 1982, they went in search of his friend, Colerangle. In their search they went to the Takoradi residence of Manteaw. In spite of his protestations that he was not Colerangle, one of the soldiers shot him. He was taken to the Effia Nkwanta Hospital where he died on the same day.

7.1.36 **Joseph Yinye** a soldier went to the house of Yinye at Effiakumah, Takoradi at about 8.30 pm when a curfew was in force. He knocked on the door and when it was opened he fired a shot which passed through Yinye's left arm and went on to hit his wife, **Dansuruma**, in the stomach killing her.

7.1.37 **Patrick Kodzo Dzakpasu**, a teacher, was traveling with pupils from Dzodze to Agbozume on 6th June, 1983 when at a road barrier mounted by Border Guards at Kpoglo he was attacked by Christian Sokpoli a guardsman who hit him several times in the abdomen with a gun. Patrick underwent a surgical operation at the St. Anthony's Hospital at Dzodze. He died a day later.

7.1.38 Robert Kpalam's mother, **Margaret Kuwornu**, was shot and killed when Police went to the Songor Lagoon to arrest illegal salt winners. At the time Margaret was seven months pregnant. It was also on this occasion that Amarkwor Anim sustained her injuries.

7.1.39 Simon Agbomadzi and his brother, **Roger Agbomadzi**, were farming at Gangan in the Assin District. Following an exchange of words between them and Nana Kwadwo Fri, Chief of the village, in November 1982, over the destruction of their farm by the chief, soldiers from the Achiase Jungle Warfare Training School came to effect their arrest. In the course of the arrest a soldier shot Roger in the back. Roger was seriously injured, but did not die. Three days later, the soldiers went back to Roger's cottage and shot him in the head and killed him..

7.1.40 Salifu Nombre re **Seidu Salifu**, On 21st January, 1982 at Takoradi soldiers and airmen went to Kokompe in Takoradi, rounded up some of the artisans and began to maltreat them.

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Salifu Nombre's son Seidu Salifu, who had gone to Kokompe to visit a friend, was made to join the artisans who were forced to roll on the ground and drink dirty water from the gutters. When Seidu refused to drink the dirty water he was shot and killed by one of the airmen.

7.1.41 George Kobina Okai Grant was a member of the PDC at Mataheko, Accra. On 21st September, 1982 he went to the Greater Accra Regional Administration to collect chits for flour. While there he was shot and he died on the spot.

7.1.42 Agnes Okyere On 20th May, 1983 Agnes and her husband, **Ahmed Kuta**, were being driven by a friend at Nima, near the taxi rank when a dispute ensued between their friend and the occupants of a leading vehicle over the right of way. The occupants who were soldiers shot and killed Kuta. Agnes sustained a hip injury when after being kicked she fell down. Agnes now limps on the left leg.

7.1.43 Harrison Tetteh Mensah, an employee of a stevedoring company at Tema, was on 31st December, 1985 shot and killed by Awuni Ayamba, a militiaman now in Holland.

7.1.44 Kwame Kumi, an employee of the Pharmacy Department of the Effia Nkwanta Hospital, was shot and seriously wounded at Kweikumah, Sekondi on 18th November, 1982 when returning from his farm. He was found by his friend, Osei, a Naval Officer, now deceased, who informed his wife, Akosua Tegyaaba, and assisted her to convey him to the Hospital. Kumi died on the same day.

7.1.45 Winifred Hagan, lived in a house in Takoradi opposite that of one Amissah. On 15th January, 1983 Amissah invited a naval rating to his house to instil discipline in his son who, he claimed, did not show him enough respect. When the boy saw the armed rating in the house, he ran over to seek refuge in Winifred's house. The naval rating called on the boy to halt, and when he did not, fired a shot at him. The shot hit Winifred's son, **Andrew**, in the shoulder. Andrew died on the way to Effia Nkwanta Hospital.

7.1.46 Adwoa Maanan's husband, **Ekua Cobbina**, was travelling from Enyan Manmu, in the Central Region, to Enchi, in the Western Region, when soldiers stopped the vehicle at Bodie and demanded that the passengers alight to assist in carrying cocoa. When Eku protested that he was unwell, the soldiers hit him with the butt of their rifles on the head and ribs. Eku became unconscious and was taken to Enchi Hospital where he died.

7.1.47 James Aboagye Nyameke's uncle, **Peter Nda Cobbold**, an ex-serviceman, intervened in a quarrel between some soldiers and a local man at a village near Ainyinase. The soldiers took offence and attacked him with the butts of their rifles. Peter became unconscious and died before he could be taken to the hospital.

7.1.48 Samuel Kofi Larteef, a cattle dealer and owner of fishing trawlers, had had business dealings with the Ghana Army since 1982. In 1986, he had cause to dismiss from his employment Maj S. S. Hayford (Rtd.) whom he had engaged as Manager. Hayford sent word to the military authorities that Larteef had been cheating them. Larteef was arrested and detained at

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the Castle, Osu, Ussher Fort Prison and, finally, at Nsawam Prisons, all in an effort to extract from him the sum of ₵109 million. Larteeef's health deteriorated and he died at the 37 Military Hospital on 12th July, 1987. The military then took over his fishing vessels and placed them under the management of Maj Hayford. The vessels are now nowhere to be found.

7.1.49 Joseph Kwaku Addai, a sales manager of GNTC, was arrested by soldiers in October, 1983 and taken to Gondar Barracks. He died three days later. A post-mortem examination conducted on the body had the following findings:

We came across numerous instances of civilians being arrested and taken to Gondar Barracks where they were ill-treated. Some were repeatedly slapped, beaten with the butts of rifles, made to leap frog and roll on gravel. Besides the guardrooms had no beds or sleeping materials and prisoners were compelled to sleep on the bare floor. The treatment meted out to Addai at the Barracks and the conditions under which he was detained undoubtedly contributed to his untimely death.

7.1.50 Nana Ntsiful Asase II's daughter, Susanna Intsiful, died in 1983 when a soldier who had gone to Nana's palace at Bonsa, near Tarkwa with one Obeng Yaw in connection with a land dispute struck her in the ribs with his rifle.

7.1.51 Kwame Amevor Korpedo, a Policeman, vacated his post and went to live in a village near Aflao in the Volta Region. In January 1982, while traveling from Denu to his village on a vehicle which was being used to smuggle tomatoes to the Republic of Togo, customs officers fired on the vehicle as it sped across the border. Korpedo was hit and died instantly. These facts are in a Police Report dated 5th February, 1997. The death of Korpedo, an innocent passenger on board a vehicle being used for smuggling goods across the border, is regrettable.

7.1.52 John Tei Kugblenu, Editor of the *Free Press* newspaper, was arrested and placed in custody under the pretext that he had some connection with soldiers who tried to overthrow the PNDC on 19th June, 1983. He was released from prison on 23rd June, 1984 a broken man. He showed signs of mental instability and was taken to the Psychiatric Hospital, Accra on 17th August, 1984 where he died on the same day.

7.1.53 Mariama Sayibu's son, Ibrahim Mahamadu, was shot and killed by soldiers during the burning of the Tamale Central Market on 8th February, 1982.

7.1.54 Salamatu Mahama's brother, Abdul Rahman, nicknamed 'Bob Marley', who was mentally deranged, attempted to pluck a finger of plantain from the burning fire at the Tamale Central Market. He was shot and killed by soldiers supervising the destruction of the market.

7.1.55 On 26th May, 1991 policemen in a taxi pursued **Mohammed Salisu** who was on a motor bicycle and riding towards Sankpagla on the Tamale-Kumasi road on suspicion of carrying smuggled goods. When he reached a Police barrier he drove on. The Policemen continued the chase and eventually ran the taxi into the motor bicycle. Salisu died of his injuries. The fact that Salisu failed to stop at a Police barrier when he knew that he was being pursued makes him partly responsible for his own death.

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7.1.56 Gundaana Adam Issaka's son, **Abdul Samadu Adam** a porter at the Aboabo Timber Market, Tamale, was shot and killed by soldiers who seized money he and his friends had made from the day's work.

7.1.57 Abu Kotochi, his brother, **Afoli Kotochi**, and one Bawa Zien, residents of Damongo, went hunting in the forest in November 1988. They killed an elephant. In a confrontation with guards in the Forest Reserve, Afoli was shot and killed. Abu and Zien were arrested, prosecuted and sentenced to five years imprisonment each for flouting wildlife regulations. The killing of elephants which are an endangered species is illegal not only in Ghana, but in many countries as well. It is such a lucrative trade that many hunters are prepared to risk their lives in its pursuit. Armed guards are often confronted by armed gangs of hunters and there are casualties on both sides.

7.1.58 Jacob Kofi Twintoh re **Kodwo Damoah**, On 12th February, 1992 policemen went to Eguafo to arrest persons engaged in illegal gold mining ie. 'galamsey'. In the course of the operation ASP MacCarthy shot and killed Jacob's brother, Damoah.

7.1.59 In 1985, soldiers led by Sgt Avornyo went to Bekyere near Manso-Wassa and seized a large tract of land. In the course of the confrontation with the villagers, the soldiers hit Kwasi Nyarko's father in the chest with the butt of their rifles. He began to cough blood and died a few months later. Nyarko's brother, **Obimpe** was shot and killed. Avornyo's family is still occupying the land.

7.1.60 David Namlebigya re **Kofi Bugaya**, on 21st January, 1982, Bugaya was shot dead by four soldiers in front of Zenith, Takoradi. He was 18 years old and an employee of Prempeh Cinema.

7.1.61 On 21st January, 1982, Baba Tongo's son, **Yinsee**, was shot and killed at Effiakumah Zongo, Takoradi, by two men in Airforce uniform.

7.1.62 On 2nd February, 1982, Sabina Cobbinah's **husband**, a driver of the Produce Buying Division of the Cocoa Marketing Board was shot and killed in Sefwi by one of two armed soldiers accompanying him to cart cocoa to the port.

7.1.63 Samuel Kwabena Ntaamah, was an employee of the P & T Department at Dunkwa-on-Offin. One evening, during curfew hours, following the 31st December, 1981 coup, he was having his bath at the back of his house when he saw a vehicle carrying airmen from the Takoradi Airforce Station. Apparently, the airmen had been posted to Dunkwa to enforce the curfew. Samuel panicked and ran into his room. The airmen went to the house and fired shots through the door killing him.

7.1.64 Abeka Rockson re **Alberta Rockson** On or about 3rd January, 1982 at Darkuman, Accra, petitioner's niece, six-year-old Alberta, was playing in the open yard in the house when soldiers passing by who were firing their guns randomly fired a shot which struck Alberta in the head. She died while being conveyed to the hospital.

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7.1.65 Godfred Odame Kissi re Odame Kissi In 1983 soldiers went to the house of petitioner's father at Roman Ridge, Accra and ejected him and his family. In the course of ejecting him he was assaulted with their fists and the butts of their rifles. When he complained of thirst the soldiers gave him dirty water which had been used for washing clothes to drink. The soldiers took him away and he returned to his family the following day. He fell ill and was taken to Korle Bu Hospital where he died some six weeks later.

7.1.66 Kwadwo Boahen Fosu was shot dead at a village near Nkoranza for breaking the curfew. At the time Fosu was rushing his young nephew who was suffering convulsion to a herbalist. He had obtained a pass from the police.

7.1.67 Kofi Amponsah In 1982, there was a free-for-all fight at a football match between two villages, Yaakrom and Kofi Asua, on the border with the Ivory Coast. Border Guards personnel went to bring the situation under control. Blows were exchanged between Kofi Amponsah and some Border Guard personnel. Later that evening as Amponsah was leaving his house a Border Guard called Namongo shot him dead. Namongo was tried, convicted and sentenced to death.

7.1.68 Rexford Osei Achamfour was an employee of the Ghana Commercial Bank, Circle Branch, Accra. In 1985, he was arrested and charged with economic crimes. He was tried by a public tribunal and sentenced to death. He appealed, but three days later the sentence was carried out.

7.1.69 Ama Ampofowaa's husband, Kwame Nkrumah, a druggist, was arrested by soldiers for selling paracetamol tablets above the controlled price. He was brutally assaulted and taken to the military barracks in Kumasi. He died at the barracks on the same day.

7.1.70 Paul Kofi Korang also known as Nana Antwi Komaa, Dabehene of Manso Nkwanta, was arrested on 21st September, 1984 on suspicion of stealing stool regalia belonging to the Omanhene of Manso Nkwanta. He was brought down to the military barracks in Kumasi. He is reported to have been subjected to ill-treatment at the Manso Nkwanta Police Station, Central Police Station, Kumasi and finally at the Military Barracks, Kumasi. He died on 3rd October, 1984. The real culprit was later found.

7.1.71 Nana Owusu Yeboah was among a group of students conscripted to assist in the evacuation of cocoa. In the course of this exercise, Nana fell from a vehicle at New Edubiase, near Obuasi and died.

7.1.72 Alex Aggrey was an employee of Swiss Air. On 7th December, 1982 while he was supervising the loading of bullion onto an aircraft at Kotoka International Airport, a policeman fired a shot which killed him instantly.

7.1.73 Joseph Atuinab Atuilik re Alhassan Aturnab Atuilik was the cook of the Managing Director of Construction Pioneers, a foreign-owned company. On 29th June, 1989, the company's driver came to fetch Alhassan from his home. Later, his family learned that he had

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been detained at the Castle, Osu. His son and daughter visited him and found him in poor physical condition. His hair had been shaved and he was bleeding from the nose. On 1st July, 1989 his wife received information that Alhassan was dead and the body had been deposited at the 37 Military Hospital. She collected the body for burial.

7.1.74 Alhaji Iddrissu put up resistance when soldiers went to his family's farm, near Bimbilla to seize the family's tractor in November, 1982. The soldiers attacked him and his brother, Awudu Alhassan, beating them with their fists and the butts of their rifles. Iddrissu died from his injuries the same day.

7.1.75 Michael Kwadwo Asante was putting up a building at Agona Swedru. To avoid a charge of hoarding, he had registered his stock of building materials with the District Council. While arranging for a taxi to collect cement to his building site, he was joined by an airman of the Takoradi Airforce Station who went by the nick-name 'Killer'. After riding with him for a short distance, the airman asked Asante to come out of the vehicle. He shot him dead. This was on 12th February, 1982.

7.1.76 Georgina Mensah's husband, **Solomon Nyarko**, was a police corporal stationed at the Police Headquarters. In January, 1992 he left home for work and never returned. Georgina was later told that Nyarko was dead. However, his body was not surrendered to the family.

7.1.77 Margaret Arthur: On 14th September, 1985 one Edumadwen went with soldiers to Gomoa Swedru Achiase to recover a debt of ₵4000 from Margaret's husband's father. Margaret's husband, **Yaw Benyin**, explained that his father was not in. He took them to his aunt's house to see if he could find him but did not. Thinking that Benyin was deliberately being obstructive, one of the soldiers shot him dead. The soldiers conveyed the body to Winneba Hospital.

7.1.78 Maxwell Asamoah: In 1992, elders of Nyanponase, Asante Akim went with a militiaman to arrest petitioner's uncle, **Kwasi Krobi**, for damming a river. When he refused to go along with them the militiaman fired a shot hitting him in the hip. He bled to death.

7.1.79 Kwabena Mensah: In June, 1983 petitioner's 12-year-old son, **Yaw Gyasi**, was found murdered in a well at Fadama, Accra. He alleges that the young boy's tongue, heart and genitals had been removed. The police deposited the body at Korle Bu Hospital. The body has since not been seen. The police believe that it may have been mistakenly buried with other 'unclaimed' bodies. This appears to have been a ritual murder. The possibility cannot be ruled out that the perpetrators were responsible for the removal of the body from the hospital.

7.1.80 Grace Lamiokor Adjebu: On 19th June, 1982, soldiers on price control inspection at the Kaneshie Market fired a shot at a young boy who was selling biscuits. The shot missed the boy, but hit Grace who was left to bleed to death.

7.1.81 Solomon Appiah petitioned that in 1980 when he was six months old, soldiers went to his home and shot his father, an Accountant at Valco, dead over some documents which, they said, were in his possession. His mother who intervened was also shot dead. According to Appiah

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this story was narrated to him by one Salifu, a Nigerian, into whose care his mother delivered him before she died. Salifu went back to Nigeria and died. Enquiries at Valco have failed to confirm the position of Appiah's father or the incident as narrated to him by Salifu.

7.1.82 In 1983, Matilda Gyamfi's father, **Anthony Djan**, was shot and killed by a soldier at Tema.

7.1.83 Awuku Adodoadzi was shot by armed men believed to be connected with Vacuum Salt Company Limited at Bornikorpe. He was taken to Battor Hospital for treatment, but died after six months.

7.1.84 Kofi Yentumi, During disturbances over the extension of Krachi District to cover Dambai and Asukawkaw, militiamen sent to the area by Alhaji Salisu Bio, District Secretary, shot and killed Kofi Yentumi.

7.1.85 Samuel Asaah Mends lived with a Tarkwa gold dealer called Anaman. In 1982, a group of soldiers led by one who went by the nick-name, 'Killer', went to Tarkwa in search of Anaman. They met Samuel who told them he did not know where Anaman had gone. The soldiers set upon Samuel and hit him with the butt of their rifles. A bayonet was used to pierce his anus. Samuel was then taken to the mining area, shot and thrown down a disused shaft.

7.1.86 In November 1982, Yaw Frimpong's wife, **Akua Badu**, joined a queue at Wamfie, Brong Ahafo to buy kerosene. While she was waiting to be served, a border guardsman on duty at the station fired a shot which hit and killed her.

7.1.87 Akosua Tonko lived at Nsawam with her son **Kwadwo Obeng**. In the middle of the night on 20th April 1983, they were woken up by three soldiers. The soldiers arrested Obeng took him out of the house and shot him dead. The soldiers re-entered the house, collected Obeng's personal belongings and set them on fire. Out of fear Akosua stayed in doors and came out the next morning to collect the body for burial. A report was made to the police at Nsawam but nothing came of it.

7.1.88 Kwadwo Amponsah's son **Samuel Atuahene**, a teacher at Ofinso Training College was stopped by soldiers while on his way to work in March, 1982 and compelled to join others to carry cocoa. He joined a vehicle and was driven away. On his way back home the vehicle was involved in an accident. Atuahene sustained injuries from which he died. Later the PNDC gave ₵150,000 to his family as compensation. Atuahene left behind a wife and two children.

7.1.89 Kofi Darkwa's father **Henry Kwabena Nyamekye** was a retired Staff Sergeant of the Ghana Army. On 6th February 1982 soldiers went to his house at Aboabo, Kumasi, to effect his arrest. He was then away from home. The next day his family received word that he had been shot dead and the body deposited at the KATH mortuary. The body was recovered and buried.

7.1.90 Robert Quarshie, a Principal Accounting Officer of the PBC of the CMB, lived at Nungua, Accra. On 1st February, 1987 he was seen loitering about at the Trade Fair Site, Labadi

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in the early hours of the morning. Security men arrested him and took him to W O 1 Salifu Amankwah at his base at the Nkrumah Circle. After accusing Quarshie of being a thief, Amankwah ordered him to be flogged. Quarshie died in the course of the flogging. Amankwah was charged with murder, tried and convicted. On 12th November, 1987, he was sentenced to death. On 24th December, 1987 the Chairman of the PNDC granted him a full pardon and he returned to his post at the Nkrumah Circle. In 1995 the PNDC made an ex-gratia payment of ₵1,500,000 to Quashie's widow, Dora Borteley and his children.

7.1.91 Kwabena Agyenim Boateng: In 1982 during curfew hours, soldiers led by Commander Sowah chased a young man into a house at Kwabena Nkwanta, near Manso. The petitioner's nephew, **Yaw Asare**, who was asleep in the house, woke up and on hearing of the presence of soldiers tried to run away. He was shot and died instantly. The body was conveyed to the AGC Hospital at Obuasi.

7.1.92 Patrick Kwabena Yeboah's father, Jackson Kofi Mireku, was a labourer employed by the VRA at Akosombo. In 1985 he came under suspicion when there was a theft at the workplace. He was arrested by soldiers and badly beaten up. His son, Patrick, then 13 years old saw him, as did his wife Georgina Afia Kyerewaa and his niece Comfort Dankwa. They were agreed that he was taken to the Akosombo Hospital for treatment. He died a few days thereafter.

7.1.93 Emmanuel Kwadwo Akyea Danso lived at Aburi, Eastern Region with his wife **Grace Akua Darkoa**. Grace sold kenkey at a night market at Aburi called Aboagyewee. On 20th February, 1983 at about 8.30 p.m while Grace was breast-feeding her three-month old baby boy, **Richard Kwadwo Amoah**, at the market, S/Sgt Kwadwo Abona of the Ghana Air Force who was engaged in an altercation with a man fired a shot which missed its target but instead hit the baby in the mouth, passed through the baby and through Grace's breast and made an exit through her back. Both mother and child were rushed to Mampong Hospital. Grace died on the same day. The baby was discharged after three months.

7.1.94 Frederick Tuffour Following a report to the police at Sefwi Wiawso, Western Region that the petitioner had threatened certain persons with a gun, police were sent to his home at Sefwi Dwenase to effect his arrest. When the police came, he was with his wife and one-year-old child. According to the petitioner his wife became frightened and ran out of the room with the child. The petitioner claimed that the child became ill and later died.

There is no causal connection between the arrest and the death of the child.

7.1.95 Alice Adwubi lived with her husband, **Stephen Kwame Appiah** at Kofi Pongo, near Sefwi Asawenso in the Western Region. On 30th September, 1982 two young men at the village were arrested by Sgt Opoku of the 2Bn Takoradi. Appiah interceded for the arrested persons. While Appiah was pleading for the men who had been ordered by Opoku to load plantain onto a truck, information reached Opoku that the men had escaped. Opoku became furious. He shot and killed Appiah. A report was made to the police at Asempaneye of the incident. Although Opoku was arrested he was not prosecuted.

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7.1.96 Gifty Abia Amegbletor a 12-year-old girl was arrested at the Nsawam Market on 18th July 1990 by Daniel Otchere and Jones Dakurah, militiamen who accused her of stealing a gallon of cooking oil. Gifty denied the charge. The militiamen took Gifty to the toll collectors' office where they caned Gifty until she confessed to having stolen the cooking oil. She was released and went back to her mother's stall in the market. While there Agnes Amanor, the owner of the stolen cooking oil went to the stall and on seeing Gifty sitting with her head on a table banged her head on the table several times. Later in the day, Gifty became unconscious. She was taken to Nsawam Hospital where she died.

7.1.97 Mohammed U-Amil's father **Abdulai Mosi** was a Sergeant in the Police Service. When he retired he moved into his own house in Kumasi where he lived with his wife and children. One Bonsu who had rented a room in the house for a shop engaged Mosi as a night watchman to guard the shop. In early 1982, a Cpl Azumah brought out a knife and stabbed Mosi in the stomach. Mosi died. Azumah was put in a guardroom at the Barracks but was later released.

7.1.98 In 1984 Kwamena Awotwe's son, **Kweku Prah**, a fisherman, was shot and killed at Cape Coast by policemen who alleged that he had attacked them. A letter, No. CCB.17Vol.50/83 of 28th February, 1984 signed by F. E. Creppy, Chief State Attorney, Central Region and addressed to the Deputy Commissioner, Ghana Police, Cape Coast suggested that Prah was mentally ill. The Chief State Attorney criticised the police for placing him in cells after he had been shot instead of sending him to the hospital.

7.1.99 In March 1983 Pius Kuuteghe's uncle, **Tom Kuunno**, was shot and killed by soldiers at Hamile, Upper West region on suspicion of being engaged in smuggling goods across the border. The body was taken to Nandom and openly displayed to the public. It was later released to his family for burial.

7.1.100 In 1984, Namoo Bayigwanamu's brother **Charles Namoo** was stabbed at Paga by Border Guardsman during an altercation over a kitchen stool at a video show. He died instantly. Although two persons were arrested they were later released.

7.1.101 Constance Holu's husband, **Cpl Osmanu Yakubu** of the 5th Battalion, Burma Camp, Accra was killed during the fighting leading to the overthrow of the Limann government on 31st December, 1981. Constance was paid gratuity and receives a widow's pension.

7.1.102 Asabilla Apaaba petitioned that in 1983 his brother **Akanpelige** was selling Bolgatanga-made baskets and hats at Tema when some soldiers approached and asked of the prices. When he told them they complained that the prices were too high. They then set upon him beating him with their fists and the butt of their rifles. Akanpelige sustained injuries to his ribs and right eye. He was taken to hospital where he underwent an operation for the removal of the eye ball. A week later he died.

7.1.103 Moses Asekabta In 1983 the petitioner's brother **Adolikum Asekabta** was shot and killed by Police Constable Kofi on the Sandema-Wiaga motor road. Kofi's explanation for the killing was that Asekabta and others were smoking Indian hemp and when they were challenged

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the deceased lunged at him with a knife. Even if Kofi's story is true he should have shot the deceased in the leg and not in the stomach.

7.1.104 Alima Fuseini In 1987, Alima's husband **Fuseini Ayarka** was engaged by Yakubu Agartey to guide a donkey cart loaded with maize from Bolgatanga to Namoo in Bongo District. Ayarka was intercepted by miitiamen and badly beaten up. He was admitted at Bolgatanga Hospital for treatment. After one month he was discharged, but died three days later.

7.1.105 Andrews Kwasi Ampofo lived at Offinso, Ashanti. On 19th March 1982 he went out in search of a vehicle to take him to Accra. While standing by the side of the road, armed soldiers came upon him and ordered him to accompany them to a nearby village, Mmonsua, to carry cocoa into a waiting truck. Ampofo had no choice but to agree to accompany the soldiers. After assisting in evacuating the cocoa, Ampofo embarked on the journey back to Offinso in one of the trucks. On the way the truck was involved in an accident resulting in the death of Ampofo. Although the PNDC bore the cost of Ampofo's funeral, no compensation was paid to his family. He is said to have left behind a wife and three children.

7.1.106 Emmanuel Opoku Addai was a Principal Commercial Officer of the Ministry of Trade. In 1977 he was posted to the Ghana Embassy in Algiers, as a Commercial Officer. On 7th April, 1983 he and his wife Akua and their children Adjoa and Kojo died in circumstances believed to be accidental but which have not been definitively established. Early messages from the Embassy in Algiers indicated that the accident may have been caused by a gas leakage. However, the Algerian authorities who were said to be investigating the cause of death do not appear to have submitted a formal report on the matter. The Ministry of Foreign Affairs acknowledges that death gratuity is payable and have now put in hand arrangements to have the money paid.

7.1.107 Beatrice Aku Aidam petitioned the Commission in respect of the death of her husband **Emmanuel Aidam**, Managing Director of the National Investment Bank, Accra which occurred on 3rd September, 1988. A post mortem report of 21st September, 1988 signed by Lt Col J. M. Wadhwani of the 37 Military Hospital indicates that Aidam died of unnatural causes. At the time of his death, there were suggestions that Aidam may have committed suicide but no convincing reasons were given for that view. It is necessary that a proper investigation be carried out into the death so as to bring those responsible to justice.

7.1.108 In 1983 Grace Adobea's husband **Kwadwo Kyei** was shot dead by Pte Kwame Afriyie at Samponkrom, near Obuasi for no apparent reason. Afriyie was put on trial at the High Court, Kumasi and sentenced to 7 years imprisonment.

7.1.109 In 1983, Victoria Essien's husband, **Charles Amankrah**, alias Duku, was asked by his sister, Yaaba, to seek out and warn their brother, Bentil, that his adversary, Yaw Obeng, had brought soldiers to Bonsa, near Tarkwa to arrest him. Obeng and the soldiers intercepted Amankrah at Dompim. The soldiers struck Amankrah with the butt of their rifles causing him serious injuries from which he died.

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7.1.110 Abdulrahmani was proprietor of a hotel in Kumasi called Amasachina. In February, 1982 soldiers went to the hotel and arrested him and searched the hotel which was also his home. As he was about to join them to go to the barracks they shot him in the back killing him. The soldiers took away two bags of rice, a carton of mackerel and a bag of sugar. They also took away two sewing machines belonging to his daughter Ayishetu.

7.2 ABDUCTION AND DISAPPEARANCE

7.2.1 Cpl Timothy Anapalum of the Ghana Army returned from peace-keeping duties in the Lebanon in 1982 and reported to his Unit, the Field Engineers, at Teshie. Later, his family received information that he had disappeared. When his brother, Gregory, went to the Barracks, the disappearance was confirmed and he was given his brother's belongings to take home to Bolgatanga.

7.2.2 Emmanuel Asiedu, a friend of Capt Edward Ampofo (Rtd.), was arrested on 16th June, 1983 by soldiers searching for the Captain who was alleged to be plotting to overthrow the PNDC. He was taken to the Castle and detained in the guardroom. Duut, Ampofo's servant, who had also been arrested and was detained at the Castle, saw him there. Emmanuel never returned home. The case of Flt Lt Samuel Asiedu who disappeared in similar circumstances is sufficient reason for believing that he died or was killed at the Castle and the body disposed of.

7.2.3 Emmanuel Owiredo Aboagye, a soldier serving in the Military Intelligence, was taken into custody after the 31st December, 1981 coup. He escaped from Ussher Fort Prison on 19th June, 1983. When the attempt to overthrow the PNDC was foiled, Aboagye reported back to the Prison. He has not been seen since and is believed to have been shot and killed..

7.2.4 Joseph Larbi, a Staff Sergeant attached to Military Intelligence, was taken into custody after the 31st December, 1981 coup and detained at Nsawam Prisons. He escaped on 19th June, 1983 when the gates were forced open by those involved in the attempt to overthrow the PNDC. Nothing has been heard of him since. The summary executions of escapees which took place at the Border Guard Headquarters and at the James Fort Prisons, as well as the evidence of Twumhene, satisfy us that in all probability he was executed on surrender or capture.

7.2.5 L/Cpl Samuel Amoyaw, a soldier, was arrested at his home in Accra on 19th June, 1983 after the attempt to overthrow the PNDC had been foiled. He has since not been seen.

7.2.6 Comfort Yeboah's husband, WO Martin Bediako Frempong, was in the Military Intelligence. Following the 31st December, 1981 coup he fled into exile in the Ivory Coast. He returned to Ghana in 1983 to attend his father's funeral. While here, the coup attempt of 19th June, 1983 took place. Frempong was arrested and has not been seen since.

7.2.7 Kwame Adjimah, was a staunch supporter of the PNDC. He was what was then known as a 'cadre of the Revolution'. By 1983 he had fallen out with the regime. He was arrested and incarcerated at the Ussher Fort Prison. On 19th June, 1983 following the abortive attempt by

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Gyiwa and others to overthrow the PNDC, Kwame escaped from prison. He was re-arrested while making his way to Togo and has not been heard of since.

7.2.8 Isaac Torpo In 1988, Torpo, a corporal in the Ghana Army based in Kumasi, informed his wife, Philomena Sey, that he feared arrest. He left their residence and has not been heard of since.

7.2.9 Agnes Owusu's husband, Thomas Boampong, was a Staff Sergeant attached to the Military Intelligence and stationed at Ho. Following the 31st December, 1981 coup, he was arrested and sent to Nsawam Prisons. He has not been seen since.

7.2.10 Margaret Akosua Agyeman's husband, Kyei Twumasi, of the Ghana Air Force, was arrested at his home in Accra and taken away. He has not been seen since and is presumed dead.

7.2.11 Akosua Afrakomaa's daughter, Abena Tiwaa was arrested on the Ghana-Togo border in 1983 for evasion of customs duty. After a year in custody at Ho, she was brought to Accra for trial. She was kept at the James Fort Prisons. On one of Akosua's regular visits to James Fort to see her daughter, she was told that Abena had been released. Abena never came home and her whereabouts are unknown.

7.2.12 Margaret Afful's husband, John Christian Hagan, an employee of Rothmans Tobacco Company Limited and Chairman of the local WDC was arrested in 1985 and taken to Gondar Barracks. Margaret visited him at the Barracks. He had been badly beaten up. Hagan has since not been seen.

7.2.13 Francis Anku was a Corporal in the Ghana Army. He served in Lebanon on peacekeeping duties, returning home in September, 1983. He has since disappeared and is believed to have been killed for alleged involvement in a plot to overthrow the government of the PNDC.

7.2.14 Collins Alhassan's father, James Nsiah, who was serving with the Border Guards at Bodaa in the Brong Ahafo Region, was arrested and taken to the Sunyani Barracks. He never returned and has not been seen since.

7.2.15 Gladys Botchey's husband, Francis Oppong Adu, was arrested at his home in Nsawam in 1983 and taken to the Koforidua Police Station. Gladys visited him there. When on the fifth day she went to pay him a visit, she was informed that he had been sent to Accra. Since then Adu has not been seen and his whereabouts are unknown.

7.2.16 Frank Osei Karikari's father, Joseph Osei Karikari, a Corporal in the Ghana Army left the service to join the City Express Transport, a civilian establishment. In 1989 he left home, ostensibly to undertake an assignment for the PNDC in Libya. That was the last his family heard of him.

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Although there is no hard evidence as to what happened to Joseph, evidence received by the Commission indicates that a number of Ghanaian youth and ex-soldiers were recruited and sent to the Libya-Chad border. It is an open question whether the disappearance of Joseph is connected in any way with those clandestine activities.

7.2.17 Mariama Iddisah's husband, **Victor Kapambu Iddissah**, an employee of the National Investment Bank, Bolgatanga disappeared without trace in 1986. He was last seen in the Bolgatanga branch of the Bank where he had reported for duty on transfer from Accra. The only clue to his disappearance was that he had stated on a number of occasions, when he appeared to be drunk that he would become President of Ghana in 1987.

7.3 MAIMING

7.3.0 Apart from the deliberate, and sometimes, negligent killing of persons, there were instances of shootings resulting in serious injury to many persons. Sometimes it was the incompetent use of firearms; sometimes it was in furtherance of a robbery; and, at other times, it was the work of insurgents or 'trigger-happy' members of the security services. In all of these cases, grievous bodily-harm was caused.

7.3.1 **Anthony Erzuah**, of the Police Armoured Car Squadron was seriously injured when insurgents attacked Broadcasting House, Accra on 31st December, 1981. His left leg was amputated. He was given an artificial leg and paid compensation which the Commission considers adequate. He was retained in the Police Service and now enjoys the rank and salary of a Sergeant. Having regard to the sacrifice he has made for his country his request to be promoted to the rank of an Inspector should be favourably considered.

7.3.2 On 31st December, 1981 what appeared to be a rocket-propelled grenade was fired into the Kanda, Accra flat of Mary Ansong, a policewoman, causing serious injury to her son **Francis**, her maidservant **Afua Boatemaa** and her mother **Abena Safoah**. Francis sustained injuries to his right thigh and left leg. He now limps on the left leg. Afua's head was pierced by fragments of metal which were removed at the Mamobi Clinic. She cannot now carry a heavy load on her head. Abena had a rugged wound on her back. She was in the Police Hospital for seven days.

7.3.3 **Abotsi Martei**, a fisherman of Teshie, was sitting in front of his house on 31st December, 1981 when Nii Darko, a soldier serving with the 48 Engineers Regiment went to him and demanded to be given money. Martei went to his room and called his father. As they approached the soldier, he shot Martei in the waist. Martei received treatment at the 37 Military Hospital.

7.3.4 **Nii Ayi Plange**, On 1st January 1982, soldiers who had mounted a barrier at the General Post Office, Accra fired at a driver who had failed to stop. The bullet missed its target and, instead, struck Plange, a 21 year-old student, now deceased, who was buying food for his breakfast, in the head. Plange lost part of his skull and brain tissue. He became unconscious and was taken to Korle-Bu Hospital where he was operated upon. He regained consciousness after

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six months. By then he had lost his power of speech. After five more months, he began to utter a few words with considerable difficulty. He developed fits. He was discharged from the hospital after 14 months. To prevent the recurrence of fits, Plange was put permanently on drugs which he took until his death on 27th May 2003. During his lifetime; government paid compensation of ₵2 million. Plange was looked after by his sister Grace who acted as his representative at the hearing of the petition.

7.3.5 Margaret Kpomli, a resident of Nima, Accra, was hit by stray bullets in both legs on 1st January, 1982. She was admitted to 37 Military Hospital for treatment and later received a token payment of ₵100,000 from the government.

7.3.6 Addai Amoako, a leading member of the People's National Party, was shot at and seriously injured by a murderous gang of soldiers who invaded his house in early January, 1982 in an attempt to kill him for opposing the insurgents who overthrew the Limann Administration on 31st December, 1981.

7.3.7 On 15th January, 1982 soldiers from Accra led by Capt Kofi Abugabe went to Wa Market to check on prices. A soldier went to the shop of **Mahama Umoru Dumba** and bought a mosquito coil. The soldiers claimed that the price was excessive and arrested Dumba. While escorting him, the soldiers attacked Dumba. He received gunshot wounds on the back, thigh, hand and leg.

7.3.8 On 21st January, 1982 soldiers and airmen on a rampage went to the Zenith Hotel, Takoradi, dragged out clients from their rooms and shot them dead. **Emmanuel Akrofi** who escaped with his life, was shot and injured in the right arm.

7.3.9 On 22nd January, 1982, **Hannah Abena Kyerewaa**, a trader, who was conveying a consignment of matches from Accra to Kumasi arrived at the University of Science and Technology police barrier. There she and other passengers on the vehicle were asked to bring down their goods and luggage for a search. While she was bringing down her goods, a soldier, Cpl Hammond Moses Anyan, fired a shot which seriously injured Hannah who sustained wounds on the right forearm and the right breast. She has scars on the forearm and the breast. Her disability is assessed at 50% and disfigurement at 45%. Cpl Anyan testified at the Commission that the gun went off accidentally.

7.3.10 On 26th January, 1982 while **Joseph Archibald Appiah**, was walking in the street at Kejetia, Kumasi, one of a number of soldiers enforcing price control fired a shot at a trader hitting him in the thigh. The shot passed through the victim and grazed Appiah's head. He was taken to the Komfo Anokye Hospital and then flown to Korle Bu Hospital, Accra. Appiah became partially paralysed. This has affected his speech.

7.3.11 In February, 1982 while **Fusena Abukari** was travelling on a Bawku-bound vehicle towards Walewale, soldiers manning a check point fired into the vehicle. Fusena was hit on the left breast and the bullet passed through her left arm. She has ugly scars on the breast and arm and has lost some use of the arm.

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7.3.12 On 11th February, 1982 soldiers from the Airborne Force, Tamale went to the yard of Pioneer Tobacco Company in Wa and attacked the workers, including **Elias Issahaku**, who was a salesman of the company. Other prominent persons were brought to the yard and brutalised. They were compelled to submit to drilling, were beaten and fired at with the intent to scare them. At a point, Issahaku, who tried to escape, was shot at and injured in the left arm.

7.3.13 On 30th March, 1982, soldiers went to **Abu Mahamadu's** residence at Moshie Zongo, Tamale to search for hoarded goods. They found none. In spite of this, the soldiers arrested Mahamadu, his wife **Talhatu Mohammed**, Bika and Saka, his landlord. They conveyed them to the barracks on a military vehicle. There Mahamadu and his landlord were made to slap each other. The arrested persons were ordered to board the vehicle again. After a short distance, Mahamadu was shot in the stomach. He escaped into the bush and was rescued. His wife was shot in the breast. Bika was shot dead. Only Saka, the landlord was not shot in this dastardly attack. However, the ordeal proved too much for Mahamadu who now shows signs of mental instability.

7.3.14 G On 28th March, 1982 there was a bomb explosion in petitioner's house at Teshie, Accra apparently caused by a bomb discharged from the direction of the Military Academy & Training School. This is confirmed in Police report No. IDCID.14A/Vol 5/131 of 11th December, 1985. Petitioner's five year-old son Laryea was killed and his two year-old son M suffered severe injuries to his external genitalia requiring surgery abroad. Permanent functional loss of his penis is assessed at 60% and permanent disability at 100%. He underwent reconstructive surgery in the United States at public expense. A medical report dated 27th July, 1987 and signed by Dr. I. K. Bentsi of Korle Bu Hospital indicates that further surgery will be needed.

7.3.15 Doris Osei Tutu, On 28th March, 1982 a bomb went off in the house at Teshie where Doris lived. Doris sustained injuries. She lost two fingers on her right hand and a third became numb. She lost a finger on her left hand. She also sustained cuts on the abdomen and on her legs. Doris was eventually paid ₵10 million as compensation by the government. She was also found a job as a cleaner.

7.3.16 Thomas Owusu Ansah, On 1st April 1982, Ansah, a driver, joined a queue formed by persons wishing to buy sugar. A policeman who was there to keep order swung a stick which hit Ansah's left eye damaging it. Ansah was taken to Agogo Hospital for treatment. He was operated upon and now wears an artificial eye.

7.3.17 In April, 1982, **Robert Annang Quartey** a car washing apprentice, was sleeping with others in a vehicle at the work site when soldiers arrested them claiming they had infringed the curfew order. As they were being led to a vehicle to be taken away, a soldier shot Quartey in the left thigh. He was taken to Korle Bu Hospital where the leg was amputated. Quartey was paid ₵495,300 as compensation by government.

7.3.18 On 23rd April, 1982 at Navrongo, James Achana Tumkwia, a security guard at the Castle, Osu, shot and wounded **Stella Kriba**, then 14 years old, in the head. Tumkwia was subsequently

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tried and convicted of the offence by the High Court, Bolgatanga and sentenced to a term of imprisonment. A medical report dated April 1983 and signed by Dr. B. Puplampu of the Department of Neuro-Surgery, 37 Military Hospital, Accra, shows that Stella is completely paralysed on the left side of the body. She has 40% permanent disability due to the paralysis.

7.3.19 Seth Ahadzivia, a civilian, was shot in the right leg on 1st July, 1982 by Prison Officers pursuing an escaped prisoner in the Achimota Forest. His leg was later amputated and a Medical Board assessed his disability at 70%.

7.3.20 Eric Nanor hails from Krobo Odumase. In 1982 he went home for a week-end visit. As he was about to return to Accra, he was accosted by Nartey Tetteh Yako, a PDC member and a militiaman for failing to take part in communal labour. While he was being led away, the militiaman shot him. He never fully recovered from his injuries and is now an invalid.

7.3.21 Gyedabi Asamoah, a trader at Kejetia, Kumasi who sold empty barrels, was arrested by soldiers in 1982 for selling his wares at a high price. He was severely assaulted leading to the loss of sight in his right eye. The left has since been affected and he is now blind.

7.3.22 In 1982, **David Kobina Andam**, who lived at Agona Odoben, Central Region came to Accra to visit one Mireku, his brother-in-law. While at Mireku's house, armed soldiers surrounded the house and ordered all ex-servicemen in the house to come out. Although not an ex-serviceman, Andam became apprehensive when the soldiers began to fire. He tried to escape. He was knocked to the ground, slapped twice and hit with the butt of a rifle. Andam later sought medical treatment at the Breman Asikuma Hospital where he was told that his left eye had been permanently damaged. He can now barely see with the left eye and suffers from dizzy spells.

7.3.23 On 31st December, 1982, at Mamfe, Akwapim at about 7 p.m., **Alice Asante**, then 10 years old, had been sent by her aunt to the lorry station to convey to the house some foodstuffs she had brought from Prestea. While at the station, a taxicab with soldiers in it pulled up. A shot rang out and Alice was hit in the right leg.

7.3.24 In 1982, **Kofi Bobie-Ansah**, was accosted by a soldier nick-named Ojuku at Breman junction, Kumasi after curfew hours. Ojuku hit petitioner twice with the butt of his rifle, causing him to lose three teeth. He also cut his hand with a bayonet.

7.3.25 Martin Adane, an employee of the Top-in-Town Supermarket at Osu, Accra, was shot and seriously injured on 10th March 1983 by soldiers led by Sgt. Sey. They made away in their military vehicle with goods from the shop. Adane showed to the Commission the blood-stained shirt he was wearing on the day of the incident.

7.3.26 Isaac Owusu-Boateng, On 1st June, 1983, policemen were sent to Kumasi Central Market to arrest traders who were selling goods above the controlled price. In the course of this operation, the gun of G/Sgt Patrick Kofi Kuzorli went off killing Kofi Nyame, a Health Superintendent of the Kumasi Municipal Council, and injuring petitioner. The bullet hit

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petitioner in his back and passed through his body. His intestines gushed out and he was taken to hospital for treatment.

7.3.27 Adornia Baanada, Abiatekum Akalinkosa, Lamisi Apentiik, On 21st June, 1983 while Baanada, who dealt in northern smocks, Abiatekum and Lamisi who traded in millet, were sleeping in the market at Fumbisi, near Sandema during curfew hours awaiting daybreak to commence business, two soldiers accosted them and enquired of them what goods they sold. In the course of the exchanges, one of the soldiers fired a shot at Baanada hitting him in the left thigh. The bullet went through the thigh, hit his right knee, and proceeded to hit Abiatekum and Lamisi in their right legs. The soldiers emptied the pockets of Baanada and made away with the money. Other traders in the market took him and the two women to Sandema hospital. Baanada refused medical advice to undergo amputation and is now completely paralysed. Abiatekum suffers from a serious deformity of the right leg which makes it difficult for her to stand upright or walk properly. Lamisi, then eight months pregnant was left with an ugly scar on her right leg.

7.3.28 Olivia Ako-Adjei, On 22nd June, 1983 petitioner, a nursing officer of Pantang Hospital, was waiting in front of Flagstaff House for a bus to convey her to her work-place when she received a gun shot wound in the head. A medical report signed by Dr. Puplampu of the 37 Military Hospital shows that she sustained injury to the brain. This has left her with the following permanent deficits:

1. Spastic right hemiplegia. She has hemiparetic gait
2. Speech deficit – incompletely improved
3. Memory deficit – incompletely improved.

Her permanent disability is assessed at 75%.

7.3.29 Alex Kwabena Nsiah, apprentice mechanic aged 16 years, was on 17th August, 1983 shot in the right leg on a street in Accra by RSM Jack Bebli. The leg was later amputated at the 37 Military Hospital. On his discharge he was taken to the BNI and questioned about alleged links with soldiers seeking to overthrow the PNDC. He denied having any such links and was released after one month.

7.3.30 Kwame Nkrumah, In 1983, Nkrumah was in a queue at the cargo section of the Airport, Accra, waiting to buy tyres when a gun carried by Wing Commander Kissiedu of the Air Force went off hitting him in the leg. He was taken to the 37 Military Hospital for treatment.

7.3.31 Andrews Kwasi Oppong, was District Secretary for Techiman, Brong Ahafo in the PNDC regime. In October 1983, one Anane-Adjei, Regional Defence Committee Co-ordinator, accompanied by an armed soldier, L/Cpl. Gyasi, went to the residence of the District Secretary to demand that he should dissolve an Interim Management Committee he had set up for the Techiman District Defence Committee. In the ensuing confrontation, L/Cpl. Gyasi fired a shot which hit Oppong in the hip. The bullet came out through his buttock.

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7.3.32 Claudia Ocran In December, 1984 an armed policeman on guard duty at Esiama Rural Bank, went to a photographer's studio with a lady to collect her picture. In an altercation with the photographer, the policeman shot the photographer dead. The bullet passed through the body of the victim and hit Claudia who was standing near-by in the right leg. Claudia now limps and walks with the aid of a walking stick.

7.3.33 Amarkwor Anim, On 17th May, 1985, Amarkwor and her friend Margaret Kuwornu went to the house of Christina Abbio at Bonikorpe, Ada. While there, a policeman shot at them killing Margaret and seriously injuring Amarkwor in the right arm. She received treatment at Battor Hospital. Her right arm is deformed at the elbow and its use is limited.

7.3.34 On 19th January, 1986 **Attu Sakyiamah**, was driving his car in Accra on his way to attend a church service when, at Tudu, three men in civilian clothing, but armed, stopped his car. They asked him to assist them in following another vehicle which had just passed by. When the petitioner refused, one of the men fired a shot at him through the rear windscreen. The shot hit the petitioner in the back and lodged about two inches from his heart. The petitioner became unconscious. When he regained consciousness, he found himself at the Korle-Bu Hospital. He underwent surgery for the removal of the bullet and was discharged after about a month.

7.3.35 Daniel Mensah Doamekpor, a passenger on a goods vehicle travelling along the Taviefe Zaive road in the Volta Region in 1987, was shot and injured on the forehead by WO II Tornyeviadzi after the driver, who was suspected of being engaged in smuggling, failed to heed his instruction to stop. Doamekpor became unconscious and was sent to Ho hospital for treatment.

7.3.36 On 6th April, 1987, **Alfred Neequaye Amassah**, an employee of the La Scala Cinema at Teshie, Accra was shot in the head and seriously injured by Nii Gornace Tetteh, also known as Tetteh Mantey, a commando based at the Castle, Osu. Tetteh was later found guilty of attempted murder and sentenced to 10 years imprisonment in hard labour. Amassah is now partially paralysed and has a speech defect.

7.3.37 On 6th March, 1988, **Albert Puna Manbil Lebil**, an 11-year-old boy, was traveling as a passenger on a vehicle from Bawku to Bolgatanga when at Nangodi village one L/Cpl. Francis Andoh, a soldier of the Airborne Force, Tamale emerged from the bush and fired a shot into the vehicle. The bullet grazed Lebil's chest, hit him on the upper arm just below the armpit and then struck Alice Agutarige Nyabila, a passenger sitting in front of Lebil. Alice died. A medical report on Lebil dated 9th September, 1992 and signed by Dr. Kwame Adogboba, Senior Medical Officer at the Regional Hospital, Bolgatanga indicates that Lebil's right humerus was badly shattered. The right hand and arm are now atrophied and 100% incapacitated. There is neither sensation nor movement in them.

7.3.38 Otilia Fiagbe; Charity Koomson, On 21st May, 1988 at Kantamanto Market, Accra, Alex Kuma, a militiaman, fired a shot which hit Otilia in the right thigh, passed through the thigh and hit the palm of her hand. The bullet then went on to hit Charity in the right buttock. Otilia

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and Charity received treatment at the Korle Bu Hospital where the bullet was removed from Charity's buttock.

7.3.39 On 6th December, 1992, **Kwame Serebour** was among a crowd of persons who had gathered at the Kumasi residence of Nana Yaw Boakye which had been surrounded by armed policemen. The police fired shots one of which hit Serebour in the right foot.

7.3.40 Stephen Kwaku Amponsah, a merchant seaman, was walking in the street at Tema Station, Accra, when he saw an army vehicle pursuing a Mercedes Benz car. Shots were fired, one of which hit Amponsah in the left shoulder.

7.3.41 On 5th May, 1981, **William Torgbor** was dismissed from the Police Service after a service enquiry had found him guilty of striking a superior officer and his daughter. On 3rd January, 1982 petitioner and two others posing as military men went to the Maxwell Hotel, Dzorwulu, Accra ostensibly to conduct a search. In the course of this undertaking, they stole money and valuables belonging to the hotel guests. The police were called in and in the ensuing confrontation Maxwell Kofi Osafo, the proprietor, and the petitioner were shot. Osafo went to France for a surgical operation to remove a bullet which had lodged near his brain. Petitioner received gun-shot wounds on the arm and in the abdomen. If anyone has cause to complain, it is Osafo, not the petitioner who was on an illegal operation to rob the hotel guests.

7.3.42 Following the attempted coup of 19th June, 1983, **Andrew Kwabena Mensah**, was arrested at Pokuase by members of the local CDR and taken to Amasaman, near Accra where he was severely assaulted on an allegation that he had supported the failed attempt to overthrow the PNDC. As a result of the assault, Mensah lost the sight in his left eye. He also claimed that an amount of ₵25 million was seized from him.

7.3.43 Noah Boateng, After he had been taken hostage to assist in the search for his brother, Maj Samuel Okyere Boateng, Obeng was badly beaten up by security personnel. His left eye was damaged and had to be removed in an operation. His hearing is also impaired from slaps he received.

7.3.44 Richardson Kwame Kanukwa, a Lance Corporal in Military Intelligence, was taken into custody after 31st December, 1981 coup. He suffered ill-treatment. He was threatened with being shot, hit with a rifle sling and cut with a pen-knife on the arm. An accidental shot struck him on the right elbow.

7.3.45 On 30th September, 1982 Cpl Banini who had charge of a Peugeot 504 car for an official assignment, permitted one Philip Boame to drive it. Through Boame's carelessness **Akua Afamea**, a 12-year-old school girl, was knocked down at Nsawam. She sustained a fracture of the right leg, head injury, lacerations and body contusion. An out-of-court settlement was reached by Akua's solicitor and the Attorney General in 1990 and compensation of ₵280,000 was paid.

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7.3.46 Claus Ayitey Tetteh, a member of a Task Force engaged in the evacuation of maize and cocoa at Tema was seriously injured when several bags of maize fell on him rendering him unconscious. A medical board assessed his permanent disability at 40% and he was offered ₵700,000 in full and final settlement of his claim against the Greater Accra Regional Administration which was responsible for the Task Force. Tetteh accepted the offer and he was paid. He now seeks a revision upwards of the settlement. Tetteh has multiple somatic complaints traceable to the injuries he sustained in 1982. The amount of ₵700,000 paid to him in 1993 took account of psychological trauma he had had to endure over the years.

7.3.47 Evans Akpabli Asempa, a driver, was at Agbedakor, near Akatsi, Volta Region repairing the roof of his wife's house when Togbui Agbadre led Kadeshie Tsaghie, Linus Dodzie, Cosmos Doe Treve, Kwashie Tagbor and Daniel Kpogli, militiamen, to demand a ₵1,000 fine from him for not taking part in communal labour. On seeing Asempa, the militiamen set upon him and gave him a severe beating with their hands and the butt of a rifle. Asempa was taken to the St. Anthony's Clinic at Dzodze and then to the ENT unit at Korle Bu where it was found that he had holes in both ear drums and had become permanently deaf. He had to give up driving.

7.3.48 John Kofi Manu, was a supplier of provisions and foodstuffs to the prisons, hospital and Military Barracks at Sunyani. When soldiers went to his shops and auctioned the goods, he went to the barracks to remonstrate with them. There, he was set upon and hit on the neck. When he fell down, the soldiers kicked him and hit him on the head with the butt of their rifles. The impact affected his eyes. In spite of treatment at various hospitals, including Agogo, he is now completely blind.

7.3.49 Robert Yaw Vondi, a trader at Kantamanto, Accra, was shot in the thigh by a soldier based at the Castle, Osu. He was taken to the Police Hospital and later to 37 Military Hospital for treatment. In spite of assurances by Castle personnel that he would be compensated, nothing was paid to him.

7.3.50 While on their way to sell firewood at Goyie in the Songor Lagoon area, **Solomon Nartey** and his friend were apprehended by armed policemen who were on the look-out for illegal salt winners. In the ensuing confrontation, Nartey received a gunshot wounded in the right thigh. He was taken to Battor Hospital for treatment. Several pellets were removed from his thigh but he believes there is still one left in the thigh.

7.3.51 George Ansah, was a Prison Officer at Nsawam Prisons when on 19th June, 1983, Cpl Halidu Gyiwa and his colleagues stormed the prison to release prisoners. He claimed that in the confrontation Gyiwa shot him twice, once at the right side of his head and then on his left cheek. As a result he lost all but five of his teeth. In view of his injuries, Ansah decided to retire voluntarily from the Prison Service.

7.3.52 In 1985, **Francis Kwame Akorlatse** was arrested at Aflao where he had gone to sell books as a travelling salesman. After a few days' detention in a guardroom, he was released. A few weeks later, he was again arrested and placed in the Border Guard cells. While there, some soldiers hit him on the head with a stick. Akorlatse is now 75 years old and blind. He claimed

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that his blindness was a direct result of the assault. However, he did not supply the Commission with any medical evidence to support the claim.

7.3.53 Kwabena Anane and his brother, **Kofi Sah**, went to the Military Barracks in Kumasi to enquire why soldiers had driven Anane's workers from his farm at Afari, near Nkawie and taken over the harvesting of his oil palm. They were set upon by the soldiers, beaten up and put in a guardroom. Anane sustained injuries which he claimed has resulted in his going blind in the right eye. A medical report shows that he was attended to for the first time at the Emmanuel Eye Centre, Accra in June, 1994, that is, two years after the incident. In the circumstances it is not possible to say if his blindness was caused by harm inflicted on him by the soldiers.

7.3.54 In 1985, **Johnson Kwaku Ofori**, Chairman of the CDR at Trabuom, Ashanti confronted a policeman who had gone to the town to effect an arrest. The policeman struck him on the right eye with his belt. The hook on the belt came into contact with the eye. Ofori was admitted to the Komfo Anokye Teaching Hospital for treatment and is now blind in the right eye. He stated that he has difficulty in seeing with the left eye at night.

7.3.55 In August 1991, **Daniel Kaba**, a member of the Movement for Freedom & Justice (MJF) a group opposed to the PNDC was shot in the arm and seriously injured. A report and his photograph appeared in the *Weekend* newspaper of 30th September, 1991 showing him with his right arm in plaster of Paris.

7.3.56 William Addo Mainooh, an arms dealer of Dormaa Ahenkro, Brong Ahafo was awoken from sleep by armed soldiers who attacked him at 2 a.m. on 24th June, 1983. In the ensuing exchange of fire, the petitioner was shot in the left breast, left thigh and right shoulder. He now has difficulty in using the right hand. The soldiers' explanation for the attack was that he had jubilated over the Gyiswa-led attempted coup of 19th June, 1983.

7.3.57 Christina Manya, a trader at the Makola Market, Accra was arrested and taken to Burma Camp. During her two-week detention she was subjected to beatings resulting in injury to her eye. Each morning she was made to run round a field.

7.3.58 In 1982, **Akua Tiwaa**, the petitioner went to stand by a queue in front of a store at Adum, Kumasi. While standing there a soldier who was apparently on duty to keep order struck her in the stomach. She was then some months pregnant. After a week she began to bleed and was admitted to the UST Hospital. Later she underwent a surgical operation to remove her womb and the foetus.

7.3.59 Crowther Kwashie Dogbatse lived in the house of one Mahama Grumer in Accra. In June 1983 soldiers one of whom was believed to be related to the landlord went to the house and demanded that Dogbatse should quit. He was grabbed and manhandled. In the process he was severely beaten up and sustained an injury to his left eye rendering him blind in that eye.

7.3.60 Joseph Amankwaah was a Corporal in the Ghana Army. In 1986 he went on peacekeeping duties in the Lebanon. While there he suffered gun shot injury in the left foot

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which left him permanently disabled. As a result, he was released from the Army on medical grounds. A UNIFIL Headquarters Board of Enquiry on the incident recommended that UN compensation be paid. Up to date the compensation has not been paid to him inspite of numerous letters from the petitioner. It is the duty of the Armed Forces to look after the interests of their personnel. The delay in paying the compensation is quite incomprehensible and shows a regrettable lack of fellow feeling for the soldier. The omission must be remedied without further delay.

7.4 TORTURE

There was systematic torture of persons suspected of plotting to overthrow the PNDC.

7.4.1 Damasus Kwabena Bogee, a Captain in the Ghana Army based in Tamale, was arrested in April, 1985. He was brought down to Accra and severely tortured to extract a confession from him that he was involved in a plot to assassinate the Chairman of the PNDC in Kumasi. He was struck with a wire, cut on the chest with a knife and his genitals were manhandled. His left big toe nail was forcibly removed, followed by the removal of two other toe nails from each foot.

7.4.2 John Kwame Appiah, a BNI officer, was arrested on 14th May, 1985 after the escape of L/Cpl, Adongo, who had been seriously injured in a shoot-out in Kumasi and taken into custody following an alleged attempt to assassinate the Chairman of the PNDC. He was held at Gondar Barracks for two months. During this period, he was taken to Asutsuare Camp where the militia were based. He suffered various forms of torture. When he was brought to Ussher Fort Prison, his brother, Johnson, visited him and saw his condition. He had bruises on his body and blood flowed from his nostrils. His face was swollen and he had a black eye.

7.4.3 Joseph Mensah was a former Regimental Sergeant Major of the Recce Regiment. While in custody at the BNI from 4th February, 1985 to 15th June, 1985 he was taken from his cell to a place he thought was Asutsuare Camp and tortured with a view to extracting a confession from him that he was engaged in a plot with Maj Sulemana to overthrow the government of the PNDC. He describes his ordeal as follows:

I was beaten and tortured. My eyes were pushed in with rubber corks attached with rubber bands around my head. Mr. Annor Kumi, who was the commander of the operation, took part in the beating and torturing: he slapped me – the face twice and kicked my private part with his knee. He once flashed my face with highlight, put a matchstick in-between by big toes and lighted it to burn my toes. A candlestick was also lighted to burn my heel to the flesh. At this point my gold ring with Komfo Anokye Bodua as emblem was taken away from me, on the assumption that the ring was protecting me from the torture. I was never to see the ring again. In the process of the torturing, they rolled a lint, pushed it through my mouth and to my throat in order to choke my throat. My body got swollen with bruises throughout my body. My eye-ball nearly went inside my head.

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7.4.4 Seidu Iddrissu While in detention at the BNI in Accra on suspicion of involvement in a plot to assassinate the Chairman of the PNDC, Cpl Iddrissu was removed from BNI custody at night on several occasions and taken away to be tortured. He said in part:

Some few days after and at midnight thereabout, I was called out, they chained my hands to my back, and used a piece of elastic substance to cover my eyes. Together with W. O Mensah (who was formerly the Recce RSM), Sawundi and Yeboah (all corporals), they took us to an unknown destination. In fact the torture increased as compared to what was given us at the BNI Office. They beat me with sticks, iron bars, used the bayonet to cut my body among other ill-treatments for several hours. They stamped on my private part and body with their boots. At this unknown place which somehow looked like a residence, I was placed on a cemented ground and covered with a metallic tank with a guard present. All this while, I was in chains. I stayed under this tank from morning till evening, without food and water. After a very long period of time, I asked for water and I was given my urine to drink. I had passed it when we arrived at the scene. In fact because my eyes were covered, I did not know exactly what was happening. All I noticed was that, they had used a container to collect my urine when I was passing it. At about midnight, I was taken to another unknown destination believed to be like Achimota Forest. There, I was beaten till my whole body sustained cuts. As I screamed, they used a cottonwool to block my mouth. They punched it in with scissors and sticks. After a very long period of torture, I realized that one James Quarshie was the leader of the team. He actually gave instructions to the others who carried out the brutalities. At this point, I somehow became unconscious and hence went “off”. There were sores and bruises all over my body.

7.4.5 Albert Agyekum, While in custody on suspicion of involvement in a plot to overthrow the PNDC, Agyekum had his genitals pulled and he was subjected to a mock execution in the Achimota Forest in an effort to extract a confession from him.

7.4.6 James William Owu, a Captain in the Ghana Army, was arrested on 5th March, 1982 on suspicion of plotting to assassinate the Chairman of the PNDC. While in custody at the Arakan Barracks guardroom he was taken out at night by armed soldiers, among them Sgt Agoha, Cpl Braimah and Cpl Adabuga and threatened with execution in an effort to extract a confession from him.

7.4.7 Peter Ofori Wiafe, a former policeman, was arrested in Accra on suspicion of being involved in a plot with Boakye Djan to overthrow the government of the PNDC. While he was being taken to Gondar Barracks, the soldiers who were escorting him plucked off his moustache with their bare hands. At the barracks, he was beaten with the butt of rifles.

7.4.8 On his return to Ghana in 1986 from forced exile in the Ivory Coast and Togo, **Thomas Benefo**, a Corporal in the Ghana Army, was arrested and taken into custody at the BNI. He was kept in handcuffs and leg irons and was severely assaulted on numerous occasions. He was obliged to eat and attend to nature’s call in handcuffs. He remained in handcuffs with his hands either in front or behind him for seven months.

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7.4.9 Paul King Asimeng, a former soldier and member of the Ghana Democratic Movement, an opposition grouping of Ghanaians abroad, was arrested in Kumasi in 1982 and taken to the military barracks. He was beaten and kicked. Insecticide spray he had on him was sprayed all over his body and into his eyes.

7.4.10 Emmanuel Owusu Aninakwa, a Lance Corporal in the Ghana Army, attempted to escape from Anomabu Prison where he had been detained without trial. As punishment, L/Cpl Aninakwa was stripped naked, beaten with strips of wires and hit with a pestle.

7.4.11 Quite often, traders who had had their goods seized were also subjected to cruel and inhuman punishment amounting to torture. Even women were not spared.

7.4.12 Gladys Ablu Dogbatse followed up to the military camp when soldiers seized the goods in her shop at Ho. She was arrested and caned at the male prison. She was then taken to the Civic Centre, Ho where she was stripped naked and publicly caned.

7.4.13 Margaret and John Koomson's mother, **Akua Atta Panyin**, was a cooked rice seller at Busua, in Ahanta. Sometime in 1982, some men in military uniform accompanied by others who were said to be Boy Scouts, went to the village and assembled the women traders at the lorry station. They accused the women of engaging in '*kalabule*' ie. selling goods at exorbitant prices. Akua was among the women. She was asked to remove her *kaba*. She was then put on a table and caned. The same treatment was given to the other women.

7.4.14 Ama Amoa was a trader at the Dunkwa market. She sold cooking oil, tomatoes and onions. In 1982, soldiers went to the market and turned over the table on which she had displayed her goods. As she was carrying a baby at the time, they took her home to hand over the baby to another person. They then took her back to the market, placed her on her table and six soldiers caned her.

7.4.15 Cecilia Cobbina, In 1982, at Takoradi market, a person who had bought canned fish complained to some soldiers about the price. The soldiers rounded up a number of traders, among them Cecilia, who sold buckets and batteries, placed them on a table and caned them.

7.4.16 Joyce Agyeiwaa, a trader in cosmetics at Takoradi Market Circle, was arrested by members of a Police Task Force and taken to the Central Police Station, Takoradi. There, her one-year-old baby was snatched from her back, her hair was shaved off with a broken bottle and she was placed on a table and flogged.

7.4.17 Kate Ocran, In 1982, soldiers went to Kate's drinking bar in Takoradi and seized her drinks. They also carried away her mother's building materials and then took her to Apremdo Barracks where she was placed on a table and caned.

7.4.18 Charles Hammond Danso, the Headmaster of a school at Nkawkaw also managed a bar in town. In 1983, he was arrested by soldiers and taken to his house for a search. During the search, the soldiers slapped him several times across the face, causing him to bleed from the

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nose. They then took him away, placed him on a table and flogged him with a belt in the presence of his pupils. He sustained severe bruises on his body and lost the sight in his left eye. The humiliation made him retire prematurely from teaching.

7.4.19 Alhaji Sirazu Alhassan, his brother, Ibrahim and his nephew Shani were arrested by soldiers at Walewale on information that they were hoarding goods. Crude attempts involving torture were made to force them to disclose the whereabouts of the hoarded goods. They were subjected to mock executions. Sirazu was put in a coffin.

7.4.20 Mariatu Alhassan was arrested at Walewale on the same day Sirazu Alhassan was arrested. Mariatu and other women traders were flogged by the soldiers with their belts on suspicion of hoarding goods. Mariatu was left with scars on her buttocks and back.

7.4.21 Hajia Rahma Amadu was publicly flogged by soldiers in Tamale after they had seized her goods and sold them to the public. Her hair was shaved off with a broken bottle. Another victim of this brutality that day was Afua Serwaa, wife of Police Inspector Antwi.

7.4.22 Ama Manu, a trader, was arrested with other women traders in Koforidua. They were paraded through the streets while being forced to sing, “*kalabule menyɛ bio*”, meaning, “I shall not engage in profiteering again.” Later, they were publicly flogged.

7.4.23 Mahamadu Tamalgu Mahama, a shop owner of Zabzugu, was arrested by soldiers and publicly flogged at Zabzugu and Yendi for allegedly selling goods above the controlled price.

7.4.24 Hajia Adisah; Alhaji Salifu Tabsoba, After soldiers had raided the house of Hajia and her husband Alhaji Salifu Tabsoba at Effiakumah, Takoradi and carried away goods alleged to be hoarded, they took husband and wife to Effiakumah market and publicly flogged Tabsoba. Hajia escaped similar treatment when her husband asked them to spare her.

7.4.25 Kwame Adu, Following an accident at Odorkor, Accra involving two vehicles, a soldier known as Sgt Narh, who was the owner of one of the vehicles, and a man in civilian clothes went to the workshop of Adu, an apprentice mechanic, who had stood surety for the driver of the other vehicle. The two men set upon him, slapping and kicking him resulting in injuries. They then took Adu to the Information Room at 37 Military Hospital where other soldiers beat him with branches of neem trees. A medical report gives his injuries as follows:

1. Weals on the back and thighs
2. Contusion of face
3. Signs of previous nose bleeding
4. Haemorrhage from right ear with peritympanic congestion
5. Moderate conductive hearing loss of right ear up to 35 decibels.

7.4.26 Beatrice Nkrumah, A drunken soldier who had gone to Mankessim Market with other soldiers to sell the goods of the traders, took Beatrice to her house, made her to stand in front of

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her gate and fired three shots at her. Although the shots missed her, the incident was enough to make her faint.

7.4.27 Yaa Adoma, a trader, was arrested at Kintampo for selling cloth above the controlled price. She was taken to the lorry station where she and other traders were publicly flogged. Yaa was struck on her back 18 times with a soldier's belt.

7.4.28 Mary Yaa Serwaah, a trader at the Kumasi Central Market, was arrested by soldiers and taken to the Military Camp. She was caned and slapped.

7.4.29 Joseph Hayford Kwame Osei, Soldiers based at Forifori in the Afram Plains arrested Osei, a petrol dealer. They alleged he had refused to sell. He was taken to the barracks, shaved, slapped and caned. The soldiers were under the command of Capt Acheampong.

In some cases, acts of brutality appear to have been committed for nothing more than the sadistic pleasure of causing pain.

7.4.30 Dr. Martin Maxwell Owusu Ansah, was Secretary-General of the Ghana National Farmers' Council. In 1982, he was invited to the office of the BNI. There he was questioned by a panel which included Prof. Kofi Awoonor. During the interrogation, Owusu Ansah had occasion to refer to Prof. Awoonor by name. Thereupon Prof. Awoonor took offence and ordered a soldier, Private Amenu, to take Owusu Ansah out and drill him. Amenu obliged.

7.4.30.1 According to the petitioner,

Immediately he became furious and asked "why did you mention my name?" He mentioned that as a member of that panel he had the right to mention my name but I did not have such right to mention his name, and he ordered Private Amenu to take me out and drill me for that. He (Amenu) obliged.

I wish to state that Amenu took me out of the room to the compound and assaulted me brutally. He hit me with the back of the gun on my back several times and kicking me about. He (Amenu) ordered me to pull my ears and hop but I explained to him of a metal in my right leg which was put in there when I was involved in an accident in 1980, for which I could not hop. He hit me so hard that I could not bear it and so I asked him to shoot me instead.

Private Amenu did not shoot me but took me to the stair case which led to three (3) floors down. He asked me to lie down and roll down the stair case. While I was rolling down the staircase, Amenu followed and kicked me like football. I rolled down and up the stair case until I became so weak that I could not do it any longer. He used his boots on me on my loins and groins till I started bleeding profusely. I was bruised all over my body. My white political suit became blood stained.

He (Amenu) took me back to the office where the panel sat. I raised my hands and showed my blood stained weak body to them and said in pain "behold the man! What have I done to deserve this.

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7.4.30.2 After these acts of brutality, Owusu Ansah was taken back to the panel which asked him to go home and report the following day. Not only did Owusu Ansah give a written statement on what was done to him, but he also gave sworn testimony and submitted to vigorous cross-examination by Prof. Awoonor. For his part, Prof Awoonor chose not to give evidence on oath or affirmation. He stated that he would rely on his written statement. In this, while admitting that he was on the panel and took part in interrogating Owusu Ansah, he denied that he instructed Amenu to molest him. Prof. Awoonor's unsworn statement carries no weight whatsoever. We prefer the sworn testimony of Dr. Owusu Ansah.

7.4.31 Ngonibi Nyande was a farmer at Kpandai, Northern Region. In January 1990, he came down to Accra to visit his brother who was a Captain in the Ghana Army. While in Accra, he heard that his brother had been arrested. He went to Gondar Barracks in search of his brother. He was arrested at the barracks where a stick was inserted into his anus. He tried herbal treatment for a while and then went to the 37 Military Hospital for an operation. He never recovered from his injuries until his death in 2001.

7.4.32 Susana Korletey, and her son, **Edmund**, boarded a vehicle in Accra to go to the market at Nsawam where Susana traded in second-hand clothing. A soldier boarded the vehicle and directed it to El Wak Stadium. On arrival at the Stadium, the soldier announced, "I have brought some meat!" Thereupon, the driver, the mate and all the passengers were flogged. It was said that the passengers had paid more than the approved fare. Edmund was flogged a second time when he offered to take his mother's punishment for her.

7.4.33 Joseph Kwamena Dadzie; Kweku Tawiah; Joseph Peter Horney; James Kwamena Afful; Eric Kweku Tawiah; Godfrey Ametoglo; Joseph Nelson Onyinah; Petitioners were all employees of the Ghana Ports Authority. Following the theft of a compass belonging to the Authority, they were arrested by soldiers on 27th September 1982 and taken to the Apremdo Barracks, Takoradi. After being questioned about the missing compass; they were all flogged. They were left with several cuts and bruises on their backs. Before their release, they were made to pay for the compass.

7.4.34 Edward Okai Dontoh, alleged that in 1982 policemen went to his home in Takoradi to arrest his mother who owed another woman ₵38,000 on a trading transaction. His father undertook to pay the amount by a certain date. He raised the money and went to the police station to pay the money. There, his **father** was put on a table and flogged for being late by one day.

7.4.35 Noah Sakyiama, a farmer, harvested plantain from his farm at Asuaba, Eastern Region, and sold them at his house. Some PDC members, among them F. K. Agbada, Kalim, Ohene Yeboah, Asiedu, Ama Henewa and Kwaku Asamoah accompanied by six armed soldiers arrested him and took him to the market where he was publicly flogged. When his son, **Stephen Okyere**, tried to intervene to save his father from the attack he too was flogged.

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7.4.36 George Darko Akoto, Service Manager of the Tema branch of GNTC Motors, was arrested on 11th May, 1983 on suspicion of stealing car plugs. On the orders of Sgt Mensah, Regional Police PDC Chairman, and Cpl Atsu of the Ghana Army, Akoto was stripped naked in the full view of the public, including his wife and visiting friends, and given 28 lashes on his back by Atsu. Akoto was also attacked by other inmates of his cell at the offices of the PDC at Tema, popularly called The White House. During the nine days he was in custody, Atsu and other soldiers would come for him from time to time and kick and beat him up. Although Akoto died before he could give evidence before the Commission, he submitted medical reports which satisfy us that he was severely assaulted while in custody.

7.4.37 Abena Eduma, lived at Ajumako Ochiso where she engaged in petty trading and farming. In 1983, a middle-aged man went to her house and told her some soldiers wanted to see her. She accompanied the man to where the soldiers were. The soldiers told her they had had a report that she had sold kerosene above the controlled price. In spite of her denial that she did not trade in kerosene, the soldiers forcibly removed her clothes, leaving her only in her under-skirt. They then put her on a table and caned her. After this, one of the soldiers used a broken bottle to shave off her hair.

7.4.38 Ampofo Twumasi Ankrah For allegedly insulting the Chairman of the PNDC while preaching the word of God in Takoradi in 1988, Ankrah, a self-styled Apostle, was arrested and sent to the BNI office in Accra. While there, electric shocks were applied to his genitals.

7.4.39 Joseph Kodwo Ampah, a Ghanaian resident abroad, was arrested on 19th October, 1982 at the Airport, Accra for attempting to smuggle gold out of the country. Ampah was severely assaulted and then taken to the State House where he was confined for two weeks on a verandah on the 6th floor of the building. He had no blanket or toiletries, and no access to a bathroom. At weekends he had no food, as the offices were locked. He was shaved with an old razor, causing cuts which gave him much pain. He was hit with the butt of a revolver, resulting in bleeding. He was put in a car parked in the mid-day sun with the windows rolled up. Ampah collapsed and died while giving evidence before the Commission.

7.4.40 Jacob Kwao Baiden, an employee of the Ghana National Fire Service was returning home from night duty at the Airport, Accra on 28th September, 1985, when he was arrested by soldiers and taken to Gondar Barracks. There he was slapped, shaved with a broken bottle and made to drink his own urine.

7.4.41 Emmanuel Bishop Dartey, a Sergeant in the Police Service was arrested on 26th October, 1987 for mounting an unauthorised road block on a road leading from Dzodze to Togo. Dartey and two colleagues arrested with him were taken to the Castle, Osu and subjected to cruel and inhuman punishment. They were made to hold their ears and hop, to roll on the ground and to slap one another.

7.4.42 Abdul Rahman, Soldiers and police went to Assin Nsuta, caused a gong-gong to be beaten and assembled the villagers to the forecourt of the Chief's palace. On arrival at the meeting place, Rahman and others were told that they were late. They were made to lie on the

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ground and look at the sun. While in this position, Rahman was booted and a gun was pointed at him. About 14 of the men were divided into pairs and compelled to slap each other seven times. Abdul now suffers from dizzy spells.

7.4.43 Daniel Asare Asirifi, a Sales Manager of the GNTC, Koforidua, was detained for twelve days by soldiers led by Sgt Akwaboah. During this period he was subjected to military drill and publicly caned at the Club House, Koforidua.

7.4.44 Charles Boateng-Sampong, a farmer of Miaso near Mpraeso was arrested by soldiers and members of the Students' Task Force. At the insistence of the Task Force, he was taken to the Nkawkaw lorry park and publicly flogged. Dirty water was poured over him and he was made to drink water from a gutter. According to the students, villagers had complained that Sampong had been harassing them and selling goods above the controlled price. The National Investigations Committee later found these allegations to be false.

7.4.45 Beatrice Darkwa Boatemaa, Military Policemen went to Beatrice's house in Accra and seized soap she had manufactured. She was taken to El Wak Stadium and caned. She was made to bury the soap which was said to be of poor quality.

7.4.46 Nana Kwaku Agyeman met a stranger in a drinking bar and engaged him in a conversation about human rights abuses committed by the PNDC. Subsequently he was arrested and subjected to ill-treatment. Soldiers slapped him several times and made him to roll on the ground while he was kicked. They also stamped on his testicles.

7.4.47 Awoyo Puplambu; Aku Sebie; Mary Dakomesi Gota; Asidaahe Namey; Salifu Montey; Emmanuel Sewor Awidi; Salifu Fierdzinu Motey; Benjamin Ofosu Apronti; Margaret Adzo Abeasi, were salt miners in the Songhor Lagoon, near Ada. Claiming that they had a monopoly for winning salt in vast stretches of the Lagoon, the Vacuum Salt Company Limited, on the directive of Stephen Appenteng, on various dates in 1982 had citizens of Ada who challenged their monopoly arrested by soldiers and police and subjected to ill-treatment which in some cases amounted to torture.

7.4.47.1 (a) Awoyo Puplambu of Hwakpo was arrested at Bonikorpe. She was hit on the head and sustained a cut. She was given a handful of salt to chew and salty water to drink. She was made to carry a sandcrete block and jump while being beaten.

7.4.47.2 (b) Aku Sebie of Hwakpo was arrested at Okorngmleku. She was slapped and hit repeatedly with the butt of a gun. She was forced to chew salt and to drink a cupful of salty water. She was made to hold her ears and leap frog. She was forced to look at the sun until she collapsed. After her ordeal she was taken to Burma Camp and kept in a guardroom for three weeks. At the time, Aku was seven months pregnant. She had a miscarriage while in custody.

7.4.47.3 (c) Mary Dakomesi Gota, a trader in salt at Kasseh near Ada was slapped and beaten up by soldiers.

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7.4.47.4 (d) Asidaahe Naamey of Hwakpo was arrested by three policemen at Okongmleku when she went to inspect her salt. She was beaten up and hit with the butt of rifles.

7.4.47.5 (e) Salifu Montey's stepfather, **Agbodzalu Montey** was arrested by soldiers at Okorngmleku. He was given salt to chew, was beaten up and detained for three weeks.

7.4.47.6 (f) Emmanuel Sewor Awidi was arrested at Okorngmleku. He and other arrested persons were subjected to military drill, were made to sit and stare at the sun, were slapped and given salt to chew. He was given what appeared to be urine to drink over the salt. Later he was taken to the office of Vacuum Salt and then to Burma Camp, Accra where he was kept for three weeks in a guardroom.

7.4.47.7 (g) Motey was arrested at Okorngmleku. He was slapped and given salt to chew. He was made to drink salty water and was taken to Burma Camp where he was forced to crawl on stones. He was at the Camp for three weeks.

7.4.47.8 (h) Daniel Akuafo Otchie, was arrested at Okorngmleku. He was slapped, given salt to chew and salty water to drink. Thereafter he was detained at Burma Camp for three weeks. He now has problems with his eyes and finds it difficult to urinate.

7.4.47.9 (i) Apronti was arrested at Matsekorpe by Samuel Appenteng and a group of soldiers led by W O II Sackey . Apronti was drilled, forced to roll on the ground and to lie down facing the sun. He was given salt to chew and sea water to drink. He was then taken to the guardroom at Burma Camp where he was kept for three weeks.

7.4.47.10 (j) Margaret Abeasi, a 60-year-old woman, was arrested with another woman at Adokponor in the Songhor Lagoon. Stephen Appenteng made them slap each other several times. If they did not do so hard enough he slapped them himself. Margaret Abeasi was on admission at Battor Hospital for four months and now has blurred vision.

7.4.48 Boas Yaw Anto, a revenue collector of the Nkwanta District Assembly, was arrested on an allegation of being involved in an attempt to bribe U. S. Clarke, the District Secretary. On his arrest he was taken to the militia camp where he was caned. He was later charged before a public tribunal but was acquitted.

7.4.49 Moses Ayornu, was arrested by soldiers with his two female assistants, Kaki Ayornu and Kongo Katernor, for ferrying salt from Songhor Lagoon to Lugenya. The three of them were given salt to chew and were later detained at Burma Camp, Accra for 24 days. Moses

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complained of persistent stomach upsets and the two ladies claimed to have become barren since then.

7.4.50 Rachel Ghartey Biney, a trader at the Market Circle, Takoradi was arrested and taken to the Aprembo Barracks for allegedly hoarding sandals. She was given 30 strokes on the back with what she said was an iron rod. Rachel shied away from giving evidence in public when invited to do so. The Commission was therefore unable to see for itself the scars she claimed to have on her body resulting from this terrible assault.

7.4.51 Akua Donkor's uncle, Kwabena Dadieya, owned a shop at Dunkwa-on-Offin, Central Region. After soldiers had gone to the shop and sold the goods, mainly wax prints, they put him on a table and flogged him.

7.4.52 Adwoa Achiaawaa sold smoked fish at the Obuasi Market. One Kofi Ketewa bought some of the fish and later came with policemen to her house to arrest her for selling the fish at an excessive price. At the Police Station, Adwoa was ordered by the Police to sing, to the refrain "I will not engage in *kalabule* again". When Adwoa refused to do so, she was stripped to her underwear, her hair was shaved off with a broken bottle and then she was placed on two benches and given 24 lashes with a cane. Adwoa was then three months pregnant. After her ordeal she had a miscarriage. She still has scars from the beating on her body.

7.4.53 Janet Manu's husband, Gabriel Ansu Manu, was in the Special Branch of the CID stationed at Enchi in the Western Region. In February, 1982 soldiers went to his living quarters to look for him. When Janet told them he had left for Sekondi one of the soldiers slapped her. They dragged her out of the house, hit her with the butt of their rifles and caned her on her bare back. She was rescued by the Chief of Enchi and the District Magistrate who came upon the scene. Janet has scars on her back.

7.4.54 Augustine Leo Gyamprah In March, 1982, the petitioner, a teacher at Bibiani and an ardent supporter of the PNDC regime teamed up with other persons to form what they called 'Holy War Movement'. Although they professed to support the PNDC the authorities were suspicious of them. A team of soldiers was dispatched from Sekondi to arrest them. What happened to them is graphically recorded by the petitioner in a statement filed with the Commission.

7.4.54.1 It reads:

On Thursday 25th March 1982, I was on my way to school with J.K Addae who happened to teach in the same school with me. When some soldiers rounded us up at the Bibiani round about. It was in the morning around 7.30 am. The soldiers put us in their car. there we saw the other four executives who had been apprehended by the military personnel earlier on. These military personnel were from Aprembo Barracks and Sekondi Naval Base. They numbered about ten and they were all in their uniforms and armed as well. The six of us were sent to Bibiani Police Barracks. The soldiers did not question us neither did they tell us any wrong thing we had done. However at the Police Barracks we were stripped naked with only our pants on and we were made to undergo very severe

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public military drill. Apart from some strenuous exercises we were made to undergo, we were severely whipped with chains and sticks, booted and constantly hit with the butt of their guns. After that, we were sent to the Bibiani round-about to an open place, where we were made to undergo the same ordeal. It was after the brutalities that we were told that we had formed a movement, 'Holy War Movement' and that we were creating confusion in the town. ...Our school pupils and people in the town gathered to see what was happening to the six of us. Some of the witnesses even wept. After the public drill, we were sent back to the police barracks, our clothes were given to us and we were made to go.

The brutalities meted to us have given some of us permanent injuries. Mr. J. K. Addae for instance is living with a severe ear problem. I am also suffering from an ear problem and a problem with my spinal cord. I am supposed to undergo an operation but the cost involved has disallowed me from doing so. We are still seeing scars of brutalities meted out to us some twenty years ago. We felt very much humiliated and even found it difficult to perform our duties as teachers, when some of our pupils were eye witnesses to what happened to us. It is based on the humiliation, the disgrace and the permanent injuries that I am lodging this complaint on behalf of all of us.

7.4.54.2 Later, it was announced on the radio that the Movement had been banned. They were accused of terrorising members of the PDC.

7.4.55 Kingsley Kwaku Asare claims to be the 'King' of Africa. Others think he is mad. He was arrested in early 1988 and taken to the Castle where he was shaved and put in a guardroom. Each morning he and other detainees were made to slap each other. On one occasion the slapping was supervised by RSM Tetteh, the bodyguard of the Chairman of the PNDC. On his release he was taken to the Psychiatric Hospital, Accra and to Edumfa Healing Camp for prayers.

7.4.56 There was a long-standing land dispute between **Robert Kwame Bediako** and one Kwasi Osei. In 1982 some soldiers intervened in the dispute by arresting the petitioner and causing him to be detained at the Koforidua Police Station. After two days the petitioner was taken to the Ministries area, where he was made to strip down to his pants. He was then publicly flogged. The petitioner was then driven to Michel Camp, Accra. On the way he was cut with knives and while in detention at the Camp he was repeatedly slapped.

7.4.57 Comfort Yaa Nudo was a cook at the Psychiatric Hospital, Accra. On 7th March, 1983 the petitioner and other female cooks were arrested at the hospital and taken to Gondar Barracks where they were accused of stealing food meant for patients. The women were each placed on a table and flogged with a belt. Each of them was given 12 lashes.

7.4.58 In 1982 **Gyan Bediako** was arrested at 8.30 p.m. in Accra by soldiers who claimed it was curfew time. They took him to Gondar Barracks where they subjected him to beatings. He was also caned. This left him with wounds all over his body.

7.4.59 In 1983, **Yussif Laminu**, a cigarette dealer, was arrested by soldiers at Wa. They seized 13 boxes of cigarettes from his shop. While taking him to his home for a search he was made to hold his ears and hop. They used a stick from a thorny bush to beat him. This caused bruises on

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his body. At his home one of the soldiers hit him on the mouth with the butt of a rifle, loosening two teeth. He bled profusely. He was taken to the Catering Rest House where the soldiers had camped and made to sit all night without sleeping. The next morning he was released. A few days later one Sgt Nkrumah struck him with a belt when he went to queue for kerosene. The belt hit him on the eye causing him serious injury.

7.4.60 Helena Poku In 1986, Helena engaged in an altercation with another lady at the arrival hall at the Airport, Accra. She was told by security personnel to stop. When she did not, a soldier arrested her and took her to a make-shift guardroom at the airport. Helena was slapped and her hair was shaved off. She was placed on a table and given 50 lashes.

7.4.61 Ekua Kwaayie, a trader of Odumase, near Assin Fosu, sold a stick of cigarette to a customer for ¢2. She was challenged by the local PDC for selling above the controlled price. A week later one Aba Gyansah brought soldiers to arrest Efua. She was taken to Assin Fosu, stripped naked in public and caned. Other soldiers beat her with their hands. Efua was kept in the cells at Fosu Police Station till the next day, put before a public tribunal and fined ¢500.

7.4.61 Adam Bannobi broke down while giving evidence before the Commission and was, therefore, unable to tell the Commission the full story of what happened to him. He stated that on 15th January, 1982 he returned to Ghana from a visit to Cinkansi in Togo. He brought with him five boxes of Rothman King Size Cigarettes. On reaching Pusiga he was informed that Cpl Peter Tasiri was looking for him. When he went to meet Tasiri, Liason Officer of the PNDC he was severely assaulted and put in police cells. The next day he was taken to Bawku where he claimed that a rope was tied round his waist and attached to a vehicle which pulled him for a considerable distance. Further ill-treatment was inflicted on him at Bolgatanga Police Station. It was in Bolgatanga that he was able to make his escape. The petitioner lost several of his teeth in this encounter with Peter Tasiri.

7.4.62 Amepofio Mensah, In August, 1985 petitioner was arrested when he went to the Minister of Interior, Kofi Djinn, to ask for payment for goods supplied to Hajia Baby Ocansey who claimed to have received them on behalf of the PNDC. He was taken to Gondar Barracks and subjected to cruel and inhuman treatment. He describes his ordeal as follows:

I was at Ministries Police Station for almost two months. I have forgotten the day and there was a time they came down with a military vehicle and picked me up to the Gondar Barracks. ...

So, at the Gondar Barracks I was asked to naked myself. In fact, there, it was almost getting to about 1:00 am. I was there when they brought some women. In fact, a lot of them, they were more than twenty and the women also were asked to stripped themselves naked but they were asked to perform bedmatics (simulate the sexual act) on the floor.

...

And with me there were some bricks packed and I heard one young man saying in Ga that, ... they would ask me to dance around with this bricks. So, I didn't know how they were going to do it and later on the young man came close to me and tied the bricks to

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my penis and I was asked to dance around. In fact, there was a man following me with a riffle and the other one also was smoking profusely. So, as I dance around, I will show you some scars I had at the Gondar Barracks.

Anytime the cigarette brightens, then they would use it to tap my body, even my face, meanwhile, I was dancing around with the brick around my penis. In fact, beatings and all that and I had protruding teeth. ... In fact, my footsteps changed into the style walk with somebody with a rapture.

7.4.63 Amissah Nunoo, a store owner at Akim Oda, was arrested by armed soldiers who ordered him to board their vehicle. On reaching the lorry station, Sgt Kwasi Manu ordered the soldiers to beat him up. This they did with sticks until he became unconscious. Nunoo was taken to the Military Camp at Achiase where he suffered further ill-treatment. He was released after four days but re-arrested two days later and taken back to the camp. During the next eight days he was regularly compelled to undergo physical exercises and to roll on the ground. He was made to lift a large stone which the soldiers nick-named 'Pharaoh'. His hair was shaved. While there he witnessed brutalities being meted out to other detainees. Some were beaten up or mercilessly flogged. Two women who were alleged to have sold palm oil above the control price were stripped naked and caned.

7.4.64 Mohammed Ali was a sailor and father of nine children. He lived with his wife and children in Takoradi. In March, 1982, military personnel from the Airforce Base went to his house and conducted a search. They seized various items including a television, a refrigerator and a wall clock. Later, another set of military personnel went to the house. Ali told them of the earlier search and seizure. Seeing his children, the soldiers enquired who the fathers were. When Ali told them they were all his children, they asked him to undress. One of them hit Ali's penis several times with a stick. Ali bled from the penis which became swollen. He was taken to the Effia Nkwanta Hospital for treatment. Ali said he had become impotent as a result of the attack.

7.4.65 Nana Baffour Asare, a trader at Tamale, sold a pen to a customer for 5 pesewas. The customer came back moments later in the company of three soldiers who arrested the petitioner and took him to the Kamina Barracks. There the petitioner was beaten with fists and belts. He was made to crawl on stone chippings. He was placed in a covered coffin with a hole into which water was poured and a metal pushed into it. He struggled until he lost consciousness. He later found himself in the guardroom where he remained for nine days.

VOLUME 2 CHAPTER 7**7.5 SEXUAL ABUSE**

7.5.1 About a week after the 31st December, 1981 coup, **N** and other women bread bakers in Accra were arrested in the middle of the night and taken to Gondar Barracks. They were questioned about their sources of supply of flour. Later, when she asked to be permitted to go outside to pass urine, a soldier accosted her and told her not to make any noise on pain of being shot. The soldier then brought out his penis and demanded that she put it in her mouth and suck it. She, reluctantly, complied with the soldier's order, after which he let her go.

Like buggery, so-called oral sex may be tolerated when it takes place between consenting adults, but where, as in this case, it is done under duress, it becomes objectionable. As stated by the petitioner, it was for her a most degrading and humiliating experience.

7.5.2 Afia Samiah, After they had seized 400 bags of flour she was conveying to Akyem Manso for her Bakery Association, soldiers at the Weija Barrier in Accra made Afia who was eight months pregnant strip naked in the presence of her husband's nephew for an examination to see if she was indeed pregnant, claiming that women feigned pregnancy to hide their misdeeds.

7.5.3 V, a trader, was arrested with another woman and taken to Michel Camp on an allegation that she was hoarding. Both she and her friend were shaved with a broken bottle. In the night, three soldiers requested V for sex. She refused saying she had previously been to a shrine to swear an oath of fidelity to her husband and that there would be a curse on them if she was forced to break the vow. She was made to lie naked on a table and open her legs while the soldiers examined her genitals with a torchlight.

7.5.4 After soldiers had seized wax prints and school uniforms **Juliana Klu**, a trader, kept in her home at Somanya, Eastern Region, she tried to continue her business at the market stall of a friend. A report was made to the soldiers who took her to their base and stripped her down to her loincloth, exposing her body to public view. Juliana was then seven months pregnant.

7.5.5 In early 1982, soldiers went to Mankessim market and seized 200 roofing sheets from **Esi Baawa**, a trader. They accused her of hoarding, stripped her naked and beat her. They then put her in a vehicle and drove towards Cape Coast. On reaching Moree junction, the soldiers dumped her by the roadside. She was found by an acquaintance who took her to Cape Coast Hospital for treatment. She bled from the nose and ears. Among the military personnel involved in this dastardly attack were Jesse, WO I Bonney, Attipoe and S/Sgt Adams.

7.5.6 While in detention at Gondar Barracks **N** was subjected to cruel and inhuman treatment. He was beaten with hands, boots and cords. He was hit with the butt of rifles and made to lie face downwards and simulate sex.

VOLUME 2 CHAPTER 7**7.6 ILL-TREATMENT**

The main victims of ill-treatment were traders. Whenever their goods were seized and sold, they would be arrested and taken to the Military Barracks where they would be subjected to all manner of abuses.

7.6.1 Yaa Animah was arrested by a militiaman, Kennedy Maccoy, also known as Segbawu. Her crime was that she was going about in the streets hawking cloths. Segbawu took her to Gondar Barracks. According to Yaa, she was beaten and detained in the guardroom. Later, she and other women were taken to the sea-side and made to carry sand. Segbawu, who gave evidence before the Commission, admitted that he saw her performing forced labour as sand carrier.

7.6.2 Afi Madonunawo Dzamesi After the 800 bags of sugar and 24 cartons of yeast she had imported from Togo were seized by soldiers, Afi was subjected to beatings at her village, Awlikofe, near Dzodze and at the Military Barracks in Ho.

7.6.3 Victoria Sam, a shopkeeper at Tarkwa, had her hair shaved off by soldiers who also forced her to dance to the words, “Auntie Vic, Kalabule”.

7.6.4 Ricky Nelson Atianah, a trader and contractor, was arrested by seven policemen and assaulted at the Ho Central Police Station. He was later transferred to Ussher Fort Prison in Accra.

7.6.5 Rose Apedoe, After her arrest for hoarding, Rose was taken to the Border Guard office and subjected to ill-treatment which has left her with some disabilities.

7.6.6 Yeboa Amoabeng Atta Mensah, Soldiers led by WO I Mary Teye arrested Mensah on an allegation of hoarding iron roofing sheets in his house at Nungua. While Mensah was being questioned about the iron sheets at Gondar Barracks, WO I Mary Teye came from behind him and slapped him.

7.6.7 Soldiers who raided **Theresa Krakue’s** shop at Kweikumah, Sekondi, set upon her with belts and fists as she was being taken to the Airforce Base, Takoradi. She has scars on her back and arm. Her sight is impaired.

7.6.8 Samuel Kwabena Boateng On 1st May, 1982, following his arrest by CDRs for selling trunks above the controlled price, Boateng was taken to Aprembo barracks where he was subjected to ill-treatment. He was repeatedly slapped and made to weed and dig trenches.

7.6.9 Stephen Asante, a trader, was about to load maize and groundnuts from Nkawkaw to Accra for sale, when a soldier who went by the nick-name “No Way” attacked him. In a struggle, “No Way” bit off part of Asante’s left ear. Other soldiers joined to beat him up leading to the loss of several teeth.

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7.6.10 Janet Abbah, a kerosene seller of Ekye Amanfrom, Eastern Region was set upon and beaten by two soldiers, Nsiah and Bawa, at the Afram river ferry crossing.

7.6.11 Mary Abena Duffie Six soldiers who had gone to the Central Market, Kumasi, to enforce price control set upon and beat up Mary who, out of fear, had denied being the owner of a shop.

7.6.12 Owusu Sekyere Following his arrest on 26th March, 1982 and the subsequent seizure of dangerous and restricted drugs found at his shop and in his house at Mampong, Ashanti, Sekyere, a chemical seller, was subjected to ill-treatment at the Military Barracks in Kumasi. This included being made to look at the sun, being slapped, being forced to roll on the ground and being made to leap frog.

7.6.13 Cecilia Agyapong was a trader at the Makola Market, Accra. After the destruction of the Market, she joined her husband at his shop. She was arrested for selling bathroom sandals above the controlled price. She was taken to the grounds of the Public Tribunal established in the Freemason's Hall, Adjabeng, Accra. She was made to roll on the ground, hold her ears and hop and to engage in other physical exercises.

7.6.14 Yaw Apenteng Four soldiers led by one Corporal Asante went to the Maamobi, Accra residence of the petitioner, a trader. He was not in at the time. The soldiers seized his two year-old daughter and took her away. When the petitioner followed up the little girl was released. The soldiers attacked the petitioner with the butts of their rifles and took him to Gondar Barracks. He was released the following day.

7.6.15 Kwabena Ampadu In 1983, following the seizure of his goods, the soldiers took Ampadu to a place known as the Club in Koforidua where the soldiers were based. He was slapped, drilled and made to crawl on his knees on ground strewn with gravel.

7.6.16 Christian Kofi Ahadzi was a serving soldier. In 1982, his wife, **Mary Stella Nyamador**, was arrested at her shop at Ashaiman. She was taken to Michel Camp where her hair was shaved. She was kept in the guardroom for three days.

7.6.17 Kofi Bonsu The soldiers who arrested Bonsu for hoarding bulbs, hit him on the eye-brow with the butt of a pistol and on the head with the butt of a gun.

7.6.18 Cecilia Akomaa, a trader at Akyem Aperade Market, received several slaps when soldiers went to the market to check on the prices of goods.

7.6.19 Gabriel Kwasi Appiah On his arrest, Appiah, a shop owner of Kumasi, was taken to the Military Barracks where his hair was shaved with a broken bottle. He was beaten and made to crawl on gravel.

7.6.20 Michael Gbemu, an akpeteshie seller of Maamobi, Accra, was arrested by soldiers. They slapped him and hit his stomach with the butt of their guns.

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7.6.21 Nesta Asomah Hawa, Soldiers who seized Nesta's goods at Techiman Market also slapped her.

7.6.22 Kwaku Osei, a seller of provisions at Juaso, Ashanti, was attacked by members of the PDC and badly beaten up.

7.6.23 Victoria Tawiah Kotey, After he had arrested Victoria for selling pigs feet in the street in Accra, W O II Salifu Amankwa had Victoria's hair shaved off.

7.6.24 Jacob Belba Smith, a Personnel Manager at GIHOC and owner of a shop at Accra Newtown, was assaulted by soldiers and police went to the shop to auction his goods. He was hit with sticks, hands and feet. He sustained injuries to his eyes.

7.6.25 Kwabena Oppong was arrested after tyres he was selling at Kaneshie, Accra, had been seized. The soldiers took him on their military vehicle to the Achimota Forest where they subjected him to severe beating. He sustained an injury to his right eye.

7.6.26 Henry Asante Lamptey, a CDR Chairman, was arrested for selling kerosene at an inflated price. He petitioned that the beating he received left him with injuries to an eye and an ear and the loss of some teeth.

7.6.27 Kwabena Kweni; Efua Kurantsiwa; Esi Baduwa; James Fred Eghan The petitioners were members of the PDC at Abura Edumfa in the Central Region. In 1983, they collected a consignment of soap from the Ameen Sangari factory at Cape Coast. The soap was priced at ¢7 per bar. The petitioners sold the soap to the villagers at Edumfa at a price of ¢12 per bar, thus making a profit of ¢5 on each bar of soap. When the authorities heard about this, soldiers were sent from the Regional Office at Cape Coast to arrest them. They were taken to Cape Coast where they were made to weed the compound with their bare hands. While doing so, they were beaten with bamboo sticks. They were released on the same day.

7.6.28 Efua Akyere The petitioner, who gave her age on the statement form as 23 years, claimed to have been one of the PDC members of Abura Edumfa who were ill treated at the Regional Office, Cape Coast in 1983. She did not appear before the Commission to give evidence. In any case, if her age is correct, she would have been only two years old at the time. In all probability she brought the petition in place of a relative who is now dead.

7.6.29 Charles Akese Koranteng, a tyre dealer of Accra, was arrested and taken to the grounds of the tribunal at Adjabeng, Accra where a female City Guard slapped him several times till he fell.

7.6.30 Ama Serwaa tried to resist when soldiers went to her provisions shop at Akyem Manso to auction the goods. For that act of defiance, the soldiers slapped her and hit her with the butt of a rifle. She was made to remove her *kaba*, after which she was placed on a table and flogged.

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7.6.31 Peter Ashford Adomako, owner of a pharmacy shop in Koforidua, had his hair shaved off with a broken bottle on 21st January, 1982.

7.6.32 Albert Kwame Sam; Ayi Mantey, When Sam, Mantey and other traders whose kiosks had been demolished by the AMA went to the office to complain, they were taken to the Castle, Osu, where they were beaten.

7.6.33 Florence Afua Agyekumwaah, a trader at Makola Market, Accra was taken to the AMA offices at Adjabeng and flogged by soldiers who claimed she had hoarded plastic bags. She was slapped several times.

7.6.34 George Kwabena Antwi, a resident of Obuasi, was arrested in 1982 on suspicion of hoarding goods. While under interrogation, he was slapped and kicked and cold water was poured over his body. When he tried to resist, he was hit with the butt of a rifle.

7.6.35 Roland Amegbor, an Accountant at Parliament Hotel, Cape Coast, was arrested by soldiers with the Manager and taken to the Regional Administration for refusing to sell beer. There they were subjected to severe beatings after which they were released.

7.6.36 Basie Entsuh, a newspaper vendor in Accra, was accused by three soldiers of hoarding newspapers. They rejected his explanation that the papers had already been paid for by some of his customers. They set upon him and beat him up. He lost two front teeth.

7.6.37 Sarah Nartey was taken to Burma Camp following her arrest for selling chicken parts at what the soldiers claimed was an exorbitant price. She was severely beaten and hit across the face with a belt. This opened up a wound above her eye.

7.6.38 Anthony Eshun, a street hawker in Accra, was arrested with others in October, 1989 by officers of the Accra Metropolitan Assembly and taken to the CDR office where their hair was shaved off and they were subjected to other acts of molestation. They were made to pay ₵10,000 each before being released. The incident was reported in the *Daily Graphic* of 7th October, 1989.

7.6.39 Helena Yorke, a trader at the Kotokuraba Market, Cape Coast was arrested on an allegation of hoarding tinned fish. While under arrest she was slapped and a policeman used a lighted cigarette to cause burns on her body.

7.6.40 Sophia Mensah was arrested by soldiers and militiamen at Denkyira Akropong for hoarding goods at her home. During a search, she was slapped several times. She bled from the nose.

7.6.41 Awubey Quame was arrested by soldiers as she tried to convey her goods from Tarkwa market to hide them at Dompim. She was then seven months pregnant. She was beaten up by the soldiers as a result of which she had a miscarriage.

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7.6.42 Philomena Adwoa Quarm Soldiers went to the market at Mpohor near Takoradi to molest traders who, they said, sold their wares above the controlled price. Philomena was one of the traders who were attacked. She was then two month's pregnant. She had a miscarriage and also lost four teeth.

7.6.43 Yaw Appenteng, was a trader living at Mamobi, Accra. In March 1982, soldiers led by Corporal Asante arrested him. The soldiers beat him up and hit him on the head with the butt of a rifle causing him to bleed. He received treatment at the Military Hospital, Accra.

7.6.44 Godfried Boakye Essim, A soldier went to Essim's shop in Kumasi and insisted on buying a suitcase at a price of his own choosing. When he resisted, the soldier aimed a pistol at him. Essim grappled with the soldier. The soldier hit Essim on the head with the pistol, resulting in an ugly wound. Essim was taken to Komfo Anokye hospital for treatment.

7.6.45 In 1982, when **Kwabena Adu** found that soldiers who had gone to the shop of his father, Samuel Yaw Adu Nyame, at Nima, Accra to sell the goods were molesting him, Adu intervened and admonished them for their conduct. The soldiers set upon him and beat him up. They then took him to Burma Camp where he was detained for three days. On his return, Adu showed signs of mental instability. He has since been a patient at the Accra Psychiatric Hospital.

The campaign against high prices and hoarding was taken to absurd lengths: zealots tried to fix prices for almost anything, from the popular Northern drink *pito*, which was sold in calabashes, to sliced pine-apples.

7.6.46 George Amason Atangosigo For opposing attempts to fix controlled prices for *pito* and *fura*, Atangosigo was arrested with four others by soldiers and taken to the Regional Administration, Bolgatanga where they were beaten up, made to undergo physical exercises and to roll on the ground while being kicked.

7.6.47 Seidu Lansah, intervened on behalf of a girl who was trying to escape arrest her for selling sliced pineapples at too high a price. Following this, **Lansah, Alhaji Adam Gariba** (now deceased), **Alhaji Abdul Rahman Abubakar** and **Salifu Tindogo** (now deceased) were arrested and taken to the guardroom at Kamina Barracks, Tamale. They were made to strip to their underpants and were hit with the butt of rifles. Lansah lost three teeth.

7.6.48 Sophia Boamah, a yam seller, was arrested at Dunkwa-on-Offin when she sold a tuber of yam for ₵2.50. The soldiers slapped her and beat her with sticks until she bled from the nose. She now has difficulty in hearing and suffers from chronic headache.

7.6.49 Kwabena Poku, a trader of Abesim, near Sunyani sold a blade to a customer at 10 pesewas. The customer and members of the PDC claimed that the price was above the controlled price. Later that day, soldiers came for Poku and took him to the Military Barracks in Sunyani. The soldiers beat him and hit him with the butt of their rifles.

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In other cases it was a matter of persons in authority, or their friends, showing others where power lay.

7.6.50 Benjamin Kwadwo Agyare was Deputy Controller of CEPS. In 1984 he was arrested and taken into custody at the Ussher Fort Prisons. After ten days, he appeared before the National Investigation Committee and was granted bail. A press release issued by the Secretary for the Interior, Djin, and published in the *Daily Graphic* of 14th September, 1984 made allegations of criminal conduct against him.

It is the view of Agyare that the reason for his arrest was his insistence on implementing the decision taken by the Controller, who had traveled outside the country, to transfer one Malm from Aflao to Takoradi. Indeed, the Controller had had cause to complain to the Secretary for Finance about Djin's interference in matters concerning the CEPS. However, Agyare went too far when he claimed that his incarceration for 10 days was responsible for the breakdown in his health which, according to him, made necessary treatment abroad with all the costs involved. No doubt, the fact that he had a son who was a medical doctor in the United States influenced his decision to travel abroad.

7.6.51 Alex Kwame Yeboah, a security officer at Tema Harbour, was arrested with others by soldiers on an allegation of stealing. He was stripped to his pants, beaten with the butts of rifles and drilled. He sustained injuries resulting in a surgical operation. Cpl Issah, Sgt Addison, Sgt Adamu and L/Cpl Victor Fiavor, who were identified as the perpetrators of these human rights abuses, were summoned to the Military Police Headquarters, but were released on the intervention of their superior officers. It seems soldiers on duty at the Tema Harbour were above the law.

7.6.52 George Philip Okine was Chief Revenue Officer of the Accra Metropolitan Authority in 1984. Enoch Teye Mensah, Metropolitan Chief Executive, caused his arrest when he withheld the salaries of some female revenue staff who had absented themselves from their duties. He was taken to the Military Intelligence and forced to undergo physical exercises and then released. On 17th March, 1987, Okine was arrested and taken to the Castle, Osu on a bribery allegation. His hair was shaved off. He was released two days later when the allegation of bribery was found to be false.

7.6.53 Michael Dumashie, After 31st December, 1981 coup, rival Peoples' Defence Committees were formed at Wusuta in the Kpando District of the Volta Region, one by the chiefs of the area, and the other, by Dumashie and his friends. Soldiers sent from the Ho Mortar Regiment to resolve the dispute set upon Dumashie and beat him up. They also used the butt of their rifles to hit him in the groin. Dumashie claimed that injuries to his genitals have left him impotent and that his seven wives have left him. Even though there was no medical evidence to back up Dumashie's claim of impotence, an eye-witness confirmed the assault on him.

7.6.54 On 7th February, 1990 **Christian Afaglo** was arrested on an allegation that he had collected 20,000 bags of cement in the name of the 31st December Women's Movement at Klikor in the Volta Region and brought to the Castle, Osu, Accra. His hair was shaved and he was

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forced to undergo physical exercises. Water was poured on him and he was placed in a guardroom. The ill-treatment continued on a daily basis until he fell ill and was sent to the Korle Bu Hospital for treatment. He escaped from the hospital and went to Togo.

7.6.55 Isaac Duodu, a Lance Corporal in the Prison Service was sentenced to 25 years' imprisonment for facilitating the escape of detainees. While in prison, he was severely assaulted by Prison Officers on 4th January, 1991.

7.6.56 Yaw Bekoe, In January, 1982, while driving from Tema to Accra, an armed soldier stopped Bekoe and questioned him as to his manner of driving. The soldier hit him in the face and in the stomach.

7.6.57 Georgina Eshun, wife of Meshach Lord Manteaw was hit on the head with the butt of a rifle at Takoradi on 21st January, 1982 when she tried to stop the soldiers who had come to their home to kill her husband.

7.6.58 Sophia Manteaw, was four-and-a-half years old when on 21st January, 1982 at Takoradi, military personnel went to her home in search of one Colerangle. Her father, Meshach Lord Manteaw, was then holding her hand. While her father was explaining to the soldiers that he was not Colerangle, a soldier snatched Sophia from his hand and threw her against a tree. Sophia sustained injuries to her waist. As a result, she suffers from waist pains whenever she sits down for long periods.

7.6.59 Nana Kofi Benti, of Bonsa, Wassa Fiase, had a land dispute with one Obeng Yaw. Obeng Yaw sought the assistance of soldiers who had set up a temporary camp at Tarkwa. In the course of finding Benti to effect his arrest in March 1983, the soldiers arrested Benti's brother, Duku and one Appiah. They were taken to Apremdo Barracks in Takoradi. Duku was severely beaten and died a month later. When Benti surrendered to the military he was taken to Apremdo Barracks, shaved and beaten.

7.6.60 Yaw Appiah lived in the village of Benuwoho, near Dompim-Pepesa, Western Region. On the day Obeng Yaw brought in soldiers to effect the arrest of Benti with whom he had a land dispute, Benti gave a lift to Appiah who was on his way to Bonsa. Later that night Obeng took the soldiers to the house of Appiah and accused him of having tipped off Benti and enabled him to escape. The soldiers arrested Appiah and took him to the guardroom at Apremdo Barracks. He was slapped several times and threatened with being shot. Two lorry tyres were placed on his neck and a bucket forced over his head. He was released after five days when Benti surrendered himself.

7.6.61 Noah Desantos Aggrey, was arrested at Agona Swedru on suspicion of involvement in a case of robbery. He was taken to Gondar Barracks where he suffered ill-treatment. He describes his ordeal as follows:

They beat me up at the Barracks. I was taken over sand bags arranged at the height of 14 feet. Four soldiers held my hands and four held my feet. They threw me over it to land

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on my back which must sound like a dropping coconut from the tree. This went on so many times.

7.6.62 Kwaku Yaw Afum After the 31st December, 1981 coup, some workers who supported the regime set up what they called “Ginger Barracks” on the premises of the Public Works Department in Takoradi where they meted out brutalities to persons they described as ‘saboteurs’, ‘nation wreckers’ and ‘anti revolutionary’. Among the leading lights of these thugs were Hope, Kofi Mensah, Avevor and Otuteye, all employees of the Post & Telecommunications Department. On 31st May, 1983, Afum, an employee of the Department, was taken to the “Ginger Barracks”. He was made to do physical exercises, his hair was shaved with a broken bottle and other injuries were inflicted on him.

7.6.63 Jerry Odei Nyarko was a trade unionist at Takoradi. On 31st May, 1983, following a workers’ rally at which comments critical of the government were made, Nyarko was arrested with other union leaders and taken to the Military Barracks. He was beaten, resulting in head injuries. On his release some three days later, he was handed over to the WDC and PDC who had constituted themselves into a so-called “Ginger Barracks” at the premises of the PWD. Here, he was so severely assaulted that he lost consciousness. He was admitted to the Effia Nkwanta Hospital for treatment.

7.6.64 Kweku Chubby, In May, 1982, a day before Boye was killed, Chubby, a sailor, was arrested by soldiers and taken to the Airforce Base, Takoradi. There, he was subjected to beatings and threatened with being shot. The soldiers fired their guns in the air and burned his head with the hot muzzle. He was made to hop. The next day he was released.

7.6.65 Alex Adjei, a PNP Member of Parliament during the Limann Administration, was arrested on 2nd February, 1982 and taken into custody at Burma Camp. While he was in custody, Sgt Akatapore threatened to cut his throat. Akatapore also quenched his cigarette in Adjei’s ear. Cpl Alex Dawutey hit him on the head with an iron rod. Adjei was kept in a guardroom with over 100 persons, both male and female. A pan in the room served as a laterine for all of them. Adjei was later detained at Ussher Fort and Akuse Prisons. He was released on 31st August, 1985.

7.6.66 Barnabas Agyenkwa Mintah was the Youth Organizer of the NPP for Sefwi Wiawso. During the electioneering campaign in November, 1992, he was assaulted by a soldier who was said to be the bodyguard of the Western Region Chairman of the NDC. Mintah was accused of having made insulting remarks against the NDC. The incident was reported in the *Daily Graphic* of 26th November, 1992. He was given medical attention at Dr. Safo Adu’s clinic in Accra.

7.6.67 In 1984, soldiers went to Asaaman in Afigya Sekyere District, Ashanti Region to destroy unauthorized structures in the town. Barima Asante’s father, Opanin **Kwasi Abora**, Krontihene, pleaded with them to suspend action and give the traditional authorities time to see to the removal of the structures. The soldiers got angry and severely assaulted Abora, Nana Konadu, Akwamuhene and one Opanin Agyen. Abora was admitted to the Okomfo Anokye Teaching Hospital.

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7.6.68 In 1982, following a quarrel between **Kwame Ohemeng**, and agents of Yaw Amoako, PDC Chairman for Asante Akyem Ofoase, over petitioner's mother's stray goats, Amoako instigated two armed soldiers to attack and brutalise him. He was hit with the butts of rifles, kicked, slapped and made to roll on the ground.

7.6.69 In March 1982, **Benjamin Bennin Ntorhan** was driving a Co-operative Bank vehicle in Sunyani when a soldier who was also in a vehicle queried him for driving too slowly. The soldier got out of his vehicle and slapped Ntorhan. Ntorhan also slapped the soldier. The soldier then went away and came back with seven other soldiers, set upon Ntorhan and beat him up. He was taken to the guardroom of the military and later released on the intervention of the Regional Secretary.

7.6.70 Edward Kumanor Adjartey, On 31st December, 1987 an incident occurred at a traffic intersection in Tema when the petitioner is alleged to have crossed the path of WO 1 Nkwantabisa's vehicle. Nkwantabisa was then Security Co-ordinator at the Tema Harbour. When the petitioner's vehicle came to a stop Nkwantabisa pulled up, came out of his car and slapped the petitioner. He also deflated one of his tyres. In a statement filed at the Commission, Nkwantabisa admitted the conduct alleged against him.

7.6.71 In February, 1982 while **Kwabena Boakye-Yiadom**, and other customs officers were in detention at Michel Camp, they were forced to unload a vehicle which had brought cement to the Camp. They were also subjected to military drills.

7.6.72 Edward Yaw Opoku-Badu, On 1st June, 1990 Badu was walking in the street in front of Motor Traffic Unit in Accra when policemen forcibly removed his T-shirt on which the Union Jack was embossed. In the course of the struggle over the T-shirt, Badu received some slaps from the policemen.

7.6.73 Jonathan Apotsi Nuerthey, was caretaker at the house of Henry Kwadjo Djaba in Somanya. Soldiers ejected him from the house and demanded that he surrender the keys to Djaba's car. When he could not produce the keys, they set upon him and severely assaulted him. He was slapped, struck with a rubber whip and threatened with being shot. He now suffers from a hearing defect.

7.6.74 Moses Arku Amenya Goku was assaulted while under arrest and in the custody of soldiers, among them, Sgt Kotoka. He was slapped from behind, causing injury to his eye. At the prisons, an officer, Dzinyedzi, slapped him, leading to the loss of a tooth.

7.6.75 Michael Kwao Paditey was Factory Manager of Kadmous Limited. In 1982, he and other management staff of the company were arrested and detained at Gondar Barracks. Paditey was slapped and beaten both in the guardroom and while undergoing interrogation.

7.6.76 Peter Tasiri was Manager of the Tumala Co-operative Farms at Pusiga, Upper East Region. On 1st March, 1986, WO II Yaw Jones (Rtd), District Secretary for Bawku, led a group

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of soldiers to Pusiga to arrest Tasiri. At Pusiga, Jones hit Tasiri across the mouth with a pistol, breaking two of his teeth. Tasiri was then attacked with the butt of rifles. He was stripped to his pants and made to sit in the sun for two hours. He was then taken to Bawku where he was made to trot in the street and roll on the ground while a crowd watched.

7.6.77 Rockefeller Kwesi Hayford, while in detention at the Military Barracks, Apremdo, Hayford, Mill Foreman of the Takoradi Flour Mill, was subjected to ill-treatment. He was hit with the butt of a rifle, he bled from the nose and became unconscious. When he was brought back to the guardroom after receiving medical attention at the hospital at the barracks, he was threatened with being shot in an effort to extract information from him about his employers.

7.6.78 James Kwasi Tega, and his colleague, **Adjei-Twum**, were in detention at Gondar Barracks between 29th September, 1988 and 30th June, 1989. During this period, they were subjected to degrading and inhuman treatment, as the following account by Tega shows:

On the 29th September, 1988 I was arrested at work by military police – Staff Sgt. Davis of Gondar Barracks. My colleague Mr. K. Adjei-Twum was arrested first and then the same officers returned to arrest me also.

I was first taken to Gondar Barracks by 2 military officers in a saloon car. The officers were armed. At Gondar Barracks we were forced to buy blades and then we were both shaved bald. We were given drills throughout one afternoon eg. we held our ears and hopped long distances between the guardroom and Commanding Officers Rooms. We were called all sorts of names and taunted “thieves”, “nation wreckers” etc, etc. we were beaten by RSM Koklo with a stick. We were both taken to Mr. Adjei-Twum’s home first and then mine. Our homes were searched. I was residing at La, House of Zion. Nothing was found.

We remained at Gondar Barracks. For 3 months, we were initially beaten by RSM Koklo now deceased. However, when we told him our story, he sympathized with us and the beatings stopped. However one Ranger Sgt Abatu continued to torture us both. He would come at midnight when there were no other officers present and order us all out of our cells and drill us to do press-ups outside for long periods. ...Eventually the CO (commanding officer) one Lt Col Mensah ordered that no soldier should open the cells until daybreak. We remained in Gondar Barracks in total for nine months.

7.6.79 On 31st December, 1982, soldiers went to the house of Owusu Peprah, a goldsmith of Dunkwa-on-Offin, who was suspected to be dealing in mercury. When they could not find him, they set upon his son, **Ibrahim Owusu Peprah**, and beat him up, hitting him with the butt of their rifles and sticks. They kicked him in the groin.

7.6.80 Vincent Miah, a goldsmith of Dunkwa-on-Offin, was arrested for buying gold from unlicensed good miners. He was subjected to beatings and hit on the head with the butt of a rifle.

7.6.81 Nana Abaka was arrested by soldiers at his village, Wassa Simpa, and accused of dealing in gold. Among the soldiers was one Acolatse. During a search of his house, Abaka was beaten. The soldiers’ hit him with sticks, booted him to the ground and knocked out a tooth with the butt

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of a rifle. To frighten him, they put a gun in his armpit and fired it several times. He was then taken to Tarkwa Police Station where the officer-in-charge chided the soldiers for their behaviour and granted Abaka self-recognition bail.

7.6.82 Awudu Issah In 1982, soldiers led by CDR members at Darkuman, Accra searched a house in which Issah lived. They said they suspected that a money counterfeiting machine was kept there. Issah and others were taken to Gondar Barracks. Issah was hit on the jaw with the butt of a gun leading to the loss of four teeth. He was released when it was found that the machine was not for counterfeiting but, rather, one for detecting fake currency.

7.6.83 Barima Twum Apau, was the Chief of Okumaning in the Eastern Region. Following a dispute with some of his elders and subjects over stool revenues, armed soldiers were called in and in the resulting confrontation two persons were shot dead. The petitioner too sustained some gun-shot wounds for which he received treatment at the St. Dominic Hospital, Akwatia. For reasons that are not clear, the petitioner was put before a Public Tribunal, tried and sentenced to 10 years' imprisonment. Both the Commission and the petitioner's solicitors have been unable to lay hands on a copy of the proceedings. The petitioner claimed that while his trial was in progress soldiers went to the palace at Okumaning, seized his personal effects, including a Peugeot 504 saloon car, and set the palace ablaze.

7.6.84 In 1982, Akosua Adabi's brother, **Kwaku Nantwi**, was traveling by road to Nigeria, he was stopped by soldiers at Mangoase in the Volta Region and severely beaten up. He later became mentally deranged and died.

7.6.85 Paul Kwame Donkor Ayifli, Volta Region Chairman of the PNP, was arrested and detained at Ussher Fort Prisons for three months after the 31st December, 1981 coup. While in custody he tried to pass a note to his brother through a Prison Officer. When the letter was intercepted he was subjected to beatings on the instructions of Wemegah, Officer-in-Charge of the Prisons.

7.6.86 Hackman Kwadwo Boateng, was a Bailiff Grade II attached to the High Court, Cape Coast. On 19th February 1982, he went to a house in Cape Coast to execute an order of the High Court for ejectment of some tenants who had failed to pay their rents to the Deputy Chief Registrar in his capacity as Receiver and Manager. While carrying out this duty some aggrieved tenants called in soldiers who went to the scene and arrested the Bailiff and attacked him with belts and fists. They then took him to the Regional Office where further brutalities were meted out to him. The Deputy Chief Registrar who went to his aid was also molested. When the soldiers calmed down and listened to their explanations for their actions, they apologized and gave them first aid. They were then released. Boateng lost eight teeth in this dastardly attack. His clothes were badly torn. He computed his total losses at ₵2,310.

7.6.87 Kwabena Ofori Agyekum, was a storekeeper of the Produce Buying Division of the CMB in Sunyani. In 1983 soldiers went to his house in the middle of the night, forced the door open and arrested him. He was slapped several times and taken to the barracks where he was

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questioned about supplies he had issued to support a public education campaign on the Akuafio cheques. After he had explained that he did so on the instructions of the PNDC, he was released.

7.6.88 Mohammed Hanny Zahabi Taking advantage of the chaotic situation in the country, Riad Hozaifeh, a Ghanaian of Lebanese origin, had Zahabi, also a Ghanaian of Lebanese origin, against whom he had personal scores to settle, arrested in 1986 and taken into custody at the Police Striking Force, Accra. During the night, Zahabi was taken out to the guardroom at the Castle, Osu where he was manhandled while Hozaifeh looked on. Zahabi suffered injury to his ear drum from slaps received from the soldiers.

7.6.89 Moustapha Kobina Sangari, On his arrest on 26th January, 1982 Sangari a Ghanaian of Lebanese origin was taken to Gondar Barracks where, in the presence and at the instigation of Riad Hozaifeh, a self-styled ‘cadre of the revolution’, he was questioned about his relations with a Ghanaian lady. He was frequently slapped upon signals given by Riad.

7.6.90 Kofi Oware; Oteng Awuku; Musa Kramo, the petitioners lived at Asmah Camp, near Dunkwa-on-Offin. A land dispute between Oware and Victoria Amivitor and her son Kofi Donkor was determined in favour of Oware by the District Court Grade II, Dunkwa. Thereafter, a question arose as to whether some oil palm trees felled by Oware were within the boundaries of his land, or belonged to one Kofi Tetteh. This second dispute reached the ears of soldiers in Accra who decided to intervene in the matter. Soldiers were dispatched to Asmah Camp where Awuku, Kramo and other persons connected with Oware were arrested. They then went to Dunkwa and arrested Oware. They beat them up, made them roll on the ground and hit them with the butt of their rifles. Kramo and a few others were released. Oware, Awuku and two others were driven to Gondar Barracks, Accra for further ill-treatment. Their hair was shaved off. A soldier threw sand into Oware’s eyes.

7.6.91 Joseph Yaw Manu, In 1984, the people of Techire in the Tano District of the Brong Ahafo Region arranged with Ama Fosuaa, the Queen mother of the village to release one of her houses for police officers who were to be stationed there. After the people had expended money on the renovation of the premises, the Queen mother changed her mind. At the instigation of the Queen mother, soldiers went to the village and arrested Manu and three others. They were taken to the Military Barracks where soldiers beat them with sticks and belts.

7.6.92 Joseph Yaw Manu, a poultry farmer in the Tano District of the Brong Ahafo Region, hired a labourer to do a piece of work for him on contract basis. Later, a dispute arose between them over the amount due to the labourer. The labourer reported Manu at the Barracks. WO Konadu of the Ghana Army went to arrest Manu and took him to the Barracks. There, Manu was beaten with sticks by two other soldiers.

7.6.93 Osei Manu was a farmer at Adiepena in Adansi, Ashanti Region. In 1982, soldiers and militiamen went to his house and told him they had received reports that he never took part in communal labour. He was made to lie face downwards on the ground and simulate sex. While in this position, he was hit on the back of the waist several times with a stick.

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7.6.94 John Kwasi Owusu is a welder at Atekyem, near Dunkwa-on-Offin. Dinah Owusu is his wife. In 1982, a soldier, Cpl Kofi Antwi, who claimed that Owusu had overcharged for work done, called at Owusu's home. He met Dinah who was carrying a baby on her back. Antwi pushed Dinah and the baby fell to the ground. Antwi then left in search of Owusu. He found him at his farm, forced him at gun point to join a Landrover vehicle and took him to a petrol filling station where, on his demand, Owusu bought petrol for him. He threatened to shoot Owusu and his apprentice, but later relented and, instead, made them carry sandcrete blocks high above their heads for about 20 minutes. Cpl Antwi admitted to the treatment he gave Owusu. He said he could not remember the incident involving Dinah, but thought it was probably true.

7.6.95 John Kodzo Xorlali Adorvlo was Chairman of the NPP for the Ketu North Constituency. In 1992, policemen and armed soldiers went to his house at Dzodze to conduct a search for arms. When he questioned them about their authority for the search he was hit with the butt of a rifle.

7.6.96 Isaac Tetteh Torgbenu, a citizen of Bornikorpe, Ada, intervened when soldiers arrested his uncle, Kpade Onyame, for winning salt in an area of the Songhor Lagoon claimed by Vacuum Salt Company Limited. He was taken to the offices of the company where, on the instructions of Stephen Appenteng, he was assaulted. When he went to Gondar Barracks on the following day, he was again assaulted by soldiers who kicked him in the stomach and chest. He was detained in the guardroom for two weeks before being released.

7.6.97 Tetteh Puplampu, a salt winner of Okorngmleku, was assaulted by a soldier and three civilians who slapped him several times. An unsuccessful attempt was made to force salt into his mouth.

7.6.98 Abdulai Soti, was arrested at Toflokpo, Ada, for winning salt in the concession area of the Vacuum Salt Company Limited. He was beaten. When he lodged a complaint at Dawa police station, he was arrested and detained for a week.

7.6.99 Vida Nmonmlokie Sappor, and others were arrested by three policemen while conveying salt from Kportitsekorpe. They were taken to the offices of Vacuum Salt Company Limited where the workers beat them up. She now suffers from headache and pain in the eyes.

7.6.100 Francis Yao Dunyo, was made to do forced labour when he was arrested at Shia, Volta Region for smuggling currency into the country. He was made to dig a trench and to carry wawa boards.

7.6.101 Togbe Asamoah Nkwanta VI, and his elders were arrested by WO I Ebenezer Kwablah Hudekor in connection with the Torgome chieftaincy dispute. They were taken to Gondar Barracks, Accra where they were brutally assaulted.

7.6.102 Newlove Kwaku Asiedu, was the officer-in-charge of the Ghana Timber Marketing Board Lumber Sales Depot at Aflao, Volta Region. On 14th May, 1982 there was a confrontation between him and some Border Guardsmen, among them, Kwame Nartey and Nantomah Abdulai,

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over the export of lumber. He was attacked and seriously injured. He had deep cuts on the head, right eye, and right arm. He also lost a tooth.

7.6.103 John Benyebenwo Anwomeah, was the owner of Nzema Clinic at Dansoman Estates, Accra. In 1982, his landlord, one Hanson, employed soldiers led by Sgt Agoha to eject him from the premises. In the course of the ejection, and subsequently at the Military Barracks, he was beaten and hit with the butt of rifles.

7.6.104 Mosby Bamfo-Manuh, Following a dispute between Maj Bentil of the Military Police, a prospective tenant, and Mosby and other occupants, the Major took soldiers to the premises to beat up Mosby and take him away for detention in a military guardroom. The dispute was later resolved when the real owner of the premises arrived from abroad and ejected Maj Bentil.

7.6.105 Samuel Kwabena Mensah, an employee of the marketing section of the State Farms Corporation in Tamale, was arrested by soldiers led by S/Sgt Nimo in February 1982 when a second-hand clothes dealer alleged that part of a consignment kept for safe-keeping at the shop had been stolen. He was placed in the guardroom at the barracks and ill-treated. He was kicked so severely in the soles of his feet that he still suffers from blood circulatory problems in his feet.

7.6.106 Vincent Yeboah Asiedu, a student of Suhum Secondary School, was arrested and detained at the police station following a riot at the school. He was subjected to beatings while in custody.

7.6.107 Dramani Raffie Imoro, a student of Bawku Technical Institute, went to an unlicensed dealer in Bawku to change cedis into CFA currency. He was arrested by soldiers and taken to Bawku Police station where he was brutalized. He was slapped and beaten up.

7.6.108 Samuel Kwabena Mensah, In 1985 security personnel who were looking for a timber saw-miller called Nana Woode arrested Mensah, an employee, and took him to the Castle, Osu, where he was placed in a guardroom. There, soldiers led by Cpl. Addo slapped and beat him. Addo hit his head with the butt of a gun.

7.6.109 Kwaku Ampadu was at his shop at Nkawkaw when soldiers demanded that he should go to the railway station to load cocoa onto the railway vans. He shut his shop and joined other persons in rendering forced labour.

7.6.110 Ansu Anane was a Statistical Assistant in the Ministry of Finance stationed at Kintampo, Brong Ahafo. While travelling by taxi from Kintampo to Sunyani, they came upon a vehicle loaded with cement. Soldiers at the site ordered them to alight from the taxi and carry the cement from the vehicle, which had apparently broken down, into a relief vehicle. After carrying 20 bags of cement Anane collapsed and was taken to Berekum Holy Family Hospital.

7.6.111 Paul Kojo Agyekum, When drugs in his pharmacy shop were seized, Agyekum went to the National Investigations Committee (NIC) at Gondar Barracks to ascertain the reasons for the seizure. There, he was made to trot round a field three times and then told to go away.

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7.6.112 David Akorful a resident of Tema, joined a queue for cigarettes. After he had been served, a soldier in plain clothes walked up to him and demanded that he surrender the cigarettes to him. When he refused, the soldier fired at him. The shot missed its target but grazed him on the head. Akorful was arrested and taken to Michel Camp where other soldiers joined in beating him. He was slapped and kicked. Akorful lost some teeth.

7.6.113 Paulina Letsa a bank official and housewife in Kumasi, bought fish and some foodstuffs and was on her way home with her husband when they were arrested by two soldiers. The soldiers expressed surprise that in a time of scarcity she had been able to find so much fish to buy. They were forced to drive to the Military Barracks at gunpoint and then to the bank. Paulina was slapped, pushed and kicked by the soldiers. The soldiers happened to be Ewes. They let her go when the Bank Manager, who spoke Ewe, and her husband, an ethnic Ewe, calmed them down.

7.6.114 Kofi Mensah lived at Mbradan, near Dunkwa-on-Offin. He was arrested by Sgt Ewusie for failing to take part in communal labour. Ewusie hit him with the butt of a rifle five times. He then marched him to a building known as Bungalow No. 1 where the soldiers were based. The soldiers subjected him to beatings. Other victims of this attack were Kwabena Mesu and petitioner's wife Yaa Amoaa.

7.6.115 Michael Kofi Asamoah; Andrews Kwame Peprah, had the sins of one Mainoo, a Prophet who had written a letter critical of the PNDC government, visited upon them. For being mere acquaintances of the Prophet, they were arrested at their places of abode in the Brong Ahafo Region and publicly assaulted in the presence of their wives and children. They were repeatedly slapped and made to lie on the ground facing the sun. Asamoah now suffers from a hearing impairment. Peprah's sight has been affected.

Persons suspected of being involved in plots to overthrow the PNDC invariably suffered some form of ill treatment.

7.6.116 While on a stroll at the beach near the Castle, Osu, **Jerry Lartey** was arrested on suspicion of engaging in reconnaissance for subversive purposes. He was taken to the Castle and brutalised.

7.6.117 On 20th June, 1983 **Tei Kofi**, and three other employees of the State Transport Corporation, Accra, were arrested and taken to the Castle, Osu, for jubilating over the Gyiwa coup attempt. They were severely beaten up and released on the same day.

7.6.118 Nana Ahima, was arrested at the Airport, Accra when he arrived in the country from a trip abroad. He was taken to the BNI where he spent the night sleeping on the bare floor in the waiting room. During the night he was kicked, slapped and had his head banged against a wall.

7.6.119 Security personnel went to the house of **Noah Obeng** at the village of Tumfa in Abuakwa District, Eastern Region and arrested him. He was handcuffed and made to

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accompany them to Bansa, where **Abena Tawiah**, a sister, was also arrested, then to Kwabeng, Akrofufu, Anyinam and Abekoase all in search of their brother Maj Samuel Okyere Boateng. He and Abena were severely beaten up.

7.6.120 Isaac Kwadjo Yeboah, an ex-soldier, was arrested while crossing into Ghana from the Ivory Coast in July, 1986. While under arrest, he was frequently beaten by soldiers, among them, Cpl Fuseini, at 2Bn, Takoradi and Cpl Agbavitor at Field Engineers, Accra.

7.6.121 John Chris Amematey, a BNI officer, was arrested on 31st January, 1990 on suspicion of involvement in a plot to rescue Maj Quashigah who was in custody for allegedly plotting to overthrow the government of the PNDC. While in custody in the guardroom at Military Training School he was taken from his cell at night to a place where he was beaten with a chain and the butt of rifles. A knife was forced into his nose. He was also slapped. Office pins were stuck in his body.

7.6.122 Nii Ankrah Ramiel, a Prophet, was arrested on suspicion of involvement in a plot to overthrow the government of the PNDC. He was detained at Gondar Barracks for 5 days. He also spent some time in BNI cells. On the instructions of a District Magistrate, he was referred to the Psychiatric Hospital. His detention before the said order was illegal.

7.6.123 Policemen surrounded a house in Accra in which **Albert Abiaw** lived. It appeared they were looking for his landlord's brother, a Captain Ninepence, who was suspected of being involved in the 19th June, 1983 attempt to overthrow the PNDC. After the police had left, Abiaw went to his landlord's house to alert them. The police caught up with him there and arrested him. He was taken to the Police Headquarters where he was subjected to beatings over a period of three days.

Members of the Military Intelligence who escaped with their lives on 31st December, 1981 endured ill treatment of one kind or the other.

7.6.124 Isaac Opare, a soldier serving with Military Intelligence at Ho, was arrested on 31st December, 1981. He and other colleagues were slapped, kicked and hit with the butts of rifles.

7.6.125 Joseph Yaw Boateng, was a Corporal in the Ghana Army serving with Military Intelligence. On his arrest after 31st December 1981 he was detained at Michel Camp guardroom and later at the Recce guardroom. While there, he was subjected to slaps and beatings by soldiers, among them Akatapore and C.C. Addai.

Members of the Military Intelligence who were out of the country at the time of the overthrow of the Limann Administration found themselves at the receiving end of acts of brutality on their return.

7.6.126 Wilson Opare-Agyei, a Corporal in the Military Intelligence, was arrested in May, 1982 on arrival from Peacekeeping duties in the Lebanon. He describes his ill-treatment at the airport as follows:

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we were sent to a spot behind the airport. When we reached a muddy place full of ponds we were ordered to remove our dresses and swim in the muddy pond. This was after we have received beatings, crawlings, lying down to face the sun. We were being slapped from the back and this resulted in the injury of my left eye and is now almost half blind.

We were being kicked around, beaten with sticks and hit with the butts of the gun. I even remember one of the soldiers telling me that, having spent 6 months away from home, he is coming to enjoy with the wife today, then another soldier said “light his prick, so I was ordered to remove my pants, and a soldier lighted a match at my prick.

7.6.127 John Kwasi Attipoe, While he was in custody at the BNI in 1985, Attipoe was taken out at night by “commandos” and subjected to ill-treatment.

7.6.128 Kwabena Yeboah was summoned to appear before the Armed Forces CDR at Burma Camp to answer an allegation that he had taken excessive rent from a prospective tenant. He was arrested but later released. On his way home in the night, other soldiers accosted him and demanded to know what he was doing in the street at that time of night. They put him in their military vehicle, drove to the town and threw him out. He sustained a fracture of the left leg.

7.6.129 Nana Tweneboa Kodua, a Chief of Nintin Mampong, was arrested in the middle of the night during curfew hours in December, 1982 amidst the firing of guns. He was taken to Kumasi and then flown to Accra in an Airforce plane. After interrogation at the BNI he was released.

7.6.130 Nana Poku, was arrested and detained in the Guardroom at Gondar Barracks from November 1982 to January 1983. While there a soldier used a knife to make a cut on his left ear, he was hit with the butt of rifles and struck with the metal hook on the soldiers’ belts. He was slapped and kicked and made to roll on the ground.

7.6.131 Nicholas Nvidah, an employee of Ashanti Goldfields at Obuasi, was arrested on 20th April, 1984 by soldiers who demanded to know how he financed the purchase of a Datsun 140 J car. He was slapped several times while being taken to the Military Camp. The ill-treatment continued during his detention at the camp.

7.6.132 Kwaku Attah, a commercial vehicle driver, was arrested at Akatsi in 1985 for being in possession of a substance believed to be gold. While under arrest, a soldier slapped him three times. He complained of pains in his eyes.

7.6.133 On 15th March, 1989, **Sylvia Boateng** was knocked down in Accra by a Mitsubishi Bus assigned to the Office of the PNDC, Accra. It was driven by one Johannes Ananu. Even though the police report attributes the accident to the carelessness of driver Ananu, he was never prosecuted and no compensation was paid to Sylvia who sustained cerebral concussion and contusion of the thoracic and lumba vertebrae. Her permanent disability is assessed at 30%.

7.6.134 Dr. Philip Pecku Mawutor, petitioned that on 16th December, 1983 he was arrested by soldiers who threw him out of a vehicle near El Wak stadium and made away with his money.

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However, a medical report attached to the petition shows that he sustained head injuries in a motor accident and lost consciousness for three weeks. He recovered and went into a coma again for three weeks. He was pronounced dead and taken to the mortuary. After three weeks he regained consciousness and discharged himself. He now suffers from impaired memory of recent and remote events. Perhaps this explains why he describes himself in the written statement he filed at the Commission as a dealer in fishing gear at Cowlane, Accra, while the medical report describes him as 'Prof' Mawutor and 'Dr' Mawutor. Mawutor now lives in Togo. He did not appear to give evidence before the Commission. In the absence of evidence, it is impossible to hold government responsible for his injuries.

7.6.134 Kwame Ahenkra Brown, a PDC Chairman based at Bibiani, Western Region petitioned that L/Cpl Boateng of the Apremdo barracks, Takoradi, who was assigned to duties at Bibiani, obstructed him in his work and even tried to kill him. Brown failed to appear before the Commission to substantiate the allegations made by him.

7.6.135 Michael Anning-Adjei In 1982 soldiers based at Dunkwa-on-Offin searched Adjei's home. They said they had information that Adjei had killed some persons with a pistol. The search revealed no weapon but Adjei handed over an object which looked like a gun. He was arrested and subjected to brutalities, including being made to roll on the ground and trotting until he became totally exhausted. He was detained overnight in police cells and taken the next day to the soldiers' base at Bungalow No.1. There he was set upon with canes, belts and the butts of guns. This went on until he became unconscious. He was admitted to hospital and was discharged a month later.

7.6.136 William Kwaku Agyen and his brother **Kwadwo Adu** were lying down in the evening at about 7 pm in front of their house at Tafo, Kumasi in 1982 when soldiers enforcing a curfew rushed upon them. They escaped into their room, but the soldiers chased them there and beat them up.

7.6.137 Eric Acquah-Buabeng carried on the business of supplying foodstuffs to schools. In the course of business dealings he became indebted to a lady from whom he had bought foodstuffs. On her complaint, security personnel from the Castle arrested the petitioner in 1987. His hair was shaved off and he was beaten. Later the same year he was arrested again and kept in the Castle Guardroom. This time, he and other prisoners were lined up each morning and made to slap each other. He was also beaten with canes, leaving scars on his back.

7.6.138 Alexander Okunnor a journalist returned to Ghana in 1986 after a long sojourn in Britain. He was arrested twice, once at Nankese in the Eastern Region and then at Nungua, Accra. On both occasions he was accused of being a CIA agent. At Nankese, he was able to persuade his captors that he was not a spy but had gone to the town to visit a relative. The Nungua arrest was a carefully-planned abduction. The petitioner was taken to the Castle, Osu and placed in a guardroom. His hair was shaved off with a broken bottle and he was severely beaten up. He found himself at the Police Hospital where he was told he had been taken as an asthmatic patient. On making it known to the doctor that he was not asthmatic but the victim of

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a brutal assault he was discharged and taken back to the Castle guardroom. A few days later, he was released.

7.6.139 Awaliga Ayamga a night-watchman at the Regional Administration, Bolgatanga was arrested on suspicion of stealing four bedsheets belonging to the Ghana Government. The soldiers who arrested him at his home attacked him with the butt of their rifles hitting him on all parts of his body. He had cuts on the head. He was taken to the Regional Police Headquarters where he was subjected to further beatings. The petitioner said he was put before a Circuit Court and convicted, but was released after a week when an appeal was filed on his behalf. However, the Commission has been unable to obtain a copy of the proceedings.

7.6.140 Charles Boakye petitioned that in 1983 his late father, **Godfred Boakye Sarpong**, a former employee of the PBC of the CMB was arrested and taken to the Military Barracks in Sunyani. According to him his father was repeatedly flogged while in custody and died not long after his release.

7.6.141 Kwadwo Frimpong a Police Constable was arrested for erratic behaviour in 1991. He received treatment at the Psychiatric Hospital Pantang and was later retired from the Service on health grounds. His entitlements have been paid to him. His complaint is that when he was arrested he was assaulted by security personnel who thought the petitioner was about to attack the Chairman of the PNDC when he walked up to him.

7.6.142 Kwaku Yeboah a bar keeper and his brother **Kwasi Agyei**, now deceased, were arrested and taken to the Military Barracks, Kumasi. There they were slapped, made to hop and engage in other physical exercises.

7.6.143 Nicholas Awuah While they were both in Nigeria, Awuah gave ₦2000 to his friend, Akwasi Owusu to bring to Ghana for him. Later a dispute arose between them over the money. Owusu reported the matter to some soldiers led by WO Onyina. The soldiers arrested Awuah and his brother **Anthony Fofie**, took them to the Obuasi Town Council where they were subjected to beatings. The soldiers took Awuah and his brother to their home at Donkosi, near Obuasi and seized ₦1339 from them. They were then taken back to Obuasi where further brutalities were inflicted on them. After that they were detained at Obuasi Police Station for two weeks.

7.6.144 Nana Safo Anwona II, also known as **Godfried Mathew Owusu**, Managing Director of the Ashanti Regional Development Corporation was arrested after the 31st December, 1981 coup and put in a guardroom at the Military Barracks, Kumasi where he was assaulted by WO I Tei and other soldiers. Tei and two other soldiers went to the guardroom to slap him every day. He was later transferred to the Recce Guardroom in Accra where Sgt. Akatapore threatened him with death.

7.6.145 Douglas Kwadwo Dwomoh Following a complaint made by the petitioner that the local PDC at Akataansu, near Nyinahin had under the direction of Kwadwo Ofori (Chairman), Kwaku Opimsan (Secretary) and Kofi Oteng (member), seized his mother's goats, the three were

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arrested by Nyinahin Police. When they were released four days later, they went to Kumasi and lodged a complaint with the military. The petitioner and his father, Kwame Mensah, were arrested and detained by the soldiers. A detainee was ordered to shave off the petitioner's hair with a broken bottle.

7.6.146 Afia Nana and her mother, **Afia Nyamekye**, were arrested by soldiers at New Edubiase, Ashanti Region, for allegedly hoarding cloths. They were kept in cells at the Police Station for 3 months after which they were taken to the lorry station and caned. Afia Nana was stripped to her underwear. Both women were left with bruises on their bodies. After the caning, the two women were made to hold their ears and leap frog to the Police Station. At the station, their hair was shaved off with broken bottles and a soldier hit the petitioner on the eye with his belt.

7.6.147 In 1990, **John Mensah**, a cocoa farmer of Offinso, Ashanti Region, led protests by farmers against a compulsory levy of 1 kilogram of cocoa beans on every bag sold to the CMB. He was summoned to the Castle, Osu and locked up for two days. Under threats, he was taken to a farmers' durbar at Offinso where he was made to persuade the farmers to accept the levy.

7.6.148 Kwabena Anim was the driver of Bedford Cargo truck No. GJ 3742. In 1982 the truck was involved in a collision with a Mercedes Benz saloon car driven by a soldier called Sackey. After a brief exchange of words between them the petitioner moved off. Just then Sackey shot at the tyres of the truck and threatened to shoot the petitioner. The petitioner escaped.

7.6.149 Akwasi Addai's uncle **Kwaku Addai** was a well-to-do businessman living at Assin Praso, Central Region. He owned a tractor, a Nissan saloon car and a Datsun pick-up. He had a shop where he dealt in general goods and managed a kerosene outlet. In April 1982 he was arrested by soldiers. He was beaten and hit with the butt of their rifles in the ribs and in his back after which he was taken to Cape Coast. His captors demanded that he should pay c5 million as a condition for his release. According to the petitioner he raised the money and paid it to the soldiers. When his uncle was released he was in a poor state of health. His hair had been shaved off. He received treatment at the St. Francis Xavier Hospital, Assin Fosu, but died a few months later.

7.6.150 Charles Arthur was a Secretary/Receiver of the CMB. In the 1980/81 and 1981/82 cocoa seasons he accumulated 77 tonnes of cocoa at his station in the Bibiani District. When the cocoa was evacuated it was found to be infested with pests. Auditors were called in and the petitioner was arrested and detained at the Military Barracks in Kumasi. While there, he was slapped and struck with belts and a wire. He was put before the Ashanti Region Investigation Committee ASHRIC. Again while being questioned he was repeatedly slapped up on signals given by his interrogators.

7.6.151 Richard Kwabena Damasi In 1983, the petitioner, a Police Constable, was on guard duty at the BNI Headquarters with two other policemen and nine soldiers when they were attacked. Most of them, both policemen and soldiers, abandoned their posts and ran away. As a result they were arrested and put in cells for disciplinary action to be taken against them. The

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petitioner who was among those arrested complained that while he was under arrest he was slapped and beaten with belts.

Cowardice in the face of the enemy is a serious offence. On the battlefield it even attracts the death penalty. This fact notwithstanding it was wrong to have used physical violence on the petitioner at a time when he had not been found guilty of any offence.

7.6.152 Peter Alex Kwasi Oppon Manager of Carousel A-Gogo Nite Club, Takoradi, was attacked by soldiers led by Sgt. Owusu Ansah for restricting the purchase of beer, then in short supply to two bottles per customer. When he fell unconscious he was taken to the Apremdu Barracks where he was threatened with death. His son-in-law paid ₵250,000 to the soldiers to secure his release.

7.6.153 Daniel Kaba a Marketing Officer of the State Fishing Corporation (SFC), Tema was arrested in December 1987 on the orders of Aanaa Enin, PNDC member responsible for the SFC and taken to the Castle, Osu. There, water almost at freezing temperature was poured on him and he was severely beaten. He sustained cuts on his head and on the right eye-brow. A photograph of the petitioner taken at the time confirmed his injuries.

7.6.154 John Asiedu, now deceased, was a Sergeant in the Ghana Army working with the Pay Office. On 5th February, 1982 he was arrested by soldiers who claimed that he was with the MI. He was assaulted by them and admitted to the Arakan Barracks Medical Centre. His wife Sarah Araba Asiedu visited him there. He developed mental problems as a result of the brutalities meted out to him.

7.6.155 Kofi Nantwi In 1982 a team of police and Military Barracks personnel surrounded the petitioner's home in Kumasi and arrested him on suspicion of dealing in forged currencies. He was taken to the Military Barracks. The petitioner complains that he was beaten and hit with the butt of rifles.

7.6.156 Janet Frimpong, her mother, Adwoa Pokuaa and her sister Yaa Boadiwaa lived at Abossey Okai, Accra. One Lee, a member of the PDC, also lived in the house. Following a quarrel between Lee and Yaa, Janet and her mother were summoned to the Headquarters of the PDC. According to the petitioner on arrival at the office she was slapped and made to roll on the floor. Her hair was shaved off with a broken bottle. Attached to the petition was a photograph taken of her immediately after the incident. This showed her hair completely shaved off.

7.6.157 Victor Owusu, a driver at the Tema General Hospital was among other staff, including the Pharmacist, who were arrested and taken to Gondar Barracks in 1988 and questioned about the theft of drugs at the Hospital. Owusu was detained for six weeks during which he was slapped and beaten. His hair was shaved off.

7.6.158 Nana Ayisi-Arkoh In 1982, the petitioner, a Koforidua trader was summoned to Ho to answer questions about goods he had supplied to the Ministry of Health, Ho through Mantey, the

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Regional Health Administrator. He obeyed the summons and went to Ho. What happened next is best explained in his own words:

I gathered all the necessary documents and followed Mr. Mantey to Ho, and he sent me to the committee that were looking for me. When we got to the offices of the Committee, the officials there just phoned soldiers from the Ho Mortar Regiment to come for me. Soon four soldiers came around and took me to their barracks, where they kept me at a place called the OPs room and left me there. No one approached me or spoke to me, till around 4 pm when a well built and tall soldier came to me and asked “Ibi you chop the ₵350,000?” I explained to him that, I used the money for the work for which it was given. But he began to slap me on the cheek, four slaps on each cheek, and then left me. Around 6 pm, a group of four well-built soldiers came to me, one of them was called Kwagamansa. Two of them stood in front of me, while the other two stood behind me and they began to slap me simultaneously on each cheek – this exercise continued till 8 pm before they stopped and told the OPs room commander, one Wood, that they were tired, so I should be sent to the guardroom.

7.6.159 Anthony Yaw Gyasi was an Accountant with the Bibiani Wood/Metal Limited. Following the 31st December, 1981 coup there was agitation among the workers for the government to take over the company. In February 1982 Gyasi and two other senior officers of the Wood Division of the Company were arrested and brought down to Accra. They appeared before the NIC. During his interrogation, Gyasi was repeatedly slapped.

7.6.160 Kwaku Gyasi In 1982, the petitioner joined a queue at Akim Oda, Eastern Region to buy kerosene. He observed that soldiers who were keeping order to ensure that everyone was served were rather doing favours to some persons. When he queried them he was struck with a belt, pushed to the ground and kicked.

7.6.161 Adwoa Akyaa In 1981 while she was in Nigeria, the petitioner, a trader in ‘Alata Samina’ gave the Naira equivalent of ₵130,000 to Adwoa Dufie to bring to her sister Akosua Nsiah. According to the petition Adwoa Dufie misappropriated the money. On her return to Ghana in 1982 Adwoa Akyaa demanded payment from Adwoa Dufie. Following this Adwoa Akyaa, her sister Akosua Nsiah and other persons associated with her were arrested by soldiers who accused them of engaging in ‘*kalabule*’. They were slapped, kicked, beaten and put in the guardroom. Adwoa Akyaa’s hair was shaved off.

7.6.162 Dr. Kwame Marfo Okyere, a Ghanaian resident in Britain came to Ghana in August 1983. Before leaving Britain he shipped a right-hand car to Tema. On arrival he was refused permission to clear the car from the harbour. His efforts to retrieve the car took him to Burma Camp where he was arrested and put in a guardroom filled with about 50 other persons. His hair was shaved off and each morning he was made to do forced labour at the beach filling sand bags. He was in the guardroom for three days during which he was obliged to sleep on the bare floor. He was released on the intervention of his brother who was a soldier.

7.6.163 Kwaku Obeng-Kyere spent some years working in Libya. On his return, he sold a sound system to a lady for ₵400,000. He kept on asking for his money as he was not being paid.

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One evening soldiers went to his home at Teshie, Accra, arrested him and took him to Gondar Barracks. There he was accused of dealing in drugs and questioned as to his sources of wealth. His hair was shaved off and he was repeatedly slapped on the orders of a Warrant Officer. On his release after 10 days he found that his room had been ransacked and a notice pasted in the corridor to his room warning him not to demand his money from the lady.

7.6.164 Samuel Oppong-Boadu, a member of the CDR in Koforidua, was arrested in 1984 with other colleagues. During his detention at Gondar Barracks he was forced to undergo physical exercises, was beaten and struck with the butt of a rifle. He and his colleague CDR members who were arrested with him were made to slap each other. Although the ostensible reason for their arrest was that they were plotting to overthrow the PNDC, the petitioner believes that it was due to rivalries in the organisation.

7.6.165 Kwabena Ampadu After two armed soldiers had carted away his goods they arrested him and took him to their camp. There he was made to crawl on his knees on gravel, slapped and taken through physical exercises, all as a punishment for being a trader.

7.6.166 Adam Mahama was a trader at the Aboabo Market, Tamale. Following an assault on a soldier several traders, among them the petitioner, were arrested and taken to the Military Barracks. There they were beaten up. The petitioner sustained injuries to his head and he lost some teeth.

7.6.167 Yakubu Adam In early 1982 the petitioner who resided in Tamale went to Yendi to visit his mother. On arrival, some soldiers who had drawn a faint line on the ground attacked him for crossing the line. They hit him with the butt of their rifle on the legs and knees. They also made him run several times from the lorry station to the Mosque and back until he collapsed. Yakubu now has scars on his legs and still feels considerable pain in them during cold weather.

7.6.168 Eben Bentum Takyi-Micah During the AFRC rule, the petitioner, whose nephew Fuez Sari was the proprietor of Fante Jewelry shop, had a confrontation with WO I Mary Teye over jewellery she bought but did not pay for. In early 1982 Mary Teye had the petitioner arrested and taken to Burma Camp where he was held captive for one week. During this period he was made to do chores such as tending to crops in Flt Lt Rawlings' vegetable farm at the Camp and unloading trucks which brought in foodstuffs. On one occasion a sackful of maize thrown from a vehicle fell on him. As a result he sustained an injury to his waist.

7.6.169 Johnson Mpaba Nyande In January, 1990 the petitioner, a Captain in the Ghana Army, and his brother Ngonibi Nyande, were preparing to leave Accra for Kumasi to buy materials for a building project at Kpandai when he was arrested for alleged subversive activities. He was taken away without being permitted to offer an explanation to his uncle who was waiting for him in a car. At the BNI he was stripped to his underpants and confined in chains for three weeks.

7.6.170 Alhaji Akwasi Ibrahim a fuel dealer at Nsuta, Ashanti Region was attacked by armed soldiers. He was hit with the butt of a rifle and when he fell down they poured petrol on him. After his ordeal he was taken to Mampong Hospital for treatment.

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7.6.171 Kwadwo Amoah In May, 1982, Amoah, a driver of Yeckful Furniture Works was conveying foam from the factory at Aboabo to the warehouse at Sepe, Kumasi when a soldier stopped him. Amoah took him to the Manager, Kwabena Agyei, who was his brother. The soldier took them to the Military Barracks where the soldiers accused them of hoarding. They were shaved with a broken bottle and beaten with sticks. The vehicle with which Amoah was conveying the foam to the warehouse was seized. Amoah was released the next day.

7.6.172 Zakaria Dagomba was a butcher at Nweneso No. 1 Market. In 1982 members of the local PDC, among them, David Amankwaa, Kwasi Effa and Asare, queried him for selling meat at ₵1000 instead of ₵500. Two weeks later the PDC members led soldiers to arrest him. Dagomba was beaten with sticks and kicked. He was made to crawl on his knees. He was later released.

7.6.173 Moses Quaidoo In June 1982, Quaidoo, a shopkeeper of Tarkwa was kept in the boot of a car for several hours while the soldiers drove round the town. He was also made to roll on the ground.

7.6.174 Anthony Sarfo petitioned that he made uncomplimentary remarks about the Chairman of the PNDC to the hearing one Yaw Kumah. Subsequently, Yaw Kumah tricked Sarfo and took him to Burma Camp where some soldiers set upon him and severely assaulted him. He bled from the mouth, nose and ears. He later admitted that he had sold an unserviced refrigerator to Yaw Kumah who got soldiers to arrest and beat him up.

7.6.175 Martin Kwasi Budu-Kwatiah The petitioner was a Public Relations Officer of the Trades Union Congress. On 20th February, 1982 he caused to be published in the *Daily Graphic* a statement dissociating the Congress from calls on workers to attend rallies during working hours. In a reaction to the publication, thugs led by Amartey Kwei, a member of the PNDC, attacked the petitioner at his office. He was dragged away amid beatings to Gondar Barracks, Accra where further dehumanizing treatment was meted out to him.

7.6.176 Blay Miezah In 1982, Miezah came under suspicion of having murdered or sold one Ndede in the Ivory Coast to be murdered for ritual purposes. He was arrested. He petitioned that while under arrest he was beaten by the police, tied with a rope and paraded in the streets of Esiama, Western Region. He was released when Ndede re-appeared.

7.6.177 Yaa Agyeman In February, 2003, Yaa petitioned that her brother **Kwabena Aning** who was sentenced to death in 1987 for reckless driving resulting in the death of a person was still in prison after 17 years. In response the prison authorities informed the Commission that the death sentence passed on Aning was commuted to life imprisonment by the Court of Appeal in 1994 and that the prisoner was released on 18th July, 2003.

7.6.178 Christopher Kofi Yeboah In 1983, the petitioner boarded a vehicle at Kejetia, Kumasi with rice he had imported from the Ivory Coast. Just as the vehicle was about to move off three soldiers boarded it and ordered the driver to take the load to the Military Barracks. At the

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barracks, the petitioner was subjected to beatings by the soldiers. He was released later in the evening on the intervention of a police officer who examined the documents on the consignment and found them to be genuine.

7.6.179 Nicholas Kwasi Dwamena On 19th January, 1982, the petitioner was in his house at Tafo-Nhyiaeso, Kumasi when six armed soldiers entered the house. Amid the firing of guns they demanded to search the house for gold which they said the petitioner had hidden in the house. A search revealed only an amount of CFA 20,000 which the soldiers took. The petitioner and two friends who were with him were arrested and taken to the barracks. There they were subjected to beatings. The petitioner was stripped naked and struck on the penis with a stick. He was also cut on the head. He was released later in the day and told to come for the money after a month. The money was never returned.

7.6.180 Nana Kofi Asante, a shopkeeper dealing in provisions in Accra was arrested by soldiers who took him to El Wak and then to Gondar Barracks. At both places he was subjected to beatings and made to crawl on his knees.

7.6.181 Kwame Opoku Ware In March, 1982 the petitioner was arrested at Kejetia, Kumasi by soldiers for possessing gold objects. They rejected his claim that the metal was copper and took him to the Military Barracks. He was beaten and lost some teeth. He was forced to drink his own urine.

7.6.182 Welbeck Okai, proprietor of Hotel Majestic, Accra was arrested by an armed soldier and other men in civilian clothes who accused him of hoarding beer. They took him to their office and subjected him to slaps and beatings. Okai suffered a cut on his head.

7.6.183 John Kwame Owusu, an Assistant Commissioner of Police (CID), was placed in custody pending investigation into allegations of corrupt practice made against him. He appeared before the NIC comprising Sam Awotwi, Commissioner of Police (Legal), Prof. Kofi Awoonor and Capt Nkrabea Effah Dartey. At the NIC he was slapped by the soldiers escorting him. Other soldiers joined in the assault on him when he was escorted out. The petitioner received head, eye and bodily injuries. Although the petitioner stated that the order to use physical violence against him was given by Effah Dartey, Cpl Thomas Benefo who admitted striking the petitioner told the Commission that the instruction came from Prof. Awoonor. Whether it was the one or the other who signaled the guards to assault the petitioner made little difference. The NIC had no business making physical violence part of its procedures. As the petitioner stated the NIC of the PNDC was no different from the PIT of the AFRC.

7.6.184 Percy Antwi In 1990, the petitioner was at home at Tesano, Accra when Afua Nsafua accompanied by Police Commandos arrived. They asked of the whereabouts of his friend, Kofi Woahene, who had spent the previous night with him. When he told them Woahene had left for Kumasi, the policemen set upon him and beat him accusing him of lying. The petitioner sustained injuries to his face, ear and eyes. He bled from the mouth and his shirt became soaked with blood. It turned out that Afua had sought the assistance of the Commandos to caution Woahene to keep away from her son who was becoming wayward.

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7.6.185 Abagua Anaaba, a Frafra of Aurigu, near Pwalugu complained of harassment suffered at the hands of Mamprusis whom he described as settlers on Aurigu land. On two occasions he and his relatives were arrested on the instructions of one Halidu, a PDC Co-ordinator and taken once to Walewale and on another occasion to Gambaga. Anaaba was forced to run round a field while being beaten. He was also made to lie face-downwards on the ground and simulate sex while a crowd jeered at him. Some of their properties including nine licensed guns were taken away from them.

7.6.186 Agirasse Anabila was driving a tractor to his farm at Karemenga when he was arrested by soldiers. They took him to the Residency in Bolgatanga and subjected him to ill treatment. He was put through physical exercises and struck with belts and fists. He sustained injuries including the loosening of some teeth.

7.6.187 Abasah Nchor gave ₵6,000 to Sgt Jack Ayawah on a promise that he would bring Nchor a corn mill when he returned from peacekeeping duties in the Lebanon. When on Ayawah's return the corn mill was not delivered, Nchor demanded a refund. For this Ayawah had Nchor taken to the Military Barracks in Tamale. Nchor was beaten with sticks, made to carry a sandcrete block while crawling on the ground, to engage in physical exercises and to lie on the ground and look at the sun.

7.6.188 Aduah Akongne was arrested by two Bongo PDC members, Ayande Akurigo and Asanti, for smuggling two boxes of soap from Burkina Faso into Ghana. They beat him up, loosening some of his front teeth and dislocating his right shoulder. They then tied him up and left him by the roadside while they went to the PDC office at Shuaye to make a report. They returned an hour later, untied him and took him to their office and locked him up for the night. The next day they handed him over to the Police at Bongo.

7.6.189 Lardi Adombire's husband Cosmos Adombire now deceased was arrested with other customers at a pito bar in Bolgatanga. The soldiers claimed that the customers had encouraged the pito seller to sell his drink at too high a price. The arrested persons were taken to the Regional Administration where they were beaten and made to roll on the ground.

7.6.190 Cosmas Adombila; George Amason Atangosigo; Bob Nsor Atule; John Ayamga Atinchina were in Atangosigo's pito bar at Bolgatanga when soldiers arrested them and took them to the Regional Administration. What happened thereafter is best told in their own words:

7.6.190.1 Atangosigo:

On reaching there we were asked to come down from the lorry and as soon as we alighted, the soldiers asked us to lie down. We did that and they started beating us and kicking. After that we were asked to lie on our backs and they jumped on our stomachs. After that they made us to roll on the ground while they followed with wire whipping us. They tortured us until blood started oozing from our noses, ears and all parts of our bodies. It was one of the soldiers by name S/Sgt Mumuni who came and asked them to stop the beatings. We were asked to report the following day in the morning at Regional

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Administration. When we got there we were told by the soldiers that one Mr. Michael Alagskoma came and told them that we said there was no Revolution and ‘who was J. J. Rawlings?’ and that was why they came and arrested us. ...Through the beatings, I later developed a bilateral hernia on both sides of the of groin and was operated on the 18/10/85 by Dr. E. Sory at the Regional Hospital Bolgatanga.

7.6.190.2 Atinchina:

We were all put in a military vehicle and sent to the Residency, the base of the military personnel. At the Residency, the soldiers started taking us through various punishments. First they used the butt of their guns to hit our chests and backs several times. Then they used the electricity extension wires which were made into canes to whip us on all parts of our bodies. We were made to lie down with our bellies. They then kicked us on our ribs and other parts of our bodies. All this was done in the rain. When the rain stopped, we were made to fetch the water that had gathered on the ground to wash our faces. We were also made to inflict pain on each other by slapping ourselves in turns. We were consequently released and asked to report the following day at 6.00 a.m. sharp. When we reported the following day we met the PDC Chairman for our area, Mr. Alagskoma and his other PDC men who apparently framed us up in a case of making disparaging remarks against the PNDC Chairman at the time. We denied this allegation and the soldiers apologized to us and released us. My senior brother particularly refuted the allegation and explained that the PDC men came to his house and ordered the sale of his wife’s pito at controlled prices. They came another day and fixed new price for the pito making the price ridiculously low. It was a result of this that a quarrel ensued and the PDC men attempted stabbing him but he overpowered them and they fled. After this explanation, the soldiers reprimanded the PDC men severely and warned that next time they will deal with them drastically if they come to lie to them. Nonetheless, the effects of the brutalities could not be reversed. I sustained various injuries on my body and had to go to hospital to be treated. Even until date, I still suffer from the effects of the beatings because I have problems with my ribs and I fall sick from cold very often.

7.6.190.3 Alagskoma filed a statement admitting that the incident took place though he claimed he did not see signs of assault on them. He stated:

In 1982 a member of the Zaare PDCs reported to the PDC executives that one Mr. George Atangosigo was preventing them in embarking on their price control exercise. And since we were working under the Regional Defence Committee we also reported the matter to the then Regional Co-ordinator of PDCs/WDCs Late Mr. Gaeten Sinabisi who said he was going to send the matter to the appropriate quarters. This is the extent I know about the case. I was also invited by the then Regional Co-ordinator of the PDCs/WDCs the late Gaeten Sinabisi, to the Regional Secretariat where I saw Messrs George Atangosigo, Bob Nsoh, Ayamga. The then Co-ordinator gave a piece of advice that we should go back to Zaare and live in harmony as brothers from one family, that they the persons mentioned above should try and co-operate with the P.D.Cs/W.D.Cs to carry out their work without any hindrance.

7.6.191 Nuonge Awinebuno When the petitioner’s sheep were seized from his home at Yua, near Navrongo and taken to the Border Guards Post at Paga he followed up to demand an

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explanation. The Border Guardsmen accused him of having smuggled the sheep and goats from across the Burkina Faso border. The petitioner was arrested, chained and kept in a room for nine days. He was beaten and made to roll on gravel. He was hit on the head with a stick and kicked with their boots. The petitioner sustained injuries on his head and ribs.

7.6.192 Kwabena Abankwa-Yeboah is the son of Emmanuel Kwame Yeboah, also known as Kwame Nkrumah. On 23rd December, 1982 Lt. Kusi of the Ghana Army and two policemen went to the home and asked of the petitioner's father. An argument ensued when the petitioner asked Lt. Kusi if he had an arrest warrant. During the altercation Lt. Kusi slapped the petitioner. Lt. Kusi and the policemen left the house but went back ten minutes later accompanied by Capt. Courage Quarshiga and a prominent Kwahu businessman. The businessman pointed out the petitioner's father who was arrested there and then. When the petitioner and his brother D. Asomani Yeboah insisted on going with their father so that they might know where they were taking him to Lt. Kusi ordered the soldiers to beat them up. The petitioner gave this account of their ordeal:

We were slapped, kicked everywhere, caned and beaten with their belts mercilessly. ... we were arrested and taken together with our dad into one of the prinz-guer, despite my mum's pleas. My dad was taken to the Gondar Barracks and when we got there, the soldiers told us that we now know where our dad was and they would take us to the Base Workshop.

At the Base Workshop, we were given to two corporals to lock up in the guardroom. These corporals made us hop into the guardroom amidst beatings at our back with the hook ends of their belts. I was in so much pain. There were numerous cuts on my back and that of my brother as well and apart from that, my jaw was dislocated and it hanged loose making it impossible for me to close my mouth.

The guardroom was very dark when we were pushed in but we heard cries from wounded men. We were very frightened as we did not know what might befall us. The next morning, we were drilled again before being released in the evening. ...

We were taken to one of the offices at the Gondar Barracks and we were asked to sign an undertaking that we would not resist arrest again by Capt. Quarshigah.

In response to the petition Lt. (now Lt. Col.) Kusi stated:

On the day in question, 23rd December, 1982, between 1930 and 2000 hrs I was called by the Chief Operations Officer to meet him at the Army Mess. When I arrived he briefed me that reports reaching him indicated that some prominent Kwahu businessman and some Indian businessmen had been meeting to finance a coup plot against the PNDC. He therefore asked me to accompany the team that he himself was leading to effect the arrest of the people for interrogation.

The team was accompanied by a guide who took us to Asylum Down. When we arrived We broke into small units. I was directed to the house of one Kwame Nkrumah. The team that I led

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comprised some soldiers and two policemen. When we were asked for Kwame Nkrumah we were told there was no one by that name in that house. We therefore turned back to report to the Chief Operations Officer. He then accompanied us to the house with one of the suspects who had been arrested in a nearby house together with the guide. On our return to the house we asked for Kwame Nkrumah again and when there was hesitation the suspect pointed him out for us. At this juncture one of the soldiers pounced on one of the young men in the house who had told us there was no such person in the house for deceiving us and he had to be restrained.

The whole drama began when we asked the said Kwame Nkrumah, an elderly gentleman, to accompany us. Goaded on by his children and his wife he refused saying that he did not want to suffer the same fate as the judges who were murdered. The Chief Operations Officer and I took turns to persuade him that he would be safe with us. This went on for a while amidst shouts and pandemonium from Mr. Nkrumah's family. When finally the old man agreed to go with us two young men refused to let him go. It was at this point that the soldiers stepped in to restrain them from obstructing our duty. After a while, a compromise was reached for them to accompany their father to Gondar Barracks, the PNDC Headquarters.

Whatever contact Mr. Yeboah and his brother had with the soldiers was as a result of their persistent obstruction of an official arrest led by no less a personality than the Chief Operations Officer of the PNDC. It is interesting and relevant of note that Mr. Kwame Nkrumah was not the only person arrested that night. No untoward thing happened to any of them because they dutifully and obediently complied with instructions.

In a reaction, Naval Capt. Assassie-Gyimah, then Security Co-ordinator stated:

This case was one of the very few cases that people got detained for a few days based on wrong information by a well-rehearsed intelligence peddler. And it all could happen basically because soldiers at Gondar Barracks had heard the informant – intelligence peddler – acted on it and arrested the people before we intervened and had them sent to the BNI for further investigations. Not long thereafter the BNI discovered the lies in the peddler's claim and it was very dramatic. That notwithstanding, the peddler was himself arrested and tried and I believe the law dealt with him. Most profound apologies went from the Government to all the people who got arrested in connection with the false information. Opinion leaders in Kwahu were all further invited to the Castle and the culprit brought to the meeting as the Government apologized profusely to all affected and concerned.

7.6.193 Emmanuel Kofi Ayebeng also known as Nana Nkontimaako Asare, was a Superintendent of Police. In 1982 while on his way to work at the Police Forensic Laboratory in Accra he was accosted by a group of soldiers who accused him of keeping surveillance on them. One of the soldiers put a rifle close to his jaw and fired several rounds of ammunition. He needed radiotherapy treatment which was not then available in Ghana. He was therefore referred by the Police Hospital, Accra to the Lagos University Teaching Hospital in Nigeria where He was treated under the supervision of Prof. D. O. S. Ajayi.

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7.6.194 Aziz Asare when the petitioner was 14 years old he was involved in a motor accident. The insurers the State Insurance Corporation duly paid agreed damages. The petitioner is asking to be paid more money by way of damages. The claim is not maintainable.

7.7 HOSTAGE TAKING

7.7.1 Elizabeth Adongo & her brother L/Cpl George Azaah Adongo were arrested in 1985 following their brother, L/Cpl John Adongo's involvement in an attempt to assassinate the Chairman of the PNDC in Kumasi.

7.7.2 Gordon Wallace Setrana was arrested in 1990 when his landlord, Amewode, could not be found.

7.7.3 Carl Glover Tay was arrested and taken into custody at the Castle, Osu with Flt Lt Samuel Asiedu (Rtd) to whom he had gone for a supply of iron rods.

7.7.4 The wife, brother, 12 year-old daughter, servant and a friend, **Emmanuel (Manny) Asiedu**, of Capt Edward Ampofo (Rtd) were arrested in 1983 when Capt Ampofo could not be found.

7.7.5 Sirikatu Dogbe Ajani, was taken into custody at Arakan Barracks, Burma Camp, Accra in place of her husband who had travelled to Nigeria for medical treatment.

7.7.6 Noah Obeng; Abena Tawiah In 1983, soldiers searching for their brother, Maj Okyere Boateng, arrested them at their village and took them into custody for two weeks until the Major was found.

7.7.7 Kwasi Sayon, In 1982, police officers who were looking for one Kweku Charles, an accomplice in a case of attempted smuggling of marijuana on board a London-bound aircraft, arrested his friend, Sayon, and took him to Gondar Barracks where soldiers subjected him to beatings with sticks which left him with scars on his back and a damaged eye.

7.7.8 Sampson Darkwa, a Lance Corporal in the Ghana Army and brother-in-law of Capt Edward Ampofo, was arrested in July, 1983 by soldiers who were searching for Capt Ampofo who was suspected of plotting to overthrow the PNDC. Darkwa was put before a public tribunal and sentenced to 6 years in hard labour. He was released on 1st August, 1987.

7.7.9 In March, 1982, **Sampson Kwesi Aidoo**, a Purchasing Clerk of the PBC at Atimkrom, near Goaso, Brong Ahafo went into exile to escape two soldiers seeking to arrest him. The soldiers arrested his two teenage children and deposited them at Goaso Police Station. The children were later released in exchange for two of Aidoo's nephews. The nephews were kept in custody for one month before being released.

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7.7.10 Simeon Kwadwo Buabeng, On 11th January, 1982 soldiers looking for Kwabena Appiah, a Vice Chairman of the PNP, arrested his nephew Buabeng. He was beaten up and taken to Gondar Barracks for further beatings. He was taken hostage and driven out of Accra in search of his uncle. While on their way, the soldiers received a radio message that Appiah had reported at the barracks. Buabeng was then released.

7.7.11 Ibrahim Owusu Peprah In February, 1982, soldiers went to Dunkwa-on-Offin to arrest Peprah's father, Abubakar Owusu Peprah, who was suspected of dealing in mercury. When Peprah told the soldiers that his father was away, they arrested him instead and subjected him to beatings with sticks, belts and the butt of their rifles. He was also kicked in the groin. They led Peprah through the town in a vain search for his father. Finally, he was released and advised to seek medical attention.

7.7.12 Solomon Charles Aforo, brother of WO II Samuel Charles Aforo, who was executed along with Goka, Kyereme Djan and others for subversion, was arrested and detained in the guardroom of the Field Engineers Regiment, Accra for two months. He was released after the execution of his brother.

7.7.13 Thomas Kojo Gyasi-Ababio's brother, Alhaji D. K. Ankamah, was Treasurer of the PNP in the Brong Ahafo Region. When the Limann Administration was overthrown on 31st December, 1981, Ankamah fled to the Ivory Coast. Ababio was arrested and assaulted, his three private cars were seized and he was put in a guardroom at the Military Barracks, Sunyani. He was later forced to take soldiers round to look for and seize his brother's properties. Ankamah's Volvo car was seized, and so were his two tractors. Ababio was released and re-arrested again. He was taken to the Goil Filling Station, tied to a pole and threatened with being shot. This was repeated at the Central Hospital.

7.7.14 Michael Kofi Asamoah; Andrews Kwame Peprah, were acquaintances of Mainoo, a self-styled Prophet, who had written letters of criticism to the PNDC. They were arrested by soldiers who were searching for Mainoo and detained at the Military Barracks, Sunyani, District Police headquarters, Sunyani, at the BNI, Accra and Sunyani Prisons for three-and-half months.

7.7.15 Alice Arthur's, husband was Deputy Regional Minister for Brong Ahafo during the Limann Administration. When the 31st December, 1981 coup occurred, he went into exile in the Ivory Coast. On 28th June 1990, Alice was arrested in Sunyani and taken to Accra where she was detained for two weeks. It appeared that her arrest and detention was in connection with her husband.

7.8 DETENTION

During the period of rule of the PNDC, several persons were detained without trial. Among them were security personnel, politicians and other civilians. Members of the Military Intelligence were an early and especial target, so were the politicians and, eventually, all civilians came to be at risk. President Hilla Limann was among the first to be arrested. He was

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to remain in custody for 22 months. Many other politicians were arrested in the wake of the overthrow of the government. Among those who petitioned the Commission were:

- 7.8.1 George Asare Garbrah** - 2 years,
- 7.8.2 Samuel Buadi-Attafuah** - 2 years
- 7.8.3 James Afful** - 1 year 8 months.

7.8.4 Alhaji Mohammed Sani Farl, a PNP Member of Parliament during the Limann Administration, and his colleagues, among them **K. Takyi Berko**, **Nana Yamful Impraim**, George Garbrah, **Martin Adane** and **Joseph Kofi Obeng** as well as some political activists were detained under Preventive Custody Law, 1982 (PNDCL 4).

7.8.5 Emmanuel Kwadjo Obuadey, a Member of Parliament in the Limann Administration, was detained after 31st December, 1981 and kept in custody until October, 1982.

7.8.6 Dr. Martin Maxwell Owusu Ansah, a leading member of the PNP, was arrested on the overthrow of the Limann Administration and detained at Ussher Fort Prison, Accra for three months.

7.8.7 Paul Kwame Donkor Ayifli, was Chairman of the Volta Region Branch of the PNP. He was arrested after the 31st December, 1981 coup and detained at Ussher Fort Prison until April, 1982.

7.8.8 Okyerefo Akwasi Appiah, was Secretary of the Densuagya, Eastern Region branch of the PNP. He was arrested and detained for two weeks.

7.8.9 Kofi Boye, a PNP activist in the Densuagya Constituency, Nsawam, and others were arrested and detained for three-and-a-half months.

7.8.10 Mumuni Mahama, a PNP activist, was arrested with Okyerefo Appiah. He was detained for three months.

7.8.11 Yaw Fosu-Munufie a functionary of the PNP, was arrested and detained for 90 days in 1983.

7.8.12 Aaron Kwabena Takyi, a member of the PNP residing at Assin Foso, was arrested with other party activists after the 31st December, 1981 coup. He was detained for four months.

7.8.13 Regina Alarah, was Women's Organiser for the PNP in the Greater Accra Region. On the overthrow of the Limann Administration, she was arrested and detained for two months.

7.8.14 Elizabeth Neeney Quao was Women's Organizer of the PNP in the Krobo Constituency. After the 31st December coup, she was arrested and detained in various police cells and prisons for four months.

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7.8.15 Ama Ayimah, lived at Abura Dunkwa, Central Region. She was a member of the PNP and responsible for distributing flour in the District. After the 31st December, 1981 coup, she was arrested and taken into custody along with other PNP activists. She was detained for three months.

7.8.16 Malam Issaka Mahama, was Chairman of the Bechem branch of the PNP. Following the 31st December, 1981 coup he was arrested and detained for 24 days.

7.8.17 Alhaji Mohammed Abbas Mensah, a Deputy National Organiser of the PNP, was arrested and kept in detention in Kumasi and Accra for 5 months.

Some members of the Military Intelligence were killed or hounded into exile; many more were arrested and detained. Among them were:

7.8.18 Joseph Alex Ankrah, a soldier in Military Intelligence, was arrested on 19th February, 1982 and taken into custody at Gondar Barracks and, later, at the Ussher Fort Prison. He remained in detention until January 1987.

7.8.19 Ibrahim Adama, a Corporal in the Army serving with the Military Intelligence, was arrested and taken into custody at Gondar Barracks and later at Nsawam Prisons. After about a fortnight, Corporal Gyiwa and Private Gamel Abdulai removed him from the Prison and facilitated his escape. He went into exile in Burkina Faso. He returned to Ghana on 10th January, 2000.

7.8.20 Simon Amedzake, a Corporal in the Army serving with the Military Intelligence, was arrested and detained at Michel Camp, Gondar Barracks and Ussher Fort Prison. He was covered by Preventive Custody Order, 1984 (EI 9) and 1985 (EI 9). He was released on 16th January, 1987.

7.8.21 Pte Rexford Ohemeng	8 years, 9 months
7.8.22 Paul Adigah Akora	8 years, 6 months
7.8.23 Cpl Boye Okai	4 years, 6 months
7.8.24 Martin Kweku Ababio Owusu	5 years, 4 months
7.8.25 Moses Yakubu Mahamadu	5 years, 4 months
7.8.26 Alhassan Abubakar	3 years, 7 months
7.8.27 George Kojo Adjei	5 years
7.8.28 Godwin Ayiworoh Wegudi	6 years, 10 months
7.8.29 Dagban Sawundi	7 years
7.8.30 Twumhene	5 years, 10 months
7.8.31 Obeng	9 years
7.8.32 Harrison Tetteh Adimeh	8 years
7.8.33 Cpl George Davor	2 years 6 months
7.8.34 Cpl James Zoogah	2 years 7 months
7.8.35 Cpl Alhassan Adama Akati	9 years
7.8.36 Private Abraham Kwaku Botwe	7 years 1 month

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7.8.37 Alexander Minta Addo 3 years 8 months
7.8.38 Cpl Daniel Dzane 9 years

7.8.39 Emmanuel Asante Antwi, a Sergeant in the Military Intelligence, was arrested and detained at Burma Camp and at the Ussher Fort Prison for 11 months.

7.8.40 Cpl John Osei, was a member of Military Intelligence. In February, 1982 he was arrested and taken into custody. He was detained for 17 months.

7.8.41 Samuel Danso, a Sergeant in the Ghana Army attached to Military Intelligence, was arrested and detained in Ussher Fort Prison. He was released after five years.

7.8.42 Joseph Ofoe Ambasaki was a Corporal serving with Military Intelligence. After 31st December, 1981 he was arrested and detained until February, 1984.

7.8.43 Justin Kweku Hammond, a Corporal in the Ghana Army serving with Military Intelligence, was arrested after the 31st December, 1981 coup. He was detained at the Ussher Fort Prison for three-and-a-half months.

7.8.44 Samuel Abrokwa, a Sergeant in the Ghana Army attached to Military Intelligence as a driver, was arrested and detained after the 31st December, 1981 coup for nearly two years.

7.8.45 Stephen Ansong, an Able Seaman Class 1 in the Ghana Navy, was attached to Military Intelligence at the time of the 31st December, 1981 coup. In response to the directive to surrender he reported at Sekondi Naval Base and was placed under arrest. He was later brought to Accra and detained at James Fort Prison for one-and-a-half years.

7.8.46 Isaac Opare, a soldier serving with Military Intelligence at Ho, was arrested on 31st December, 1981. He was brought to Accra and later detained without charge or trial at Nsawam Prisons until September, 1984.

7.8.47 Kwame Yeboah, a soldier serving with Military Intelligence, decided to flee in the wake of the 31st December, 1981 coup. On his way out of the country he was involved in a motor accident at Anyinam and was sent to hospital. He was eventually captured by the military who took him to Accra. He was in custody at James Fort Prison for 1 year 5 months. On his release, he was discharged from the Ghana Army.

7.8.48 Richardson Kwame Kanukwa, a Lance Corporal serving with Military Intelligence, was arrested and detained for one-and-a-half years.

7.8.49 Martin Tanson, was a Staff Sergeant in the Ghana Army serving with Military Intelligence. He was detained after the 31st December, 1981 coup and released in 1987.

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7.8.50 Joseph Yaw Boateng, was a Corporal in the Ghana Army serving with Military Intelligence. After the 31st December, 1981 coup, he was arrested and detained for 15 months. On his release he was discharged from the Ghana Army.

7.8.51 Archison Kojo Nti, a Corporal serving with Military Intelligence, was arrested after the 31st December, 1981 coup and detained at Ussher Fort Prison for two years. On his release, he was permitted to rejoin his Unit to continue his service. He retired from the Ghana Army in 1991 as a Staff Sergeant.

7.8.52 Wilson Opare-Agyei, a Corporal serving with Military Intelligence, was arrested in May, 1982 on returning from peacekeeping duties in the Lebanon. He was detained until May, 1983.

7.8.53 Emmanuel Afari, a Staff Sergeant in the Military Intelligence, retired in August, 1981. In October, 1982 he went to the El Wak Stadium to visit a soldier friend. As he was leaving, he was arrested by W O II Kwame Agbayizah. He was put in a guardroom and later detained at Ussher Fort Prison for 5 years until 22nd January, 1987.

For other security personnel and the civilian population, it was largely a matter of guilt by association. Many such persons became objects of attack leading, in some cases, to death and, in others, to incarceration for long periods. Among the petitioners were:

7.8.54 Alhaji Osei Kwame Mohammed	10 months
7.8.55 Prophet Kobina Ekwam and some of his followers	1 year 6 months
7.8.56 John Chris Amematey	1 year 4 months
7.8.57 Samuel Johnson Oppong Agyare	1 year;
7.8.58 Cyriano Kodzo Mensah Olympio	5 months
7.8.59 Daniel Claver Kwame Poku	9 months
7.8.60 Albert Poku Adusei	9 years
7.8.61 Simon Sablah	2 years 8 months
7.8.62 Alhaji Baba Song Abdulai	2 years
7.8.63 Clement Kpakpo Akwei	3 years
7.8.64 Amoabeng Atta Mensah	8 days
7.8.65 George Philip Okine	4 weeks
7.8.66 Nana Ahima	3 months
7.8.67 John Tei Kugblenu	1 year
7.8.68 Samuel Tay II	6 days
7.8.69 James Togbor Squire	7 weeks
7.8.70 Sammy Nassar	3 years 11 months
7.8.71 Alhaji Alidu Muhammad	6 months 2 weeks
7.8.72 Benjamin Kwadwo Agyare	10 days
7.8.73 Thompson Quay Brown	8 days

7.8.74 Daniel Nii Oku, On 25th December, 1982, soldiers who were alleged to be plotting to overthrow the government of the PNDC were found hiding in an uncompleted building owned by Oku. There was shooting during which one of the soldiers, Lt Achana, was killed. Two

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others were captured. Oku and his guest, fellow-lawyer William Adumua-Bossman, were arrested. Oku remained in custody for over a year.

7.8.75 Mohammed Mustapha Puganga, a soldier based at Ho, joined Lt Korah, Lt Achana and others in an attempt to overthrow the government of the PNDC. He was arrested in December, 1982 after a shoot-out at a house in Dansoman, Accra. He was released on 13th March, 1992.

7.8.76 John Kwasi Attipoe, a Corporal in the Ghana Army based at Tamale, was arrested on 7th February, 1985 on suspicion of involvement in a plot said to have been led by Major Sulemana to assassinate the Chairman of the PNDC in Kumasi. He was kept in custody without trial in various prisons until 22nd April, 1992.

7.8.77 Gilbert Newton Awuviri, a former functionary of the PNP was arrested and detained in Accra from January to August 1983 and used as a prosecution witness at the trial of Jacob Jabuni Yidana for harbouring Lt Korah, an alleged fugitive from justice.

7.8.78 Joseph Mensah, a former Regimental Sergeant Major in the Recce Regiment, played a leading role in suppressing the 15th May, 1979 mutiny led by Flt Lt Rawlings. He was arrested after 4th June and detained for 3 months. He was discharged from the Ghana Army on 25th February, 1980. Re-instated on 23rd March, 1981, he was again arrested after 31st December, 1981 and kept in detention for one-and-a-half years. He was voluntarily discharged from the Ghana Army on 26th May, 1984. On 4th February, 1985, Mensah was re-arrested, taken to the BNI and questioned about the whereabouts of Maj Sulemana. He was detained without charge or trial at the BNI and Nsawam Prisons for 7 years 3 ½ months.

7.8.79 Emmanuel Owusu Aninakwa a Lance Corporal in the Ghana Army, was arrested in Accra on 27th February, 1983 with other soldiers, among them Samuel Twumhene, in the home of a Dr. Antwi on suspicion of plotting to overthrow the government of the PNDC. Wounded in the encounter, he was detained without charge or trial for 9 years 1 month (PNDC L 4 EI 9/85).

7.8.80 Isaac Duodu, a Lance Corporal in the Prisons Service, was arrested on 14th April, 1984 on suspicion of complicity in an attempted coup on 23rd November, 1982. He was kept in detention at Nsawam Prisons for 3 years. He was later put on trial before a public tribunal and sentenced to 25 years in hard labour. He was released in 1986.

7.8.81 Musah Mahama, a soldier, was arrested on 23rd November, 1982 on suspicion of being involved in a coup plot. He was kept in detention for 6 months.

7.8.82 Nicholas Andrews Osei, a Sergeant in the Ghana Army based at Sunyani, was arrested on 12th August, 1983 and brought down to Accra and detained until 25th April, 1991.

7.8.83 Sammy Nassar, a Ghanaian citizen of Lebanese origin, returned to Ghana on 6th June, 1988 after a long sojourn abroad. On arrival he was arrested on suspicion of being involved in a plot to overthrow the government of the PNDC. He was kept in custody without charge or trial

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until 21st May, 1992. During his incarceration he underwent two surgical operations and his business virtually collapsed.

7.8.84 Alexander Minta Addo, an officer of the BNI, was arrested on 25th June, 1986 for passing a note from a person in custody to his wife. He was detained without trial until 19th February, 1990 when he was released.

7.8.85 Solomon Odoi Manu, was an officer in the BNI. Following the escape of a detainee from custody, he was arrested on 12th July, 1987 and detained without trial until his release on 14th April, 1992.

7.8.86 Daniel Opape Sarpong Jnr, a Corporal serving with the Recce Squadron in Sunyani, was arrested in March, 1984 and brought to Accra on an Airforce plane. Also on the plane were soldiers Halidu Gyiwa, Sarkodee Addo, Apatinga, Gyabaah and ex-WO Bediako who had been captured on the Ivory Coast border. He witnessed the extra-judicial killing of the captives on 24th March, 1984. Sarpong was kept in custody at the BNI for three months. Thereafter he was detained in various prisons without charge or trial until May, 1992.

7.8.87 Emmanuel Kwabena Osei, a Staff Sergeant in the Ghana Army, was arrested for allegedly jubilating over the attempted coup of 19th June, 1983 and kept in detention at Nsawam Prisons until 4th June, 1990. He was discharged from the Army and paid all his entitlements, including salary for the period of his detention.

7.8.88 Nana Ahima, was arrested and kept in detention at the BNI from 7th October, 1988 to 23rd January, 1989 on suspicion of associating with John H. Mensah then an opposition figure abroad.

7.8.89 Mussah Mahama, a Corporal in the Ghana Army, was arrested and detained for 6 weeks in 1982 on suspicion of plotting to overthrow the government of the PNDC. He was again arrested in November, 1983 and detained till May, 1984 for the same reason.

7.8.90 Clemence Kofi Oberko, On 30th June, 1989, Oberko, also known as Nana Amoyaw III, of Bodada in the Buem Traditional Area, was arrested at Bodada by BNI operatives and brought to the Headquarters in Accra. Oberko was questioned about discussions he was alleged to have had with some persons who had come to his house from across the border in Togo. He was assaulted while in custody and a bright light was flashed into his eyes. This caused him to have severe headache and pain in the eye. After three days he was released. He abdicated his Stool because of taunts that he had served time in prison.

7.8.91 Janet Habeme Bazawule, On 19th June, 1983, the day of the abortive coup led by Gyiwa, Janet's driver was arrested and her taxicab impounded and taken to the Teshie Camp. When Janet traced the taxi and went to the Camp, she was arrested and handed over to the police who kept her in detention for six weeks. The interrogation Janet underwent while in custody suggests that the vehicle may have been used by the insurgents in connection with the jailbreak and other activities on that day.

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7.8.92 Sgt Samuel Kwame Larbi, a soldier in the Ghana Army, was arrested on 9th August, 1983. He was alleged to have assisted Lt Col Ekow Dennis, who was wanted in connection with a plot to overthrow the PNDC, to escape. He was detained in James Fort Prison until 11th April, 1989.

7.8.93 Emmanuel Arhin, a Corporal in the Prison Service, was arrested on 13th April, 1984 on an allegation that he supplied weapons to prisoners who broke jail on 19th June, 1983. He was detained under EI 9/85. In 1987 he was put on trial before a public tribunal which found him guilty and sentenced him to 25 years imprisonment. He was released in 1996 after twelve-and-a-half years in prison.

7.8.94 Damasus Kwabena Bogee, a Captain in the Ghana Army based at Tamale, was arrested in April, 1985 on suspicion of being involved in a plot to assassinate the Chairman of the PNDC in Kumasi. He was detained without trial until 9th June, 1990.

7.8.95 Seidu Iddrissu, a Corporal in the Ghana Army, was arrested in Sunyani in 1985 on suspicion of being involved in an attempt to assassinate the Chairman of the PNDC in Kumasi. He was brought to Accra for interrogation and was later detained at Nsawam Prisons without trial until 20th March, 1992.

7.8.96 Victor Dunyo, On 12th July, 1987 a prisoner in custody at the BNI escaped. Dunyo and four other officers of the Bureau who were on duty at the time were arrested. Dunyo was detained at Ussher Fort Prison and Nsawam Prisons until 14th April, 1992. He was never charged with any offence or tried.

7.8.97 Joy Kwame Cudjoe, a soldier with the Forces Reserve Unit, was arrested on 25th September, 1989 on suspicion of involvement in a plot to overthrow the PNDC. He was detained till April, 1992.

7.8.98 Isaac Kwadjo Yeboah, a soldier, left the Ghana Army in 1974. He lived abroad in Germany and in the Ivory Coast until 18th July, 1986 when he was arrested near Enchi while crossing the border on an unapproved route. He was detained until December, 1986.

7.8.99 David Tawiah Welbeck, Chief Mechanic at the Military Intelligence, was arrested by L/Cpl Amedeka on 7th January, 1982 and taken to the Airforce guardroom. While there, Maj Nantogma was brought in and shot dead. After four days, Welbeck was released.

7.8.100 Michael Koblah Paagah Agbettor, a Corporal serving with the Military Police at Burma Camp, Accra, was arrested on 16th October, 1989 on suspicion of being involved in a plot to overthrow the PNDC. He was kept in custody in various prisons until 22nd June, 1992.

7.8.101 Mike Adjei, a journalist, was arrested on 22nd June, 1983 and kept in detention until July 1984.

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7.8.102 Mohammed Musah Akana, a Detective Corporal in the Police Service, was arrested in March, 1983 on suspicion of being involved in a plot to overthrow the government of the PNDC. He was kept in custody for five months. On his release he went back to his post in the Police Service.

7.8.103 George Antwi Owusu, a Corporal in the Ghana Army based in Accra, was arrested on 2nd December, 1982 and detained in various guardrooms and finally at Nsawam Prisons until 21st December, 1983. He was suspected of being a sympathizer of Sgt Akatapere.

7.8.104 Matthew Yaw Adjei, a Deputy Superintendent of Prisons, was arrested and detained in BNI cells from December, 1988 to June, 1989 for permitting Kwame Pianim, a prisoner, to visit his home while Pianim was under his charge on official trips outside the prisons.

7.8.105 Hamidu Issaka, a Staff Sergeant in the Ghana Army, left for peacekeeping duties in Lebanon on 22nd November, 1984. Barely two months later, he was summoned back to Ghana and interrogated about his possible links with Maj Twumasi-Anto and Maj Ocran in a plot to overthrow the PNDC. He was detained without charge or trial for two years. On his release, he was discharged from the Ghana Army.

7.8.106 John Kwame Appiah, a member of the BNI, was arrested on 14th May, 1985 after the escape of L/Cpl John Adongo from BNI custody. He was detained at Ussher Fort Prison until 5th September, 1990 when he was released. He died in 1999.

7.8.107 Albert Agyekum, a W O II in the Ghana Army based in Kumasi, was arrested in Accra on 9th July, 1988 when he paid a visit to his brother, Lt Col Agyekum of the Medical Corps. He was detained on suspicion of involvement in a plot to overthrow the PNDC. He was released in June, 1992.

7.8.108 Magnus Nortey Ocquaye, a Chief Superintendent of Prisons, was arrested in September, 1982 and kept in custody until November, 1982. This was, apparently, for doing favours to Flying Officer Odoi who had been detained at Anomabu Prison. On 20th July, 1983, Ocquaye was again arrested and kept in BNI cells until 22nd August, 1983.

7.8.109 Fred Sam Nii Padi was arrested in August, 1983 on suspicion that he was involved in a plot to overthrow the government of the PNDC. He was detained without charge or trial at Koforidua Prisons for five weeks.

7.8.110 Das Upendra, a Ghanaian devotee of the Hare Krishna Movement, was arrested on suspicion of being involved in a plot to overthrow the government of the PNDC. He was kept in custody at the BNI and at James Fort Prison for six months.

7.8.111 Clement Kwasi Asiedu, In June, 1987, Asiedu, a member of the Hare Krishna Movement, and an American, Perry Kirklin, were arrested in Accra. They were interrogated and then detained at Ussher Fort Prison. They were released without charge or trial in November, 1987.

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7.8.112 Clifford Godwin Tay, a musician, was arrested in 1987 on suspicion of being involved in subversive activities. He was detained in BNI custody for 25 days.

7.8.113 Kofi Abotsi Amedanu's, mother lived in Lome, Togo. From time to time, Amedanu visited her. After one such visit in February, 1989, he was arrested by three commandos who took him to the Castle, Osu and had him confined in the guardroom. He was questioned about his visit to Togo. After a month, he was taken to the BNI where he was again confined for seven weeks. He was finally taken to Ussher Fort Prison and released in April 1992.

7.8.114 John Kwasi Kwarteng, an AB/1 in the Ghana Navy, was arrested on 23rd November, 1982 in Accra on suspicion of being involved in a plot to overthrow the PNDC. He was detained at Anomabu Prisons until September 1986 when he was released and discharged from the Armed Forces.

7.8.115 Alhaji Moro Baba was arrested in Kumasi and taken to the BNI headquarters in Accra where he was detained for one month.

7.8.116 Peter Ofori Wiafe, a former policeman, was arrested on suspicion of having links with Maj Boakye Djan who was said to be planning to overthrow the PNDC. He was arrested in March 1982 and detained for one month.

7.8.117 Pius Komla Mensah, Following the escape of a suspect, Justice Asafo Adjei, from custody at the BNI on 12th July 1987, Mensah, Dunyo and other officers who were on duty at the time were arrested and detained without trial. Mensah spent five years in custody.

7.8.118 Thomas Benefo, On his return to Ghana from forced exile in the Ivory Coast and Togo in 1986, Benefo, an ex-Corporal in the Ghana Army, was arrested and detained without charge or trial until 1992.

7.8.119 Nsonwa Adu Kwabena-Essem, an Information Officer of the USIS, was arrested and detained for two weeks from 16th November, 1982 to 30th November, 1982. Again, on 22nd July, 1985, he was taken into custody and detained until 26th November, 1985. On both occasions he was questioned about his work for the United States government.

7.8.120 James Kofi Hansen, an employee of Metalloplastica Limited and member of the WDC, was arrested on 15th July, 1987 on suspicion of distributing subversive material. He was kept in various prisons till 15th April, 1988.

7.8.121 Abraham Ayiku Kanor, a Prison Officer, was arrested on 19th September, 1985 on suspicion of associating with dissidents. He was taken to the Castle and detained in the guardroom for 39 days and then at the BNI. In all, he spent 4 months in custody.

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7.8.122 Martin Opoku, a band music promoter of Worawora, Volta Region, was arrested in 1983 on suspicion of possession of arms and ammunition. He was detained without trial at Jasikan and at Cantonments Police Station, Accra for fourteen months.

7.8.123 Daniel Oheneba Amponsah, a tailor, was arrested at Akim Oda in 1988 and taken to BNI Headquarters in Accra where he was detained for two-and-a-half months. The allegation against him was that he had written a letter to Gondar Barracks. He was released when, after his arrest, the letters continued to come in, thus showing that Amponsah was not the author.

7.8.124 Victor Albert Latzoo, a soldier in the Ghana Army, claimed that he was arrested by the BNI and later imprisoned by a public tribunal. He failed to appear to assist the Commission to verify his claims. The Commission's own investigations at the BNI failed to disclose any information confirming Latzoo's alleged arrest and subsequent imprisonment.

A number of civilians were arrested and detained for reasons unconnected with threats to the survival of the regime. Among them were:

7.8.125 Edmund Ocansey, Managing Director of the State Fishing Corporation, was arrested and detained for two weeks at Gondar Barracks. Thereafter he was detained twice at Michel Camp, once at 5th Battalion and once at Border Guards Headquarters for periods ranging from one week to six months. He was threatened with death by Sgt Alolga Akatapore, Sgt Agoha, WO I Nkwantabisa and Atsu.

7.8.126 Yaw Obeng, a farmer, was arrested by customs officers at Osei Kojokrom on the border with the Ivory Coast in 1990. He was detained at the BNI Headquarters and, later, at James Fort and Nsawam Prisons. He was released in December, 1990.

7.8.127 Daniel Eric Kofi Ameyibor, was arrested on 1st June, 1982 with two other persons for dealing in raw gold. He was kept in detention at Gondar Barracks for 49 days and then released. Although the arrest was given wide publicity in the *Daily Graphic* of 2nd June, 1982, neither Ameyibor, nor his accomplices were brought to trial.

7.8.128 Mosby Bamfo-Manuh, In a private quarrel over rented premises, Maj Bentil of the Military Police organized soldiers to attack Bamfo-Manuh and to detain him at Burma Camp for two weeks. Later, a court order was obtained for the ejection of the Major from the premises.

7.8.129 George Philip Okine, Chief Revenue Officer of the Accra Metropolitan Assembly was summoned by a radio announcement to report at the Military Intelligence. When he did so he was detained for 3 weeks.

7.8.130 Yeboa Amoabeng Atta Mensah, On 9th February, 1982, Afotey, a member of the June Fourth Movement, caused the arrest of Mensah for delaying his application to join the Ghana Sandcrete Block Manufacturing Association of which Mensah was the Secretary. He was detained at Gonder Barracks for 9 days.

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7.8.131 Rose Owusu's husband, **Kwame Agyare**, was arrested in 1983 at his home in Takoradi by soldiers for alleged diversion of fuel. He remained in detention until 1989 when he was released on account of his ill-health. He was admitted to the Effia Nkwanta Hospital, Sekondi but died the following day.

7.8.132 Ricky N. Atianah, was arrested by the police after the 31st December, 1981 coup and detained for three-and-a-half months.

7.8.133 Paul Yao Kumordzie, On 21st September, 1989, Kumordzie, a Foreign Service Officer, was arrested in Accra and kept without charge or trial in various prisons until September, 1991 when he was released. A letter dated 31st January, 1997 from the Research Department of the Ministry of Foreign Affairs to the Minister in response to a petition by Kumordzie for his reinstatement in the Service, from which he was dismissed while in detention, gives his alleged involvement in a mortgage fraud while on posting in London as the reason for his incarceration in Ghana.

Even if there were good grounds for dismissing Kumordzie from his post in the Research Department of the Ministry, his detention without charge or trial for two years was an abuse of his rights as an individual.

7.8.134 Daniel Claver Kwame Poku, a Ho-based building contractor, was arrested on 26th January, 1983 and brought to Accra. He was kept in various police cells and then sent to Anomabu Prisons. He was released after 9 months. Poku was never told why he had been arrested and detained.

7.8.135 Ibrahim Mahama, a Tamale lawyer and politician was arrested on 16th April, 1987 and detained under the Preventive Custody Order, 1987 (EI 17). He was released on 25th July, 1988.

7.8.136 Francis Kwesi Eshun, an Assistant Warehouse Manager of the Grains Warehousing Company Limited, Tema was arrested and kept in custody at Ussher Fort and Ho Prisons for 18 months. He was never charged with any offence.

7.8.137 John Kwame Prah, was arrested on 10th November, 1992 in Takoradi on suspicion of being involved in the murder of Imoru Adams, a National Democratic Congress activist. He was kept in police custody for 42 days. He was later released without being charged.

7.8.138 Mohammed Shaibu, was arrested by soldiers at Tema and taken to Michel Camp and, later, to Takoradi. In all he spent 18 months in custody.

7.8.139 Peter Kofi Atta Kakra, a follower of 'Apostle' Twumasi, was tried with the 'Apostle' for allegedly insulting Flt Lt Rawlings. He was sentenced to two years' imprisonment.

7.8.140 Nana Kofi Benti: Nana Kwabena Kruku II On 27th January, 1982, soldiers from Apremdu Barracks, Takoradi went to Benti's house at Bonsa, Wassa Fiase, and arrested Benti's guest, Nana Kwabena Kruku II, Chief of Agona-Pepesa. Nana Kruku II was kept in custody at

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Tarkwa, Aprembo Barracks, Takoradi and the Takoradi Central Police Station for four weeks. Nana Kruku II was never charged with any offence.

7.8.141 Edward Nkansah-Wadieh, a clearing agent at Tema Port was arrested by militiamen under the command of WO I Nkwantabisa. He was detained for 40 days by the militiamen before being sent to the Public Tribunal for trial for possessing uncustomed goods and attempting to bribe a public officer.

7.8.142 Beatrice Nkrumah, a Mankessim trader, was arrested by soldiers and taken to the Regional Office, Cape Coast, where she and other traders were detained for four days.

7.8.143 Alex Adjei, a PNP Member of Parliament, was arrested and detained on 2nd February, 1982. He was released from custody on 31st August, 1985.

7.8.144 Mohammed Hanny Zahabi, was arrested by soldiers led by Riad Hozaifeh, a Ghanaian of Lebanese origin and a civilian. He was kept in custody at the Police Striking Force guardroom for four days.

7.8.145 Kenneth Emmanuel Bruce, a Chief Immigration Officer, was dismissed and detained without trial from 9th December, 1987 to 13th January, 1989.

7.8.146 Noah Desantos Aggrey was arrested at Agona Swedru on 17th February, 1984 on suspicion of involvement in a case of robbery. He was kept in custody at Swedru Police Station and at Gondar Barracks until the culprits, three soldiers serving at the 37 Military Hospital, were found on 18th March, 1984.

7.8.147 Comfort Dedzo-Dzokoto, a shop owner of Ho, was arrested and taken into custody at the police station. Later she was sent to Nsawam Prisons where she stayed for seven months before being released.

7.8.148 Divine Crespín Agbadzi and others were interdicted by the Volta Regional Development Corporation over alleged diversion of cement and sugar. While the matter was being gone into, Agbadzi was arrested and taken into custody first, at Ho Prisons, and then at Ussher Fort Prisons. He was released after nine months.

7.8.149 Anthony Kwasi Owusu, a Sergeant in the Police Service, was detained without trial for six months on suspicion of stealing diamond exhibits.

7.8.150 Nii Odai Ayiku VI, Nungua Mantse, was arrested and detained for 17 days at the Police Station and five months in Gondar Barracks. This was in connection with a chieftaincy dispute.

7.8.151 Nana Ayisi Arkoh, a trader of Koforidua, was detained at the Military Barracks, Ho for short-supplying the Ministry of Health with certain items. He was kept in custody for 18 days.

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7.8.152 Alhaji Abdulai Yakubu, was arrested by soldiers at Wa and kept in custody at the police station for 20 days. He was questioned as to whether he had taken any loan for his farming operations.

7.8.153 Yaw Barima had written a school textbook containing adverse references to military rule was arrested in Kumasi on 30th May, 1982 and detained at Gondar Barracks, Accra for two months. His books were seized.

7.8.154 Lord Sey, was arrested in 1989 and detained at Gondar Barracks for 3 weeks on an allegation of fraud. He was arrested again and detained at James Fort Prison for 3 months. After his release, he was again arrested and kept in custody for 2 months at the Ministries Police Station and then Nsawam Prisons until 1992.

7.8.155 John Baffour Kyei, a farmer of Domeabra, was chased out of his farm by the local PDC backed by Ashiboye Mensah, Chairman of the Interim National Coordinating Committee of the PNDC regime. Kyei was detained for brief periods, the longest being 24 hours.

7.8.156 Kwabena Boakye-Yiadom, a customs officer at Tema Harbour and other colleagues were arrested by WO I Nkwantabisa and taken to Michel Camp. They were detained in the guardroom for 3 weeks.

7.8.157 David Kobina Osei, a trader of Assin Sibenso, entered into an agreement with one Grace Brew to trade in cola nuts. Following a disagreement between them about the sharing of profits, Grace lodged a complaint against Osei at the Airforce Station at Takoradi. Osei was arrested and kept in custody for a total of two weeks. His stock of cola nuts was seized.

7.8.158 Joseph Addai Tonto, an employee of the Agricultural Development Bank, Cape Coast was arrested and kept in custody at Legon Police Station for two-and-a-half years for alleged financial malpractice.

7.8.159 Sampson Kwaku Nyamebekyere, a corporal in the Ghana Army, was arrested in August, 1983 on suspicion of involvement in a plot to overthrow the government of the PNDC. He was tried with others but was acquitted. In spite of his acquittal, he was arrested and kept in custody in Nsawam Prisons until 24th April, 1991.

7.8.160 Gabriel Kwasi Appiah, owner of a shop in Kumasi where he sold drinks, was arrested with his shopkeeper for selling goods above the controlled price. He was detained for some eleven days.

7.8.161 Michael Gbemu, an akpeteshie seller, was arrested by soldiers and detained at Burma Camp for one week.

7.8.162 Samuel Benjamin Osei-Botwe, a Treasury Officer at Assin Foso, was charged with stealing. He fled to Nigeria, but was apprehended and brought back. He was remanded in custody. The trial dragged on for five long years at the end of which he was acquitted.

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7.8.163 Okyere Blankson, an Assistant Farm Overseer at Kwamoso Oil Palm Plantation in the Eastern Region, was arrested with other officers by soldiers and kept in custody at the Jungle Warfare Training School, Achiase for two weeks. The reason for their detention was not disclosed to them.

7.8.164 Daniel Asare Asirifi, a Sales Manager at the GNTC, Koforidua, was arrested by soldiers and detained for 12 days at the Central Police Station.

7.8.165 Charles Boateng Sampong, a farmer of Miaso, near Mpraeso, was arrested and detained for 6 weeks following complaints by fellow-villagers that he was harassing them and was selling goods above the controlled price.

7.8.166 John Kwaku Fokuo Following a dispute with one Amanoh over a farm, Fokuo was arrested by Police at Madina, Accra at the instance of Cpl Kwame Dapaah of the Military Police. He was kept in custody for 7 days and forced to give up his claim to the farm.

7.8.167 Dr. Keita Kwaku Kankam, was arrested and placed in BNI cells for possessing confidential documents of the Ministry of the Interior. He was kept in detention without charge for 40 days.

7.8.168 Kofi Oppong, Procurement Manager of the COCOBOD, was arrested and kept in custody at the Castle, Osu for six weeks.

7.8.169 Emmanuel Bishop Dartey, Winfred Kwasi Agbi were Sergeants in the Police Service. On 26th October, 1989, they and Constable Abraham Bortey were arrested for mounting an unauthorized road block on an unapproved road leading from Dzodze to Togo. They were detained at the Castle, Osu for three months and then dismissed.

7.8.170 Abraham Bortey, a Police Constable stationed at Dzodze in the Volta Region, was arrested with Sgt Dartey and Sgt Agbi by a team of security personnel from the Castle, Osu on suspicion of engaging in corrupt practices. They were detained in the Castle guardroom without charge or trial for three months.

7.8.171 Nana Kwaku Agyeman While in a Koforidua drinking bar, Agyeman made critical remarks about the human rights record of the PNDC. He was arrested and detained at the Koforidua Central Prison and at Effiduase Police Station for three-and-a-half months.

7.8.172 William Kwamla Woekpor, a Senior Accounts Clerk of the Volta Region Development Corporation, was interdicted on 25th November, 1981 pending the outcome of investigations into the affairs of the Corporation. On 8th March, 1982 he was taken into custody and detained for ten months. He was eventually cleared of all wrongdoing.

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7.8.173 Moses Arku Amenya Goku, was arrested at Adidome, Volta Region by the police and handed over to the military. He was in custody for three months after which he appeared before the Citizen's Vetting Committee in Accra. He was discharged.

7.8.174 Francis Joe Ocran, owner of a Nissan Urvan bus, was arrested in 1986 on suspicion of being involved in a case of diversion of a consignment of rice. He was detained at Tema Harbour for two months, at the Harbour Police Station for thirty-two days, at the Nima Police Station for twenty days, back to Tema Harbour for four months and finally at Nsawam Prisons where he remained until 31st December, 1992. He was told at Nsawam that he had been sentenced to ten years imprisonment in absentia.

7.8.175 Daniel Kwadwo Asante, In December, 1983, Asante's Nissan Urvan bus was seized by soldiers while it was being used to convey rice and flour from Togo. Asante was detained in the guardroom at Burma camp for three weeks.

7.8.176 Frederick Fafanyo Logah, Following the seizure of their fishing boats in 1982, Frederick and his brother, Emmanuel, went to Burma Camp to make enquires about them. They were detained at the barracks for five weeks.

7.8.177 Jonathan Apotsi Nuerthey, caretaker at the Somanya residence of Henry Kwadjo Djaba, a businessman, was arrested in October, 1982 by soldiers and detained in police cells for five days.

7.8.178 Isaac Kingsley Yankson, an Accounts Clerk of the Produce Buying Company, was arrested on 17th January, 1983 and charged with forgery of a cheque. He was in custody for 22 months before he was put before a Public Tribunal. After attending the Tribunal sessions for two years he was finally discharged for want of prosecution.

7.8.179 Samuel Kwaku Asante, In 1990, Asante, then a student, his mother and two brothers were arrested for the murder of Kwabena Bamfo at Osubenso, Eastern Region. They were kept in police custody for two weeks and then put before a Magistrate's Court. They were remanded in custody and continued to be on remand for three years before being granted bail. The case never came to trial.

7.8.180 Nana Poku, a resident of Kotobabi, Accra was arrested with others in November, 1982 and taken to Gondar Barracks. He remained in detention until 16th January, 1983 when he managed to escape while engaged in forced labour at the Labadi beach.

7.8.181 Michael Kwao Anang, a driver at the Castle, Osu, was arrested on the orders of RSM Tetteh, bodyguard of the Chairman of the PNDC and detained in the Castle guardroom for four weeks.

7.8.182 Nicholas Nvidah, an employee of Ashanti Goldfields at Obuasi, was arrested and detained for four-and-a-half months at a military camp. His Datsun 140J vehicle was seized.

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7.8.183 Kofi Yeboah-Agyeman, a reporter of the *Daily Graphic* newspaper, who was working on a story concerning alleged financial malpractices at the West African Examinations Council, was invited to the offices of the Council for a meeting with the Senior Deputy Registrar and other officers. While the meeting was in progress, security personnel led by Sgt Gbafa came in and arrested Agyeman. He was taken to the BNI and detained for four days.

7.8.184 Nelson Oppong was arrested in 1992 over his passport which, it was alleged, had been unlawfully altered. He was detained without charge or trial for eight weeks.

7.8.185 Dr. Kwame Gyamfi, Managing Director of the Cocoa Marketing Board, was arrested on 22nd August, 1983 and detained at James Fort Prison. He remained in custody until January 1984 when he was released.

7.8.186 Kofi Agyeman Following his removal from office, Agyeman, Managing Director of the GCB, was arrested and kept in BNI cells from January to July 1990.

7.8.187 Addy Augustine Kwasi Ketorwoko, who claimed to have played a leading role in mobilising funds for the establishment of the North Tongu Rural Bank, was arrested at his village Mafi Akyenfo, Volta Region by L/Cpl Victor Gomeleshio and a policeman, Constable Gablah, and taken to Gondar Barracks. There, he was accused of misappropriation of funds and taken to Ussher Fort Prison where he was detained for two months.

7.8.188 Ezra Douglas Martinson Stephens, an Assistant Commissioner of Police, was arrested on 13th February, 1992 and detained at the Military Barracks at Teshie for 12 weeks. He was not charged with any crime, nor was he told why or on whose authority he had been taken into custody. On his release he was told not to go back to his post. He was retired by the PNDC on 6th January, 1993, on the eve of the restoration of constitutional government.

7.8.189 Daniel Bugri Naabu, a Tamale building contractor, was arrested in May, 1988 and placed in protective custody for allegedly “doing an act with intent to sabotage the economy of Ghana” It seems the detention was in connection with the non-completion of some government building contracts. He was in custody for a little over nine months.

7.8.190 Norbert Kofi Ashong, was a member of the Concerned Citizens Association of Dzodze, Volta Region. Ashong and other members were arrested for possession of arms. They were never tried, but were detained at various police stations, including Osu Police Station, Accra for four months.

7.8.191 Hamidu Soti, Following the dispute between citizens of the Ada area and the Appenteng family, owners of Vacuum Salt Company Limited, Soti and his father were arrested and detained for one week at Dawa Police Station.

7.8.192 Godwin Kwablah Amevia, After a man he had accused of attempting to rape his wife fell ill and died, Amevia was accused by the Ketu District CDR of being responsible for the death. He was detained at Denu, Volta Region for sixteen days.

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7.8.193 Togbe Asamoa Nkwanta VI, was in dispute with Togbe Yao Akonor II over which of them was the chief of Torgorme, Volta Region. While the dispute was yet unresolved, W O I Ebenezer Kwablah Hudekor of the PNDC Headquarters arrested Togbe Nkwanta VI and some of his elders and took them to Gondar Barracks, Accra where they were detained for five days.

7.8.194 Kwadzo View, After soldiers led by Capt. Amedonu had seized and sold petrol and engine oil at the Goil Filling Station at Kpando, Volta Region, which was managed by View, they arrested him and took him to the Military Barracks at Ho where he was detained for one month.

7.8.195 Okyeame Kwasi Kuma, In 1989 there were protests over the extension of the jurisdiction of Kete Krachi District to cover Dambai and Asukawkaw. Following this, Kuma and seven other persons were arrested and brought to Accra where they were detained for 22 days.

7.8.196 Abu da Costa, a taxi driver, was placed in custody at the BNI in May 1987 when he took two passengers there at their request. His taxicab was seized and he was kept in custody in various prisons without trial until the High Court presided over by Mr. Justice Felix M. Lartey ordered his release on 18th February, 1994.

7.8.197 Emmanuel Quarcoo Buami, while a committee, the Nutsugah Committee, was investigating alleged mismanagement at the Volta Regional Development Corporation, Buami, a Principal Administrative Assistant at the Corporation, and others were taken into custody at Ho Prisons and detained for nine months.

7.8.198 Rockefeller Kwesi Hayford, a Mill Foreman at the Takoradi Flour Mills, was taken into custody at the Military Barracks, Apremdo and questioned about the company. He was detained for 31 days.

7.8.199 John Kwame Aidoo, a transport owner of Sefwi Wiawso, was arrested in 1982 on an allegation that he was engaged in counterfeiting. He was detained at Wiawso Police Station, the Military Barracks at Apremdo, Takoradi and at Burma Camp for six weeks.

7.8.200 William Arnold Decker was Chief Technical Officer at the Oil Palm Research Centre at Kusi, near Kade. On 3rd May, 1982, he was arrested on the orders of the Eastern Regional Investigations Committee and detained for one week. The charges made against him and other colleagues were found to be baseless.

7.8.201 George Marshall Naykene, a journalist and proprietor of a newspaper called *Christian Chronicle*, was arrested in 1989 and placed in BNI custody for publishing an article entitled "ALL AFRC members benefited from the PNP loan". He was detained for six months.

7.8.202 Emmanuel Agogo On his arrest for attempting to smuggle US \$86,000 and £25,000 out of the country, Agogo was kept in custody without trial at the BNI for 23 months.

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7.8.203 Lovelace Oppong Snr, General Secretary of the National Association of Local Councils, was arrested and detained at Ussher Fort Prison.

7.8.204 Sampson Owusu Afriyie was a Merchandise Manager of the GNTC. On 24th October, 1983 he and other officers of the Corporation were arrested and taken to Gondar barracks. He was detained at the barracks for 14 days and at the police headquarters for a further 4 days.

7.8.205 J. K. Ebouh, now known as Nana Ampabeng II, was a Chief Inspector of Police at Suntreso Police Station, Kumasi. In January, 1989, the Chairman of the Public Tribunal, Aning called him and questioned him as to why he had sent suspects whose cases were yet to be called before him into custody at the prisons. His response that he did so on warrants issued by the Chairman of the Ashanti Region Investigation Committee, which was headed by a Superintendent of Police, was not accepted by the Tribunal Chairman who had Ebouh detained for one week.

7.8.206 Okyeame Kwasi Kumah In 1989, the petitioner and seven other persons were arrested at Dambai and brought down to Accra. This followed disturbances which took place at Dambai and Asukawkaw over the re-demarcation of Kete Krachi District to include the two towns. The petitioner was detained for 22 days.

7.8.207 Kofi Duku Chairman and National Organiser of the Youth Wing of the PNP was detained from 3rd January, 1982 – 29th March, 1982.

7.8.208 Dr. Armstrong-Mensah Managing Director of TVLC was arrested in Takoradi and brought to Accra where he was detained in the CID Information Room, Accra for nine weeks.

7.8.209 Kwesi Kutin In 1983, following his arrest at his home at Kwabrafosso, Obuasi as a suspected illicit gold dealer, Kutin was detained at the Central Police Station, Obuasi for 6 months.

7.8.210 James Kofi Akuoko Senior Farm Manager of the State Oil Palm Plantation stationed at Kwamoso was arrested on 4th March, 1983 by soldiers and detained at the Jungle Warfare Camp, Achiase, near Akim Oda. He was accused of stealing 5 drums of palm oil and with bribing the soldiers attached to the station with ₵1,000. He was severely beaten while in custody. Subsequent investigations showed that the charges were false.

7.8.211 Akua Obimpe, wife of Kwesi Kutin, was arrested and detained for 40 days at the Obuasi Central Police Station when their home was searched for illicit gold.

7.8.212 Samuel Kwame Larbi was a Sergeant in the Ghana Army. He was made caretaker of a farm at Awutu run by Field Engineers whose Commanding Officer was Lt Col Ekow Dennis. Dennis later fell out with the PNDC and was arrested in a coup plot. He was incarcerated at James Fort. On 19th June, 1983 during the Gyiwa led jail break he escaped. He was believed to have used Awutu as a transit point before fleeing from the country. Following his escape,

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security personnel went to Awutu in search of him. Later Larbi was arrested and detained till 1989.

7.8.213 James Appiah, a Captain in the Ghana Army, was arrested and detained in 1987 for associating with one Justice Asafo Adjei who was suspected of being involved in a plot to overthrow the PNDC. He remained in custody until 1990. when he was finally set free he was released from the Ghana Army for 'misconduct'. His benefits were declared forfeited. In 2001 he was granted an honourable discharge with full benefits as at 4th June 1990. However he found to his dismay that his gratuity had been computed at rates applicable in 1990 rather than 2001. The computation ought to have taken account of the depreciation in the value of the cedi since 1990.

7.8.214 Gabriel Kwame Opoku, a soldier serving with Military Intelligence, was arrested after 31st December, 1981 coup and detained at James Fort Prisons for one and half years. On his release he was discharged from the Ghana Army.

7.8.215 Prince Baffour Awuah Gyawa was National Organiser and Chief Executive of the Ghana National Reconstruction Corps (GNRC). On 16th January, 1982 he was arrested by soldiers led by Capt Pattington and taken to Gondar Barracks, Accra. He was detained in the guardroom for three weeks. On his release he was not permitted to go back to his post.

7.8.216 Charles Arthur a Secretary/Receiver of the CMB in the Bibiani District was arrested and detained at the military barracks, Kumasi for one year when his stock of 77 tonnes of cocoa were found to be infested with pests.

7.8.217 Godwin Kwasi Kaledzi was arrested at his home in Dabala, Volta Region by soldiers led by Victor Gomeleshio and taken to Gondar Barracks. He was detained in Ussher Fort Prison for three months.

7.8.218 Francis Adjei's father, Kwabena Adjei was arrested in 1987 on suspicion of complicity in a murder said to have been committed by one Musah Dagarti at Wassa Nkran, Western Region. He was detained at the Sekondi Prisons. He died five years later while still in custody.

7.8.219 Godbless Amankwah Following the attempted coup of 19th June, 1983 Amankwah was arrested for jubilating. He was detained at the Kumasi Prisons for three weeks.

7.8.220 Kojo Adjei Antwi Brempong, a businessman, was arrested in 1986 and accused of plotting with Victor Owusu and Kwaku Teye alias Rockshell to overthrow the PNDC. Although his two alleged co-conspirators were released, Brempong was detained in various prisons until 1990. The petitioner claimed that as a result of his detention his investment of US \$50,000 in a factory to produce rice and baby food went to waste.

7.8.221 Francis Kwakye was detained at Gondar Barracks for two weeks following a complaint by a policewoman whose husband, Cpl Danso, was a soldier, that he had stolen property belonging to her.

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7.8.222 Agyara Yakubu's husband, **Alhaji Yakubu**, now deceased, was the GPRTU Secretary at Bechem, Brong Ahafo Region. In 1984 he was arrested for buying two drums of petrol from a tanker driver. He was taken to the Military Camp in Sunyani and detained for two weeks. He was later put on a trial before a public tribunal, but he was acquitted.

7.8.223 Togbe Ashiakpor IV Paramount Chief of Wheta Traditional Area was arrested and kept in custody for five weeks over an allegation that he and some of his subjects were plotting to kill Chinese workers at the Afife Irrigation Project site. He was brought to Accra where he appeared before the NIC. He was later released. He petitioned for the re-naming of the Afife Irrigation Project as Wheta Irrigation Project.

It is not in doubt that the irrigation project is on Wheta stool land. This can be seen from a letter No. AGRIC/181 dated 10th April 1980 written by J. B. Yegbe, Chairman of the Ketu District Council and addressed to the Regional Minister, Ho. It reads:

Hon. Minister,

RENAMING OF AFIFE IRRIGATION PROJECT

On the strength of a protest lodged to the Council by Torgbui Ashiakpor IV of Wheta Traditional Area about the naming of the Irrigation project in his traditional area, the Executive Committee appointed a three member Committee to go into the protest with a view to resolving the dispute.

2. I enclose a copy of the Committee's report, its findings and recommendations which the Executive Committee of the Council has accepted.
3. The Council will be very much grateful if you will take immediate action on the recommendations in view of the fact that the present designation of the project has generated ill-feeling and antagonism from the Wheta Traditional Authority who feels slighted by having a project, name Afife Irrigation Project on Wheta Land.

Yours faithfully

(SGD) CHAIRMAN
KETU DISTRICT COUNCIL
(J. B. YEGBE)

The Regional Minister
Regional Administration
P. O. box 119
Ho.

Regrettably this recommendation is yet to be implemented.

7.8.224 Gambia Akuoko Chairman of the Agriculture Committee of New Juaben was arrested and detained for two weeks after 31st December, 1981 coup.

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7.8.225 Kwabena Appiah Following the 31st December, 1981 coup, the petitioner was arrested at Koforidua and detained for five months at the Police Station and Nsawam Prisons.

7.8.226 Seth Kwabena Boye, an organiser of the PNP at Abetifi, Eastern Region, was arrested after the 31st December, 1981 coup and detained at Nsawam Prisons.

7.8.227 Alex Joseph Oppong a Corporal in Ghana Army serving with Military Intelligence, he was arrested and detained in Nsawam Prisons after the 31st December, 1981 coup. He escaped during the jail break of 19th June, 1983 and went into exile in the Ivory Coast. He returned to Ghana in 1996.

7.8.228 Alhassan Wumbei was driver of Alhaji Iddrissu Kpabia Madugu, Northern Regional Chairman of the PNP. Following the 31st December, 1981 coup, he was arrested and detained at the Military Barracks, Tamale for nine days during which period he was made to take soldiers round to point out the properties of his employer. When he was released he went home to find that his wife had run away and his properties looted.

7.8.229 David Akale Ataburu was a Corporal in the Ghana Army. On 23rd November, 1982 he was arrested for involvement in an attempt to overthrow the PNDC. He was detained at the Ussher Fort Prison but escaped during the jail break of 19th June, 1983. He went into exile, returning to the country in 2003.

7.8.230 Johnson Mpaba Nyande was a Captain in the Ghana Army. In January, 1990 he was arrested on suspicion of being involved in a plot to be led by Maj Courage Quashigah to overthrow the PNDC. He was detained in BNI cells for seven months.

7.8.231 James Osabutey Tetteh was a member of the Ghana Air Force. On 3rd January, 1982 he was arrested and kept in detention at Ussher Fort Prisons until 17th November, 1982.

7.8.232 Geoffrey Kumfo In 1987, the petitioner, a Spinning Machine Operator at the Asene Household Enamelware Limited and Secretary of the CDR at the factory was arrested by the BNI and detained at Anomabo Prisons for seven months. This was in connection with an industrial dispute at the factory.

7.8.233 Robert Zacharias Duker In July, 1985, the petitioner resigned from his position as Forest Manager of A. E. Saoud Limited, a Kumasi based timber company. Thereafter he made allegations of financial impropriety against the company. In response the PNDC initiated investigations into the affairs of the company. The petitioner was summoned to Accra in connection with the investigations. He claimed that when he reported at the Castle, Osu, he was detained for ten days in a guardroom. During those ten days he was made to chop firewood each morning.

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7.8.234 Kofi Amoateng a Medical Assistant at the Ejisu Kwaaso Health Centre, Ashanti Region was detained at Gondar Barracks, Accra for three months for ‘jubilating’ over the attempted coup of 19th June, 1983.

7.8.235 Enoch Yaw Mensah Ofosu-Okyere was a Lieutenant Colonel in the Ghana Army. Following the 31st December, 1981 coup, he was arrested with other Officers and detained at Nsawam Prisons. He was released in April 1982.

7.8.236 George Kwasi Debrah, a Corporal in the Ghana Army, was arrested on suspicion of involvement in a plot to overthrow the PNDC. He was tried by a public tribunal and sentenced to 18 years imprisonment. He was released in 1995 after 12 years imprisonment.

7.8.237 Fiase Srebi a Commando was arrested in 1988 on an allegation that during anti-smuggling operations at Oseikojokrom near the Ivory Coast border he had collected bribes from some people. He was detained for two-and-a-half years without trial.

7.8.238 Alhaji Moro Baba was arrested in Kumasi in December 1991. He was brought to the BNI in Accra and detained for one month.

7.8.239 Christina Many a trader at the Makola Market, Accra was arrested and taken to Burma Camp by soldiers who accused her of selling school uniforms above the controlled price. She was detained for two weeks.

7.8.240 Nana Kofi Asante Soldiers who arrested the petitioner in 1982 had him detained at Gondar Barracks for two months.

7.8.241 Gyan Bediako In 1991 the petitioner was arrested by Security officers and taken to the BNI where he was placed in custody. He was released after one month in detention. No explanation was given to him as to why he was detained.

7.8.242 Thomas Tanko Anafo a Chief Petty Officer Class 1 in the Ghana Navy was arrested in 1984 on suspicion of being involved in subversive activities. He was detained at the BNI for some days and then released. He believes it was a case of mistaken identity.

7.8.243 Sumani Bin Mani In 1985, the petitioner, a Bursar of the Wa School for the Blind was arrested and kept in detention for 60 days while pressure was brought to bear on him to refund an amount of ₵240,000 he was alleged by the Special Audit Task Force of the GES to have embezzled.

7.8.244 Amadu Douri After seizing all his properties under the Forfeiture of Assets (Amadu Douri) Law, 1982 (PNDC L 9) the PNDC arrested and detained Douri at the Ussher Fort Prison for one year.

7.8.245 Emmanuel Osei, a Police Constable, was charged with three other policemen with the offence of extortion. They were tried by a Public Tribunal and convicted in 1992. Osei was

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sentenced to a fine of £ 200 by way of refund to the complainant or in default five years imprisonment. He paid the fine. Thereafter Osei was dismissed from the Police Service. Osei spent 19 months in detention before he was put before the tribunal to be tried. The detention for 19 months before trial was wrong and an infringement of Osei's rights. However, on the face of it, his conviction and subsequent dismissal from the Police Service were proper.

7.8.246 Akosua Acheampong A search on her as she was about to board an aircraft for London on 17th May, 1988 revealed that she had concealed US\$15,000 in her shoe. The amount was confiscated by the customs authorities. Akosua knew she was breaking the law in not declaring the foreign currency at the point of departure. The confiscation was proper and lawful.

7.8.247 Joseph Mills filed this petition alleging that in March 1988 one Emmanuel Agogo had amounts of US\$86,000 and £25,000 confiscated at the Airport, Accra. Mills did not claim to be related to Agogo, nor did he show that this petition was brought with his knowledge and consent. He clearly had no first hand information about the circumstances leading to the confiscation.

7.8.248 Ebenezer Begyina Sekyi Hughes Petitioner is a partner in the law firm Gaisie, Zwennes, Hughes & Co. On 23rd November, 1987 the firm wrote a letter to Dr. Ayirebi Acquah, Acting Secretary of the Ministry of Local Government and Rural Development, accusing him of tearing up a cheque for ¢7,905,233 issued in favour of Messrs Kupualor General Business Limited, for work done for the Ministry, when the Managing Director, Kupualor, resisted Ayirebi Acquah's demand to pay him ¢800,000 out of the sum. The letter demanded that a fresh cheque be issued for the amount. Copies of the letter were sent to P.V. Obeng, Chairman of the Committee of Secretaries, the Controller and Accountant General and the Director of Budget, Ministry of Finance. Subsequently the petitioner was arrested at his home in Takoradi and brought down to Accra. He was detained at the Police Headquarters for two days and then at Legon Police Station for 26 days when he was granted bail. No charges were preferred against him.

Newspaper reports suggested that the reason for the petitioner's arrest was that he and Kupualor had tried to blackmail Dr. Ayirebi-Acquah who had apparently appointed another person to re-assess the work done by Kupualor's company.

If indeed Dr. Ayirebi-Acquah made the demand, it was a criminal act which warranted a complaint being lodged with the police. Even though the steps taken by the lawyers in writing to Dr. Ayirebi-Acquah with copies to his superiors was unfortunate, it did not justify the arrest and detention of the petitioner.

7.8.249 Kojo Andoh Quansah petitioned that his company based at Takoradi was forced by the NIC to pay large sums of money to the PNDC Account No. 48. Documentary evidence of payments made by the petitioner was provided by the Serious Fraud Office. This shows that the petitioner's company paid the cedi equivalent of DM 6400. The payments were made during a four-week amnesty granted by the PNDC to timber firms to make good short-falls in their payments of taxes and customs dues or face prosecution. Several other timber companies took advantage of the amnesty to make payments.

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7.8.250 James Alexander Appiah, Manager of the Abuakwa Rural Bank Limited was arrested and detained at the Police Headquarters, Accra for 3 months.

7.9 ABUSE OF THE JUDICIAL PROCESS

7.9.1 Kwame Agbavor On 26th October, 1982 Agbavor was convicted by a public tribunal chaired by Nana Addo-Aikins of the offence of doing an act with intent to sabotage the economy of Ghana, the alleged facts being that he had attempted to smuggle six cartons of matchets and a bale of underwear to Togo. Agbavor's defence was that he responded to a request by the Border Guards patrol to use his vehicle to convey the items which had been found concealed in the bush to their office. The evidence of L/Cpl Felix Kwadwo Dewornu and Sgt Samuel Kofi Appiah of the Border Guard detachment at Akanu, near Dzodze confirmed the evidence of Agbavor to the hilt.

7.9.1.1 They are reproduced hereunder:

Dewornu said:

My full name is Felix Kwadwo Dewornu. I live at Dzodze and I am a Border Guard at Akanu. I am a Lance Corporal.

I remember on the 11th day of May 1989 while on Patrol duty with Sgt. S. K. Appiah, L/Cs. Matthew Arthur, A. A. Quarhin, J. C. Asenso and K. Amatefio, at the Penyi bush. During our patrols at about 2.30 pm on the outskirts of Penyi, we saw a group of Scouters holding sticks. We demanded to know their destination to which we were told that some smuggled items had been dumped in the bush.

On the instructions of S. K. Appiah in charge of the patrol, we accompanied the Scouters who took us to a point where they had suspected the items were hidden.

We all conducted a search, and during the search some six cartons of matchets and one bale of diamond glued T-shirts were found. With the help of the Scouters the items were collected to the near roadside.

At the road side Sgt. Appiah instructed us to guard the items while he went out for further investigations.

Within five minutes Sgt Appiah appeared with a GK 3511 Datsun car with accused in it.

The Sergeant at this juncture instructed us to pack up those items for conveyance to Akpanu Border post. When we were about to pack the items on the vehicle the Scouters attempted to stop us from sending the items to the Akanu Border Post telling us that they would wish to send them to the chief's palace rather.

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Sgt Appiah however insisted that the items be sent over to the Akanu Border Post. After some minutes of resistance, the items were packed on to the vehicle for onward transmission to the Akanu Border Post. The accused therefore drove myself and one Scouter to the Akanu Border Post, where we escorted the items to.

By reason of difficulties in procuring means of transport I asked the accused to drive me back to my duty post at Penyi.

I alighted at the Penyi Lorry Park, went back to my duty post and reported the matter to my duty officer.

Appiah said:

My full name is Samuel Kofi Appiah. I am a Border Guard stationed at Akanu near Dzodze.

On the 11th day of May 1982 I was on patrol duty with some five others. At about 2.30 pm information reached us that some people were passing to Togo through a concealed path. We therefore set off to check up. On the way we met some Scouters and their leader who told us that they had identified some dumped goods. We went to the scene to find that there were six cartons of matchets and one bale of T-shirts under a palm tree. I instructed my boys to carry the goods to the border post. We went to town in search of a vehicle. We saw accused and begged him to lend us his vehicle for the conveyance of the items. The accused refused. We however forced and loaded the goods on to his vehicle. I later detailed D.W.1 and one of the Scouters to send the goods to the Akanu Border post, which was done. I then reported to my duty post and made a report.

7.9.1.2 As recorded by the Tribunal, its decision was as follows:

The Tribunal, after consideration of evidence by both the prosecution and the accused finds the accused guilty.

The Tribunal accordingly proceeds to sentence the accused as follows:

1. 10 years imprisonment with hard labour.
2. Confiscation of vehicle Nos. GK 3511 and AA 1016 for the reason that these said vehicles had been used in the smuggling of the items indicated on the charge sheet.

The Tribunal further recommends the immediate transfer of D.W.s 1 and 2. The Tribunal suspects that they were hiding some vital information from the Tribunal with the intention of obscuring their implication to which evidence has been led. The Tribunal therefore finds it necessary to order the immediate transfer of D.W.1 and 2. A full judgment will be written and pasted accordingly.

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7.9.1.3 It seems the judgment was never written, nor pasted in the Judgments Book. At least a copy is not included in the official record. The decision was a travesty of justice and ought not to be allowed to stand. Agbavor served 10 years in prison.

7.9.2 Jacob Jabuni Yidana, a member of the Police Investigation Team which investigated the kidnapping and murder of the three High Court Judges and a retired Army Officer, was arrested on 6th March, 1983 and charged with harbouring a criminal, that is, Lt Korah, who was said to have been engaged in a conspiracy to overthrow the PNDC. He was tried before a public tribunal, convicted and sentenced to eight years' imprisonment in hard labour. His wife, Veronica Molyin, who was charged along with him and was tried in her absence, was sentenced to seven years' imprisonment in hard labour. Under PNDC Law 24 the decision of the Tribunal was final and not subject to appeal. Even after he had served the full term of his sentence, Yidana was kept in custody and was not released until 21st March, 1992, that is, two-and-a-half months after the Constitution of Ghana, 1993 came into force. This raises serious doubts about the genuineness of the charge levelled against Yidana. As leader of the investigation team, he became the object of attack for his zeal in tracking down the perpetrators of this heinous crime which, as the facts proved at the trial of Amartey Kwei and others had the backing of persons closely connected to the PNDC.

7.9.3 William Oduro In 1983, ASP Oduro, who served with Yidana as a member of the Special Investigation Team, was tried *in absentia* for alleged espionage and sentenced to 10 years imprisonment.

7.9.4 Robert Kocuvie Tay; Dr. Nyaho Tamakloe, In June, 1987, Juergen Heinel, a German national, by his solicitor, Kwame Tetteh, lodged a complaint with the General Legal Council against Tay for charging the said Heinel excessive fees in the sum of ¢1million cedis. Shortly thereafter, Tay was arrested and charged with dishonest acquisition of property. In letter No. C.15/Vol 1/87/20 dated 29th June, 1987, signed by the Secretary of the General Legal Council and addressed to Tay with copies to the Ghana Bar Association and the NIC which ordered the arrest, the Council drew attention to the petition before it and stated that its Disciplinary Committee was dealing with the matter. The Council pointed out that the issue raised in the petition was not that of criminal conduct, but rather of professional misconduct.

7.9.4.1 The NIC ignored the views of the General Legal Council and proceeded to put Tay on trial. He was jointly charged with two others, Col Chumogo Benni (Rtd) and Dr. Nyaho Tamakloe, a medical practitioner. They were charged with conspiracy and dishonest acquisition of property. The case came up before a public tribunal presided over by Boakye-Danquah. Tay was convicted on both counts and sentenced to a term of imprisonment. In addition, he was to pay a fine and refund the fee of ¢1million, not to Heinel, but to the NIC. On appeal, an appellate tribunal presided over by Addo-Aikins acquitted Tay of the charge of conspiracy but affirmed his conviction on the charge of dishonest acquisition of property.

7.9.4.2 Before then, the Appellate Tribunal had gone out of its way to obtain fresh, unsworn evidence on which it was to base its decision. This will be found in the proceedings of 5th April, 1990. It reads:

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IN THE NATIONAL PUBLIC TRIBUNAL, ACCRA
APPELLATE AND REVIEW DIVISION HELD ON
THURSDAY THE 5TH OF APRIL, 1990 BEFORE:

ADDO-AIKINS	-	PRESIDING
E. Y. OBIMPEH	-	MEMBER
H. O. ALLOTEY	-	MEMBER
A. AMEXO	-	MEMBER
M. L. K. OTOO	-	MEMBER

C.A. NO. 121/87:

ROBERT KOCUVIE TAY	-	APPELLANT
VRS:		
THE PEOPLE	-	RESPONDENTS

Counsel for appellant not present in court.

Appellant not present in court.

Anthony Gyambiby for respondents present in court.

7.9.4.3 BY TRIBUNAL:

After a careful consideration of issues appearing for solution in this instant case, the Appellate and Review Tribunal is of the view that issues on which its decisions could be based have not been made available to it for study.

It is the considered view of the Appellate and Review Tribunal therefore that the ends of justice will better be served if it is furnished and fed with certain particulars which can only be procured from the National Investigations Committee.

The Appellate and Review Tribunal in the circumstances directs that it be furnished with the particulars stated below, by the National Investigations to enable it more properly be in appreciation of facts and issues arising.

Matter for which further and better particulars are as far as possible being demanded "The reasons for the invitation of Jurgen Heinnel and Robert Kocuvie Tay by the National Investigations Committee on the 13th day of November, 1986 and the subject-matter which the said invitation was to touch upon."

Case adjourned to Thursday 19th April, 1990 for mention. Registrar to carry out process.

(Sgd.) ADDO-AIKINS
(PRESIDING)

7.9.4.4 In answer to this request, Emmanuel Ohene of the NIC responded by a letter No. PNDC/NIC.589 dated 26th April, 1990 as follows:

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Reference your above quoted letter dated 10/4/90, forwarding an order of the National Appellate Tribunal, demanding to know 'The reasons for the invitation of Jurgen HEINNEL and Robert Kocuvie TAY by the N. I. C. on 13/11/86 and the subject-matter which the said invitation was to touch upon'.

2. The N. I. C. was investigating the operations of PAMOS (Gh.) Ltd. of which both Jurgen HEINNEL and Robert Kocuvie TAY were directors.

3. The investigations also touched on the importation and sale of "Wambo" spraying machines by the company.

4. Both Jurgen HEINNEL and Robert Kocuvie TAY were being treated as suspects. As a matter of fact the assets and bank accounts of both were frozen by PNDC.

5. Regards.

AG. CHAIRMAN/NIC
(E. OHENE)

THE DEPUTY NATIONAL REGISTRAR,
OFFICE OF THE BOARD OF PUBLIC TRIBUNALS,
PEOPLE'S COURT,
STATE HOUSE,
ACCRA.

7.9.4.5 In its judgment the appellate tribunal stated:

The contents of the Memorandum from the National Investigations Committee clearly shows, that appellant collected money he claimed to be legal fees from a person with whom he was jointly being questioned on subjects in respect of which answers by appellant and complainant to questions were most likely to fall into irreconcilable conflict with each other.

The question to answer then is, how well-intentioned was appellant when he proceeded to collect money from complainant for a job whose performance was to cause conflicts of position between his and complainant?

The other question to ask is did appellant not have knowledge of the contradictory positions he was to take in respect of his appearing jointly with complainant before asking for the one million cedis he claimed to be legal fees?

Or that if appellant did not have knowledge of this fact whether it was not an act which he ought to have perceived as incompatible with honest practices.

It is the view of the Appellate and Review Tribunal, that having regard to the true purpose of appellant's joint appearance with the complainant before the NIC together with all the questions and issues which appellant's conduct tend to raise, it cannot but be convinced with the fact that appellant's act of collecting the ₵1 million from complainant

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as legal fees in these circumstances, amounted to is not characterized by lack of truth and honesty.

The Appellate and Review Tribunal again finds appellant's collection of the ₦1 million from complainant in these circumstances as an act which in addition to being one that was calculated to cheat, was also an act implying an intent to conceal and distort the truth about appellant's right to demand.

7.9.4.6 Charging excessive fees and representing a client in a situation where there is a conflict of interest are professional misconduct punishable under the Legal Profession (Professional Conduct & Etiquette) Rules 1969 (LI 613). The body charged with the responsibility of investigating such complaints and imposing appropriate penalties is the General Legal Council established by the Legal Profession Act, 1960 (Act 32). Even in cases where the alleged misconduct borders on crime, the practice is to permit the professional body to deal with the issue of professional misconduct before any other action is taken.

7.9.4.7 In this case, in their anxiety to treat the alleged conduct of Tay as a criminal act, the authorities had him charged with dishonest acquisition of property at a time when the issue of charging excessive fees was pending before the Disciplinary Committee of the General Legal Council. When at the appellate stage they found that a case had not been made out on that charge, they went in search of evidence of conflict of interest and used it as the basis for finding that what both Heinnel and Tay described as fees were not fees but money extorted from Heinnel. The issue of conflict of interest was extraneous to the matter before the appellate tribunal. When it found that the charge of dishonest acquisition of property had not been proved, its duty was to allow the appeal and acquit Tay and his co-accused. Its failure to do so occasioned a miscarriage of justice.

7.9.5 Kofi Asenso-Mensah, In July, 1984 Mensah, a Principal Technical Officer of the Cocoa Services Division, was given a consignment of fungicides for distribution to farmers in the Sefwi area. When the vehicle he was traveling on broke down, he deposited the fungicides at an office of the Produce Buying Division at Boako. After fruitless attempts to procure another vehicle to convey the fungicides, he left them where they were. Mensah was charged with diverting the fungicides "with intent to smuggle them into the Republic of Ivory Coast". He was tried at Sefwi Essem by a public tribunal comprising Addo-Aikins as Chairman, a Detective Inspector of Police and three Sergeants of the Ghana Army as members. The principal witness for the prosecution admitted that the vehicle conveying the fungicides broke down. When Mensah tried to tender a letter to prove that he wrote to the Chief Technical Officer for a relief truck, the Tribunal rejected it as 'fraudulent' without assigning any reasons. Mensah was convicted and sentenced to four years' imprisonment.

7.9.5.1 For what it was worth, the letter ought to have been admitted as showing that there was no intent to divert the fungicides. If there were any grounds for suspicion that the letter was not genuine, the addressee, the Chief Technical Officer, ought to have been called to give evidence. As the matter stands, Mensah cannot be said to have had a fair trial.

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7.9.6 Emmanuel Assah Adumoah, Following the submission of the report of a special audit task force which examined the accounts of various institutions in the Eastern Region, nine Headmasters, Bursars and Accountants of schools were charged and put before a public tribunal. Well knowing the quality of justice dispensed at these tribunals, the alleged malefactors decided to go into hiding or leave the country. The first accused person was the Assistant Accountant at the District Education Office, Krobo Odumasi; the second, Headmaster of Osino Secondary School; the third was Assistant Internal Auditor of the school; the fourth was the Assistant Accountant of Akuse Central Hospital; the seventh was Assistant Accountant of Akro Junior Secondary School; the eighth position is not stated; the ninth, Adumoah, the Bursar of Adjena Secondary School was alleged to have embezzled various sums of money between December 1983 and January, 1985.

7.9.6.1 The trial of these persons who were charged with separate acts of theft alleged to have been committed on various dates and at various places was on one charge sheet. Only one witness was called to give evidence of the findings of the task force. Nothing was said about any explanations the accused persons may have given.

7.9.6.2 The panel had E. F. Dzakpasu as Chairman and Kwesi Aggrey and WO I Mumuni as members. They expressed themselves as fully satisfied with the evidence led and proceeded to convict and sentence the accused persons. Adumoah was sentenced to ten years imprisonment. Yet, a more careful examination of the facts would have revealed that Adumoah was not at Adjena Secondary School between December 1983 and January, 1985 but rather between January 1985 and January, 1986.

7.9.6.3 When Adumoah fled the country, he went to Nigeria. He returned to Ghana in 1989 and reported at the Castle. He was led to the BNI which sent him to Nsawam Prisons to serve the sentence imposed on him in his absence. He was released in 1992.

7.9.7 Hosea Kofi Bediako, also known as Bedia, an Accountant at the Kpando District Education Office, was charged with stealing and tried by a public tribunal under the chairmanship of Kofi Addo. When the trial opened, the other members of the panel were Victor Tenu and Dora Agorsor. The record of proceedings shows that on 3rd May, 1990 and 10th May, 1990 when the last witness for the prosecution gave evidence and the accused opened his defence, Victor Tenu and Dora Agorsor were dropped and their places taken by Dan Eleblu and S. K. Acolatse. Finally, on 26th June, 1990 when judgment was delivered Dan Eleblu was dropped and his place was taken by Victor Tenu. Thus, the trial was before a panel of five which changed as the case wore on. A fine of one million cedis was imposed on the petitioner. His brother, an Officer in the Ghana Air Force, paid the fine on his behalf.

7.9.8 Kwaku Attah, was the driver of a Commercial vehicle plying between Accra and Aflao, Volta Region. On 7th February 1985, he left Accra for Aflao. On reaching Akatsi, he came across a barrier manned by soldiers from the Military Barracks at Ho. Upon a search, a substance believed to be gold was found on his vehicle. Attah was taken to the barracks of the Mortar Regiment where an improvised tribunal chaired by Maj Lamptey, the Commanding

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Officer with other soldiers as panel members tried, found him guilty and sentenced him to five years' imprisonment. His vehicle was confiscated.

7.9.8.1 In the intimidating atmosphere that prevailed with armed soldiers prosecuting him and constituting themselves into both jury and judge, his defence that the substance belonged to a passenger who had given it to him for safe-keeping during the journey was easily brushed aside. Attah served his term of imprisonment, against which there was no right of appeal, at the James Fort Prison, Accra. He could hardly have been said to have had a fair trial.

7.9.8.2 In response to enquiries from the Commission, Maj Lamptey, now retired, made known that Commanding Officers of the various units of the Armed Forces were given power to constitute tribunals with themselves as Chairmen for the trial of persons suspected of engaging in smuggling and other crimes.

7.9.9 James Kwabena Boakye was a Deputy Superintendent of Police in charge of Kintampo District. On 8th December, 1982, a tractor driven by one Yaw Dokyi and owned by Kwasi Yeboah was involved in an accident. Eight persons were killed and several others were injured. In an effort to claim compensation from the Central Insurance Company for the damage to the tractor, Yeboah obtained a false police report which gave the date of the accident as 23rd December, 1982. Meanwhile, Yeboah had obtained a cover note dated 17th December, 1982 from the Insurance Company. It was to expire a month later.

7.9.9.1 Boakye, who signed the police report, and Inspector Asare, who was alleged to have procured the falsification of the records at the police station, were charged before a public tribunal, convicted and sentenced. The records of proceedings were not before us. However, from the judgment it is apparent that in convicting Boakye, the tribunal relied on the evidence of Wireko who stated that Inspector Asare instructed him to alter the date of the accident. Wireko further claimed that Asare told him that the order had come from Boakye. Asare denied the allegations made by Wireko. Although the fact that the report was signed by Boakye raised a suspicion that he was a party to the fraud, the absence of corroboration of the evidence of Wireko raised a reasonable doubt as to his guilt. In the circumstances the conviction was wrong.

7.9.10 Daniel Nii Oku, While he was in custody on an allegation of harbouring persons plotting to overthrow the PNDC, the petitioner, a lawyer, was summoned to appear before a committee which was investigating insurance malpractices. He vigorously defended himself in respect of alleged malpractices relating to Victor Ziga and Sampson Amemakakpor. He was not called upon to defend himself against any other allegations. However, when the report came out, adverse findings were made against him in the two cases and four other cases. He was subsequently put before a public tribunal and convicted on the strength of the Committee's report. As a result, petitioner had his name struck off the Roll of lawyers. He was later released from prison on health grounds and given an absolute and complete pardon. His licence to practice law has since been restored.

7.9.11 Ampofo Twumasi Ankrah, In 1988, Ankrah, a self-styled Apostle, who was alleged to have insulted the Chairman of the PNDC while preaching the word of God in Takoradi, was

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charged with sedition before a public tribunal, convicted and sentenced to two years' imprisonment.

7.9.12 Peter Kofi Atta Kakra, was in the audience when Ankrah delivered his sermon and answered questions at Takoradi. He was arrested, tried with Ankrah and sentenced to a term of imprisonment.

7.9.13 Christian Afaglo, While Afaglo was in exile in Togo, he was tried and sentenced to five years imprisonment for deceit of public officer and stealing by a public tribunal presided over by K. B. Aning in a trial which began on 15th July, 1992 and was concluded on 27th April, 1993. The charge of deceit of public officer related to 7,550 bags of cement Afaglo was alleged to have collected from the Ministry for Works & Housing for community projects at Klikor in the Volta Region. The charge of stealing related to some x-ray equipment. While the second count could give rise to a restitution order, the first could not. Yet an order was made confiscating the projects carried out by Afaglo at Klikor and vesting them in the Traditional Authority. The issue of ownership of the 'community' projects was not one for determination in the criminal proceedings.

7.9.14 Stephen Enimil Amoah, was the Co-ordinator of the Police CDR at Obuasi. In 1984, he was arrested and charged before a public tribunal with dishonestly acquiring property. The properties concerned were a Datsun Saloon car, a sounds system, a fan and a set of furniture. At the trial, evidence was led which established that Amoah was not the owner of the car or of the sounds system. What was left was the fan and the set of furniture. Amoah was found guilty of dishonestly acquiring these. He was sentenced to two years' imprisonment. The fan and the furniture were confiscated.

7.9.14.1 The proceedings of the trial were not made available to us. However, a report of the trial appears in the *Daily Graphic* of 11th November, 1984. Amoah proved that the car belonged to his deceased uncle, and the sounds system, to his brother-in-law. The remark reportedly made by Otu Essel, Chairman of the Tribunal, that Amoah failed to explain how he managed to maintain the car at a cost of ₵18,000 shows that the burden of proof was shifted onto Amoah. In the circumstances, he cannot be said to have had a fair trial.

7.9.15 Juliana Agyemkumwaa Dompseh, a trader at Makola Market, was arrested for selling shoes above the controlled price. She was brought before a make-shift tribunal set up at the offices of the Accra Metropolitan Authority and fined ₵200,000 or three months in hard labour.

7.9.16 Mercy Larbi's, husband, **Tonto**, was tried and sentenced to five years' imprisonment by a 'Kangaroo' court in Accra for profiteering. After he had spent one year at Nsawam, the conviction was set aside by the High Court. Tonto's shop was at Kojokrom, near Sekondi.

7.9.17 Edward Nkansah-Wadieh, On 4th September, 1986, a public tribunal sentenced Wadieh to 31 years' imprisonment for attempting to bribe a public officer and possessing uncustomed goods. On appeal, the sentence was reduced to three years.

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7.9.18 Chris Asher, also known as Barima Awuakye Akantan, was arrested on an allegation of murder. In October, 1982, while he was still in custody, he was charged with insurance fraud before a public tribunal chaired by George Agyekum, himself only just released from custody where he was held on suspicion of gold smuggling. Asher was convicted of insurance fraud and sentenced to ten years' imprisonment in hard labour. He escaped from prison on 17th January, 1984.

7.9.19 In 1983, as part of a campaign against alleged gold smugglers in Obuasi, **Abubakari Oscar Hasford** was arrested. In a search of his home, no gold was found. After three months in custody, he was tried by a public tribunal under the chairmanship of Agyekum for dishonest acquisition of property. He was convicted, sentenced to five years imprisonment. His house and car were confiscated.

7.9.20 Charles Kofi Fofie, a Sergeant in the Ghana Army stationed in Accra, was arrested in June, 1983 on suspicion of involvement in a plot to overthrow the PNDC. He was tried by a public tribunal, convicted and sentenced to 18 years' imprisonment in hard labour. He was released on 19th July, 1995.

7.9.21 Alhaji Zakari Bawa, was arrested in March, 1984 at Obuasi. His house was ransacked and his personal effects, including cars, seized. After six weeks in detention, he was put before a public tribunal sitting at Obuasi under the chairmanship of Agyekum and sentenced to 15 years' imprisonment in hard labour for dishonest acquisition of properties. His house was confiscated and his dependants made to pay rent for living in it.

7.9.22 Manso Frimpong, On 20th February, 1983, Frimpong was arrested at the Central Market, Kumasi for selling a packet of biscuits at ¢25. He was charged before a public tribunal under the chairmanship of Kwame Arhin, convicted and sentenced to three years' imprisonment in hard labour. He served one year in prison.

7.9.23 Akwasi Agyei, On 6th December, 1984 Agyei was arrested by members of the Police Task Force at Nkawaw for selling a blanket above the controlled price. He was put before a public tribunal chaired by Bosompem. He was convicted and sentenced to three months imprisonment plus a fine of ¢40,000 or in default five years imprisonment.

7.9.24 Kofi Bonsu, a trader, was arrested for hoarding when he disclaimed ownership of bulbs in his shop at Adum, Kumasi. He was taken to the Military Barracks and later to a public tribunal which tried him. He was fined ¢400,000 plus three years imprisonment.

7.9.25 Ama Asantewaah In 1984 soldiers went to Ama's shop at Kejetia, Kumasi and asked for the prices of her wares. She sold sugar, baking powder and provisions. Her goods were seized, she was arrested and put before a 'Kangaroo' court at the Town Hall. She was sentenced to one month's imprisonment for selling above the controlled price.

7.9.26 Mathew Adabuga, a Corporal in the Ghana Army, took part in the overthrow of the Limann Administration on 31st December, 1981. Thereafter, he fell out with the regime and took

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part in unsuccessful plots aimed at overthrowing it. He was tried *in absentia* and sentenced to death. Trial *in absentia*, which was introduced into our legal system for the first time by the Armed Forces Revolutionary Council (Special Courts) (Amendment) Decree, 1979 (AFRCD 19), affords its victims no chance of a fair trial.

7.9.27 Peter Kwadwo Fokuo, a depot keeper of the CMB at Kaase, Kumasi, evacuated cocoa under his control to the Tema and Takoradi Harbours and went on leave. While on leave, he fell ill and was admitted to the Catholic Hospital at Agroyesum. On an allegation that he had transferred cocoa from his depot to Nabeli depot for sale, he was charged and tried *in absentia* before a public tribunal in Accra presided over by George Agyekum. He was sentenced to life imprisonment. On his discharge from the hospital Fokuo was arrested and sent to Nsawam Prisons. He was in prison from June 1984 to September 1991.

7.9.28 Oduro Frimpong, a Sergeant in the Air Force, was arrested in 1984 on suspicion of involvement in a plot to overthrow the PNDC. Among his alleged co-conspirators were Maj Ocran and Sgt Joe Issaka. They were tried by a public tribunal presided over by Addo Aikins and sentenced to death. Frimpong was reprieved at the eleventh hour but Maj Ocran and Joe Issaka were executed. Frimpong's sentence was commuted to life imprisonment. He was released from prison on 8th April, 2000.

7.9.29 Samuel Senna Songodzagi, a soldier serving with the Border Guards, was arrested on 2nd September, 1983. After more than three months in custody at the BNI Headquarters and James Fort Prison, he was finally put before a public tribunal to answer a charge of harbouring Private Tanti Adomogire who was shot dead by security agents near Hotel President, Accra. He was found guilty and sentenced to life imprisonment. He was released from prison on 7th July, 1997. Paul Akora a detainee was called as a prosecution witness.

7.9.30 Daniel Bosompem Mensah, In 1983, Mensah, a Police Constable stationed at Asokwa, Kumasi, and Constable Bawa Musah arrested five persons in 1983 on a complaint by one Kwaku Appiah that they had stolen 10 bags of cement belonging to him. One of the arrested persons was Stephen Tawiah. Subsequently, Tawiah lodged a complaint that the policemen took a bribe of ₵4000 from him. Mensah and Bawa were charged before a public tribunal presided over by Kwame Arhin. They were convicted and sentenced to two years' imprisonment. There was no right of appeal. Mensah was dismissed from the Police Service.

7.9.31 Alhaji Abdul Razak Suberu, In 1988, one Aziz Bello is alleged to have stood surety for Muniru Lawal who had been arrested and taken to Gondar Barracks. Lawal was alleged to have defrauded Paul Bussum, a resident of the United States, in the sum of US \$18,000. When Lawal absconded, Suberu, his father-in-law, was arrested. A soldier wrongly identified him as the Azziz Bello who had stood surety for Lawal. Suberu was put before a public tribunal which imposed on him a fine of US \$18,000 or in default 9 years imprisonment. He paid the fine.

7.9.32 Victor Owusu a Police Constable was tried by a public tribunal and sentenced to 3 years' imprisonment when a driver with uncustomed goods bolted away with the goods while he was in his charge.

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7.9.33 Seini Abudulai was the Deputy Chief Manager of the SIC stationed in Tamale. In 1983 he was put before a public tribunal presided over by George Agyekum. He was charged on two separate charge sheets. One, No. 4/83, was on the vague charge of an act or omission causing loss to the property of a public body; the other, 3/83, was a charge of fraud by false pretences. At the end of the trial on 3/83 the Chairman of the panel announced that they had found the petitioner guilty, but that sentence would be pronounced the next day with their reasons for the verdict. The panel proceeded to try the petitioner on 4/83. After hearing evidence they remanded the petitioner in custody, declaring that they would give their judgment the following day. On the following day the panel passed a sentence of 9 years' imprisonment on the petitioner in respect of Charge Sheet No. 3/83 without assigning any reasons. Nothing was said about 4/83.

7.9.33.1 The trial was most unsatisfactory. The fact that at the time decisions of the public tribunals were final and not subject to appeal emboldened panel members to act irresponsibly without regard to accepted procedures of adjudication.

7.9.34 De Graft Dapaah was Headmaster of Fawohoyeden L/A JSS in Asunafo District. Following the theft of technical course tools in 1988 he and the school's watchman were arrested and charged before a public tribunal presided over by Otu Essel. The petitioner was convicted and sentenced to three years imprisonment plus a fine of ₵100,000 or in default 6 years imprisonment. On appeal, the decision was set aside and the petitioner was acquitted. Before then, the petitioner had spent three years in prison.

7.9.35 Zakari Bawa In 1984 soldiers surrounded the home of the petitioner at Obuasi. They seized his three cars and other properties, including a deep freezer, television and sounds system. He was put before a public tribunal chaired by Agyekum and convicted of dishonest acquisition of property. He was sentenced to 15 years imprisonment.

7.9.36 Akua Serwaah a shop keeper at Tafo, Kumasi left her shop in the care of her son. The son in turn left the shop in the care of a friend, Dogo, while he attended to nature's call. Dogo was arrested by three PDC members for selling candles at an excessive price. When Akua heard of this, she followed up to the Tafo Police Station. When she claimed ownership of the shop, Dogo was released and Akua was arrested in his place. Later, she was tried by a public tribunal chaired by one Otu Essel. Akua was convicted and sentenced to three years imprisonment.

7.9.37 Elizabeth Kankam petitioned that in 1986 she appeared before the CVC and was made to pay ₵1 million. She did not produce any receipt to back up her claim. Since the CVC invariably issued receipts for payments we are unable to accept her evidence that such a fine was imposed upon her.

7.9.38 Okeseku Mintah Afari On 4th August, 1992 the petitioner appeared before a District Magistrate's Court in Kumasi on a charge of murder. He was remanded in custody. His next appearance was on 13th August. On that occasion the petitioner was not produced before the Magistrate, but he was told that a *nolle prosequi* had been entered, and the petitioner sent to a

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public tribunal. The Magistrate was not satisfied with the explanation. He ordered that the petitioner be produced at the next adjourned date. When the case was called on 17th August the petitioner was not produced. The Magistrate ordered that he be granted bail. A bail bond was duly executed on 21st August, 1992. There was no prosecution of the petitioner.

It is evident that the State did not have sufficient evidence to support the charge of murder. As the Magistrate pointed out the petitioner was only provisionally charged with murder. No *nolle Prosequi* could have been filed. The State only needed to have withdrawn the charge for the petitioner to be set free.

7.9.39 Sarah Araba Asiedu was the wife of Sgt John Asiedu of the Ghana Army. Sarah, also known as Ayesha Asiedu, and other women, among them, Nana Frema, wife of W O I Ernest Duncan Marfo, formed the Armed Forces Wives Committee (AFWC). The Committee engaged in baking bread for the Army with flour supplied by the Supply Depot. In April, 1985, Ayesha and Nana Frema, the leading lights in the AFWC were arrested and charged with embezzling funds of the Committee. They were tried by a public tribunal, convicted and sentenced to long terms of imprisonment. Ayesha was in prison from 25th March 1987 to 24th July, 1992.

7.9.39.1 Ayesha's petition does not disclose any facts which show that there was anything amiss in her trial. She was represented by Messrs Owusu-Fordwuoh and Bosompem, two well-known practitioners at the public tribunals. On the facts Ayesha was given every opportunity to defend herself.

7.9.40 Alhaji Dauda was a Security Officer of the GPHA based at Tema. He and other employees of the Authority were put on trial in 1987 for failing to prevent uncustomed goods from being smuggled out of the harbour. He was found guilty and sentenced to five years imprisonment. The petitioner was represented by a lawyer and seems to have been given every opportunity to defend himself.

7.9.41 Andy Yaw Boadi was arrested in 1989 and charged with counterfeiting. He was tried by a public tribunal and sentenced to six years' imprisonment. His properties, including his house on Plot 3, Block 22 Sepe Aprampram, Kumasi, his Honda saloon car No. TRA 6197 and a water pump were confiscated. The petitioner failed to appear when invited to the Commission to give evidence. In the circumstances it is not possible on the bare facts in his petition to determine if he has been the victim of an injustice.

7.9.42 Alhaji Hamani Sumana a farmer of Obuasi was arrested on suspicion of illicit dealing in gold. When his house was searched nothing was found. In spite of this he was put on trial with others before a panel chaired by George Agyekum and sentenced to three years' imprisonment. His properties, namely:

H/No. TT 63/1 Tutuka, Obuasi
H/No. TT 33 Sahara, Obuasi
H/No. 49 Ashaiman, Accra
H/No. 15 Madina, Accra

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Land Rover vehicle No. GY 8218 and Datsun car No. AK 545 were also confiscated. On his release from prison, he was made to pay rent for living in his Tutuka Obuasi house. He stopped paying the rent after the 1996 elections.

7.9.43 Stephen Yaw Simpe In 1982, the petitioner, a car spare-parts dealer was summoned to appear before the CVC in Koforidua, Eastern Region. He was ordered to pay ₵1,736,262. He paid ₵787,262. As a result his house No. NK/C-70 Nsukwao, Koforidua was confiscated. He petitioned for the restoration of the house.

7.9.44 Kwabena Asamoah-Mensah In 1988, the petitioner, a bank manager of the Ghana Commercial Bank was tried on a charge of doing an act with intent to sabotage the economy of Ghana. This was in connection with loans granted to farmers and which resulted in losses amounting to ₵66 million. He was convicted and sentenced to a term of imprisonment. In the absence of the record of proceedings, it is not possible to say if the conviction was wrong.

7.9.45 Kwasi Ntrakwa Ofori was the National Treasurer of the PNP. In 1982 he was tried in absentia with other officials of the Party on a charge of demanding and receiving a loan of ₵1 million from a foreigner, Dr. Marino Chiavelli, in contravention of the Political Parties Decree, 1979. He was convicted and his properties were confiscated. Even though the facts were not in dispute, the haste with which the case was tried did not afford Ofori and his colleagues sufficient time to make an appearance or put up a defence.

7.9.46 Kwaku Danso a taxi driver of Obuasi was arrested by Sgt Dovi in the course of ‘Operation Dagnet’. His taxicab and personal effects were seized. He was put before a public tribunal chaired by Otu Essel and sentenced to 14 months imprisonment for ‘dishonest acquisition of property’.

7.9.47 Nana Appiah Kusi Brimpon II was the Paramount Chief of Mim Tradiditonal Area, Brong Ahafo. In 1987 following public disturbances by workers of the Mim Timber Company, the petitioner was arrested. After some 18 months in custody without trial, the High Court, Accra ordered his release. He was then put before a public tribunal at Goaso, Brong Ahafo chaired by Otu Essel and sentenced to 12 years’ imprisonment. He was finally acquitted and discharged by an appellate tribunal.

7.9.48 Amadu Lamusah, a Tamale businessman was summoned to appear before the CVC in Tamale. He was ordered to pay ₵2,077,400 into PNDC Account No. 48. Lamusah sold some of his properties and paid the fine.

7.9.49 Mahamadu Kaleem, a cement distributor and transport owner in Tamale was summoned to appear before a tribunal about his income. When he resisted suggestions that payments made by him as taxes were inadequate he was taken out of the room and beaten up. He was then taken back and a fine of ₵600,000 was imposed on him.

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7.9.50 Benjamin Boamah a driver and transport owner was summoned to appear before the CVC, Koforidua. He had ₵70,000 in his bank account. An arbitrary fine of ₵35,000 was imposed upon him.

7.9.51 Gyan Bediako In 1987 Bediako bought 700 bags of sugar from two persons, Nii Teye Odonkor and Raymond Otoo. When it was later found out that the sugar was stolen property the two persons were prosecuted at a public tribunal. Bediako was called as a witness for the prosecution. Subsequently, Bediako was charged with receiving stolen property before a tribunal chaired by Kwesi Aggrey. When the case was called on 17th February, 1988 the tribunal was informed that Bediako had been involved in a motor accident and was recuperating from his injuries. The case was called on 2nd March before Kwesi Aggrey (Chairman), WO II Mumuni Seidu, Atakuma Amexo, members. Without any explanation the tribunal recorded that Bediako was “At Large” and proceeded with the case. On 22nd March the panel sat with Dzakpasu to deliver a judgment finding Bediako guilty and sentencing him to a fine of ₵5 million or in default 10 years imprisonment. After the fact of his conviction had been reported in the *Daily Graphic* of 6th April, 1988, Bediako was arrested by members of the CDR who handed him over to the police. He was taken to Nsawam Prisons to serve his sentence. Bediako lodged an appeal and was released after serving 18 months in prison.

7.9.52 Anthony Baffour-Asare was a Purchasing Clerk of the Produce Buying Division of the CMB at Bayerebon, near Nyinahin, Ashanti Region. In 1983 he was arrested with the Depot keeper, Peprah and the Manager of the SSB at Nyinahin. The petitioner was detained at various places including the Recce guardroom, James Fort Prison and police cells in Kumasi and Bibiani for over one year. He was eventually tried at Nyinahin by a public tribunal presided over by Addo Aikins and sentenced to death. He was released in 1995.

7.9.53 Zam Paul Tenobmyo was an Escort Sergeant in the Police Service. In 1988 he and one other policeman were charged with extortion in connection with the burial without authority of a three-year-old child who died through drowning in the village of Adabrase, near Abaase, Brong Ahafo. They were found guilty and fined ₵40,000 and ₵50,000 or in default 19 months imprisonment. The petitioner stated that he had wanted to appeal against the judgment but was frustrated by his lawyer. However he did not say how the lawyer frustrated him. The petitioner has failed to place before the Commission facts which could justify its intervention in this matter.

7.9.54 Adams Yakubu a bicycle repairer based in Wa was summoned to appear before the CVC in Bolgatanga. He was questioned as to the sources of his wealth and an arbitrary fine of ₵170,000 was imposed on him. Payment of this sum crippled his business and he became impoverished.

7.9.55 James Aduah Addy In 1988, the petitioner, a State Protocol Officer attached to the Regional Administration, Bolgatanga was charged with murder before the High Court. The trial was aborted and the petitioner was put before the Public Tribunal in Accra. He was convicted and sentenced to five years imprisonment. He blamed Martin Amidu, Deputy Attorney-General for the transfer of the case to the public tribunal. The *noelle prosequi* by which the first trial was

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aborted was signed by the Attorney General. There is no evidence that his Deputy influenced him in any way.

7.9.56 Sylvester Aleminyah Amoah, a kerosene dealer of Mirigu, near Navrongo had been meticulous in paying his taxes. For the three years preceding the 31st December, 1981 coup, he had paid his taxes and had been issued with clearance certificates to that effect. Indeed, having these certificates were a necessary condition for receiving supplies of kerosene for sale to the public. In 1982 while one such clearance certificate was still valid, he was summoned before the CVC and an arbitrary fine of ₵473,281 imposed on him for non-payment of taxes. His motor bicycle which he bought for ₵18,000 was seized by the PDC. The CVC had him arrested and placed in prison at Navrongo and in Police cells at Bolgatanga a number of times to force him to pay the fine. Eventually he did. His motor bicycle was not returned.

7.9.57 Robert Nii Sai Botchway, cashier of the GCB and two others were convicted in 1985 of aiding and abetting one John Ayeh-Fianko, Manager of the bank to steal ₵80 million cedis. Botchway was sentenced to 10 years' imprisonment. Since the proceedings of the trial are not before the commission we are unable to say if there has been any miscarriage of justice.

7.9.58 Ali Abdul Karim In 1989 Karim was tried before the same public tribunal on three separate charge sheets. No. GA 104/89 was for robbery; No GA 67/89 was for possessing paper intended to resemble Ghana currency; and GA 90/8/89 for abetment of robbery. He was given three separate sentences: on GA 104/89, death by shooting by firing squad; on GA 67/89, 7 years' imprisonment and on GA 90/8/89, 25 years in hard labour. All the warrants were signed by A.K. Agbesi as Chairman. The death sentence was later commuted to 25 years imprisonment.

7.9.58.1 However fair the trial of Karim on the first charge sheet may have been, his trial on the other two could not be said to have been fair. The panel having convicted him on the first could not but be prejudiced against as a hardened criminal when he was put before them on the remaining two charges. What should have been done was to have asked him if he wanted other offences to be taken into consideration in imposing the sentence on him. If he declined the offer he should have been put before a differently constituted panel to try him on the remaining two charges. Karim's lawful sentence was death, which has since been commuted to 25 years' imprisonment.

7.9.59 Francis Addo On 11th January 1991, Addo was convicted by a public tribunal on separate charge sheets. On the 1/91 he was sentenced to 3 years' imprisonment; on 2/91, to 1½ years imprisonment; on 3/91 to 3 years' imprisonment; on 4/91 to consecutive sentences of 2 years' imprisonment, 2 years and 4 years.

7.9.59.1 Apart from 2/91 which was for escaping from lawful custody, the other three were for substantive offences. In each of those trials, the panel was the same. The Commitment Warrants were to be signed by principles of justice by the same panel to try Addo on 1/91, 3/91 and 4/91. No wonder the sentences were made consecutive on 4/91! The lawful sentence imposed on Addo at his trial on the four charge sheets was 3 years plus 1½ years, that is, 4½ years' imprisonment in hard labour.

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7.9.59.2 On 31st January 1991, Addo was again convicted by a public tribunal in two separate trials presided over by Sosu. On commitment warrant No. 7/91 he was sentenced to 3 years imprisonment and on 8/91 to 3 years' imprisonment.

7.9.59.3 Having served the lawful sentences of 4½ and 3 years' imprisonment, Addo ought now to be released.

7.9.60 Emmanuel Odartey Mills was convicted in two separate trials: one before the Circuit Court James Town, Accra on 22nd November 1988 where he was sentenced to seven years in hard labour; the other before a public tribunal on 3/2/89 where he was sentenced to 25 years in hard labour. We find no fault with the sentences imposed on him.

7.9.61 Odei Cudjoe In 1984, Cudjoe was convicted of murder by the High Court, Sunyani and sentenced to death. On appeal to the Court of Appeal the verdict was changed to guilty but insane. In the interest of the public Cudjoe ought to remain in prison until the doctors certify that he has recovered his sanity.

7.9.62 Simon Kofi Adzokatse In 1990, Adzokatse was convicted of robbery by a public tribunal and sentenced to 25 years in hard labour. We find nothing wrong with the sentence imposed on him.

7.9.63 Kwashi Nukporfe In 1991 Nukporfe was convicted on four counts of robbery by the public tribunal presided over by Sosu. He was sentenced to 5 years imprisonment on each count, sentences to run consecutively. The Commitment Warrant No 41-91 gives the sentence as 20 years.

Since prison records indicated that Nukporfe was due to be released on 17th September 2004 the Commission makes no comment on the sentence.

7.9.64 Seth Koranteng In 1990, Koranteng was convicted by a public tribunal and sentenced to 25 years in hard labour. We find nothing wrong with the sentence imposed on him.

7.9.65 George Sarpeh From the Commitment Warrants, it is apparent that Sarpeh was tried and convicted by a public tribunal on 30th July 1991 on two separate charge sheets of stealing. On one he was sentenced to 15 years imprisonment and on the other 5 years' imprisonment in hard labour.

The Chairman in the two trials was the same. This was wrong. The second trial ought to have taken place before another tribunal. Sarpeh's lawful sentence should be taken as 15 years. He is due to be released on 10th December, 2004.

7.9.66 Lawrence Kwaku Norshie was tried for the murder of his wife. He was found guilty but insane and ordered to be confined as a criminal lunatic. It is in the public interest that Norshie should remain in prison until certified sane by a psychiatrist.

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7.9.67 Seth Ayisi On 11th May, 1983 Ayisi was convicted of robbery and sentenced to 30 years' imprisonment. From prison records, Ayisi was due to be released on 11th September 2004.

7.9.68 Kwadwo Fayede On 23rd May, 1984 Fayede was convicted of robbery by a public tribunal at Sunyani and sentenced to 35 years imprisonment. Unfortunately, the Commission has been unable to obtain a copy of the record of proceedings to ascertain the facts. The petitioner's story that he snatched a bag containing ₵2 million from the victim may be only half the truth. The circumstances must be grave to justify such a long sentence even for the offence of robbery. We would recommend that the facts be looked at to see if the petitioner who has served 20 years in prison is entitled to clemency.

7.9.69 George Acheampong On 30th July, 1991 Acheampong was convicted by a public tribunal on five counts of conspiracy to stealing, stealing, possessing firearm without authority, intentionally and unlawfully causing damage and intentionally and unlawfully causing harm. He was sentenced to 10 years' imprisonment on count 1, 15 years' imprisonment on count 2, 15 imprisonment on count 3, 5 years' imprisonment on count 4 and 8 years' imprisonment on count 5. The sentences were to run consecutively. Thus his total sentence was 53 years.

7.9.69.1 Since the charges arose from the same incident it was not proper to make the sentences consecutive. A sentence of 15 years on one of the counts and lesser sentences on the remainder, sentences to run concurrently would have been more in keeping with practice. The Commission recommends that Acheampong be treated as having been sentenced to 15 years' imprisonment in hard labour.

7.9.70 Thomas Birnice Dylan On 2nd May, 1990 Dylan a Togolese national was convicted by a public tribunal of the murder of a foreigner called Croydon. He was sentenced to death but this was commuted to life imprisonment. The Commission recommends that Dylan be granted clemency and released and deported to his country of origin.

7.9.71 Jacob Bart-Plange was a Superintendent in the GWSC based at Dwomo, Brong Ahafo Region. In 1987 he was tried by the Public Tribunal for diversion of fuel. He was convicted and sentenced to three years imprisonment. The petitioner's protestations that he knew nothing of the diversion is not enough. What he needed to do was to produce evidence which shows that he was not given a fair hearing. This he failed to do.

7.9.72 Emmanuel Agyekum an Inspector of Police stationed at Mampong, Ashanti was tried with other officers by the Public Tribunal for stealing gold seized from a suspect. He was found guilty and sentenced to 3 years imprisonment.

7.9.73 Alhaji Mahama petitioned on behalf of his sister, **Hawa Magajia**, now deceased, who was a trader at Obuasi. In 1982 Hawa was arrested during "Operation Dragnet" and accused of dealing in gold. She was put before a public tribunal, convicted and sentenced to a year's imprisonment. Her house was confiscated and thereafter the rents were collected by the Obuasi District Council.

VOLUME 2 CHAPTER 7**7.10 EXILE**

7.10.1 Clement Ben Ayeh, a Naval Officer serving with Military Intelligence, left the country in April, 1982 to seek refuge in Nigeria.

Even though there is evidence that Military Intelligence personnel were maltreated after the 31st December coup, there is nothing to show that Ayeh was in any greater danger than his other colleagues who stayed behind. The death of his wife in 1997 could not have been connected in any way with the fact of his having gone into exile, neither was that of his father.

7.10.2 James William Owu a Captain in the Ghana Army, was arrested on 5th March, 1982 on suspicion of plotting to assassinate the Chairman of the PNDC. He was in detention at Nsawam Prisons when on 19th June, 1983 insurgents forced their way into the prison and released prisoners. Owu escaped and went into exile in the Ivory Coast. In 1988, while on a private visit to Sierra Leone, he was abducted and brought back to Ghana. He was released from custody in 2001. He had been in prison for 13 years.

7.10.3 Togbe Agbe IV, On 9th March, 1982, soldiers surrounded Agbe's house at Awate Dzigba to question him about Captain Owu who was alleged to be plotting to assassinate the Chairman of the PNDC. He fled the country into Togo where he lived until December, 1984.

7.10.4 Alhaji Mohammed Abbas Mensah, In 1985, after the ceremonies marking the Golden Jubilee of the restoration of the Asante Kingdom, soldiers led by Capt Pattington surrounded the Kumasi residence of Mensah where, it was alleged, persons plotting to assassinate the Chairman of the PNDC were hiding. Amid firing of guns, Mensah escaped and went into exile in Britain. He was declared a wanted person. Later, the house was razed to the ground by the military.

7.10.5 Ben Edmund Duah In 1979, Duah, then a Lieutenant in the Ghana Army, fought alongside loyal troops in an attempt to quell the insurrection of 4th June. When the insurrection succeeded, he was obliged to go into hiding for the period of office of the AFRC. When power was handed over to the Limann Administration, Duah reported back to his unit. He was promoted to Captain and assigned other duties. Again, when the 31st December, 1981 coup took place, Duah did what he could to support the lawful government. He travelled between Kumasi and Tamale to rally loyal troops. When the coup succeeded threats were made on his life. A document dated February, 1982 filed with the Commission shows that the Army Commander granted him indefinite leave of absence. Duah left the country and went into the Ivory Coast. He returned to Ghana after the 2000 elections. On his return, he discovered that he was discharged from the Army on 9th September, 1982. He is yet to collect his entitlements.

7.10.6 Edmund Ocansey, Managing Director of the State Fishing Corporation, was arrested and detained without trial after 4th June, 1979 and 31st December, 1981 for periods ranging from one week to six months. He escaped from the 5th Battalion Guardroom and went into exile in Togo. He was granted refugee status and later went to live in Britain.

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7.10.7 Albert Osei, a soldier in the Recce Regiment, was arrested at a house at Achimota with other soldiers on 27th February, 1983 while preparing to stage a coup. He was severely beaten at the Airforce Station. He was taken out to be shot with Cpl Moses Nsor and L/Cpl Fitti but he managed to escape to Togo. On 19th June, 1983, he returned to Ghana to take part in the jail break and attempted coup. When the attempt to overthrow the PNDC failed, he left the country and went to live in Germany.

7.10.8 Charles Nkrabea Opoku Ware, On 13th April, 1983, Opoku Ware, a 23-year old Lance Corporal in the Army, was appointed to serve as a member of the Greater Accra Regional Public Tribunal. His letter of appointment, which was signed by Kwamena Ahwoi, Co-ordinator, Investigations and Tribunals, expressed the hope that Opoku Ware would bring his “experience and expertise” to bear on the work of the Tribunal. He was issued with a weapon, given a duty car and provided with living quarters at the State House. According to him, at the trial of Kwame Pianim and others, the Tribunal reached a decision to acquit him, but Kwamena Ahwoi intervened and gave a pep talk to the panel members urging them to convict and make an example of him. Opoku Ware decided to flee the country. He remained in exile in the Ivory Coast for 17 years.

7.10.8.1 The Commission gave Ahwoi the opportunity to challenge the evidence given by Opoku Ware. He declined an invitation to cross-examine him on his evidence. Instead, he submitted a written statement denying the accusation.

7.10.8.2 The Commission was impressed by the straightforward manner in which Opoku Ware gave his evidence, and equally impressed that, at the young age of 23 years, this simple soldier’s sense of fairness proved superior to that of a person who should have known better than to try to condone judicial murder.

7.10.9 George Obeng Boateng, was chairman of the Brong Ahafo branch of the PNP. Following the 31st December, 1981 coup, he fled into exile first, to Burkina Faso, and then, to Togo. He returned to Ghana two years later to find that his wife and children had been driven away from his house and his belongings looted.

7.10.10 Stephen Adu-Donyina, was the PNP organiser for the Nkoranza District in the Brong Ahafo Region. Following the 31st December, 1981 coup, he fled to Burkina Faso. While he was away, his home was ransacked. He returned to Ghana in 1983, but fled again following the 19th June, 1983 Gyiwa-led coup attempt. He returned to Ghana eight months later.

7.10.11 Lawrence Badasoa Tabase, Regional Minister for Upper Region at the time of the 31st December, 1981 coup, and his wife **Agnes Tabase**, fled the country and lived as refugees in Burkina Faso until 1985.

7.10.12 Kwame Ayarkwa Acheampong On 5th June, 1982 one Kwaku Bio, Chairman, Atta and two other members of the Koforidua PDC went to Jumapo, near Koforidua and attacked Acheampong, a well-known businessman and money lender. They seized his briefcase. He

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managed to escape but, later, a lorry-load of soldiers caught up with him. The soldiers fired at him, but again he managed to escape. For fear of his life he went into exile in Nigeria and returned in 2002.

7.10.13 Sampson Kwesi Aidoo In March, 1982, two soldiers who sought to molest the petitioner, a Purchasing Clerk of the Produce Buying Agency, at Atimkrom, near Goaso, Brong Ahafo were disarmed by the villagers. When he had information that the soldiers were coming back to the station to kill him, petitioner went into exile in the Ivory Coast for three years.

7.10.14 Samuel Atiemo Yirenkyi, a Sergeant in the Air Force serving with Military Intelligence, went into exile after the 31st December, 1981 coup. He petitioned to be paid his benefits for sixteen years service in the Army. This has now been paid.

7.10.15 William Nsiah, a L/Cpl in the Ghana Army, was a member of the Military Intelligence and bodyguard to Dr. de Graft Johnson, then Vice President. Following the 31st December, 1981 coup, he went into exile in the Ivory Coast. He returned to Ghana in 2002. He is now on pension.

7.10.16 John Kwaku Awuakye, a Major in the Ghana Army, was honourably released from the Armed Forces with effect from 29th October, 1985. On 21st November, 1985 he was summoned to the Police Headquarters where Kwamena Ahwoi, an official of the PNDC, told him that he and others were to be exchanged for Michael Soussoudis, a Ghana Government agent who had been arrested on espionage charges in the United States. Awuakye's passport was seized and he was deported to the United States two days later.

7.10.16.1 On 25th November, 1985 Awuakye's honourable release was replaced with a release for 'misconduct' by letter No. MOD/18045/MS and 'CIA agent' written across the face of his personal file. Since he filed this petition the Ministry of Defence have rectified the records by restoring Awuakye's honourable release and awarding him pension. As to the deprivation of his nationality, this was an illegal act which goes against international conventions. It is a nullity and Awuakye may safely apply to the authorities for a new Ghanaian passport.

7.10.16.2 Kwamina Ahwoi appeared before the Commission to state the PNDC's position on the matter.

7.10.17 Joseph Kofi Cobbina, a Sergeant in the Airforce and Guard Commander at the residence of Air Vice Marshal Odaate Barnor, Chief of Defence Staff, left the country after the 31st December, 1981 coup and lived in Nigeria and Benin. He returned to Ghana in 1992.

7.10.18 Benjamin Kwasi Owusu On 23rd March, 1981, Owusu, Managing Director of the GNTC, was interdicted for placing an order for a large quantity of watch-straps. When the 31st December, 1981 coup took place, he was arrested and placed in BNI cells. After he had been given bail, he absconded and went to live in Togo. His house at Madina, Accra was confiscated and he was sentenced *in absentia* to a term of imprisonment. Owusu returned to Ghana in 1988

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and died in 1991. His Madina house was restored to his children by a letter from the Confiscated Assets Committee dated 24th September, 1997.

7.10.19 Alex Yawo Tsetse, a Lieutenant in the Border Guards, left Ghana in May, 1982 to live in Nigeria. There is no evidence that he was not in any personal danger and appears to have gone away on his own volition.

7.10.20 Issaka Hamidu a Leading Seaman in the Ghana Navy, was attached to Military Intelligence at the time of the 31st December, 1981 coup. When members of the unit were called upon to surrender to the authorities, Hamidu fled the country. He lived in Togo and Nigeria as a refugee and returned to Ghana in 2000.

7.10.21 John Chris Amematey, an officer of the BNI, was arrested on 31st December, 1990 on suspicion of involvement in a coup plot with Maj Courage Quashigah. On his release without charge or trial on 21st May, 1992 he was refused a passport. He decided to go into exile in Holland.

7.10.22 Martin Osei, an officer in the Research Department of the Ministry of Foreign Affairs, was informed by a letter on 6th December, 1983 that, as part of a general review of the Department, he was being released to join the home civil service. Instead of waiting for his new posting, Osei chose to leave the country and go to Britain where he unsuccessfully sought political asylum. He was repatriated to Ghana in 1996.

Osei started his career in the Ministry of Education in 1966. He worked in the Ministry of Economic Planning and the Ministry of Interior. It was not until 1977 that he moved to the Ministry of Foreign Affairs. There was no reason why he should resist a move back to the home Civil Service and instead go into exile.

7.10.23 In 1982, Francis Tetteh Odamtten, a Sergeant in the Border Guards stationed at Kulungugu, decided to flee from the country after he had twice been arrested and then released by a Cpl Osei and L/Cpl Peter Tasiri. He went to Burkina Faso, then to Nigeria and, finally, to Togo, returning to Ghana in 1993. He complained that the end of service benefit of ₵15,000 paid to him on his return to the country is inadequate. On the facts, Odamtten vacated his post. He ought to have sought other ways of seeking redress for the harassment.

7.10.24 Samuel Innocent Danso, a Corporal in the Army serving with Military Intelligence, petitioned that he fled to hide in his village after the 31st December, 1981 coup. He re-surfaced in 1994, by which time the military authorities had declared him as having gone AWOL. He was discharged with effect from 31st December, 1981.

7.10.25 Francis Kobina Inkum, a Corporal in the Ghana Army serving with Military Intelligence, went into exile in the Ivory Coast after the 31st December, 1981 coup. He returned to Ghana in 1991.

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7.10.26 Kwame Opare, a soldier in the Ghana Army based at Burma Camp, Accra, had come under suspicion in connection with the jail break and attempted coup of 19th June, 1983. Following the alleged attempt to assassinate Rawlings in Kumasi in 1985, he again came under suspicion. On being alerted by friends of impending danger, he decided to leave the country. He went to Nigeria and then to Cameroon. He returned to Ghana in 2002.

7.10.27 Alfred Kokuvi Adzogble a Constituency Organiser of the PNP at Dzodze, Volta Region he fled the country after the overthrow of the Limann Administration and went to live in Togo. He returned to Ghana in 1986.

7.10.28 John Kofi Amankrah Police Corporal serving in the BNI, left the country after the 31st December, 1981 coup. He returned in 1983 and sought to rejoin the Bureau but was told he had vacated his post. The decision was clearly right.

7.10.29 Ben Ollett Quansah, an official of the BNI, left for Nigeria in the wake of the 31st December, 1981 coup. He returned in 1983 when aliens living in Nigeria without valid papers were expelled. Even though he does not appear to have tried to rejoin the BNI, he now says he wants to be compensated for losing his job. There is no basis for such a claim.

7.10.30 Thomas Benefo, a Corporal in the Ghana Army based at Burma Camp, fled into exile in the Ivory Coast in 1983 when a search was mounted for him on suspicion of being involved in a plot to overthrow the PNDC. He returned to Ghana in 1986 in the company of Captain Ampofo. They were arrested at the Tetteh Quarshie Roundabout and taken into custody.

7.10.31 Jones Kofi Adjei, was a member of the Intelligence Unit based at the Flagstaff House. Following the 31st December, 1981 coup he left the country and remained in exile until 2001.

7.10.32 Joseph Tweneboa Kodua had been hounded out of his office of Executive Director of the Prices & Incomes Board and had been sentenced to 95 years imprisonment during the rule of the AFRC. On the overthrow of the Limann Administration, he went into exile in Togo. He returned to Ghana in August 1985.

7.10.33 Kodwo Nyarko was a trader at Agona Nyakrom. In 1982, he sold an electric bulb to a soldier. Later, a truck-full of soldiers went to his house to arrest him. Nyarko managed to escape and went to live at Takoradi for the next four years. Not long after he returned home he heard that some soldiers were looking for him. He therefore went back to live in Takoradi.

7.10.34 Kwabla Mensah, also known as Nutakor joined the Ghana Army in 1966. In 1976, he applied to be released from the Army. When this was refused, he deserted his post. He went to live in Liberia, the United States and Belgium. In 1986, he was deported from Belgium and brought back to Ghana. His petition is that, he should be sent back to Belgium. The request can be granted only by the Belgian government.

7.10.35 Sampson Kwesi Aidoo, was a Purchasing Clerk of the Produce Buying Division of the GCMB. He was stationed at Atimkrom, near Goaso, Brong Ahafo Region. In March, 1982, two

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armed soldiers, who gave their names as Ankoma and Musa, went to his office, accused him of using ‘ghost’ names to collect various sums as salaries for non-existent workers and began to molest him. They beat him with the butt of their rifles and threatened to cane him. A crowd gathered, and the soldiers were disarmed. Later, Aidoo had the guns returned to them at their base in Sunyani. Some days later, word reached Aidoo that the soldiers were back in the town and were looking for him. Aidoo was advised to flee for his life. He did so and went into exile in the Ivory Coast where he lived for three years.

7.10.36 Gladys Frimpomaa’s husband, Corporal **Mark Agyakwa** was a soldier serving with Military Intelligence. Following the 31st December 1981 coup, he fled into exile in Togo. In or about 1985, he was shot and killed by an unknown gunman in Togo.

7.10.37 Dr. Sylvester Kwadwo Ankama In 1981, the Limann Administration appointed Ankama as High Commissioner to India. He assumed duty on 19th July, 1981. When the Limann Administration was overthrown on 31st December Ankama was relieved of his post. He went to live in exile in Britain.

7.10.38 Philip Kwabena Boakye’s father, **Stephen Yaw Korang**, a businessman and politician of Accra, went into exile in Lome in January, 1982. He died there on 20th April, 1987.

7.10.39 Seth Owusu was District Organizer for the PNP in Sunyani, Brong Ahafo. When the Limann Administration was overthrown he left the country and went to live in the Ivory Coast. He returned to Ghana after 15 months to live quietly at Ahayanso, near Sunyani.

7.10.40 Samuel George Arthur was a Deputy Regional Minister for the Brong Ahafo Region and Deputy Minister for Labour and Social Welfare in the Limann Administration. When the 31st December, 1981 coup took place, he fled the country and went into exile. He was away for 12 years.

7.10.41 Daniel Emmanuel Ekins an educationist who served as National Coordinator of Public Education in the Acheampong regime was appointed Publicity Task Force Coordinator after the 31st December, 1981 coup. He fell out with Totobi Quakyi who served under him, was arrested and taken to Gondar Barracks where he was subjected to brutalities resulting in an injury to his eye. He fled to Nigeria on 31st December, 1982 and remained in exile for 15 years.

7.10.42 John Kwami Agbeko-Sedziafa, a Major serving with the Border Guards, went into exile in the aftermath of the 31st December, 1981 coup. His story, which is typical of many others is told in letter No. GHQ/24011/LS dated 5th January, 2000 and signed by Col T. Allotey, Director of Legal Services.

7.10.42.1 It reads:

PETITION FOR PAYMENT OF PENSION
MAJ JK AGBEKO-SEDZIAFA (RTD) (BG/20)

Reference:

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A. GHQ/6111/PS4 dated 11 Nov 99.

1. Above-mentioned petitioner was commissioned into the Ghana Armed Forces on 19 Dec 72 and was released wef 13 apr 82. His total officer-service is 9 years 3 months and 2 days. The said petitioner was, at first not granted any benefits. However after his first petition to the Colonel Ewa Commission he was granted only gratuity. He now petitions for pension.
2. The petitioner has had a chequered public service. He enlisted into the Gold coast Regiment in 1952. Later he was appointed Assistant Head of the Presidential Guard Dept. The Officer was with Osagyefo Dr. Kwame Nkrumah on his trip to Hanoi in 1966 when the government was overthrown. In 1972 he petitioned the government and was re-engaged and in 1981 he was awarded Distinguished Service Order (Military Division).
3. After the 1981 Revolution the petitioner who was then with the Border Guards (Intelligence) was advised by his Headquarters to go underground as his safety could not be guaranteed (See Annex 'A'). The petitioner was therefore compelled to go into hiding. He was therefore affected by the three-day AWOL policy at the time.
4. It is a notorious fact that after the 1981 Revolution some Personnel, for fear of their lives had to go into hiding. Such personnel were later pardoned and released honourably, (vide GHQ/1002/8/GOC dated 14 Mar 88). It is noted that a precedent has been set where some of these persons who did not qualify, by length of service, for pension, have nonetheless been granted pension on sympathetic grounds.
5. This case falls in line with those cases. The petitioner was left with some nine months to complete ten years to qualify for pension. The petition of the officer deserves compassionate consideration having regard to the circumstances of his case and his public career.
6. It is therefore recommended, following the precedent already set, that the petitioner be considered for pension.

7.10.42.2 Laudable though this decision is, the fact remains that on their return to the country these officers were paid gratuity as at the date of their release from the Armed Services. If justice was to be done, he, as well as all others in his position, ought to have been paid the applicable rates as at the date of payment. The Commission endorses the recommendation as to the officer's pension.

7.10.43 Stephen Kwadwo Antwi-Boateng was a Major in the Ghana Army serving with the Airborne Force in Tamale. In 1985 he had wind that he was to be arrested on suspicion of being

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involved in a plot to overthrow the PNDC regime. He went into exile in Lome, Togo, and in Lagos, Nigeria, returning to Ghana in 2001.

7.10.44 Nana Safo Anwona II, also known as **Godfried Mathew Owusu** was Managing Director of the Ashanti Region Development Corporation. After the 31st December, 1981 coup he was incarcerated at the Military Barracks in Kumasi and at the Recce Guardroom in Accra. On his release in February 1982 he left the country to live in Togo. He returned to Ghana in 1987.

7.10.45 Kwadwo Adu-Gyamfi was until 1985 an officer in the Research Department of the Ministry of Foreign Affairs. He was arrested in July of that year and detained in BNI cells and at the James Fort Prison, Accra for four months. He was then told that he was to be part of the Soussoudis exchange. He and his family left for the USA in November 1985.

7.10.46 Emmanuel Osae-Mensah a Corporal in the Ghana Army stationed at Burma Camp, he was arrested in August 1983 and placed in the guardroom at the Airforce Base. In the middle of the night, three soldiers came for him and seven other persons in the guardroom and took them to a spot near the Motorway to kill them. Fortunately for the petitioner, other soldiers had laid ambush for the abductors. The abductors were shot dead and the prisoners, including the petitioner released. On his release the petitioner decided to leave the country. He went to Togo and registered with the UNHCR as a refugee. He later went to live in Nigeria and returned to Ghana in 2001.

7.10.47 Kingsley Ofosu was a Sergeant in the Ghana Army serving with Military Intelligence. He went into exile in the Ivory Coast after the 31st December, 1981 coup. He returned to Ghana in 1997.

7.10.48 Nana Kojo Yeboah, also known as **S. M. Yeboah**, a driver, was a Corporal in the Ghana Army and served as a Supervisor of Transport at the Castle, Osu. Believing that his life was in danger, he fled into exile in 1982 shortly after the 31st December, 1981 coup. He did not state when he returned to Ghana but alleged that when he returned he was told that during his absence his home was raided by soldiers who made away with cash and other valuables.

7.10.49 Mbema Mahama was Vice Chairman of the Atebubu Branch of the PNP. He went into exile in Nigeria after the overthrow of the Limann Administration. He returned to Ghana five years later when his mother died.

7.10.50 Daniel Baba Mahama an Accountant of the Frafra District Council was arrested and charged with embezzling funds of the Council. He was granted bail pending trial but absconded and went into exile. The tribunal system was such that few persons could be confident of being given a fair trial. Whenever the State has an interest in a matter before them, the tribunals tended to convict.

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7.10.51 William Amaldorim Apambilla On 15th January, 1982 the petitioner, a businessman of Bolgatanga and a leading member of the PNP left the country and went into exile first in Burkina Faso and then in Togo. He was away for two years.

CHAPTER 9

REVIEW OF PETITIONS:

G. 31ST DECEMBER, 1981 – 6TH JANUARY, 1993.

PRICE CONTROL

Grave abuses were committed in the enforcement of price control laws. Goods were seized in circumstances in which it could not be said that there was hoarding or a sale above the control price. Soldiers fixed their own prices and used them as a pretext for plundering shops. Sometimes, goods in respect of which no maximum prices had been laid down, were arbitrarily seized amidst beatings and other forms of ill treatment. In all this, the PNDC looked on unconcerned: indeed, they encouraged the abuses by organising soldiers on so-called operations to harass traders. Commanders of military barracks were permitted to set up their own 'kangaroo' tribunals to try traders their men had arrested. Among the petitions received by the Commission were:

Sophia Prah, proprietress of Ayabiahwe Trading Co. Ltd., had a warehouse at the Railway Station, Sekondi in which she kept her stock of food items. From this stock, she supplied various hospitals and schools. Even though she had taken the precaution of having the warehouse inspected by the military to satisfy themselves that she was engaged in genuine business, the PDC accused her of hoarding and carted away all the items. Among them were cooking oil, maize, gari, beans, tuna flakes, sugar, salt, margarine and coco yam. They also seized her building materials. This act put her out of business.

Afi Madonunawo Dzamesi In 1982, soldiers led by Major Ameyibor of the Ho Mortar Regiment seized 600 bags of sugar and 24 cartons of yeast Afi had imported from Togo through the Aflao border.

Mabel Kaitoo In 1983, Mabel, Chairperson of the Pernadzi Bakery Enterprise, an association of bakers at Agona Swedru, had a consignment of 342 bags of flour seized from her.

Rose Apedoe In 1982, soldiers led by W. O. I Mary Teye seized various goods, including cement and roofing sheets, from Rose's building site at Nii Boye Town, Accra. The Commission is unable to accept her evidence that she also had such goods as brake fluid, jewelry, cloths, plates, cups, glasses, omo and scarves at the site.

Mary Adukwei Allotey In 1982, soldiers arrested a number of Makola traders, including the petitioner, and took them to the Border Guard Headquarters where they were interrogated amidst beatings. A few days later, the petitioner was taken to her house where some 20 half-pieces of cloth were seized from her wardrobe. Her warehouse was also broken into and various items, including flour, sugar, rice and milk were seized.

Yaa Animah In 1982, Yaa was arrested by Kennedy Maccoy, also known as Segbawu, a militiaman at Nima, Accra for dealing in cloth clandestinely. She was taken to Gondar Barracks and then to the Border Guard Headquarters. Her cloths were seized. The figure of 120 full pieces of cloth given by her as the quantity seized is an improbable one as she was arrested while carrying the goods. It is unlikely that she was plying her trade in the street with 120 full pieces of cloth on her head.

Peter Ntow In March, 1982 soldiers seized and shared among themselves a quantity of suiting and khaki materials being sold by Ntow.

Anachie Daboda kept a shop at Adum, Kumasi where he sold trouser materials. In 1982 a team of Prison Warders, police and members of the PDC went to the shop and seized all the goods in it.

Adwoa Fosuaa was a shop owner at the Kumaasi Central Market. She traded in plastic products. In 1983 her goods were seized and sold by the police at a fraction of the cost. She was given ¢1005 out of what was realised.

Afia Nana's mother, **Afia Nyamekye**, a trader, now deceased, lived at New Edubiase. In 1982 she took cloths to Nsuta, Ashanti Region for sale. While at the market soldiers seized her cloths. The petitioner gave 400 as the number of cloths seized. Afia Nyamekye was taken to her home at New Edubiase for a search during which some five pieces of cloth were also seized.

Kwabena Karikari Agyeman, a Kumasi trader, brought in electrical goods from Nigeria. When he arrived at the Kumasi Airport the goods were seized by soldiers who also assaulted him. He was slapped and beaten. A doctor confirmed that his ear drums had been damaged.

Imoro Abdulai, a businessman bought drugs in Accra and sold them in Bawku. He was returning from one such trip when he was intercepted at the police barrier at Bolga. He was chased up to Pwalugu. He claimed that when the soldiers caught up with him they hit him on the head with a rifle and seized his money amounting to ₵1 million. The petitioner gave the year of this attack as 1983. At that time ₵1 million would be a very large sum indeed. Further since he had gone to Accra to make purchases it is hardly likely that he would be returning to Bawlu with as much as ₵1 million on him.

The petitioner also claimed that on another occasion soldiers seized 500 bags of cement and 50 roofing sheets from him. He stated that he had acquired them for his private dwelling house.

Yaya Issah and his late sister, Azara Mahama, were about to cart 23 bags rice from the Aboabo market, Tamale to Techiman for sale when soldiers impounded the rice. They told them to go to the Regional Administration for their money. They went to the office but were not paid.

Shetu Mahamadu On two occasions cloths Shetu was selling at Janga Market were seized by soldiers. They were in all 12 full pieces and six half pieces. The next day, she went to the Tamale military barracks to try to retrieve her goods. On both occasions she met with a rebuff.

Abukari Salifu was at the Aboabo market, Tamale when Ndebugre, the Regional Secretary, arrived with soldiers. He ordered the traders to stop selling their goods. Shortly thereafter more

soldiers arrived and carted away all the goods. Salifu lost 20 bags rice, 11 bags groundnuts and 16 bags maize.

Barichisu Yussif and other women went to Techiman market to sell their goods. Barichisu had 12 bags rice. While there soldiers came and seized the goods of the traders and took them to Sunyani. The loss of the 12 bags crippled her business.

Memunatu Saibu traded in beans at Nalerigu. Her 25 bags of beans were seized on the instructions of Azumah Mankwa, PDC chairman and sold to the public at a reduced price.

Baba Amoah Amadu a trader of Walewale took cigarettes and other goods to the Techiman market for sale. While at the market she was surrounded by soldiers who seized the goods and took them to the Sunyani military barracks. Amadu who was being taken along managed to escape en route to Sunyani.

Amina Saaka a trader was on her sick bed in Walewale when soldiers arrived to search for hoarded goods. They seized cloths she had bought at Techiman Market for sale at Walewale.

Sadia Sule of Walewale petitioned on behalf of her sister **Safinatu**, now deceased, whose 12 half pieces of cloth were seized by soldiers at Janga market.

Azara Wuni a trader of Walewale was with other traders when they were intercepted by soldiers while on their way to Techiman market. She lost 10 bags of maize when their vehicle was diverted to Sunyani military barracks. At Techiman her 38 bags fertilizer were also seized.

Seidu Bukari was a trader at Walewale. He had 25 bags of sheanuts which he sold at ₵1 per bag. CMB officials accompanied by soldiers seized his stock and paid him 70 pesewas per bag.

Zenabu Saibu a trader at Walwale, lost her goods through seizures on a number of occasions: 11 bags maize while conveying them to Techiman market; 10 bags rice seized in Techiman and

taken to Sunyani; another 27 bags rice in the care of Hajia Dahamatu and bound for Techiman were seized and taken to Sunyani military barracks.

Haruna Fuseini was about to leave the Aboabo market in Tamale with 10 bags rice for sale for sale in Techiman when soldiers came to the market and seized the rice. The soldiers sold the rice to the public and told the petitioner to come to the barracks for his money. All efforts made by him to recover the proceeds failed.

Issifu Yakubu bought 45 bags maize at Zenendo, near Gushiegu and loaded them onto a vehicle bound for Tamale. The consignment was intercepted and seized by members of the PDC led by Zugwu Lana and taken to the Regional Administration, Tamale.

Abdul Rahmani Jomo Yakubi a team led by Ndebugri, Regional Secretary, went to the Aboabo market, Tamale. While there he accused the petitioner, a trader of hoarding. He ordered his arrest. After five days in detention the petitioner returned to the market that all his goods which consisted mainly of beans had been taken away.

Sualey Iddrissu The petitioner's father, now deceased, had a Toyota Cargo truck with which he carried on the business of a transporter of goods. Soldiers went to his home in Savelugu and demanded that he should surrender the truck to them to use in carting foodstuffs. For fear of being molested, the petitioner's father permitted the soldiers to take the truck away. The soldiers used the truck for six months and abandoned it on the Kumbungu-Tamale road. When the petitioner's father went to the scene he found that it had been so run down it needed a new engine. He bought one in Kumasi and had the truck repaired.

Alhaji Ibrahimah Abu loaded a consignment of 63 bags rice at Savelugu onto a truck chartered by Iddrissu Adam for conveyance to Techiman market. When the truck got to Tamale, members of the PDC stopped them and ordered that the goods be taken to the Regional Office. The truck was released to Adam the following day. The rice was never returned and is believed to have been sold to the public at Techiman.

Amina Nabla was a trader at the Aboabo market, Tamale. Soldiers under the direction of Ndebugri, Regional Secretary, seized her 29½ bags rice.

Christian Kofi Ahadzi petitioned on behalf of his deceased wife, Stella Nyamamor, who ran their drinks and cigarette shop at Ashaiman, Accra. In 1982 soldiers seized all the goods and took his wife to Michel Camp where she was subjected to ill-treatment.

Afia Somuah In 1982, Afia, a baker from Akyem Manso, came to Accra to buy flour for her co-operative. While conveying a consignment of 400 bags to her hometown soldiers stopped her at the Weija barrier and seized the goods.

Florence Birigo In 1988, while Florence was conveying goods from Kumasi to Ho for sale, members of the CDO manning a road block seized them.

Tuffuor Asante In 1982, Asante was conveying three bales of suiting material to his shop in Kumasi when they were seized by soldiers and taken to the military barracks. They were later sold. Asante was given ₵25,000 out of the proceeds. In his estimation the total cost of the suiting material was ₵400,000.

Akosua Serwaa Sarkodee, In 1982, soldiers went to a shop Akosua kept in Sunyani with her husband, now deceased, and seized all the goods.

Samuel Kwadwo Boateng In 1982, soldiers, among them Anark Seidu, went to Boateng's drinking bar at Adabraka, Accra and seized all the drinks

Thomas Amankwa On 8th September, 1983 the petitioner, an itinerant trader went to the market at Wassa Akropong, Western Region to sell his wares. After he had sold an enema syringe at a price of ₵3.50 he was arrested by members of the local PDC who claimed that the approved price

for the product was ₵3. They imposed a fine of ₵1,500 on the petitioner. The rest of his goods were auctioned off to the public and the proceeds taken away.

Benedict Kwabena Anokye In 1982, soldiers led by W. O. I Mary Teye and Cpl Anark Seidu went to a shop in Accra where Anokye sold carpets and seized all the goods.

Cecilia Aku Hoffman, a trader at the Makola No. 1 market, moved her trading activities to her home when soldiers looted and then burnt down the market after the 4th June, 1979 insurrection. Following the coup of 31st December, 1981, her premises were searched by soldiers. She was charged with hoarding under section 6 of the Price Control Decree, 1974 (NRCD 305) and convicted. Her goods comprising sugar, rice and cooking oil were confiscated.

Asabila Apaaba In 1983, Apaaba, a trader in foodstuffs, bought yams, maize and millet from Yendi and conveyed them in a truck to Bolgatanga for sale. At Bolgatanga, two militiamen, Charles Atinga Aisga and Avea Abotinereiba, intercepted the vehicle and took it to their base. The next day the consignment was sold. When Apaaba enquired of it from the officer in charge of the militiamen he was told that it had been confiscated.

Joseph Anamolga kept a store at the market in Bolgatanga. In early 1982 soldiers went to his shop, sold all the goods and gave him ₵5,000 as the proceeds of sale. In his estimation the goods in the shop then were worth ₵200,000.

Alhassan Musah and two friends who were doing business together buying foodstuffs in Tamale and conveying them to Bolgatanga for sale had three consignments of foodstuffs seized in August and November 1984 by soldiers led by Sgt Alidu.

Alhaji Tamalgu Mahama In February, 1982, soldiers raided the shop of Mahama at Zabzugu and sold all the goods therein, mainly provisions and hoe blades. The proceeds were not paid to him.

Hajia Rahma Amadu a wholesaler and retailer, imported goods from Togo through Yendi and sold them in Tamale. In January, 1982 soldiers invaded her house in Tamale, seized the goods, which consisted mainly of soap and sugar, and sold them to the public. The soldiers took the proceeds away.

Victoria Sam In 1982, soldiers went to Victoria's shop at Tarkwa and sold all the goods. These included rice and flour.

Rebecca Eshun In 1982, three military personnel went to Rebecca's shop on Old John Sarbah Road, Takoradi, carried away a consignment of 400 bags of cement and took them to the Air Force Base, Takoradi. A few days later, they raided another shop on Old Ashanti Road and sold 100 bags of cement kept there.

Faustina Sam In 1983, the petitioner, a nurse at the Effiakwanta Hospital, Sekondi bought maize and *kokonte* (dried cassava dough) at Sekyeredumase to bring to Takoradi for sale. While conveying the bags of maize and *konkonte* she was stopped at barriers mounted by soldiers and policemen at Asawase, Kumasi and Obuasi. The soldiers and policemen helped themselves to 6 bags of maize and 2 bags of *konkonte*.

Theresa Krakue In 1982, soldiers went to a shop at Kweikumah, Sekondi where Theresa sold provisions and auctioned off all the goods to the public. They took the proceeds away.

Theresa Nyamekye a trader of Takoradi went to Accra for a consignment of uniform materials to be sold to West Africa Mills Ltd., Takoradi. On her return, she was stopped at Moree junction by soldiers who seized her goods and took her to Victoria Park, Cape Coast where she suffered ill-treatment at their hands. Only a fraction of the materials were returned to her after West Africa Mills had confirmed her story.

Alhassan Musah and his business partners Abdullah Issahaku and Hassan Mohammed bought foodstuffs in Tamale and took them to Bolgatanga for sale. On three occasions foodstuffs they

were conveying to Bolgatanga were seized. Altogether they lost 630 bags maize, millet and guinea corn and 1100 tubers yam.

Abdul Rahman Seidu was a shopkeeper at the Aboabo Market, Tamale. He dealt in foodstuffs. Soldiers went to the market accused the traders, including Seidu of hoarding and seized their goods. They were taken to the military barracks. Seidu lost 70 bags rice.

Hassan Mohammed bought 100 bags rice at Salaga Market and conveyed them to the Aboabo Market, Tamale. On arrival soldiers seized the rice and auctioned them to the public. Mohammed bought rice at ₵18 per bag. They were sold at ₵5 per bag. He was given part of the proceeds.

Mohammed Amaru a Tamale trader was getting ready to convey 55 bags rice to Techiman market when he was arrested and the rice taken away from him. He never recovered them or their value.

Fulera Fuseini a Tamale trader was conveying 39 bags rice to Techiman Market when the vehicle was intercepted at Lamashegu. The driver was ordered to turn back and drive to Tamale where part of the rice was sold to the public. The rest was taken to Accra. On another occasion her sheanut butter was seized on the highway. As a result of these unfortunate experiences Fulera's business collapsed.

Ziblim Yakubu In 1982, 55 bicycles which Yakubu, a Tamale shopkeeper was selling at ₵1,100 each were seized and sold to the public at ₵500 each. The proceeds were given to him. As he had had the same experience during the Acheampong regime, Yakubu's business virtually collapsed.

Abdul Rahman Zakari lost 250 bags rice when soldiers invaded the Aboabo Market, Tamale to seize foodstuffs. Not long thereafter another 250 bags he was conveying to Techiman market were also seized in transit.

Alhaji Akwasi Ibrahim a fuel dealer at Nsuta, Ashanti Region was at his dump when soldiers arrived. They sold the fuel – petrol, diesel oil and kerosene – and took the proceeds away.

Moses Quaidoo had in stock in his shop at Tarkwa, Western Region, 25 cartons of matchets and four drums of carbide. In June 1982 a team of soldiers auctioned off his stock of goods and gave him ₵4000.

Elisabeth Appiah was a read baker at Bogoso, Western Region. Members of the Students' Task Force who were armed and firing guns searched her premises and seized four and half bags flour, two boxes of margarine and a carton of condensed milk.

Christina Manya Soldiers posing as civilians bought school uniforms from the petitioner who was a trader at Makola Market, Accra. They accused her of selling above the control price. Her stock of school uniforms and clothing materials were seized by the soldiers.

Samuel Kwabena Boateng In 1982, members of the CDR arrested Boateng in his shop at Takoradi for selling steel trunks above the control price. They seized 50 of the trunks in the shop and took them to Apremdo Barracks. The trunks were never returned to him.

Cecilia Mensah was the proprietor of Ahanta Bar, Takoradi. In December, 1985, soldiers raided her wholesale and carried away 100 cartons ABC Lager Beer and 20 cartons Club Beer to Apremdo Barracks.

Hajia Adisah In 1982, soldiers from Apremdo Barracks went to the home of Adisah and her husband, Alhaji Salifu Tabsoba, at Effiakumah, Takoradi, and carried away their personal effects, including shirts, trousers, cloths, and aluminum pans. The soldiers claimed they were hoarded goods. The goods were later sold by the military.

Beatrice Nkrumah In 1982, soldiers from Takoradi who were temporarily based at Cape Coast went to Mankessim Market and seized the goods of traders. One victim was Beatrice who lost 300 bags flour, 400 cartons Ameen soap, 60 bags sugar and 40 bags rice.

Joseph Kankam In 1982, soldiers led by W O II Amoah went to the drug store of the petitioner at Ewusejo, near Takoradi and sold the drugs at reduced prices to the public. The soldiers took the proceeds of sale away.

Ismail Boamah Sasu-Mensah In February, 1982, soldiers and Pharmacy students of the UST led by one Acheampong of the Pharmacy Board went to Tonamdi Limited, Accra, owned by the petitioner, and carried away his stock of drugs.

Mercy Afua Nketia Adams was the owner of a cold store at Agona Swedru. Soldiers based at Swedru seized and sold her stock of fish to the public. They took the proceeds of sale away.

Mary Botwe was a kenkey seller at Nsawam. Soldiers seized her kenkey and gave them out free of charge to members of the public.

Janet Abbah In 1983, Janet, a kerosene seller at Ekie Amanfrom, was accosted by some PDC members who alleged that she was selling the kerosene above the control price. They poured about 40 gallons on the ground and sold another 40. They took the proceeds away.

Beatrice Nkrumah In 1982, soldiers based at the Regional Administration, Cape Coast, went to the Mankessim Market and over a period of some days sold the wares of the traders, among them, Beatrice, and took the proceeds away. Beatrice lost 300 bags flour, 50 bags sugar, 20 bags rice and 400 cartons soap. The soldiers also seized and took away a Neoplan bus Beatrice had bought with a loan from the Ekumfiman Rural Bank.

Emmanuel Kwasi Titiati In 1982, soldiers led by Sgt Kotoka seized Titiati's tractor at Adidome. The tractor was released to him after it broke down.

Florence Birago In 1988 at Ho, militiamen belonging to the CDO seized eggs and chewing sticks worth ₵300,000 belonging to Florence, a trader.

Samuel Adu Ofosu In 1982, soldiers raided a site at Kejetia, Kumasi where Ofosu sold building materials and carried all the goods to the military barracks. Ofosu never saw them again.

Ama Manu In 1983, soldiers went to the market at Koforidua and arrested Ama and other traders. Ama's goods, consisting mainly of silver bowls, were seized.

Margaret Nketsiaba Cobbinah In 1982, soldiers went to Margaret's shop at Market Circle, Takoradi and auctioned off her goods. The proceeds of sale were not paid to her.

Percy Kwapong-Essigyan, In 1982, Essigyan's brother and storekeeper, Anthony, was arrested at Kwesiminstsim, Takoradi for selling goods above the control price. All the goods in the shop were seized and taken away by the police. Anthony was later convicted by a Circuit Court.

Cecilia Akomaa In 1982, soldiers went to the market at Akyem Aperade and seized clothing and other goods being sold by Cecilia and others.

Kwabena Ampadu In 1983, two soldiers went to Ampadu's shop at Koforidua and seized all the drinkables sold there. The goods were never returned.

Christian Kofi Ahadzi, a soldier, owned a shop at Ashaiman, Accra which he ran with his wife, Mary Stella Nyamamor. They sold drinks. In 1982, soldiers raided the shop and seized all the drinks. They took them to Michel Camp.

Andrew Boakye Yiadom of Kumasi was arrested by soldiers for having sold a second-hand Bedford bus to one Nana Yaa for ₵120,000. They alleged that it was worth only ₵54,000. The soldiers took Yiadom to the barracks and detained him in the guard-room until he refunded ₵66,000.

Emmanuel Adjei Acheampong teamed up with his son to manufacture suitcases. In 1982, while he was unloading a consignment of the suitcases in Accra, soldiers seized it and sold the

suitcases to the public at prices determined by themselves. The soldiers took the proceeds of sale away.

Gabriel Kwasi Appiah In 1982, soldiers went to the petitioner's shop in Kumasi and seized drinks sold there.

Juliana Agyekumwaa Dompreeh In 1982, soldiers, policemen and city guards raided Makola Market, Accra and seized 150 pairs of shoes Juliana was selling.

Victoria Tawiah Kotey In 1983, W O II Salifu Amankwa (Rtd), who was attached to the ATCC arrested Victoria in Accra and seized pigs feet she was selling in the street. On her release, the pigs feet were not returned to her, even though Amankwa stated that as a Moslem he had no use for them.

Mary Yaa Serwah In 1982, Mary's shop at Kumasi Central Market was raided by soldiers who took away all the goods to the Barracks.

Michael Gbemu who sold *akpeteshie* at Mamobi, Accra had his stock seized by soldiers in 1982. The drinks were taken to Burma Camp, and never returned. When he asked for the empty barrels to be given to him, he was scornfully told to leave.

Nesta Asomah Hawa was a trader at Techiman market. Her goods, mainly soap, sugar and pullovers were seized by soldiers in 1983.

Kwaku Ampadu In 1982, at Nkawkaw, soldiers auctioned 68 bundles of wire mesh being sold by Ampadu.

Joseph Hayford Kwame Osei In 1982, soldiers supervised the sale of fuel at Osei's filling station at Fofou. The proceeds of ₵6000 was seized by Capt Acheampong.

Kwabena Oppong In 1983, four soldiers went to Oppong's shop at Kaneshie, Accra. They seized tyres he was selling and took him aboard their military vehicle. The soldiers abandoned him at the Achimota Forest and made away with the tyres.

Ama Serwaa, In 1982 soldiers from the military camp at Achiase went to Serwa's provisions shop at Akyem Manso, Eastern Region and auctioned off the goods on display. They then took her to her house where they seized a half bag of rice and a half bag of sugar. The proceeds of the sale were not given to her.

Dora Kai Kodzo ordered 150 pieces of cloth from GTMC at Tema and kept them at the house of one Danquah, an employee of the Company. Upon a tip off that Danquah was hoarding cloths, soldiers went to his house and carted the consignment away.

Yaa Amankwaa's sister, Akosua Manu was a trader at Obuasi Market. In 1983 her goods were seized and sold by soldiers.

Sophia Boamah sold yam at Dunkwa-on-Offin. In 1982, she sold a tuber of yam to a customer at ₵2.50. The customer reported to soldiers who had been sent to the town to check on the prices of goods that the price was excessive. Sophia was arrested and her stock of yam which was 600 tubers in all was seized and sold by auction to the public. The soldiers kept the proceeds of sale.

Benjamin Kojo Donkor In 1983, Donkor was conveying 130 gallons of the local drink *akpeteshie* to Dunkwa-on-Offin for sale when at Abura, near Cape Coast, gun-totting soldiers seized the consignment. They drank what they could, served passers-by who formed a queue to take their share and later took the rest away and sold it. The soldiers kept the money.

Cecilia Cobbina sold buckets, batteries and lanterns at the Takoradi Market. In 1982, soldiers enforcing price control seized her goods comprising 24 buckets, batteries and lanterns.

Catherine Ami Dzilah a trader from Dzodze, Volta Region went to Asesewa in the Manya Krobo District in the Eastern Region and bought 60 bags of maize and 24 bags of gari. On her way back to Dzodze, the consignment was seized by Border Guards and militiamen.

Juliana Klu was in her house at Somanya attending to nature's call when two armed soldiers went to the house, pulled her out and accused her of hoarding cloth. After a search, they carried away wax prints, school uniforms and her personal clothing.

In 1982, **Esther Addo** went to Wassa Akropong to sell cloth. On reaching the town, she found that armed soldiers were auctioning the goods of some traders. Her own goods consisting of 10 full pieces of cloth and 12 pieces of 'tye and dye' were also seized and sold. Out of fear, she ran away without enquiring of the proceeds of sale.

Awubey Quame and her husband, Kwasi Amiaku, were both traders at Tarkwa. On hearing that soldiers would be going to the market to auction the goods being sold there, Quame hired a truck to convey her merchandise to Dompim. She was intercepted by soldiers who auctioned her goods and took the money away.

Sarah Appiah was a trader at Buabeng, near Dunkwa-on-Offin. In 1982, a soldier seized three full pieces of wax prints she had put up for sale. He claimed that the cloth was not genuine wax print. A year later, the soldiers seized her buckets, cups and bowls.

Joseph Aidoo owned a supermarket at Wassa Manso, Western Region. In 1982 soldiers went to the town and auctioned all the goods displayed in the shop. Fearing molestation, Joseph fled when he heard of the approach of the soldiers. The soldiers took away the proceeds of sale.

In 1983, **Araba Asher**, a baker of Enyan Maim, bought 10 bags of flour at Techiman, Brong Ahafo Region for her business. After she had used two bags for baking bread, members of the PDC, among them, one Asmah and Ghansah, went to her house, seized the bread and auctioned them off to the local residents. The PDC members took away the proceeds of sale. Three days later armed soldiers went to the house and seized the remaining eight bags of flour.

Esi Mansah and her friend, Adwoa, lived at Abura Dunkwa. They traded in maize which they bought from the Brong Ahafo Region and sold at Mankessim, Central Region. In 1983, they went to Badu near Wenchi and bought 90 bags of maize. While conveying them to Mankessim, they were stopped by policemen who took the maize to their barracks in Sunyani. For fear of being molested the two women abandoned the maize and returned home.

Efia Bonsu In 1983, soldiers searched the premises of Efia, a baker, in Kumasi and seized her stock of 100 bags of flour and 20 bags of sugar. They took them to the barracks.

In 1982, **Margaret Sam**, a baker who lived with her soldier husband at Burma Camp, was compelled to sell her commodities below cost price. This led to her becoming indebted to her suppliers. She claimed she developed mental problems which caused her from time to time to leave the house and wander around the streets for days. She is still indebted to her creditors in the sum of ₵3 million.

Madinatu Appim had been in the business of baking bread since 1978. She carried on this business at Lartebiokorshie, Accra. With the advent of PDCs they went to her sales outlet on a daily basis and carried away or sold the bread at prices determined by themselves. The proceeds of sale were not given to her. In the end, she became indebted to those who supplied her flour on credit and had to close down the business.

George Kwabena Antwi During what became known as “Operation Dragnet”, which involved the arrest of persons engaged in illicit gold dealings at Obuasi, the house of Antwi was searched. No gold was found, but 82 yards of assorted clothing and suiting materials were found. These were seized on the ground that they were being hoarded. Other properties seized were his three cars and money.

Helena Yorke a trader at the Kotokoraba market in Cape Coast, was arrested on suspicion of hoarding a carton of tinned fish. The fish was seized and upon a search of her home babies feeding bottles she had for sale were also seized.

Joyce Agyeiwaa In 1985, members of a Police Task Force went to the Market Circle, Takoradi and seized the goods of Joyce, a trader in cosmetics, and sold them to the public. The proceeds were not given to her.

Mary Forson was a cement dealer based in Takoradi. In 1982, while on her way to Nkoranza, Brong Ahafo Region, with a consignment of 660 bags of cement, she was stopped at Busuaa (?) village by members of the PDC. She was taken to Nkoranza Police Station where she was detained for five days. The cement was sold and the proceeds confiscated.

Sophia Mensah was a trader at Denkyira Akropong, Central Region. She dealt in milk, sugar, soap and other provisions. In 1982, soldiers and members of the militia searched her house and made away with quantities of sugar, milk and soap. The soldiers accused her of hoarding.

Kodwo Sagoe's uncle, **Kwame Baako**, was a shopkeeper at Ajumako Ntumil, Central Region. In 1982, he sold two lanterns to one Kofi Agyei at a price which the local PDC considered to be exorbitant. A few weeks later, soldiers came to the village and seized all the goods in Baako's shop. They consisted mainly of tinned fish, pomade and lanterns.

Charles Akese Koranteng In February, 1984, three persons who were said to be members of the Pensioners's Task Force caused the arrest of Koranteng, a dealer in vehicle tyres in Accra. His stock of 200 outer covers were seized. He was taken to a tribunal which declared them forfeited.

Yaw Osei In 1982, policemen led by Cpl Mahama Abdulai of the Police PDC went to Osei's shop at Mampong, Ashanti and sold the goods to the public. What were not bought were carted away by the police.

Samuel Yaw Adu-Nyame's shop at Nima, Accra was raided by soldiers who carried away both locally made and imported wax prints under the pretext that they were to be sold to the public.

In 1983, **Augustina Araba Quansah** was selling gari in the market at Takoradi when soldiers seized the gari and auctioned it to the public. The soldiers took the proceeds away.

Tanko Sani's mother was a trader at Cape Coast. In 1984, soldiers searched her house and storeroom and seized quantities of rice, groundnuts and beans and carted them away. His mother died in 1990.

Rachel Ghartey Biney In February, 1983, shortly after Rachel had delivered a consignment of sandals to her shop at the Market Circle, Takoradi soldiers arrived, arrested her and took her and the goods to the Aprembo Barracks. The sandals were later sold. The proceeds were not given to her.

Okyerefo Akwasi Appiah was Secretary of the Densuagya Multipurpose Co-operative Society Ltd. In 1982, police raided the warehouse of the Society and seized all the goods, including milk, soap, rice and flour on the allegation that the co-operative was operating illegally.

Daniel Kwadwo Asante was the owner of a Nissan Urvan bus. In December, 1983, the bus was used to convey rice and flour from Togo to Ghana. On reaching the Tema motorway, the bus was stopped by soldiers who forced the driver to take the goods to Burma Camp. There, both the goods and the vehicle were seized.

Okyerefo Akwasi Appiah was Secretary of the Densuagya Multipurpose Co-operative Society Ltd. In 1982, police raided the warehouse of the Society and seized all the goods, including milk, soap, rice and flour on the allegation that the co-operative was operating illegally.

Emmanuel Kwabena Baah In September, 1981 soldiers on so-called anti-smuggling duties at Adeiso, Eastern Region seized 157 maxi-bags of cocoa belonging to Baah at his village Domeabra.

Steven Kwaku Boamah In March 1982, soldiers led by L/Cpl Oko went to Boamah's beer bar in Sunyani, seized all the drinks and took them to the military barracks. The drinks were 105 cartons beer, 100 cartons guinness, 58 crates coca cola and 12 campari.

Edward Yaw Owusu In March, 1979, Owusu imported into the country from China 156 cartons of Hurricane Lantern Glass Globes. He took them to his shop in Berekum, Brong Ahafo for sale. In August, 1979, soldiers from the Sunyani Barracks went to the shop and sold the globes at reduced prices to the public. They gave Owusu half of the proceeds.

Grace Akua Akosah was a dealer in petroleum products at Nkoranza. She had three surface tanks for the storage of petrol, diesel and kerosene. Members of the PDC led by Yaw Asiedu and Osei Asiedu seized her petroleum products as well as the tanks.

Following harassment by the military, **Joseph Kofi Osei**, a trader of Sunyani left the town to stay in Kumasi. While he was in Kumasi soldiers went to his shop and sold the goods at reduced prices. He returned to Sunyani to try to recover the proceeds. Instead, he was put in a guardroom and released after a day's confinement. The money was not given to him.

Godfred Boakye Essim, a trader of Kumasi, dealt in electrical appliances. Soldiers went to the shop and sold the goods, comprising sound systems, fridges and electric fans at reduced prices.

Margaret Yeboah had a stall at the Kumasi Central Market where she sold blankets, bedsheets and sandals. Soldiers went to the stall and seized the goods which they took to the military barracks.

Kwaku Yeboah was running a 'chop' bar and drinking bar in his house at Abrepo Junction, Kumasi. In 1982 soldiers raided the house and carried away 10 cartons beer, 5 cartons guinness and 9 crates soft drinks.

Ama Asantewaa was a shopkeeper at Bolgatanga, Upper East Region dealing in cloths. Soldiers raided her shop and carried away the goods to the Regional Office. In all, the soldiers seized about 45 pieces of cloth.

Joseph Awuni sold footwear and watches at 'Frenchline', Alaba, Kumasi. In 1983 the area was cordoned off by soldiers led by W O I Harrison Tambila. The traders were ordered to load their wares into military trucks and then to accompany the soldiers to the barracks. At the barracks they were told that the exercise was to flush out the aliens among them. Ghanaians would have their wares returned on production of income tax receipts. The petitioner produced his income tax receipts the next day, but instead of having his wares returned was set upon with belts. He received a cut on the head and had to go to the Komfo Anokye Teaching Hospital for treatment. Out of fear he did not go back to the barracks to demand the return of his wares.

Yaw Kwarteng, a trader, bought shoes in Tofo for sale in Kumasi. He petitioned that soldiers went to his outlet and seized 30 boxes of shoes. Thereafter he was put before the CVC which ordered the seizure of his taxicab and imposed a penalty of ₵150,000 on him.

Salifu Ousmanu a trader, imported 20 bags of sugar and 20 cartons of salad oil from Nigeria. These were seized by soldiers who handed them over to the members of the PDC.

Alice Atuko went to Lome in 1984 and imported goods into the country through the airport, Accra. The goods were seized under section 54(1) of the Customs & Excise Decree, 1972 (NRCD 114). The law required that if she disputed the grounds of the seizure she should raise her objections within 30 days. Having failed to do so, she cannot now complain.

Welbeck Okai was proprietor of Hotel Majestic, Accra. An armed soldier and some men in mufti went to the Hotel and ordered him to open up the wholesale. When he did they seized his stock of 80 cartons beer and carried them away in their truck. The men arrested the petitioner and took him to their office. After detaining him for one week they discharged him. The beer was not restored to him.

Solomon Saka Akuamoah sold drugs in a shop in Accra. On 12th April, 1982 a team of soldiers accompanied by one Acheampong of the Pharmacy Board went to the shop and ordered him to pack all the drugs in the shop and send them to the Pharmacy Board. The drugs were so many that the hired truck made six trips in all. Later when the petitioner enquired from the Board why his drugs were seized, he was informed that it was a decision of the PNDC and that the seized drugs had been distributed to government-owned hospitals and clinics.

Mary Nyamekye traded in eggs in Kumasi. In 1983 soldiers seized several crates of eggs she was selling and auctioned them to the public. The soldiers took the proceeds away.

George Oppong In 1983 the petitioner was conveying 10 cartons cube sugar and 10 cartons sardine to his shop at the Central Market, Kumasi when they were seized by a police officer and a soldier. The goods were auctioned off on the spot. The proceeds of sale were not given to the petitioner.

Asukuwing Azortah bought 25 sheep and 25 goats at Sirigu market, near Navrongo. As he was about to send them down to Accra and Takoradi for sale the animals were seized by Border Guards who claimed that he had smuggled them from Burkina Faso. The animals were taken to the border Guard post at Paga. As a result of the seizure of the animals, Azortah's business collapsed.

Ibrahim Akologo In 1986 Akologo bought 120 bags millet at Bolgatanga market and was conveying them to Sirigu, near Navrongo for sale when a team led by Samuel Letsu, /chairman of the Upper East Investigation Committee seized them. The millet was sent to the Regional Administration along the Ghana-Burkina Faso border. Goods seized from suspected smugglers were distributed to schools. Mere suspicion that a person is smuggling foodstuffs is not enough justification for confiscating them. The absence of proper procedures for determining whether a person was engaged in smuggling or not led to arbitrary seizures of property with resultant ruin to many families.

Nuonge Awinebuno Armed Border Guardsmen among them Sgt. Ayamga, Cpl. Nsiah and Private Ayinbilla went the home of the petitioner at Yua, near Navrongo and seized 46 sheep and goats and took them to their post at Paga. They claimed that the petitioner had smuggled them from Burkina Faso into the country. The disputed this and said he bought them at Sirigu and Zooko markets with the intention of sending them to Kumasi for sale.

Issah Camara petitioned on behalf of his father, **Issah Issaka** of Bawku who is now old and infirm. According to him in 1985 his father brought 32 cows into the country from Burkina Faso and gave them into the care of a Fulani hersman called Sambo. He stated further that the cows were seized by the PDC. When Sambo was contacted by the Commission he stated that the number of cows was 14 and that they were not seized but collected later by Issaka and sent to Kumasi for sale.

Hajia Essi Akiri a trader of Bawku stored her building materials in a rented room in a house near her building site. The materials included 665 bags cement, 400 wawa boards and iron rods. These materials were all seized by soldiers. The cement was taken to the GNTC where on the instructions of the military they were sold to the public at ₵35 each and the proceeds paid to the District Administration. The wawa boards were used in constructing sheds at the Bawku Community Centre.

Atintono Asibiga a farmer at Kintampo bought 125 bags maize and was conveying them to Sirigu, near Navrongo when at Bolgatanga soldiers stopped the vehicle and seized the maize. The seizure took place at the lorry park amid beating of the traders who were conveying their produce to the north. The petition thought it wise to run away and leave the soldiers to carry his maize away.

Hamidu Alhassan In 1989, Alhassan was conveying ₵8 million worth of timber boards from Kumasi to Bolgatanga when at Tamale a team from the NRIC seized the boards. They alleged the boards were being smuggled out of the country. Alhassan was later given ₵2,543,650 as the proceeds of sale.

Nuhu Basuglo was a fuel dealer at Tumu. In 1988 soldiers seized Basuglo's stock of fuel comprising six drums diesel, four drums petrol, engine oil and kerosene. His business collapsed.

Iddrisu Saibu of Walewale had 35 bags beans which he was getting ready to send to Kumasi for sale when soldiers arrived in the town, seized them and sold them to the public. The soldiers took the proceeds away.

Mma Sanatu brought maize, yam and plantain at Techiman and was conveying them to Namoo for sale when she was stopped at Blgatanga by members of the PDC and the militia. All the items were taken to the Zuarungu military post.

Alhassan Bagbana traded in provisions which he bought in Burkina Faso and sold in Tumu, Upper West Region. In early 1982 he went across the border and brought in sugar, cigarettes and condensed milk. At the border soldiers seized the items. This brought on him financial ruin.

Bizoola Koyiri was manager of the GNTC shop in Lawra. On several occasions he stocked his shop with goods from the GNTC depot in Tamale only for soldiers to sell them to the public at reduced prices. As a result he lost the commission he would otherwise have earned.

Stephen Kwame Adama was a shopkeeper at Lawra. He went to Kumasi and bought goods, among them shirts, trouser material, milk and soap, to re-stock his shop. He loaded them on a Bedford bus. On arrival at Lawra he was stopped and his waybills checked. Three days later soldiers went to the shop and sold the goods at reduced prices to the public. They gave the proceeds of sale to him.

Nenkentie Bayan a farmer of Tumu decided to sell his animals and go into bicycle repairing. He went to Kumasi and bought bicycle parts. As he was about to take off soldiers appeared on the scene and seized them.

Abuduga Far Alhassan a firewood seller loaded a truck with firewood for Wa Secondary School and the Training College. As he approached Wa he was stopped by soldiers who seized the consignment.

Jonathan Kofi Tambro, a shopkeeper of Kumasi, was in his shop when soldiers went there, brought out all the goods and took them to the Kejetia roundabout where they were auctioned off. On another occasion his car No. GY 8259 was seized. Six months later he found it as a total wreck in the bush.

Safana Abdulai In early 1982 soldiers from Tamale went to Wa. They seized 67 bags of cement from the petitioner's house and took them to the GNTC shop where they were sold to the public. The soldiers took the proceeds away.

Atanga Ayeleme; Nsor Anamoo; Adongo Atampoka; Morcoma Hamadu; Adakoora Adongo; Aneero Adombire; Adamu Alolbelgo; Ibrahim Azure; Abdulai Azara; Marima Osmanu; Atamate Mma; Asubi Anolusko; Ibrahim Azara (female); Karim Zeliatu (female); Ibrahim Zenabu (female); Haruna Bibeta (female); Abasiga Azuure; Bingloro Adomolga; Atanga Ayamga; Atanga Agongo (No. 1); Secsena Ayanyire; Atango Agongo (No. 2); Ruth Anamoo; Adindaa Nmah; Karim Damata (female); Akanyese Azuure; Anamoo Abesaare; IsaacYandor; Zetu Braimah; Abdulai Karim.

Namoo is a town in the Bongo District of the Upper West Region. It is on the border with Burkina Faso and until 1982 had a thriving market. Being close to the border the townspeople were often accused of engaging in smuggling across the border into Yelwongo. For this reason searches and seizures of goods and other property were a common occurrence. One such occasion CDR members led by Billy Adakurah invaded the market and amid the firing of guns went about seizing the goods displayed for sale. They were loaded onto army trucks and taken to Bolgatanga. Before leaving the CDR and militiamen subjected the traders to beatings. Some were made to roll on the ground. Among the items which were seized were maize, rice, millet, yam. Many of the traders had bought these goods at Techiman and conveyed them at great cost to Namoo for sale. With the confiscation of their goods they lost all their capital and became poor overnight. Since then Yelwongo market in Burkina Faso has become the main trading centre on the border.

Saadia Abudulai In 1985 the petitioner was conveying 50 bags maize and 52 bags millet from Yua to Bolgatanga when he was intercepted by four policemen led by Sgt Muhammad Alidu. They seized the goods and took them to Bolgatanga. All efforts by him to recover the goods failed.

Kenneth Akolor was a shopkeeper at Navrongo. The Police Task Force, Bolgatanga, led by Sgt. Muhammad Alidu took over the shop and sold all the goods mainly, cigarettes, cooking utensils and flasks to the public. The proceeds of sale were taken away.

Mariama Hamadu, a trader in foodstuffs, bought 75 bags maize at Techiman market and took them to Bolgatanga. On arrival the maize was seized by a police team led by Sgt Muhammed Alidu and sent to the police station. That was the last Mariama saw of her goods.

Yakubu Agartey, a trader of Namoo in the Bongo District, was conveying cola nuts from Bolgatanga to Namoo in a donkey cart driven by Fuseini Ayarka when the police and CDR members seized the cola nuts and the donkey cart. They accused him of engaging in smuggling.

Aduah Akongne In 1983 Akongne a trader went to Burkina Faso and bought two boxes of soap. As he was entering Ghana two members of the Bongo PDC, Aandene Akurigo and Asanti, arrested him and handed him over to the Bongo police. He was taken to Bolgatanga police Headquarters. Later, he was charged before a public tribunal with smuggling. He was found guilty and the soap was confiscated. The petitioner admitted that he broke the law by not paying duty on the soap he imported from Burkina Faso.

Zenabu Amadu, trader, petitioned that she bought six bags sheanuts at Bolgatanga and was sending them to Navrongo for sale when they were seized on the instructions of W O II Bawa Bukari of the Ghana Army. According to Bukari the militia had instruction to seize all sheanuts being taken out of the district because the CMB had complained that sheanuts were being smuggled across the border into Burkina Faso instead of being sold to the Board.

Alika Abelingo was conveying nine sheep and 12 goats from Sherigu, near Navrongo to Kumasi when on reaching a barrier at Winkogo, near Bolgatanga the animals were seized by Border Guards. Later 10 of the animals were released to him.

Asubi Anolusko, a trader, bought rice and beans at Binaba, near Bawku and was conveying them to Bolgatanga when at Tili members of the CDR seized them. Her efforts to recover the items came to nothing.

Mary Adams After 31st December, 1981 coup, at Agona Swedru, soldiers seized her stock of fish.

Janet Akua Yeboah, a trader at Makola Market, Accra had her cloth seized.

Comfort Aku Dedzo-Dzokoto, On 4 January, 1982 soldiers raided Comfort's shop and collected the drinks which were on sale.

After 31st December, 1981 coup **Abdulai Abdulai** bought yams in the Salaga area to convey to Tamale for sale. The consignment was seized by soldiers who sold the yams to the public at ridiculously low prices. The proceeds were given to him.

Danjima Modi's late father, **Baba Modi**, was a butcher at the Kotokuraba Market, Cape Coast. Six soldiers went to his shop, accused him of using false scales to weigh meat sold to the public and auctioned all the meat on display. The meat was sold at below cost and only part of the proceeds was paid to him.

Susana Amankwah was a trader at the Kumasi Central Market where she sold cotton materials. In 1982 soldiers went to the market and auctioned off her stock of goods.

Esi Mansah was a trader at the Market Circle, Takoradi. After 31st December, 1981 coup soldiers went to the shop at the market, seized goods belonging to Esi and other traders and took them away in a military vehicle.

INVASION OF PROPERTY RIGHTS

The CVC, the NIC and the public tribunals were some of the tools of repression by which the PNDC maintained their rule. Their proceedings were often arbitrary and high-handed. Behind the façade of legality was the reality of an extortion racket sanctioned by the State.

Francis Yaw Anokye On 26th March, 1982, the petitioner, Textiles Manager of the UTC was summoned to appear before the CVC. He was questioned by a panel headed by Kwamena Ahwoi. At the committee's request he gave them the account numbers of his savings accounts at the GCB, Barclays Bank, the Bank for Housing & Construction and the National Savings & Credit Bank. He was told that the amounts in the accounts would be withdrawn and paid into government chest. He was then ordered to be kept in the guardroom at Burma Camp for seven days.

Emmanuel Kweku Amissah a well-to-do businessman of Accra was summoned before the CVC and ordered to pay a fine of over ₵5million. He paid a little over ₵1 million. His house at North Labone, Accra was confiscated and given to soldiers to live in. These soldiers or others helped themselves to everything in the house, including refrigerators and deep freezers, television, video deck and sound system, as well as Amissah's personal clothing. His two cars, a Mercedes Benz and a VW Scirocco were given to Justice Daniel F. Annan, a PNDC functionary, and the Ghana Broadcasting Corporation for their use. Amissah went into exile for five years. He developed mental illness which was diagnosed as induced by his property losses. In 1994 his house which was by then in a state of disrepair was restored to him.

Stephen Yaw Simpe, In 1982, Simpe, a spare parts dealer, was summoned to the CVC sitting at Koforidua. A penalty of ₵1,736,262.81 was imposed on him. He paid ₵787,262.81, leaving a balance of ₵949,000. By letter No. ER/CVC/P12 dated 27th May, 1983 he was informed that if he failed to pay the balance within two weeks his house No. NKC/71 would be confiscated. On 16th September, 1983 the premises were declared confiscated by a letter No. PPD/NDC/Vol11/37

signed by F. K. Mensah, Co-ordinator, Programmes & Projects at the Secretariat of the National Defence Committee at Koforidua. The Secretariat had no power of confiscation.

Adwoa Fordjour, a trader and owner of Abidjan Hotel in Kumasi, was summoned before the CVC to explain how she acquired her wealth. A fine of ₵150,000 was imposed on her, leading to her selling one of her houses to pay the fine. Her motor vehicle was also confiscated.

Agnes Tettey her brothers and sisters acquired a plot of land at Larteh for the purpose of erecting a building. Building permit was obtained in August, 1978. Since she worked at the Ghana Cement Works, she became the prime mover in this family project. In March, 1982 Agnes was summoned before the CVC to explain how she came by the ₵272,907.03 in her banking accounts in Accra. Her explanation that the bulk of the money were family funds was rejected and she was made to pay ₵152,952.06 to the government.

Bernard Sylvester Sam was Managing Director of an architectural engineering firm called Design Associates & Development Consultants. On 2nd January, 1982, it was announced on the radio that the assets and bank accounts of the firm had been frozen. In 1983, the firm was compelled by the Citizens Vetting Committee to pay out to the government from its accounts ₵980,000 and ₵1 million. No attempt was made to justify the demand by any finding that the firm had defaulted in its financial obligations to the State. The state simply dipped its hands into the coffers of the firm and took the money.

John Jacob Atagba a cigarette dealer who on 21st January, 1982 had been issued with a Tax Clearance Certificate valid till 30th June, 1982 was hauled before the CVC and ordered to pay ₵3,535,154.04 as tax and penalty. The order was made on 14th July, 1982. His two motor vehicles were seized and their supposed value credited to him. Later, he paid the rest of the amount imposed on him.

Alhaji Iddrissu Kpabia-Madugu; Alhaji Alhasan Iddrissu Kpabia; a father and son petitioned that Kpabia senior, who was the Northern Regional Chairman of the PNP at the time

of the 31st December, 1981 coup went into exile in Nigeria. All his properties were seized by the new rulers. These properties included farm equipment, motor vehicles, houses and bank accounts. Kpabia Junior, then a student, was made to pay rent for his occupation of one of the houses. On his return to the country in 1984, some of the seized properties were returned to him, but he was made to pay ₦2 million into government chest.

In 1982, **Alhaji Bogobiri** now deceased, was brought before the Citizens' Vetting Committee and ordered to pay ₦4.8 million. For failure to pay the full amount his properties were seized.

Mahamadu Kaleem a cement dealer had 600 bags of cement seized by soldiers. He appeared before a Public Tribunal in Tamale under the Chairmanship of George Agyekum. He defended himself on a charge of non-payment of taxes and challenged the tribunal to check his tax record at the IRS. Agyekum took offence and ordered him to be taken out for drilling by soldiers. On his return an arbitrary fine of ₦600,000 was imposed on him.

Alima Ibrahim a trader of Walewale, who bought wax prints in Bolgatanga and sold them in Walewale, was arrested in 1982 and brought before the Upper Region Investigation Committee at Bolgatanga. The cloths were seized. A receipt for ₦5000 issued to her on 30 November, 1982 shows that the reparation she paid was not voluntary. It speaks of the money being "reparation imposed on her for diverting cloths." The imposition of the fine was illegal.

Rufai Abdulai's mother, **Zara Tia** was a successful fuel dealer at Gbimsi, near Walewale. In 1982, soldiers raided her outlet, drew fuel without paying for it and seized moneys, including foreign exchange. Her vehicle was taken away and run down by Cpl Peter Tasiru. Later she was brought before the CVC for profiteering and hoarding and non-payment of taxes. She was asked how she became rich. Her retort that members of the Committee should summon the poor before them and find out why they were poor incurred the displeasure of the members who imposed a fine on her. When she refused to pay, she was taken into custody. Relatives and friends raised the money by selling some of her cattle. Between 30 September 1982 and 10 September, 1986 she was forced to pay ₦836,450.26 into government chest. As a result, her business collapsed.

Alhaji Sirazu Alhassan appeared before the CVC with Zara Tia. He was charged with non-payment of taxes. He was a witness to the treatment meted out to Zara and felt intimidated by it. Although he produced receipts to show he had paid his taxes, a fine was imposed on him.

Kwasi Nkrumah was a goldsmith at Dunkwa-on-Offin, Central Region. In 1983, he was summoned to appear before the CVC to explain his sources of wealth. He then had ₵400,000 in his bank accounts. At an interrogation, he was repeatedly slapped. He was kept in police cells for three days. Eventually he was ordered to pay ₵40,000. He did so and then withdrew what was left and gave it to his father-in-law for safe-keeping. The CVC got wind of this, searched the premises of his father-in-law and seized the money. He was allowed to keep only ₵4000 for himself.

In 1982, **Joseph Arthur Hayfron** a businessman of Cape Coast, had his properties and bank balances seized on the orders of the CVC when he failed to pay a fine of ₵3 million imposed on him. When he paid the fine in 1995, his landed properties were returned to him. However, his two Mercedes Benz vehicles were not returned.

Issah Timetey carried on a transport business from his base at Ekumfi Abor, Central Region. In 1982, he was summoned to appear before the CVC at Cape Coast. In the course of the investigations into his tax obligations, his bank accounts were frozen. He claimed that subsequently, he learned that the bulk of his balances had been withdrawn by the CVC. If any money was withdrawn from his accounts it must have been done with Timetey's co-operation. Without his signature, the banks would not have paid out the money.

Kofi Boye, an articulator truck driver of the CMB stationed at Dunkwa-on-Offin, was summoned to appear before the NIC at Dunkwa to explain how he came by an amount of ₵75,000 in his bank account. Amid threats, he was forced to pay over to the government an amount of ₵20,000. Later he was summoned before a new panel of the NIC which told him that the remaining amount would be confiscated. Before then, he had withdrawn ₵4,000. He was allowed to keep ₵1,500 out of the balance.

William Arnold Decker was Chief Technical Officer in charge of plant production in the Oil Palm Research Centre at Kusi, near Kade. On 3rd May 1982, after he and three other senior officers had been arrested on the instructions of the Eastern Region Investigations Committee headed by Addo Aikins, his Toyota car was seized. Later the vehicle which was being used by the Committee was involved in a motor accident and badly damaged. In spite of promises to have the vehicle repaired, this was never done, and the vehicle was not returned to the petitioner. No compensation was paid.

In September, 1981 **William Emmanuel Agyei**, a businessman based in Accra and Berekum, Brong Ahafo Region, advanced the BA Regional Development Corporation the sum of ₵937,852.26 to purchase the Region's allocation of what were then known as 'essential commodities'. They included various brands of soap and milk. Following the overthrow of the Limann Administration, the then Regional Minister, Kwaku Twumasi was put before a public tribunal on a charge of diversion of goods. He was convicted and sentenced to a term of imprisonment. Although Agyei was not charged with him, the tribunal ordered that the amount he advanced for the purchase of the goods should be confiscated. There was no legal basis for the confiscation.

Security personnel and other State organs took advantage of the chaotic situation in the country to commit acts of robbery and plain stealing.

Kofi Opoku-Agyeman In 1981, petitioner applied for, and obtained permission, to transfer to London an amount of £5,800 to pay for an operation on his daughter, Sandra. Standard Chartered Bank effected the transfer through the Bank of Ghana on 30th April, 1982 and, in accordance with foreign exchange regulations at the time, the money was deposited with the Ghana High Commission, London for collection by the petitioner's wife. However, the money was not released to her on the excuse that the reason for the transfer was not genuine. The amount of £5,800 is still unaccounted for.

Erasmus Densu Ofosu a Ghanaian resident in Italy, imported a VW Van into the country in 1991. Before he could take delivery of the van, he was informed that it had been seized on the

orders of Major Amamoo of the Ghana Army. Efforts made by Ofosu to persuade Major Amamoo to release the vehicle to him came to nothing. Later, Ofosu discovered the van at a car mart at Odorkor with the words “For Sale” written on it. He made a report to the police who impounded the vehicle and took it to the Odorkor Police Station. Major Amamoo and two other soldiers went to the station, informed the officer that the van had been confiscated for failure to pay the relevant duties and took it away.

Seized vehicles are not sold on the public mart. They are allocated to state institutions. On this occasion, the soldiers simply helped themselves to the vehicle.

Frank Owusu-Nti When he retired from the Army, W.O I Owusu Nti decided to enter the fishing business along the Volta Lake. With the assistance of a Ghanaian couple living in London, he bought an outboard motor and its accessories at a cost of £938, including freight. He took delivery of the outboard motor at the Airport, Accra on 12th August, 1982 and hired a vehicle to convey it to Kwamekrom. About 6:30pm, while on his way to Kwamekrom, he was stopped at a barrier mounted by the CDR who refused to allow him to convey the outboard motor to Kwamekrom at that time of the night. Nti was obliged to leave the outboard motor with the CDR who asked him to come for it the next day. The following day, accompanied by the police and a leader of the Ada fishing community, Nti went to the barrier only to find it deserted. The CDR and his outboard motor were nowhere to be found.

In 1984, **Kwabena Minta-Ampofo** who was then resident in London, shipped a Volvo car to Tema. He paid the requisite duty but when he went to ask delivery he discovered that the vehicle had been removed from the Harbour. He traced it to Burma Camp where he was informed that the car was one of several the PNDC had commandeered for use at a forthcoming OAU conference. Ampofo agreed to wait and take delivery of his car after the Conference. When the Conference ended, he approached the authorities for the return of his car. The car was not returned to him. It was added to the pool of vehicles at the Castle, Osu.

Dr. Matthew Narh Tetteh a soil scientist, claimed to have invented a machine called CLU 2000 and a chemical called PUDEXIM. With these, he manufactures building bricks for housing and

construction. In 1983, his company, Uniclean Limited, teamed up with the Ghana Government to put his ideas into practice. This was done on land acquired by the State Housing Company Limited. The current position with regard to the properties is set out in a letter dated 21st August, 2003 which this Commission received from the company. It reads:

RE: REQUEST FOR INFORMATION

Reference is made to your letters NRC/INV/V3/SFI/173 and NRC/INV/V3/SFI/147 of 31st July, 2003 and 19th August, 2003 respectively, on the above matter.

Our records show that the Unibrick Housing Project was developed under the aegis of Unibrick Co-ordinating Committee, office of the Head of State, Castle, Osu on land belonging to State Housing Company for the construction of prototype buildings known as “Exhibition Houses” for which Dr. Matthew N. Tetteh provided his formula, which he called “unibrick”. State Housing Company Limited (SHC) partly financed and provided materials as well as labour for the project, which was sited at both Dansoman and Adenta in the Greater-Accra Region.

In the case of the Dansoman project which consisted of a five-storey block of flats, the military at the time of construction also provided labour and upon completion thereof, the military took possession with the tacit concurrence of the Unibrick Co-ordinating Committee. No lease documents were ever procured by the occupants of that building from SHC.

As regards the land on which are sited Adenta Unibrick houses, the Unibrick Co-ordinating Committee duly had same conveyed unto itself by lease dated 21st October, 1997 from SHC. Subsequently, upon application by the said Co-ordinating Committee, SHC granted consent for the said land to be assigned to eleven individuals. Attached are relevant documents in respect of the foregoing.

We trust that the information provided will be of assistance.

Yours faithfully,

(A. Sarpong Mensah)

MANAGING DIRECTOR

The Unibrick Co-ordinating Committee was not a legal person. It could neither sue, nor be sued, nor could it enter into any contracts. It was an ad hoc committee set up by the government to facilitate the implementation of the Unibrick project. Indeed, a publication in the *Daily Graphic* No, 8895 of 27th March, 1986 indicated that the Government of Ghana was no longer a participant in the project. The Co-ordinating Committee's functions effectively came to an end at that date. It is therefore strange that persons purporting to be acting on behalf of the Committee should in 1997 obtain a lease of the Adenta Property in the name of the Committee. As it turned out, this was the first step towards the sharing out of the Adenta estate houses among members of the Committee and their friends.

Among the beneficiaries were Commander Baffour Assassie-Gyimah, Chairman of the Co-ordinating Committee, E. G. Kosivi-Degbor, Director/Special Duties of the Co-ordinating Committee, George Agyekum, Chairman of the erstwhile Public Tribunal, Kwame Annor-Kumi and Lt. Col. B. F. Kusi of the PNDC Secretariat, Peter Nanfuri, Inspector General of Police and Yaw Akraasi Sarpong, one-time Eastern Regional Secretary.

The Committee could have entered into the lease agreement and the sub-leases only as agents of the government. Fairness demands that the government divest itself of the properties and leave it to the State Housing Company Ltd. and Uniclean Ltd. to sort out their conflicting claims in a court of law.

Maxwell Kwasi Ntiamoah, a clearing agent, was accused of evading tax on goods in 19 containers at Tema Harbour. In the course of investigations, Inspector Wilson seized various items of property belonging to Ntiamoah. Among them were a Mitsubishi saloon car, a Toyota, two Datsuns, 4 shot guns and ₵1,093,000 cash. Ntiamoah was tried by a Public Tribunal along with four CEPS officials. They were found guilty and sentenced to fines and imprisonment. No order was made by the Tribunal regarding the disposal of the seized items. However, a press

release No. PNDC/014 of 7th June, 1990 declared that they had been confiscated. The unfortunate twist to this story is that after the conviction, Inspector Wilson applied for, and was permitted to buy, the Mitsubishi saloon car for ₵100,000. He has had the registration changed to GR 173 E.

Daniel Bugri Naabu In May, 1988, security personnel seized Mitsubishi Pajero No. ARC 4428 belonging to Naabu. The seizure was ostensibly carried out in the course of investigations into an alleged diversion of government-owned Mitsubishi vehicles by Dr. Adjei Marfo, one-time Chairman of the State Oil Palm Plantations Rehabilitation & Development Committee. After investigations, the NIC found that Naabu lawfully acquired the vehicle. This was stated in letter No. PNDC/NIC.875/37 of 29th July, 1991 addressed to the Ag. Chief of Staff, PNDC Secretariat, the Castle, Osu. In spite of this finding, the vehicle was not returned to Naabu.

Naabu claimed that his Mercedes Benz saloon car was also seized. However, he did not provide the Commission with evidence to support the allegation. He also made a general allegation that his hotel was burnt down without providing evidence that it was the deliberate act of any person.

In 1982, **Emmanuel Kwame Mentor** was arrested by five armed soldiers when he parked his Peugeot 404 car at a petrol filling station on the Accra-Dodowa road. After a botched attempt to kill him, he escaped leaving the car behind. He later traced it to the Border Guard barracks at the airport, Accra, but was refused permission to take it back.

Frederick Fafanyo Logah In 1982, the Ghana Navy seized two fishing boats operated by King Fisheries Ltd. Fish on one of the vessels was sold and the proceeds kept by the authorities. Thereafter, the vessels were operated by the Navy. The petitioner, a manager of the company, was told that the activities of the vessels on the high seas posed a threat to national security.

In September, 1982, **Ibrahim Mahama** a Tamale-based lawyer and farmer, bought a Fortschritt Combine Harvester through the Ministry of Agriculture and the Ghana Supply Commission at a cost of ₵140,000. He spent a further ₵25,000 on battery, spare parts and accessories and ₵5,600 on insurance to convey the harvester to Tamale. On arrival in Tamale the harvester was seized

on the orders of Huudu Yahya, the Regional Secretary and given to the Northern Region Development Corporation. No compensation was paid or has been paid to Mahama.

Alhaji Abubakari Musah was a butcher and cattle dealer. On 29th November, 1983, his home was searched by BNI operatives. His cash in various currencies, his pistol and double-barrelled gun were seized. He was kept in custody until 26th March, 1986 when he was tried for treason and sentenced to death. The sentence was commuted to life imprisonment. Although no order of confiscation was made on his release in 1997 his properties were not restored to him.

Daniel Oheneba Darko was arrested at Tema for driving an unregistered vehicle. The NIC fixed reparation in terms of section 8(1) of the National Investigations Committee Law, 1982 (PNDC L 2) at ₵30,000.00. He paid ₵10,000. Darko's failure to pay the full amount brought into play section II which required that the Committee refer its findings to the Attorney-General, the Public Prosecutor or other appropriate body for further action if the Committee were satisfied that there was evidence to warrant a prosecution. The Committee did not do so, but rather seized the vehicle. The Committee's action was illegal.

Kwasi Sanyon a Ghanaian resident in the United States, brought down 10 vehicles and paid all necessary duties and taxes. The vehicles were later impounded by the Police on suspicion that he dealt in drugs. After investigations, he was cleared, but only three of the ten vehicles were returned to him.

In 1982, two vehicles, a BMW with registration No. UR 7545 and a Chevrolet with registration No. GZA 681, belonging to **Michael Bayerigyoa Noble Achana**, Member of Parliament, now deceased, were seized and taken to Michel Camp. They were never returned to him or to his family.

On 22nd January, 1982, **Alexander Con-Nutsugah** bought a vehicle and conveyed it from the harbour to his house in Takoradi. The next day, one Corporal Amuzu from the Air Force Base seized the vehicle at gunpoint and took it to the Apremdo Barracks. When the petitioner went to

the barracks to enquire of it, he was given a questionnaire to explain how he got money to buy the car. The car was never returned to him.

Stephen Fosu Owusu In 1981, the petitioner's company, Fosu Owusu Enterprise, obtained import licence for the importation of mats from Hong Kong. The total cost was US \$3,255. When the goods arrived in 1982, the petitioner was made to pay ₵54,000 as duty. However the goods were not released to him.

Lord Imbeah-Ansah was arrested by soldiers while he was on his way from Takoradi by train to deliver 10 drums of insecticides and disinfectants to Tarkwa Gold Mines. The insecticides were seized and he was put on the train back to Takoradi. On arrival in Takoradi, Ansah was taken to the Airforce Base and put in the Guardroom. He was later released without being given back his goods.

In 1983, **Adjei Sarpong** went to the Tema Harbour to take delivery of a Peugeot 504 saloon car he had imported from Germany. As he was leaving the harbour, one Hayford from the Castle, Osu, seized the car at gunpoint and took it away. Sarpong went to see Hayford at his office at the Castle. Hayford told him that the car had been allocated to a medical officer at Wa.

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Kojo Atta Following an announcement by the PNDC that owners of Saurer articulated vehicles should surrender them, Atlas Company surrendered their vehicle to a Capt Edjameh at the Base Workshop, Burma Camp, Accra on 22nd January, 1982. The vehicle was then handed over to the State Transport Corporation. No compensation was paid to the company.

Richard Todd Hackman In 1986, the petitioner imported into the country from Holland a DAF 54 seater bus. As it was over aged, it was caught by PNDC L 121 and became liable to confiscation. Following representations made by Hackman and others who were in a similar position, the government decided that the vehicles be released to their owners on payment of customs duties and penalties. This was published in the *Ghanaian Times* of 17th October, 1986. When Hackman went for his vehicle at Takoradi Harbour, the vehicle was nowhere to be found.

Joseph Akwasi Boadu In 1981, Boadu's wife, Mary Boateng, who lived with him in Germany, shipped a Peugeot 504 saloon car to the country. The vehicle duly arrived at Tema. When Mary went to take delivery of the vehicle she was informed that it had been removed to Burma Camp. The vehicle was never found.

In July, 1981 **Theresa Agyeiwaa Owusu** bought 500 bags of flour and conveyed them to Kwadaso, Kumasi. The next day, soldiers seized them and took them to their bakery at Kwamo. No compensation was paid to her.

In 1991, **Kofi Owusu** imported a Mercedes Benz 608 (Diesel) into the country from London. On arrival at Tema, his brother, Osei Kofi, paid ₵2.9 million duty and other charges on the vehicle. When Osei Kofi went to take delivery he was informed that the government had allocated the vehicle to the Arts Centre. No compensation was ever paid.

In 1982, **Stephen Mensah Asare** imported a Datsun 160 J saloon car into Ghana. When he went to Tema to clear the car, he was informed that some soldiers had taken it to the State House. At the State House, he was told to go and pay the duty on the vehicle and come back for it. He went to Tema, paid the duty and returned to the State House. This time he was told that the vehicle had been allocated to a District Secretary. In spite of promises that the vehicle would be retrieved from the District Secretary and returned to him, he never got it back.

In 1984 **Samuel Obeng Kwakye** imported a Datsun 120 Y car into the country. On arrival at Tema Harbour the vehicle was assigned to a State Protocol Officer.

In 1982, while **Charles Boateng Sampong** was under investigation by the NIC, soldiers led by W O I Nkwantabisa went to Sampong's farm at Miaso, near Mpraeso and carried away 2000 maxi bags of maize, 6 goats and 465 sheep. The maize were distributed to schools and the sheep and goats sent to Michel Camp. Later the NIC cleared Sampong and ordered that his properties be restored to him. However this could not be done, and no compensation was paid to him.

Yaw Ampofo was driving his Mercedes Benz cargo truck along the Bolgatanga – Bongo road when he observed that several cargo drivers had abandoned their trucks and were running away. It turned out that a military escort on a truck carrying maize had shot a PDC man who attempted to stop the vehicle which, he thought, was engaged in smuggling. When Ampofo saw other drivers running away, he instinctively followed suit. He was arrested but later released. When he went back for his vehicle, he discovered that the military had taken it over, used it and smashed it. Even the tyres had been removed.

In December, 1982 **Joseph Kodwo Ampah**, a Ghanaian resident in London, was convicted by a public tribunal of gold smuggling. Two Datsun vehicles belong to him were ordered to be confiscated. On 28 November, 1997 Ampah was granted a pardon by the President. The effect of this, as stated in the warrant, is that “any disabilities and disqualifications ensuing from the conviction” are removed. Ampah is therefore entitled to the return of his vehicles.

Appa Bempong alias Nana Twum Ampofo II was the owner of a tourist and cultural centre at Agona Nsaba. In 1982, his establishment was ransacked by soldiers, various items of property destroyed, and the centre closed down.

Samuel Yaw Adu-Nyame’s Datsun car was seized by soldiers who claimed that the importer failed to pay certain taxes on the vehicle.

Richard Tetteh Seglah, a lawyer and former Member of Parliament, was appointed PNDC Secretary for the Volta Region in 1986. In 1989, he was relieved of his post. Following his dismissal, the following properties were ordered to be confiscated:

- (a) H/No. 13 Faana Crescent, Mamprobi, Accra
- (b) House at Anloga
- (c) H/No. 29^A Achimota Forest, Abelemkpe, Accra

Seglah admitted to being the owner of the properties listed in (a) and (b). As to (c), he denied ownership. He stated that it was his property No. 282, North Legon Residential Area, Accra

which had been wrongly described in (c). There was evidence that Seglah acquired the properties described in (a) and (b) before he took up appointment with the PNDC. It could not, therefore, be said that he acquired them through the abuse of his position as a PNDC Secretary. It is our view that he is fully justified in complaining about the confiscations. With regard to the property at North Legon, this has not been confiscated. The Commission cannot, therefore, make any comments about it.

Agnes Adutwum In October, 1982, soldiers and policemen seized Agnes' Roman Ridge residence and drove out her children. They claimed that the PNDC had confiscated the house. The premises remained in the hands of agents of the government until 2001.

Kafui Asem In 1975, a company called Gloriosa Service (Ghana) Limited, obtained permission from the Accra City Council to erect a structure near the Nkrumah Circle, Accra. In 1984, this structure was demolished in circumstances which the Council was to admit in its letter No. 0016/803 of 27th July, 1988 was wrongful. A decision by the Council to rebuild the structure was never carried out. The matter went to the CHRAJ which, by a decision dated 4th March, 2002, ordered the AMA, successor to the ACC to pay ₵29,700,000 as damages. The AMA has failed to comply with this decision.

Appa Bempong alias Nana Twum Ampofo II was the owner of a tourist and cultural centre at Agona Nsaba. In 1982, his establishment was ransacked by soldiers, various items of property destroyed, and the centre closed down.

Samuel Yaw Adu-Nyame's Datsun car was seized by soldiers who claimed that the importer failed to pay certain taxes on the vehicle.

In 1989, **Solomon Kwesi Aggrey's** Peugeot Caravan was seized by officers of the Akuapem South District Assembly. They claimed that it belonged to his brother, an employee of the Assembly, who was alleged to have embezzled some funds. Upon a complaint to the CHRAJ the Assembly was ordered to pay ₵40 million to Aggrey. This sum has not been paid.

Emmanuel Antwi-Barimah was the proprietor of Mankind Club in Jasikan, Volta Region. On 31st December, 1981, he imported assorted drinks through the border post at Menuku. The drinks were seized on the orders of Captain Appiah on the pretext that there had been a coup d'état and that he needed the drinks for the soldiers. Capt Appiah did not pay for the drinks.

Tettey Puplampu In 1982, soldiers seized Puplampu's Datsun vehicle. It has not been seen since.

Frederick Fafanyo Logah In 1982, the Ghana Navy seized two fishing boats operated by King Fisheries Ltd. Fish on one of the vessels was sold and the proceeds kept by the authorities. Thereafter, the vessels were operated by the Navy. The petitioner, a manager of the company, was told that the activities of the vessels on the high seas posed a threat to national security.

Simeon Kwadwo Buabeng Sometime in 1984, members of the CDR boarded Buabeng's taxicab from Dansoman to Osu. They claimed he had overcharged them and had him locked up in police cells. The men drove the vehicle away. When he recovered it two months later it was in a state of disrepair.

Vincent Miah was a goldsmith resident at Dunkwa-on-Offin. In February, 1982 he was arrested by soldiers for buying gold from unlicensed gold miners. The gold weighing 803 (???) and his weighing scales were seized.

John Kwame Aidoo was a transporter at Sefwi Wiawso. In 1982, soldiers led by Corporal Tangoe arrested him and accused him of counterfeiting. They seized his Man Diesel Truck No. AK 7254, Toyota Cargo Truck No. AZ 6108 and Bedford. 7 Ton Truck No. CR 2935. They used them in carting cocoa until they broke down. In a search of his home, Corporal Tangoe seized £86 sterling, CFA 700,000 and perfume valued at £3.50

John Agidi In 1982, Agidi, an Accountant at the Ghana Cargo Handling Company Ltd. at their offices in Takoradi was arrested by military personnel investigating the loss of some suiting materials from a ship which had docked at the harbour. He was asked to follow the military

personnel in his car to the Airforce Base, Takoradi. When he got there, his car was seized. The soldiers used the car until it broke down and was condemned as a total wreck.

In 1985, **Kwabena Kumi**, a farmer of Adabokrom, near Berekum, Brong Ahafo imported a Honda Prelude car into the country. When he failed to clear the car from Tema Harbour within 120 days, the car became liable to forfeiture. In 1986 he obtained a waiver of the forfeiture and was asked to pay a penalty of ₵20,000 in addition to duty and other charges. He paid a total of ₵213,784.23. In spite of the payment, the vehicle was not released to him.

Seth Owusu when the 31 December 1981 coup took place, Owusu, a District Organizer of the PNP in Sunyani, went into exile in the Ivory Coast. While he was away, his Fortschritt tractor was seized by soldiers. It was taken to the Sefwi area and used to cart cocoa. Owusu never recovered the tractor.

Kofi Oware, a farmer of Amissah Camp, near Dunkwa-on-Offin was arrested by soldiers who had taken it upon themselves to deal with a land dispute between him and one Kofi Tetteh. He was taken to his house at Dunkwa for a search. A Belgian made rifle which was found on him was seized. It was never returned to him.

Nana Abaka In 1982, Abaka was arrested at Wassa Simpa, Western Region on suspicion of dealing in gold. The soldiers took advantage of the situation to seize Abaka's Peugeot saloon car number AM 6594 which they took it away. It was never returned.

Vincent Miah was a goldsmith resident at Dunkwa-on-Offin. In February, 1982 he was arrested by soldiers for buying gold from unlicensed gold miners. The gold weighing 803 (???) and his weighing scales were seized.

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In 1982, **John Agidi**, an Accountant at the Ghana Cargo Handling Company Ltd. at their offices in Takoradi was arrested by military personnel investigating the loss of some suiting materials from a ship which had docked at the harbour. He was asked to follow the military personnel in his car to the Airforce Base, Takoradi. When he got there, his car was seized. The soldiers used the car until it broke down and was condemned as a total wreck.

Joseph Kofi Osei In May 1982, Osei imported a secondhand BMW car into the country. The car duly arrived at Tema Harbour, but when he went to clear it he was told it had been confiscated.

Joseph Kofi Osei In 1982, Osei was arrested at his home in Sunyani and taken to the military barracks. He was later put before the Regional Investigation Committee which questioned him as to the sources of his wealth. His three cars, a Peugeot 604, a Peugeot 404 and a Datsun 160 J were seized. Through the intervention of one Owusu Tabiri, the Peugeot 404 was returned to him.

Kwabena Bosumbra In 1983, Bosumbra travelled from Akrofuom, near Obuasi to buy building materials for his father. On the return journey, the vehicle on which he was travelling was stopped at a barrier manned by the police and members of the CDR. During a search, an amount of ₵120,000 was found on him. The money was seized by four CDR members. Bosumbra made a report to the police at the Tutuka Police Station and on the orders of the officer-in-charge, three of the CDR members were arrested. The fourth person escaped. Later soldiers went to harass the Inspector. When Bosumbra heard about this, he left his village and went to Accra. He was traced to Accra where his Datsun 160 J car No. TRA 2490 was seized. Bosumbra left the country for Germany. On his return to the country four years later, he tried to trace his car without success.

Kwadwo Owusu Sekyere was MP for Sunyani when the 31st December, 1981 coup took place. His two private cars, a Mercedes Benz and a Ford, were seized. The Benz was later returned to him in a run-down condition.

Yao Dunyo's Peugeot car No. GN 6081 was seized at Juapong, Volta Region by soldiers led by Michael Anthony Kohoe, went to the house of Francis father at Juapong, Volta Region and seized his Peugeot car No. GN 6081.

Simon Kwami Feter owned four saloon cars with which he operated a taxi service in Ho, Volta Region. In 1982, his vehicles were impounded and taken to the military barracks, Ho. He was asked questions as to how he came by the vehicles. In spite of his explanations, the soldiers kept and used his vehicles for about a year until they broke down. They were then handed back to him.

Adwoa Ntiwaa and her husband, **Yaw Appiah**, owned a chemist's shop in Yendi, Northern Region. Soldiers went the shop, sold some of the drugs and took the rest away.

John Kodzo Xorlali Adorvlo In 1992, two policemen and four armed soldiers searched Adorvlo's home at Dzodze, Volta Region. They claimed they were searching for arms. Adorvlo's double-barrel and single barrel guns were seized and taken away.

Tennyson Amenyota Kodzo Ahadzie is the proprietor of Taka farms at Atsive, near Dzodze, Volta Region. In 1981, Ahadzie bought and paid for a tractor imported into the country through the Ministry of Agriculture. In July, 1982, the tractor was seized on the instructions of the PNDC.

John Kofi Amankrah, a Police Corporal attached to the BNI, escaped to Nigeria after the 31st December, 1981 coup. He returned to Ghana in 1983 with a Mitsubishi L300 bus. While using the vehicle for commercial purposes, the vehicle was seized by soldiers and taken to Gondar Barracks. The soldiers kept the vehicle at the barracks for their own use. It was damaged beyond repairs on a trip to Akim Oda.

Grace Botchway was a cement distributor based at Takoradi. A consignment of 400 bags she was sending to her customers in Kumasi was seized by soldiers at a road block mounted at Santasi, Kumasi and taken to the military barracks. Another consignment of 700 bags at the Takoradi Harbour awaiting conveyance to other customers was also seized by soldiers and carted away.

Ben Ollett Quansah After the 31st December, 1981 coup, Quansah, a BNI operative, left Ghana for Nigeria. He returned to Ghana in 1983 when the Nigerian government expelled foreigners living in the country without valid papers. He brought with him a Toyota bus. Not long after his return, the bus was seized by soldiers who said they were working for the National Defence Committee. They promised to bring it back after two weeks. Quansah learned later that the vehicle had been involved in an accident at Dabala, Volta Region and badly damaged. It was later abandoned at the premises of the Ghana Bottling Company, Accra. Quansah received no compensation for his loss.

Isaac Kwasi Oteng In 1982, soldiers seized Oteng's Mercedes Benz car in Koforidua and used it to convey passengers for a fee. It was abandoned after it was involved in an accident at Ashaiman, near Tema. Oteng's three-storey building was also seized. It was returned to him in 1998.

Emmanuel Quarcoo Buami On 15th January, 1982, three soldiers, Sergeant Dolar and Corporals Kotey and Doodoo, went to the house of Buami, an interdicted officer of the VRDC, Ho and seized his Peugeot 504 saloon car and Simca 1200 taxicab. They also took away large quantities of building materials stored in the house.

Dinah Abban's uncle, **Kwesi Mantu**, lived at Denkyira Dominase. Following a complaint that he had ejected a tenant, Adwoa Dankwaa, a mid-wife, from his house, soldiers ordered the Local PDC to take over the house, manage it and pay the rents to them. The PDC managed the property for two years.

Dr. Edward V. C. deGraft-Johnson When the Limann Administration was overthrown on 31st December, 1981, the petitioner was abroad. He decided to remain outside the country until the political situation improved. When he returned home in 1994, he found to his dismay that commandos had taken over his Accra residence. Building materials stored in the house had been stolen and the house was in a state of disrepair.

Rockefeller Kwesi Hayford was Mill Foreman of the Takoradi Flour Mills. He was arrested by soldiers who seized his Datsun 180 B car. The soldiers used it for three months until it broke down. They then asked him to go for it.

In 1982, **Cecilia Buckman**, a trader in yams, sold her Universal tractor to one Yao Dagarti, a farmer, at a price of ₵250,000. Dagarti paid ₵140,000 in cash and kind, leaving a balance of ₵110,000. Following a dispute, Dagarti sought the aid of the military at Sunyani. Cecilia was summoned to the barracks where money amounting to ₵58,000 which she had on her was seized. The tractor was given to Dagarti without any further payment.

Cecilia Mensah was the proprietor of Ahanta Bar at Inchiaban, near Takoradi. During the Christmas period in 1986, armed soldiers went to the bar and seized her drinks consisting of 120 crates beer for their end-of-year party at the barracks. As a result, Cecilia fell into debt and was forced to close the bar and move to Accra where she worked as a stone crusher.

Salifu Ousmanu heeded the instruction to deposit his ₵50 notes amounting to ₵800,000 in the bank. The money was never returned to him.

Mariatu Alhassan, food-seller at Walewale was arrested by soldiers on the same day as Sirazu Alhassan and others. Her trunks were forced open and 17 half pieces of cloth seized.

Samuel Ahulu Korletey, was the owner of a Datsun taxicab. In 1982, the vehicle was seized by members of the PDC when a passenger on it was found to be in possession of uncustomed cigarettes. It was later abandoned by them at Asesewa Police Station when it was involved in an accident.

Sarah Nartey, sold yams and chicken pieces at the Nkrumah Circle, Accra. In 1982, she was arrested and taken to Burma Camp. Her wares were seized.

Christina Otoo Kookulu In 1982, Christina imported 100 bags sugar from Togo for the distillation of local gin. The entire consignment was seized by soldiers.

John Clottey Collison In 1982, members of the PDC at Dansoman, Accra, led by Oduro Asante, went to the house of Collison and seized 76 bags cement even though he produced receipts showing that he came by them lawfully. The cement was carted away.

James Boakye Danquah rented out his house at New Achimota, Accra to one Dr Antwi. On 27th February, 1983 security officers stormed the house where it was alleged a plot was being hatched to overthrow the government of the PNDC. Subsequently the rooms were ransacked and all fittings removed.

Nicholas Nvidah was an employee of Ashanti Goldfields at Obuasi. His Datsun 140 J vehicle was seized by soldiers on 20 April, 1984 and taken away to their camp. The soldiers later searched his room and took away ₵80,000 found there. These properties were never recovered by him.

James Boakye Danquah rented out his house at New Achimota, Accra to one Dr Antwi. On 27th February, 1983 security officers stormed the house where it was alleged a plot was being hatched to overthrow the PNDC. Subsequently the rooms were ransacked and all fittings removed.

Joshua Yaw Oduro In 1982, Oduro's shop assistant at Assin Fosu sold *akpeteshie* to some soldiers who alleged that the price was too high. Police came and sold all the goods in his shop.

Basil Gbeli Yabere In 1982, Yaabere, a member of the Students Task Force at Lawra, purchased guinea corn at Wa and conveyed them to Lawra for sale. He sold them at ₵16 per 'American

tin'. He was arrested by the police for selling above the control price which the Students Task Force had fixed at ¢14 per 'American tin'. The proceeds of sale were seized.

Ama Ayenfowa traded in maize which she bought at Dormaa Ahenkro and sold down south. In 1983, she had information that soldiers would be visiting her shop to seize her maize. She sold her stock of 68 bags and used the proceeds to buy fish at Mankessim, Central Region. On her way back to Dormaa Ahenkro to sell the fish, the consignment was seized by soldiers and members of the PDC. The fish was auctioned off and she was given ¢450 out of the proceeds.

Ekua Kakraba a trader at Mankessim, came to Accra and bought 46 pieces of cloth. When she reached the Weija barrier on her way back to Mankessim, the military and police personnel at the barrier seized her goods.

Akua Donkor's uncle, **Kwabena Dadieya** owned a shop in Dunkwa-on-Offin. He had over 100 full pieces of wax prints in the shop. Soldiers went to the shop and auctioned all the goods.

Kennedy Adjei had a shop at the Central Market, Kumasi where he sold clothing materials. In 1983, members of the Kumasi Central Police Station Task Force went to the shop and seized all the goods. They took them to the police station. When Adjei went to enquire of them, he was threatened with death. He took no further action to retrieve his goods.

Peter Ashford Adomako was the owner of a pharmacy shop in Koforidua, Eastern Region. In 1982, soldiers went to the shop and carried away several cartons of drugs. They returned and sold the remainder to the public at very low prices. The soldiers took the proceeds away.

Florence Afua Agyekumwaah In 1983, a soldier went to Florence's shop at Makola and seized a consignment of plastic bags she had received for sale.

Yankson Kwadwo Gyamfi was a trader at the Central Market, Kumasi. In 1983, he bought 50 cartons of hurricane lanterns in Nigeria and displayed them for sale. Each carton contained 30 pieces of lanterns. The 50 cartons were seized by soldiers who took them to their barracks.

Victoria Oppong traded in sandals and slippers at Obuasi Market. In 1983 soldiers seized and sold out all the goods. The soldiers took the proceeds away.

James Kofi Karikari had a shop at the Kumasi Central Market. Soldiers went to the shop, collected all the goods and took them to the Kejetia Police Post. When Karikari enquired of them, a soldier threatened to kill him. He therefore abandoned the attempt to recover his goods.

Abena Dufie was a trader at the Ofinso Market where she sold scarves. Soldiers raided her house and auctioned a quantity of scarves found there. They gave her a fraction of the cost.

Alhaji Aminu Mohammed imported eleven containers each of sugar and bread flour. Shortly after the goods arrived at Tema Harbour, the 31st December, 1981 coup took place. All the goods were seized by the PNDC.

Kwaku Fokua was a trader at Denyase, near Dunkwa-on-Offin. Soldiers went to his shop and auctioned all the goods. They gave him the proceeds of sale.

Joseph Stennis Badu was a distributor of Guinness stout at Bawku. In September, 1982, he collected a consignment of 80 cartons of Guinness from the factory in Kumasi. Instead of taking them to Bawku, he took them to a house in Kumasi. While they were being unloaded, members of the WDC arrested him and had the drinks conveyed to the Suame Police Station. That was the last he saw of them.

John Kofi Manu was the owner of three shops at the Sunyani central market. He dealt in aluminium products, provisions and mattresses. Soldiers went to his shops and carried the goods away to the military barracks.

Soldiers went to **Efua Abontoako** house at Senya Breku and seized 320 half pieces of cloth she had in trunks in her room. She was taken to Agona Swedru, paraded through the streets and had her picture with some of the cloths taken. The photograph was published in the Monday, 22nd

February, 1982 issue of the *Ghanaian Times*. The cloths were sold. The proceeds were not given to her.

Ernest Okai Osei a resident of Nigeria, imported cassette tapes and towels into Ghana in 1988. Although he duly paid duty on them, they were seized by customs officers who said they would be sold to the public. He later recovered part of his consignment.

Kojo Ayigwa, a Ghanaian resident in Germany, brought a Benz bus into the country in 1984 for Mines Captain Baidoo, his brother-in-law, to run as a commercial vehicle. The vehicle was seized by soldiers and all efforts to recover it failed.

Ali Kwesi Ofori was a tailor by profession. In 1987, his shop and wholesale in Accra were raided by soldiers and the Police. They seized cash and goods as well as his motor vehicle and took them to the Police Headquarters. He was released after 3 days' detention at the Police Headquarters without his money or properties being restored to him.

Enoch Mpare Anim was the owner of a vehicle with foreign number plate. In 1982, the vehicle was seized by militiamen at Koforidua. The vehicle has not been seen since.

Sheriff Koetey Abogey In 1990, while Abogey, a sailor, was away, militiamen and some citizens of Tegbi, near Keta seized his house and its contents. The house has since been released to him, but his personal effects are still missing. The apparent theft of Abogey's personal effects appears to be the criminal act of individual citizens of the village. Abogey ought to have made a report to the police for the culprits to be arrested and dealt with.

Sammy Nassar, a Ghanaian citizen of Lebanese origin, was arrested in 1988 on an allegation that he was involved in a plot to overthrow the government. His assets and those of his companies were frozen and his BMW and Volvo cars seized.

Tettey Puplampu In 1982, soldiers seized Puplampu's Datsun vehicle. It has not been seen since.

Alhaji Alfa Nuhu In 1983, soldiers who went to eject petitioner from disputed premises at Tema took away his BMW car.

Samson Kwabena Kalitsi In 1983, Kalitsi imported into the country a Datsun 120 Y car. Japan Motors, dealers in Datsun vehicles, certified that the vehicle was manufactured between August, 1976 and July, 1977. The certificate is dated 15th November, 1983. The harbour authorities seized the vehicle under the law banning the importation of over-aged vehicles. It is clear that the vehicle was more than six years old.

Samuel Owusu Lamptey acquired a plot of land at Darkuman, Accra from the Asere Stool. He built a house on the land. In 1990 the house was pulled down on the instructions of the PNDC. The PNDC's action was based on the fact that the land had been compulsorily acquired by the Government of Ghana under EI 61 of 23rd April, 1975.

In 1983, **Augustina Marfo**, now in Holland, imported a Datsun saloon car into the country. On arrival, the car was seized and given to the 31st December Women's Movement. No compensation was paid.

Simeon Kwadwo Buabeng Sometime in 1984, members of the CDR boarded Buabeng's taxicab from Dansoman to Osu. They claimed he had overcharged them and had him locked up in police cells. The men drove the vehicle away. When he recovered it two months later it was in a state of disrepair.

In 1982, at Adidome, **Emmanuel Kwasi Titiati**, a teacher and farmer, had his tractor seized by soldiers led by Sgt Kotoka. The tractor was released to him after it broke down.

Mike Kofi Boafo-Ntifo was a Corporal in the Ghana Army. During an official search of his room at Honuta border post, Sgt Deddey took away personal effects of the Corporal and his wife. These effects were not returned in spite of appeals to the military authorities who asked him to take up the matter with the sergeant.

Thomas Kobina Maclean a timber merchant, had his workshop broken into by soldiers from the Aprembo Barracks. The soldiers took away vehicle engines, gear boxes and other spare parts.

Yaw Bekoe A Datsun 140J car which Bekoe had imported from Germany arrived at Tema Harbour on 3rd January, 1982. The vehicle was sent to the State House on the instructions of the PNDC which had just seized power. After paying all taxes on the vehicle, Bekoe went to the State House to collect the vehicle only to find that it had been taken away. He commenced an action in the courts against the government for the recovery of his vehicle, but later agreed to accept a replacement from vehicles which the government had confiscated. He accepted a VW Passat, but says he abandoned it when the government refused to bear the cost of repairs.

Evans Bright Kwashie Demordzie, an employee of the Volta Regional Development Corporation, was interdicted with ten others in November, 1981 for diverting cement and flour. He was tried before the Public Tribunal in Accra and acquitted on 17th June, 1987. He petitioned that the following which were in his custody were impounded in 1981:

Peugeot saloon car No. VR 3516

Taxicab No. VR 1622 belonging to his uncle, Adi Mishiso Agbledzorwu

Peugeot caravan No. GN 6725 belonging to his sister Adugba Fiagbe who lived in Nigeria

All efforts to retrieve these vehicles have come to nothing. Vehicle No. GN 6725 is said to be grounded at the Regional Police Headquarters, Ho (see letter No.24A/SF.1/1.4/37 of 25 February, 1991 signed by I. H. Aklamanu, Assistant Commissioner of Police, Volta Region). The whereabouts of the other two vehicles are unknown. The petitioner is entitled to the recovery of VR 3516. As regards VR 1622 and GN 6725 the proper persons to seek remedies are his uncle and sister.

Janet Habeme Bazawule By letters Nos. IBDE/6111/2/A of 14th February, 1992 and 15th October, 1992 signed by Major J. C. A. Searyoh for the Acting Commander of 1 Infantry Brigade Group, Janet was informed that her Datsun Saloon car No. ARA 143 had been confiscated by the

State for being used to subvert the PNDC. It seems that the vehicle, a taxicab, may have been seized and used by insurgents in the jail break and attempted coup of 19th June, 1983.

Edward Nkansah-Wadieh, a clearing agent, petitioned that on 4th September, 1986 at Tema, after militiamen led by Nkwantabisa had arrested him for possessing uncustomed goods, they seized his three Datsun cars. However, the story of the seizure is denied by both Nkwantabisa and by retired police Sergeant, Peter Kwaku Addo, then Corporal, who worked under Nkwantabisa.

In 1982, **Kwasi Kyekyeku Oppong**, a trader, was arrested by soldiers near Kantamanto, Accra. They forced him into a military vehicle and took him and two other traders to the Achimota forest. There they used force and threats to take from him what was then the large sum of between ₵100,000 and ₵200,000 which he had on his person.

Robert Odjao Naryo, a Ghanaian resident in Germany, shipped a Peugeot car into the country in 1990. Although the vehicle was less than five years old, it was declared confiscated.

Seth Letsu was arrested in 1982 by the Hohoe Students' Task Force, a vigilante group, for breaking the curfew. His motor bicycle was seized. It was never returned to him.

Samuel Abboah Asamoah, a caretaker for Emmanuel Kwaku Owusu, proprietor of KOWUS Motors Ltd., was arrested in August, 1979 by soldiers led by Lt. Tetteh and asked to show them Owusu's houses and other properties. Owusu's Cantoments residence was ransacked and properties carted away. Asamoah's properties, including his television, sounds system, shoes, sandals, watches and money were also taken away.

Owusu Sekyere In the course of seizing dangerous drugs from Sekyere, a chemical dealer at Mampong, Ashanti in March 1982, a team of military, police and students from the Pharmacy Department of the UST took advantage of the situation and seized and carried away his effects, including television, clothing, shoes and a Datsun car.

On 26th January, 1982 soldiers arrested **Moustapha Kobina Sangari** and took him to the various businesses he owned and took from the safes all cash and cheques in them. He was taken to Gondar Barracks where the money was handed over to a panel which included Riad Hozaifeh, a self-styled ‘cadre of the revolution’.

In 1982, soldiers seized **Alhaji Abdulai Yakubu’s** tractor. When he finally recovered it, it was a total wreck.

In 1982, **Ibrahim Bumo Nabubie**, a sergeant in the Border Guard based at Kwameseikrom, Brong Ahafo, was summoned to appear before the CVC. The Committee ordered the confiscation of his Nissan pick-up.

In 1983, **Samuel Yeboah-Kordie**, depot keeper of the Cocoa Marketing Board, was convicted by a public tribunal of stealing 1,500 bags of cocoa. He was sentenced to death and his properties confiscated. On appeal, the order confiscating his properties was set aside, except as regards a Toyota vehicle he was alleged to have used in committing the offence. The death sentence was commuted to life imprisonment. After serving nine years, four months in prison he was released. Petitioner’s house was restored to him in a dilapidated state. His personal effects have not been returned.

Edward Charles Sagoe In July, 1982, an armed policeman, a soldier and a man and a woman in civilian clothes went to the house of Sagoe at Koforidua and seized his car. They claimed they need it for their ‘operations’. The vehicle was not returned to him.

In 1990, **Lord Menasher**, imported a Mazda car from Belgium. On arrival at Tema soldiers seized the vehicle and took it away. Upon enquires, Menasher was told the vehicle was being used for the Conference of the Non-Aligned Movement then taking place in Accra and that it would be returned after the Conference. The vehicle was not returned to him.

In 1984, **Kwadwo Darko's** brother, who lived in France, shipped a Mazda car to Tema for him. The car duly arrived, but when Darko went to take delivery he was informed that soldiers had taken it away for 'operations'. The car has since not been seen.

In 1985, **Kwaku Obeng-Kyere** was arrested at his house in Teshie, Accra, and taken to Gondar Barracks. His Datsun Sunny car was seized. He retrieved it after three months with the assistance of other soldiers, but by then it was in an unserviceable condition.

Beatrice Siaw Addo made and sold kenkey at New Tafo, Eastern Region. On 1982, members of the PDC led by one Boakye went to her establishment and ransacked the place. They took away the equipment and 26 bags maize.

In July, 1981, Fred **Kofi Wiredu** paid ₵95,040 to the Timber Marketing Board as a deposit against the cost of a Land Rover imported from abroad. When the vehicle arrived, the 31st December, 1981 coup had taken place. The vehicle was seized by the military. Wiredu is yet to recover his deposit.

Awudu Alhassan In 1982, soldiers went to the farm of petitioner's family near Bimbilla and seized their tractor. It was never returned.

Sarah Aikins, a bread baker living at Burma Camp, entered into partnership with the Armed Forced Wives Association, an affiliate of the 31st December Women's Movement, to bake bread for the military. She bought a mixer at a cost of ₵29,000. She also bought an electric motor at a cost of ₵14,000. When, after one year, the partnership arrangement fizzled out, soldiers went to her home and dismantled the mixer on the ground that it was paid for by the Association. However, receipts presented to the Commission support Sarah's case that she bore the cost.

Yaw Barima In 1982, four soldiers and a policeman called Prosper went to the home of the petitioner at Adoe Nkwanta and seized his personal effects under the pretext that he dealt in counterfeit money.

Samuel Benjamin Osei-Botwe was a Treasury Officer at Assin Foso. In 1991, criminal charges of stealing were laid against him. Following this, his personal effects and other properties, including three Toyota Carina saloon cars and three deep freezers, were seized. He was finally acquitted in 1996.

Herbert Morrison Adjei was Regional Accountant of the Ghana Education Service, Kumasi. In 1985, while he was under investigation for financial impropriety, his two saloon cars were seized by the Regional Audit Task Force led by one Kwesi Yankah.

Paul Kojo Agyekum In 1982, armed soldiers, an Assistant Registrar of the Pharmacy Board called Kotei, and members of a so-called Task Force, went to Agyekum's pharmacy shop in Accra and carted away all the drugs. The drugs were taken to the Central Medical Stores.

Daniel Asae Asirifi In 1982, a Datsun saloon car belonging to Asirifi, Sales Manager of GNTC at Koforidua was seized by soldiers. The Eastern Region Confiscated Assets Disposal Committee ran a taxi service with the vehicle for one year. When the vehicle was returned to him it had no tyres, the engine had been dismantled, the gear box removed and the windscreen broken.

Togbe Agbe IV In 1982, Agbe fled to Togo to escape arrest for his links with Capt Owu who was suspected of planning to assassinate the Chairman of the PNDC. Agbe's personal effects, including his vehicles, a Peugeot caravan and a Toyota tipper truck, were seized and taken away.

Abena Ampofoaa Hawa was a trader in maize, groundnuts and tiger-nuts resident at Obuasi. She returned from a trip up north to find that soldiers had gone to her home, ransacked the place and carried away her personal effects, including clothes and jewelry.

Samuel Obeng Kwakye In 1984, Kwakye imported a Datsun 120Y car into the country. On arrival at the Tema Harbour, the vehicle was seized by the Confiscated Assets Committee and allocated to a public officer.

On the facile assumption that all prosperous businessmen were crooks, the PNDC went out of their way to destroy many thriving businesses.

Ohene Adabo Kwofie is the adopted son of **Ohene Kwofie**, the majority shareholder in Subin Timbers Limited, Takoradi. Following the 31st December, 1981 coup, soldiers went to the factory and drove away the security staff on duty. They ransacked the offices taking away files and cash. The factory was later confiscated under the Forfeiture of Assets & Transfer of Shares & other Proprietary Interests (Subin Timbers Company Limited & Central Logging & Sawmills Limited) (PNDC L 31). The company is now known as Western Veneer Company Limited. At the time of the seizure, the company had 40 timber trucks, 25 caterpillars, 3 stackers, 1 timber jack, 1 Grader and 20 vehicles. It employed 3000 persons.

Dr Kwame Sarfo-Adu was proprietor of a pharmaceutical company at Kwamo, Ashanti Region called Industrial Chemical Laboratories. On 3rd November, 1989, soldiers led by Flt Lt Rawlings, Chairman of the PNDC took over the factory and installed a new management. Sarfo-Adu was put before a public tribunal on 13 counts, each punishable by death. Considerable pressure was brought to bear on the Chairman of the tribunal, Kwaku Boakye-Dankwa, to convict him. In the end, he abandoned the trial in midstream and fled the country. The result was that the trial was aborted. Sarfo-Adu regained control over the company in December, 1994.

Chris Asher Snr. In 1977, Asher established Unipress International Ltd., a printing firm and publishers of the *Palaver* and *Chronicle newspapers*. His opposition to dictatorship earned him the enmity of the protagonists of the 4th June, 1979 insurrection. When they succeeded in overthrowing the Limann Administration, one of their first acts was to expropriate the company and all of Asher's assets: see PNDCL 3.

In 1991, **Hassan Jebila Mayaki** and his brother formed a company, Mayakom Ltd., to engage in road construction. They imported equipment for their company. When they arrived at Tema Harbour, the following were seized on the orders of the PNDC:

Caterpillar Motor Grader
Caterpillar 933 Traxcavator/Loader
Buffalo Springfield Roller & its Trailer
Vibro towed type vibratory roller

No reasons were given for the seizure and no compensation was ever paid. The Caterpillar Motor Grader was given to the Field Engineers of the Ghana Armed Forces.

Joseph Turkson In 1980, Attok Fisheries Ltd. placed an order with Mefie Boatyards Ltd. for the purchase of two fishing vessels. Attok Fisheries paid a deposit of ₵389,806.50. In 1982, Mefie Boatyards cancelled the order and, on the instructions of the PNDC paid the deposit into government chest. By a letter No. PNDC/CIV/03/HW dated 6th July, 1982 Flying Officer Ebenezer Odoi, Co-ordinator, Investigations & Vetting of the PNDC acknowledged receipt of the money and indicated that it would be paid back to the company. This was never done. Attok Fisheries are entitled to their money from the State.

Emmanuel Duncan bought 100 bags cement for his building project at Awutu Bontrase. Members of the PDC accused him of stealing the cement. They seized the cement and took them first, to the Awutu Bereku Police Station, and later, to the Awutu Bereku Council. Duncan made several trips to the Regional Administration, Cape Coast and Gondar Barracks in an effort to retrieve the cement. By the time the cement was released to him about 28 bags had caked.

Anthony Kwesi Buah Soldiers raided the home of Buah, a leading member of the PNP based at Takoradi, and carried away goods and other items of property they found there. A report of the incident appeared in the *Ghanaian Times* of 25th February, 1982. The value of the goods was given as ₵500,000.

Emmanuel Asante When CDR members at Chindari, near Kete Krachi, tried to arrest Asante for selling cigarettes above the control price he escaped. The men seized his money amounting to ₵160,000, 3 boxes of cigarettes, eveready batteries and bicycle parts.

Emmanuel Saka Ansong, a driver, petitioned that in 1984 the CDR accused him of overcharging passengers and seized his Datsun 12 seater bus. Since then, the bus has not been seen. Evidence before the Commission shows the bus is registered in the name of Nana Okutwer Bekoe.

Charles Kwame Affum In December, 1988, Affum, a sailor on board MV Tano River, arrived at Tema from Belgium with 6 lounge chairs, centre table, bed, one tarpaulin, one ice chest, two bicycles, one sewing machine, one bicycle pump and nine pairs children's shoes. The goods were seized by WO 1 Nkwantabisa, Security Co-ordinator at the Harbour, for non-payment of customs duties. Petitioner's contention that the duty was paid but that Nkwantabisa who ordered his men to inspect them seized them before impounding the goods sounds plausible. Worse things were done by Nkwantabisa in his hey days.

Awoyo Puplampu; Albert Lawer Ayittah; Mary Dakomasi Gota; Asidaahe Namey; Korleki Obuor; Benjamin Ofotsu Apronti; Osman Soti; Dawaye Klokpah; Teye Bosumprah; Samuel Mangertey Otu; Nathan Nyamedor; Abel Teye Korley.

The petitioners were all salt winners in the Ada area. After they had been arrested, and in some cases ill-treated, the salt they had gathered were either carted away or destroyed by Vacuum Salt Company Ltd., and their agents abetted by the military and the police.

- (a) **Awoyo Puplampu** 20 bags of salt were sold and the proceeds taken away.
- (b) **Aku Sebie** 80 bags of salt were set on fire.
- (c) **Albert Lawer Ayittah** 210 bags of salt were set on fire.
- (d) **Mary Dakomasi Gota** 690 mini bags of salt were carried away.
- (e) **Asidaahe Namey** 65 bags of salt were set on fire.
- (f) **Korleki Obuor** 2502 mini bags of salt were seized.
- (g) **Benjamin Ofotsu Apronti** 100 bags of salt weighing 75 kilos each were burnt.

- (h) **Osman Soti** 500 bags of salt were ploughed up and mixed with sand.
- (i) **Dawaye Klokpah** 400 bags of salt were set ablaze.
- (j) **Teye Bosumprah** 170 bags of salt were set ablaze.
- (k) **Samuel Mangertey** 150 bags of salt weighing 75 kilos each were seized and taken away.
- (l) **Nathan Nyamedor** 680 bags of salt each weighing 75 kilos were set ablaze.
- (m) **Abel Teye Korley** 250 bags of salt were set ablaze.

Moses Ayornu was ferrying 30 bags of salt by canoe from Songor Lagoon to Lufenya when soldiers seized the salt and sank the canoe.

Mamle Mansa Sebie, and her husband, Amartey Sebie, bought 225 bags of salt at Goi, Ada. While they were conveying the salt to Kwahu Tafo, it was seized by soldiers at Dawhenya.

The long-standing policy of the TDC and other State institutions engaged in the provision of housing for members of the public has been that no one should be permitted to acquire more than one house built with public funds. This policy was re-inforced by the TDC (Ownership of Houses) Decree, 1979 (AFRCD 50) and the State Houses (Allocation & Implementation) Commission Law, 1984 (PNDC L 83).

Ernest Kwame Agudu, In 1971, Agudu, who was a tenant in TDC house No. C5/H –11, applied to purchase it. This was agreed. He made extensions to the property and, in 1973, sought permission to transfer it to his son Gottfried. He did not disclose to the TDC that Gottfried was only 8 years old. Agudu then acquired a second house, No C5/AQ 19. In 1982, following the discovery that Agudu had acquired two houses, the TDC terminated the lease on No. C5/H-11 and, in 1983, allocated it to W O I Gapleazi who paid the purchase price of ₵3,286,000.

All that Agudu is entitled to is to be paid the price of the extensions and improvements he made to No. C5/H-11.

Christian Kwaku Owusu In 1977, the petitioner was allocated Low Cost House No. 13 Ahinsan, Kumasi. He stated that in 1979 he fell ill and decided to seek treatment elsewhere. He asked a lady called Lucy to live in the house and look after it for him. Later he was summoned before the SHAPIC which seized the house and re-allocated it to one Ebenezer Ofei Ntsifor. It was for the SHAPIC to believe or disbelieve his claim that the lady was not a tenant. The petitioner was given every opportunity to persuade the committee.

Samuel Kwasi Boateng, In 1975, Boateng, who was a tenant of a TDC house, acquired another from Sarah Dedei Okine. He rented out the second house to Martha Printson. On the discovery that Boaten had two houses, the State House (Allocation Policy & Implementation) Commission (SHAPIC) ordered that the one occupied by Sarah Printson be taken over by the TDC. Sarah therefore became a tenant of the TDC which in 2001 sold the house to her at ₵3,100,000.

Clement Nii Lante Mills an employee of the State Housing Corporation, acquired two houses built by the Corporation and rented out one to the Ghana Commercial Bank. In 1984, he was obliged by the SHAPIC to surrender the rented house to the Corporation which later sold it to the Ghana Commercial Bank. Mills was on the instructions of the SHAPIC paid ₵1.5 million as compensation. The policy of insisting that no one should acquire more than one house built with public funds was a sound one meant to spread ownership in the community. (See PNDC L 83 S. 9(3) (a) (ii).

Alhaji Alfa Nuhu, admitted that he knew that it was the policy of the TDC not to lease two houses to any one individual. To circumvent this policy, he acquired a second house in the name of Seidu Kamara. He claimed that at the time Kamara, who was his ward, lived in Nigeria. The house was later appropriated by Kamara who sold it to a third party. The petitioner is not entitled to recover the house from the third party.

George Coffie Washington Adzaxo, is the proprietor of a firm known as Washington Electronic Services Industries in Tema. In 1973 and 1975, he acquired two houses, No. 1/J63 and C5/K.34, of the TDC under its house ownership scheme. In 1982, his tenancy of C5/K.34 was terminated under AFRCD 50 and allocated to the sitting tenant, one Darko-Preko.

Kwaku Osei admitted that in 1975 he acquired two State Housing Corporation buildings in Tamale in the names of his children, Yaw Preprah, then aged 11 years, and Yaa Gyamfua, then aged 12 years. By this means, he was able to circumvent the rule that no more than one house should be allocated to each applicant. On the facts available to the CVC, Peprah was represented as a 39-year-old married man with five children. The CVC were right in taking a dim view of his conduct and ordering that the two houses, Nos. 17 & 19 Dawadawa Street, Vitim Estate, Tamale be recovered from him.

Rose Kafui VanLare Kartey Rose's brother, Daniel Kpodo-Tay, owned two estate houses built with public funds. These were H/No. 8 Fish Close, Teshie Nungua Estate, Accra and H/No. 31 Mawuli Estate, Ho. In line with government policy H/No. 31 Ho was confiscated by the SHAPIC. In Suit No. C/S 16/95 Sarah Selina Boamah versus State Housing Corporation High Court, Ho dated 21 January, 1997 the new owner successfully asserted her title to the property and ejected Rose whom the Corporation had purported to accept as a tenant. If Rose is aggrieved, her remedy lies in the courts.

John Ephraim Kwakye In 1968, Kwakye acquired a house at Teshie-Nungua Estates from the State Housing Corporation. Subsequently he acquired Plot No. 706, East Legon from the Lands Commission using the name Boateng. When in 1982 the PNDC took steps to enforce the policy of not permitting anyone to acquire more than one building plot or house from the government, Kwakye surrendered Plot No. 706. The Plot was then allocated to the Ghana Standards Board. Kwakye has no cause for complaint.

Josephine Carr, According to records kept at the State Housing Corporation, Josephine owned two houses built by the Corporation: No. 185 Ola Estate, Cape Coast and No. C 37 Kaneshie, Accra. In line with AFRCD 50, SHAPIC confiscated the Kaneshie house. In 1996, the Corporation sold the house to Comfort Jackson, a tenant in the house, for ₵3 million.

Cephas Alex Cobliah, was a Senior Technical Assistant of the Cocoa Services Division of the CMB stationed at Asamankese, Eastern Region. On 30th November, 1985 the Chief Executive of

the Board wrote to inform him that in line with a planned reduction of the workforce, his services would not be required from 1 December, 1985. Effectively, therefore, Coblach ceased to be in the employment of the Board on 30 November, 1985.

The Board made a part-payment of his entitlements and promised to pay the balance in two instalments on 1st December, 1986 and 1st December, 1987. In January, 1986 Coblach and others were arrested and charged in connection with the loss of some cartons of Gamalin 20. Coblach was convicted by a public tribunal and sentenced. Thereafter the CMB refused to pay him the balance of his end of service benefit.

The decision to pay the entitlements of the retrenched workers by instalments was arrived at by the management in collusion with the PNDC. The consent of the workers was not sought. It would be wrong to permit the Board to take advantage of this circumstance to deprive any worker of his benefits.

Daniel Nii Oku Following his arrest on 25th Decemer, 1982 for harbouring persons alleged to be plotting to overthrow the government of the PNDC, Oku's premises were ransacked and structural damage done to it.

Daniel Nii Oku has two Court judgments relating to land in his favour. When in 1990 he enforced the judgments and ejected the trespassers from the lands, they were re-instated by members of the CDR. Constitutional government was restored in 1993. Since then, it has been open to the petitioner to enforce the judgments.

Thomas Birdie Nartey claimed that he had some ¢20,000 in his account with Standard Chartered Bank, Tudu Branch, Accra in 1980 when he left for Liberia. According to him, when he returned in 1991 and went to enquire of his money he was informed that a PNDC directive of 1983 had ordered all banks to pay to the 'Castle' bank balances exceeding ¢5000 and that his money had been paid over to government. We are satisfied that no such directive was ever issued by the PNDC.

Thomas Apetonu was a heavy-duty driver employed by the Ministry of Agriculture. He retired in 1979 and died in 1984. Prosper and his uncle, Nicholas Doh, were granted Letters of Administration to administer his estate. The claim is for the commuted pension of the deceased. They may apply to the Controller & Accountant General for same.

John Chris Amematey an officer of the BNI, was arrested on 31st January, 1990 on suspicion of involvement in a plot to rescue Major Courage Quarshigah who was in custody for allegedly plotting to overthrow the PNDC. His house was searched and £150, US \$300, DM 180 and CFA 10,000 found there were seized. They were not given back to him on his release.

Robert Nee Baddoo owned a house at North Kaneshie. When in 1973 it was affected by a planning scheme, the Department of Town & Country Planning paid compensation of ¢9,600 and took over the property'. The petitioner now seeks recovery of the house on the ground that her late father refunded the compensation paid to him. There is no evidence to support this contention.

Alhaji Abdulai Abu-Jajah, on 28th March, 1982, one Ibrahima, Regional Co-ordinator of the PDCs in Tamale, seized Jaja's Honda car from his home in Bole. While the vehicle was being driven by one Charles Quist with Ibrahima and others on board along the Sawla-Damango road, Quist drove it into a tree at Nasoyiri. Ibrahima and those on board sustained injuries and the vehicle was extensively damaged. Jajah has since received no compensation for the loss sustained by him.

Peter Bediako, is the owner of a farm on Abesewa Stool land along the Tapa-Kumasi road. During the construction of the road in 1984 his crops comprising oil palm, pepper, cassava and cocoyam were destroyed. No compensation was paid to him.

In 1989, Ebenezer Agoe Nyanyo's father, **Nyanyo**, who is now blind, was retrenched at the AMA where he worked as a mason. To date his benefits have not been paid. In letter No. LD/PET/CHR/185 dated 13 September, 1999 signed by Selina Fenteng, Solicitor of the AMA

and addressed to CHRAJ, the AMA claimed that Nyanyo's benefits are payable by the Controller & Accountant General.

Seth Osei Anim PP. **Akua Sarfoa** On 19th February, 1979 the government of Ghana entered into a lease agreement with Akua whereby Plot No. 143 at Sector 2 Block N, Koforidua was leased to Akua for 99 years. In or about 1986 the government entered onto the land and built estate houses on it. Akua is entitled to be compensated for her loss.

Felix Victor Okoampa Koranteng is the proprietor of a school called Ramana Preparatory School. On 9th March, 1978 the school took a 99-year lease of a plot of land at North Ridge, Accra from the government. Clause 2(d) of the lease required that Koranteng should construct a main building costing not less than ₵100,000 on the plot within a period of three years. On 7th February, 1989, the Government of Ghana, acting through the Lands Commission, re-entered the plot for breach of the covenant to build. Koranteng's explanation for his breach of the covenant is that his building permit application was deferred by the Accra Planning Committee on the ground that they were engaged in preparing a revised scheme for the area. In letter No. N/SEC4/RR/86/7 of 1st March, 1989 the Committee informed Koranteng that his plot was adversely affected by the scheme. Koranteng was invited to submit his drawings for approval. When he began to develop the plot, he learned that it had been re-allocated to Merton School.

Koranteng would have done well to give the Lands Commission notice of his difficulties in obtaining approval of his building plans and negotiated for an extension of the period within which he was to build on the land. He failed to do so. Therefore, if the re-entry was lawful he can have no remedy against third parties who have since acquired the land. Koranteng commenced Suit No. L 102/97 in the High Court, Accra to resolve the issue. The courts are the proper forum for a determination of the dispute.

Evans Kwaku Aguzey In 1981, Aguzey deposited an amount of ₵7,600 with the Volta Region Development Corporation for the supply of 300 bags of cement at ₵29 per bag. The cement was not supplied. Subsequently, the Corporation went into voluntary liquidation.

Emmanuel Korku Ananie, a sailor on MV Sissili River, petitioned that when the ship arrived consisting of televisions, car engine, tyres, chairs, fridges, carpets at the luggage hall and sailed with the ship to Lome. On his return he was informed that soldiers had come for the goods. Petitioner has not produced any ticket or receipt indicating that the goods were indeed accepted by the harbour authorities for safe-keeping. In their absence, it is impossible to lay blame for their loss on the state.

Afua Naza, on behalf of her husband, **Mensah Naza** who is blind claimed that the Afife Irrigation Project destroyed her husband's five acre farm. She asked for compensation to be paid.

George Tagoe, In June, 1985, Tagoe, a Research Officer in the Office of the Ombudsman, was asked to proceed on leave prior to re-assignment to other duties in the Public Service. He was paid salary until March 1987 when Nathan Quao of the PNDC Secretariat instructed by letter No. PNDC/S.29/Vol.10 that payments be stopped. On 8 August, 1988, Tagoe wrote to the Secretary to the Public Services Commission resigning from his position. Tagoe's entitlement to salary up to the date he resigned from the Public Service is not in doubt and ought to be paid.

Philip Tetteh Kwao, Cocoa trees on Kwao's farm at Bososo, near Osiem, Eastern Region were cut down by order of the Cocoa Services Division of the CMB. The idea was that they were to be replaced with high-yielding species. Compensation due him was not paid.

Charles Bannerman's mother, **Adelaide Ayo Richards** who resides in Lagos, Nigeria applied for an estate house from the State Housing Corporation in 1974. She paid the initial deposit of ₦4,600. In May 1978, she was informed that the current selling price for the house was ₦44,900. She had then paid ₦24,000. She agreed to pay the balance of ₦20,900 by instalments. By December 1978 she had paid the outstanding balance. In spite of this, Plot No. 58 Coffee Street, Teshie Nungua, Accra which was earmarked for her has not been handed over to her.

Albert Kwame Sam; Ayi Mantey, each owned a kiosk from which he sold stationery. They were located in an open space near the Ghana News Agency, Accra. In June 1986 the AMA

gave Sam, Mantey and other traders notice to remove their kiosks. They failed to do so and the AMA had the kiosks demolished. The AMA were within their rights in demolishing the kiosks.

The long-standing policy of the TDC and other State institutions engaged in the provision of housing for members of the public has been that no one should be permitted to acquire more than one house built with public funds. This policy was re-inforced by the TDC (Ownership of Houses) Decree, 1979 (AFRCD 50) and the State Houses (Allocation & Implementation) Commission Law, 1984 (PNDC L 83).

Lawrence Kwame Blay In 1971 the petitioner acquired on hire purchase TDC estate house No. C8/U 43 Type C 12. According to the petitioner, as at 1985 his brother, Joseph Blay lived in the house. The petitioner was invited by the Office of Revenue Commissioners to declare his assets. He did so. According to him he was referred to another committee sitting at the State House. This committee ordered him to surrender the estate house No. C8/U 43 Type C 12. A letter received by the Commission from the TDC indicates that the order was made by the SHAPIC and that the house has since been allocated to another person.

Frank Quist administrator of Juliana Twum petitioned of behalf of the estate for the return of estate house No. AM 8 Community 5, Tema. In 1969, Juliana applied for a Type AJ 1 house in Community 4. As none was available she was offered in 1973, two units of Type BO9. There were AM 7 & 8. Juliana who then lived at Keta accepted the offer. She gave out the two premises to tenants. In 1983, on the application of the tenants the SHAPIC confiscated AM 8 under PNDC L 83 and AFRCD 50. The policy behind AFRCD 50 was sound. It was to ensure an equitable distribution of homes built with public funds.

Hagar Essel This petition was lodged on behalf of the petitioner by one Ibrahim Arhin-Kyei who claimed to be her cousin. The petition relates to the confiscation of estate house No. AG – 14 in Community 11 for infringement of the ‘one man one house’ policy. Among the papers on file is one which indicates that the petitioner had two other houses, No. AB 9 in Community 11 and No. F 47 in Community 1.

When the petition was listed for hearing, the petitioner failed to turn up to explain the basis of her complaint. The Commission finds nothing wrong with persons who have managed to acquire more than one TDC estate house being called upon to surrender the surplus.

Prosper Apetonu's father, Thomas, was a heavy duty driver employed by the Ministry of Agriculture. He retired in 1979 and died in 1984. Prosper and his uncle, Nicholas Doh, were granted Letters of Administration to administer his estate. The claim is for the commuted pension of the deceased. They may apply to the Controller & Accountant General for same.

In 1979, Rachel Ghartey Biney applied for a Housing Corporation estate house in Takoradi for her daughter **Gwendolyn Boateng**. She paid a deposit of ₵30,000. The total purchase price was ₵44,900. In May, 1983, a letter was dispatched to Gwendolyn requesting her to pay the balance of the purchase price within 14 days to enable the Corporation make her a formal offer. There was no response from Gwendolyn or Rachel who said she was now ready to pay a reasonable sum for the house. With the failure of Gwendolyn to pay the balance of the purchase price when it was demanded, the offer lapsed. She is however entitled to a refund of her deposit.

Benjamin Tetteh Buer representing farmers of Loulimor and Hwakpo, near Ada petitioned that in April, 1983 members of the Amalakpo PDC took over their farms and lands. They backed the claim with a publication in the Ghanaian Times of 14 April 1983 under the Captain "Amlakpo PDC takes over disputed land". The action of the PDC has not resolved the dispute. The proper forum is the court.

Joseph Bentil was an employee of the State Shipping Corporation, formerly the Black Star Line at Tema. In 1979, following an industrial dispute between the Corporation and some of its employees who were receiving 20% of their salaries as rent allowance while living in accommodation provided by their employers, a sole arbitrator was appointed to help find a way out. His recommendation was that the payment of the 20% rent allowance should cease forthwith and that those occupying the Corporation's houses should be permitted to buy them. When it came to a refund of what had already been paid to the workers, the arbitrator decided

that the Corporation should not recover the amount, as to do so would lead to more industrial unrest. This decision was neither fair nor just. The matter stood unresolved until 1985 when the PNDC made the Transfer of Properties (State Shipping Corporation) Law, 1985 (PNDC L 119) vesting the houses in the State free from all encumbrances. Bentil now asks that we recommend that the Law be repealed. After 19 long years, third-parties have acquired rights in the properties which ought not to be disturbed.

Mary Ansong On 31st December 1981, what appeared to be a rocket-propelled grenade landed in a flat at Kanda, near Broadcasting House, Accra occupied by Mary, a policewoman, and her family. In the resulting explosion, deaths and injuries were inflicted on Mary's family. Additionally various personal effects were damaged or destroyed. A chartered surveyor, A.K. Boakye, assessed the cost of damage as at 9th March, 1982 at ₵21, 153.

In 1984, **Emmanuel Rockson Armah Attah** acquired a piece of land at Darkuman from the Asere Mantse, Accra. He began to build a house on the land. In 1989 the land was acquired as part of a larger piece by government for the construction of a racecourse. Attah's house was demolished. Under the relevant statute governing the compulsory acquisition of land by government, those affected are entitled to be paid compensation. The fact that an unconstitutional government was in office at the time was not a sufficient excuse for inaction by the petitioner.

Gifty Ansong petitioned that her mother, **Janet Ofosuah**'s house in Accra was invaded by soldiers who beat up the inmates and seized her personal effects and her three cars. She alleged further that her mother's estate houses numbering about 40 were confiscated. Gifty was invited by the Commission's investigators to assist with more information to enable the Commission come up with the full facts, but she failed to co-operate. In a matter as serious as the confiscation of 40 estate houses, one would expect to find some documentary evidence to back up the claim. The Commission cannot simply accept the petitioner's word for it that those events occurred.

John Baiden Amissah, a sailor by profession, petitioned that after working on foreign ships for a number of years he returned to Takoradi with his savings. One morning in early January, 1982,

he was on his way to change US \$10,000 into cedis when he was attacked by armed soldiers who took the money away from him. The documentary evidence he submitted to the Commission shows that he received 389,032 and 206.082 in Greek currency from his foreign employers. Even if he changed the whole sum into US dollars, he could not have realized \$10,000.

Bannerman Smith petitioned that in 1985 his niece, Comfort Quansah, who was then resident in Germany, sent him a Peugeot 504 vehicle. When the vehicle arrived at Tema, it was seized by the authorities. He saw the vehicle a year later being used by State Protocol. Petitioner did not submit any documents to back up the claim.

After **Emmanuel Agogo** had been arrested and detained for attempting to smuggle US \$86,000 and £25,000 out of the country in 1985, the CDRs took over his house No. 9/11 Main Street, Tesano, Accra and occupied it rent-free for 10 years.

In 1977, **Victoria Imbrah** acquired a plot of land at Cape Coast from the Ebiradzi family. The plot is number 251 in the Adisadel Village layout. Victoria claimed that her plot was later acquired by the State and now forms part of the land on which the Centre for National Culture have erected their conference hall and offices. No compensation has been paid by government for the compulsory acquisition of the land.

Kwabena Anane is the owner of a 47.8-acre oil palm plantation at Afari, near Nkawie. In 1992, soldiers from the barracks in Kumasi forcibly took over the farm and harvested the fruits. The farm has since the year 2000 been restored to him.

Stephen Asamoah's, father, **Kwasi Tawiah**, reared sheep and pigs at Awherewa, near Manso Nkwanta, Ashanti Region. He heard that the local PDC introduced a rule that any stray animals found abroad in the night would be confiscated and that the enforcement of the rule led to his father losing all his sheep and pigs. Petitioner was only 12 years old at the time. He could not give any figures about the number of animals involved.

Alhaji Mama Salia was a transporter at Wenchi, Brong Ahafo. He owned several vehicles. In March, 1982, he was coerced into agreeing to the use of his vehicles carting cocoa from the villages around Wenchi and Techiman to the buying centres. He also carted cocoa from the Sankore area. As the roads were in poor condition, two of his vehicles broke down. In spite of promises that he would be paid, Salia was never paid. This led him into financial ruin.

Francis Adjei-Barnie and his brother, Joe Kuma, were business partners dealing in provisions at Berekum and Wamfie in the Brong Ahafo Region. In May, 1981, at the request of the then Regional Minister, Twumasi, they advanced the Regional Development Corporation the sum of ₵200,000 to enable the Corporation take delivery of the Region's allocation of textiles. Following the 31st December, 1981 coup, Barnie and his brother were arrested and eventually put on trial. Although they were acquitted the sum paid by them for the textiles were not refunded to them.

While **Francis Adjei-Barnie** was in custody at the military barracks, Sunyani awaiting the outcome of investigations into a loan transaction he and his brother, Kuma, entered into with the Brong Ahafo Regional Development Corporation, soldiers seized Barnie's Datsun saloon car number AM 5347 and used it until it broke down.

Badu Dapaah In March, 1984, the Brong Ahafo Regional Investigation Committee ordered the seizure of 110 bags of cement from the petitioner's house at Seikwa. The cement was later sold and the proceeds confiscated.

Abdulai Yakubu owned 30 sheep which he reared in Sunyani. In 1984, members of the militia seized 24 of them. In spite of police intervention, the sheep were not returned to him.

Comfort Serwaah petitioned that in 1988, her son, George Amoako, who lived in Germany, bought three cars for her in Germany and shipped them to Ghana. She claimed she was unable to clear the cars from the harbour because they were nowhere to be found. There is no proof that the cars ever arrived in Ghana. What is more, the supporting documents presented to the Commission do not bear the names of either the petitioner or her son.

Yaa Agyapomaa In 1986, Yaa's husband, Stephen Donkor, ordered a car from a firm in Belgium for her. Although he paid the price, the car never arrived in Ghana. Documents presented to the Commission included letter No. BM/ECO.17 of 14th May, 1991 from the Ghana Embassy to the Special Co-ordinator of the PNDC office at the Castle, Osu. The letter stated that the firm, Euro-Auto International, was declared bankrupt by a court in Ghent on 16th January, 1986 and its Director, Michael Kelly, convicted of defrauding several persons, including Stephen Donkor. In the circumstances, the government of Ghana cannot be held liable for the non-delivery of the vehicle.

Amoako Agyemang lived in Kumasi. He was a dealer in jewelry which he bought in Ghana and across her borders. He was a tenant in a house owned by one Boakye whose properties were confiscated by government. He was given notice to quit from the premises. When he delayed, his effects were removed and sent to the Regional Administration, Kumasi. As a result, he lost some of his personal effects and some gold trinkets.

In a number of cases, the seizure and confiscation of property was in accordance with the existing law.

Emmanuel Agogo, In 1988, the petitioner, who was the Managing Director of Pasomalitago Ltd., attempted to smuggle US \$86,000 and £25,000 out of Ghana through Sergeant Norshie, a security officer, engaged as a sky-marshall on a London bound paircraft. The amount had been obtained by changing ₵43,000,000 on the black market. Sergeant Norshie, Agogo and two illegal currency dealers were arrested. Confiscation of the foreign currency followed as a matter of course. Additionally, they could be prosecuted and punished. Instead, they were made to pay ₵43 million. Agogo paid this sum and they were all released. We find no merit in Agogo's complaint that he has suffered an injustice. He admitted to having flouted the laws of Ghana in a most contemptuous manner.

Sheik Suleimana Ali Nintsye a Ghanaian, was a student in Saudi Arabia. On 1st July, 1984 he arrived at the Airport, Accra to begin a holiday in the country. Contrary to regulations, he failed to declare the foreign currency he had on him. Accordingly, the money was confiscated. He

claimed that the money was CFA 9,500 and US \$8,000. However, the document he signed at the Airport on seizure of the currency shows that the amount was CFA 9,500.

In August, 1984, **Agnes Kozema Eshun** returned to Accra from London bringing with her £4501 and US \$69. Contrary to regulations, she failed to declare the amount on arrival at the airport. The amount was confiscated. The explanation she gave at the Commission that she did not know she was required to declare her foreign currency holding is unacceptable. It was clear on the evidence led by her son, Kingsley Alfred Dougan that she had travelled abroad on a number of occasions and must have known what was expected of her.

Grace Duku-Genfi On 2nd February, 1987 the petitioner who was traveling to the New York, USA on a passport bearing the name Grace Amankwa George was found with US \$12,749. Upon proof that on arrival from the US she brought into the country US \$3,873, this sum was refunded to her and the balance of US \$8876 confiscated. The petitioner's explanation that the extra amount represented the proceeds of the sale of second-hand clothing she brought into the country was unacceptable. The law required that she should declare the foreign currency she was taking out of the country.

Theresa Agyeiwaa Owusu, In 1988, Theresa gave CFA 4 million to her husband to go to Togo to buy sugar for her to sell in Ghana. While he was making an illegal crossing at Honuta, the money was seized. Theresa's husband was duly issued with Notice of Seizure under the Customs & Excise Decree, 1972 (NRCD 114). Under Section 84 of the Decree Theresa and her husband had one month to challenge the seizure. Having failed to do so, Theresa cannot now complain.

Sarfo Manu crossed the Togo border into Ghana with CFA 51,000 concealed on his person. The money was seized by security personnel.

Francis Yao Dunyo a driver, was arrested when he crossed into Ghana at Shia, Volta Region in 1982 with ₵600,000 and CFA 28000. The money was confiscated.

Emmanuel Donkor In 1985, Donkor imported into the country two Datsun 140J saloon cars. They were both over seven years old. As this was a contravention of the Motor Car (Ban on Importation) Law, 1982 (PNDC L 27) he applied for exemption. He was granted exemption in respect of one of the vehicles. His application for exemption in respect of the other was refused and that vehicle was confiscated. The confiscation was lawful.

Ama Owusu; Kwadwo Amoah-Awua In 1988 Ama's husband, Kwadwo Amoah-Awua, was traveling to Togo to make purchases of goods for sale in Ghana when at Honuta border post an amount of 4 million CFA he was carrying on him was seized. He was duly issued with Customs & Excise Form 50 recording the fact of the seizure and giving him notice that if he wished to contend that the money was not liable to forfeiture he should do so within one month as required by section 84 of the Customs & Excise Decree, 1972 (NRCD 114). In their statement filed at the Commission the petitioners admitted that they knew that it was illegal to cross the border with such a large sum of money without filling necessary customs form.

Samuel Kwaku Brantuo did not appear to give evidence before the Commission when invited to do so. In his written statement he stated that on his arrival at the airport from the United States in 1984 an amount of US \$9700 was seized from him. He did not know who those persons were or for which agency they worked.

If the petitioner did not declare the money on arrival they were probably seized by customs officers. If he did, then the seizure was by unauthorized persons. His written statement is much too vague to permit of a determination of the identity of the persons who seized the money.

Hannah Nyarko proprietor of Hannah Nyarko Trading Enterprise at Agona Swedru, Central Region was hauled before the CVC in 1982 and fined ₵250,000 for non-payment of taxes. This was in spite of the fact that in the preceeding years she had paid all taxes and had been regularly issued with tax clearance certificates. She paid the fine into Account No. 48.

Kwesi Kutin a resident of Kwabrafoso, Obuasi was arrested in 1983 as a suspected illicit gold dealer. His home was searched by a team of policemen and soldiers led by W O Agyekum. They ransacked his room, seized an amount of ₵550,000 he had there and later gave him ₵300,000 out of the sum. They took away his furniture, sound system, clothing and shoes.

Kwesi Amoako Aboagye, a Ghanaian then resident in Holland, imported a Mitsubishi Gallant car into the country in 1983. He came down to clear the car at Takoradi Harbour only to be told that it had been seized and assigned to the Western Region Police Command. Eventually, the vehicle was involved in an accident and the scrap was handed over to him.

Charles Osei-Bonsu, cocoa depot keeper at Insu, near Bogoso was arrested and charged before a public tribunal with stealing cocoa beans. He was acquitted. He now wants to be paid for the 100 bags of surplus cocoa taken away from his stock and credited to the Produce Buying Company Limited. On the facts, he is entitled to the recovery of the cocoa or its value.

Addai Bonsu petitioned that in 1982, the PDC/CDR took part of his family land at Adense, near Krobo Ashanti and planted oil palm. With the dissolution of those bodies the Town Development Committee has taken over the farms. Since the Committees are not the successor of the PDC/CDR they are not entitled to take over the farm. The family may assert their title in any court of competent jurisdiction.

Elizabeth Frimpong, a trader, bought tinned tomatoes and bambara beans at Wenchi for sale at Kumasi Central Market. Soldiers led by Capt. Beckley seized the goods and took them to the military barracks.

Samuel Kwasi Addae, a cocoa farmer of Nsoatre, Brong Ahafo had stored 29 bags of cocoa at New Nsoatre, Sefwi, Western Region when in 1988 police corporal Duah led a team comprising one Braimah Moshie of the Task Force and Owusu and Osei to the village and seized 20 bags cocoa.

It is common knowledge that smuggling of cocoa along the border with Ivory Coast was rife at the time. The Commission finds that Detective Inspector Duah did no more than his duty.

Kwabena Osei, a chemical seller, had a shop in Sunyani. The shop was raided by three men, one in plain clothes and two in military uniforms. They carried away all the chemicals being sold in the shop.

Anthony Osei's Peugeot 504 Caravan was seized by soldiers at Obuasi in 1984 and taken to the Military Barracks in Kumasi. The soldiers alleged that Osei was a gold smuggler. He never recovered the vehicle.

Alice Mensah came to Accra and bought goods for her shop at Obuasi. She left Accra by road. On reaching the Weija barrier, soldiers seized the goods which comprised mainly shoes and textiles. The goods were sold and a fraction of the money given to her.

Afua Dansoaa sold sandals at Obuasi Market. Soldiers went to the market and seized her goods as well as the goods of other traders.

Samuel Kwasi Boateng was the owner of an estate house No. L8/C5, Tema built by the TDC. In 1975 he acquired another estate house No. L6/C5. In 1980, he rented out No. L6/C5 to a Martha Paintsil. With the introduction of the one-man-one-house policy, No. L6/C5 was confiscated in 1982. It has since been allocated to Martha Paintsil who has paid for it.

Gladys Botchey's husband, Francis Oppong Adu, was arrested by soldiers and taken to Koforidua Police Station. A day later the soldiers went to his house and seized his three saloon cars.

In 1980, **Kwesi Ghapson** took a lease of a plot of land at Dansoman, Accra for his company, High Quality Limited. After the 31st December, 1981 coup, Ghapson fled the country. While abroad, the land was encroached upon by the government which put up structures thereon for use by commandos.

Ghapson's agreement required that he put up a building on the land within 18 months. Apparently, he failed to do so. If the structures put up on the land are of a permanent nature a restitution order would be inequitable. The proper order would be that the company be compensated in monetary terms for the loss of the plot of land.

Joseph Osei-Antobere a Kente weaver at the Centre for National Culture, Kumasi, was laid off in 1987 after 13 years' service. He claimed to be entitled to a Long Service Award of a broad loom, a Kente stole, native sandals, a certificate and one month's salary. *Long service awards are given exgratia. There is no such thing as a right to such an award.*

Dr. Armstrong Mensah Following his arrest and detention in the CID Information Room, Mensah was compelled by threats of being taken to James Fort Prison for further detention to pay £8000 which the NIC said his business partner Naja David owed. Mensah paid the money into Account No. 48.

Gale Nyatefe-Atiipoe On 14th June, 1977, the TDC offered the petitioner a 5 Year lease of 17 acres of land for farming purpose. Paragraph 2 of the letter stated as follows:

Notwithstanding any provision contained herein, your tenancy shall be subject to any new policy, rule or bye-law that may be adopted, and or passed by the Tema Development Corporation and or the Government in so far as they affect the Tema Development Corporation.

On 30th November, 1993 the Corporation wrote letter No. AGR/468/17 to the petitioner extending the lease to 1st January, 1999. On the expiry of this term, the Corporation offered the petitioner a renewal only in respect of .68 acre. The petitioner complained that the land was too small for his purposes.

The TDC are within their rights in reducing the area leased to the petitioner. It is for him to accept or reject it.

Gale Nyatefe-Attipoe By letter No. DE/D2/SF.3/12 of 11th January, 1985 the TDC granted the petitioner permission to put up a market stall on TDC land in Community 8, Tema. Paragraph 3 of the letter stated:

You are therefore being advised to go on and put up the stall subject to an undertaking that the stall remains the property of the council. Finally, you are to pay commensurate economic rent resulting from the development.

The structure which the petitioner began to put up on the land has since been pulled down by persons claiming to be acting on the authority of the TDC. The petitioner is entitled to be compensated for the losses incurred.

Adamu Amoah In 1984 soldiers, among them Sgt Aboko, and members of the local PDC went to Sirigu Market and seized the petitioner's grinding mill, two drums of diesel oil and 15 bags of cola nuts. They took the items to Navrongo.

Atogeporum Kanaa who did her trading at Sirigu Market, near Paga petitioned that in 1983 a team of four Border Guardsmen led by one Nsiah went to the market and seized 23 bags of beans she had in stock. They took the beans to Paga in a commandeered vehicle driven by one Francis Ayamga.

Alhaji Aminu Mohammed At the time of the 1979 insurrection, Mohammed had at Tema Harbour 11 containers of granulated sugar, 11 containers cube sugar and 11 containers flour. Following the insurrection the whole consignment was seized.

Ama Achiaa was a cloth seller at the Kumasi Central Market. Her goods comprising some 50 full pieces of cloth were seized by soldiers.

Kwaku Duah petitioned that in 1986 5000 sandcrete blocks on his building plot at Kokode, Kumasi were removed on the instructions of the Kumasi Municipal Counsel and used for public

purposes. His witness, Awuah Manu explained that as far as he knew, it was the Confiscated Assets Committee which permitted the Town Development Committee to use up to 1000 of the blocks for the erection of a public toilet. No one seems to know whether what remained was as much as 4000 or what happened to them. The petitioner himself was not resident at Kokode and did not witness the carting away of his blocks. What is clear, however, is that there was no legal justification for using the blocks without the petitioner's consent.

Zakari Ibrahim a resident of Anyinam, Obuasi petitioned that on 18th March, 1984 soldiers went to his house and removed various items, including the refrigerator, electric fan, 2 sewing machines and 2 electric irons. His car No. ASA 2882 was also taken away.

Kwaku Bosompra petitioned on behalf of **Kwasi Ntrakwa Ofori**, a leading member of the PNP, now deceased, for the restoration of his assets which were seized by the PNDC following his trial and conviction in absentia by a public tribunal headed by George Agyekum in 1982 in connection with a \$1 million dollar loan the Party took from a Dr; Marino Chiavelli. As listed by the petitioner, the properties are:

1. H/No. 6 Block 'U' Nhyiaeso
2. Wood Supply Company Limited, Kumasi
3. H/No. 4 Royal Palm Avenue, Kumasi
4. 4 Vehicles – Mercedes Benz No. EP 1932
Mercedes Benz No. EP 1943
Range Rover No. WRA 1943
Peugeot 504 Pick-up CT 5575

Maame Nyarko was a trader at Boitey, near Obuasi who dealt in provisions and cigarettes. Soldiers went to her house and seized various items, among them, iron rods, cement, refrigerator and television set.

Kwabena Kobia petitioned that his father's 32 acre cocoa farm at Bechem in the Brong Ahafo Region was destroyed by officers of the Ministry of Agriculture as being infested with disease.

A promise to pay monetary compensation and replant the farm with new seedlings has not been honoured.

Sarah Asiedu; Nancy Marfo joint petition concerning Armed Forces Wives bakery project. Nancy sentenced to 15 years in hard labour, her flour, sugar and maize were seized. Also bread and kenkey making implements.

Nana Safo Anwona II also known as Godfried Mathew Owusu, Managing Director of the Ashanti Region Regional Development Corporation was arrested and detained at the military barracks, Kumasi after 31st December, 1981 coup. While in detention, W O I Tei seized his private car and used it until it broke down. Tei abandoned the vehicle at the camp.

Zakari Bawa In 1984 soldiers at Obuasi raided the home of the petitioner and seized his three cars Nos. GY 8889, GZA 9231, GT 1846. They also seized his motor bicycle, 300 bags cement, deep freezer, television, sounds system and furniture. One of the cars, No. GZA 9231 was given to Col Ayomah for his use and another, No. GY 8889, to Kwesi Fosu, the District Secretary for his use.

Richard Todd Hackman In 1986, the petitioner imported a 54-seater DAF bus from Holland. When the vehicle arrived at the Takoradi Harbour it was seized on the order of a so-called Vehicle Confiscation Unit run by Lt. Commander Akuoko.. Later a publication appeared in the *Ghanaian Times* of 17th October, 1986 directing that certain vehicles, among them, the petitioner's DAF bus which had been seized, be returned to their owners. All attempts by the petitioner to recover his vehicle failed.

Stephen Fosu Owusu, proprietor of Fosu Owusu Enterprise, imported mats worth US \$3,255 from Hong Kong. When the mats arrived at Tema Harbour in August, 1982 they were seized even though the importation was covered by the appropriate import license issued by the Ministry of Trade in July, 1981.

Joseph Kwasi Adubofour In 1982, the petitioner, proprietor of Jokas Poultry Farm, was summoned to appear before the CVC sitting in Kumasi. Major Adu Tutu was the Chairman and

Kwamena Ahwoi sat as a member. The CVC imposed a fine of ₵1,126,868.25 on the petitioner for non-payment of taxes. The petitioner paid the fine into Account No. 48. The CVC also ordered the forfeiture of the petitioner's SHC estate House No. M31, South Suntreso, Kumasi for infringing the provisions of section 2 of AFRCDC 50.

Kwadwo Gyamfi had parked his broken down Morns bus at Suame Magazine, Kumasi and removed the engine for repairs to be effected on it. In the course of constructing a road at the Magazine, Flt. Lt. Rawlings, the Chairman of the PNDC mounted a grader and in furtherance of the construction project moved the vehicle out of the way. The vehicle was badly damaged. Gyamfi had no means of obtaining redress for the rash action of the Chairman.

George Asante a driver in the Police Service retired voluntarily from the Service in 1988. He petitioned that when he left his station, Kumasi, for Accra in connection with his retirement he came back to find that his personal effects had been removed from his quarters and the rooms allocated to another policeman. Having allocated the rooms to another person the Police Administration were under a duty to see to it that the petitioner's properties would be safe.

Kwabena Badu; Otu Acheampong; Kwaku Kyei brothers and traders in Kumasi were the proud owners of a Peugeot 504 saloon car they had bought for ₵40,000. Unfortunately for them, the soldiers had a thing about cars. According to Badu,

“We had just taken delivery of it. It had not been licensed so we intended to take it to the licensing office the next day to have it licensed so we had parked it in front of our shop. The eight soldiers who were passing by in a pick-up truck stopped behind our car and came in front of our shop. They fired nearly thirty shots into the air and demanded the key of the car. We unwillingly gave it to them. Six of them parked themselves into the car and drove off. The remaining two left in the car they brought.

It was after one week before we were given what remained of our car back to us, through the help of a soldier whom we knew. The engine was damaged, the left mudguard was

gone with one headlamp. There were dents all over. We had the car towed to the Suame magazine and spent nearly eleven thousand cedis in repairing it.”

Hannah Nyamekye who lived in Kumasi sent a lorry load of charcoal to Accra for sale. The vehicle was intercepted by soldiers who sold the charcoal to the public at low prices. Hannah’s agent was given part of the proceeds of sale.

Nana Kofi Gyasi’s uncompleted building at Nii Okai Town, North Abeka, Accra was demolished when the government moved to assert control over land acquired for a race course. If proper searches had been conducted at the Lands Commissioner the developers would have known that the land had been compulsorily acquired by government before they were given their purported grants by the chiefs.

John Kofi Asare retired from the Police Service in 1981 as a Chief Inspector. In 1982 his son Henry who was in Germany shipped a Datsun car to him. When the vehicle arrived at Tema Harbour, Asare paid the customs duties. The next day he discovered that the vehicle had been taken away. Upon enquiry he was informed that some soldiers had taken it for what they called their ‘operations’. Asare never recovered the vehicle.

Kojo Adjei Antwi Brempong On his arrest in 1986 on suspicion of plotting to overthrow the PNDC, the BNI seized the petitioner’s Opel Kadette car No. AC 6621. The car was not returned to him even after his release from custody four years later.

Cecelia Owusu Kyeremateng petitioned on behalf of her sister Linda Amoah, now resident in London whose husband’s house No. 17 South Suntreso Estate, Kumasi was confiscated by the State in 1982. Late Amoah was a Director of Subin Timbers, Takoradi. The house is listed as No. 18 in the Confiscated Assets (Removal of Doubt) Law, 1993 (PNDC L 325).

Joseph Ernest Onyinah; Frederic Amoako Atta; Josephine Onyinah; Mariama Rockson. In 1984 the petitioners imported four trucks, three Mercedes Benz and one Man Diesel, into the country. On arrival the vehicles were seized and confiscated by the PNDC regime. Papers

submitted with the petition shows that Joseph Onyinah's vehicle, a Mercedes 508, was at least 12 years old at the time of importation.

Joseph Mensah-Bonsu had been operating a restaurant in premises put up by him within the grounds of the Kumasi Airport since 1985. In 1992 he was given notice to remove his structure to make way for an expansion the Airport. He does not dispute the right of the GCAA to ask him to vacate land. His contention is that the five days notice given him was too short. He did not appear before the Commission to explain how he came on the land. If he was there as a mere licensee, he could be asked to vacate the land at any time.

Adu Mensah In 1983, the petitioner, a Ghanaian resident in Germany, brought down a Mercedes Benz truck. He gave it into the custody of the Tafo, Kumasi Police. While it was parked at the Police Station one Ofosu came to claim ownership. Mensah was charged with stealing before a public tribunal but he was acquitted. Mensah then gave the truck into the custody of an uncle at Afigya Kyekyewere. On the orders of the ASHRIC the vehicle was seized and brought down to Kumasi. The ASHRIC gave it to Ofosu.

Georgina Batsa Following the 31st December coup, the East Legon, Accra home of Kofi Batsa, a leading member of the PNP was confiscated by the PNDC and handed over to the National Mobilisation Programme for use as offices. In 1994 the confiscation was reversed and the house returned to the petitioner, Kofi Batsa having died in 1991. The petitioner is asking that the house which is in a run-down state be renovated for her.

Jacob Asiedu After three years stay in Germany, Asiedu returned to Ghana in 1982. A month after his arrival, a Peugeot 504 car he had purchased in Germany also arrived at Tema Harbour. Asiedu Paid ₵11,950 to clear the car from the harbour. As the vehicle was being driven from the harbour it was seized and taken away by police and military personnel. The vehicle was later licenced and given to the Akwapim District Council for their use. Asiedu found it after it had been involved in an accident. It had been damaged beyond repairs.

Kwaku Kwankye Oduro Richard Kofi Appiah was the owner of Mercedes Benz No. UWR 2711. The vehicle was registered in his name. In 1985 he took the vehicle to RT Briscoe Limited, a motoring firm, for repairs and left for Germany. When the repairs were completed, the petitioner took delivery on his behalf. He paid the cost against receipts issued in Appiah's name. In 1988 a Special Audit Task Force of the Ministry of Education investigating the financial administration of the Regional Educational Office in Kumasi impounded the vehicle as the property of one Adjei, the Regional Accountant. All efforts made by the petitioner on behalf of Appiah to recover the vehicle failed. In the face of abundant evidence that the vehicle belonged to Appiah there was no justification for seizing the vehicle.

Kwaku Dua Addai In 1985 Addai imported a BMW car into the country. After he had cleared the car he was accused of various acts of impropriety and under-payment of customs duty. Various fines were imposed on him and he was obliged to pay a total sum of ₵686,316.23. In spite of the payment the car was not released to him. Rather it was kept at the BNI which alleged that he was involved in subversive activity. These facts are fully documented. However, the further allegation of the seizure of ₵6.5 million and a Maxima car No. TRA 2323 from him are not. When given the opportunity to do so, Addai failed to appear before the Commission to prove his assertions.

Kofi Karikari's brother, **Yaw Barimah** deceased, was the author of a book entitled "Modern English Textbook for Junior Secondary Schools and Common Entrance Candidates". Karikari petitioned that because of some statements at pages 44 and 45 of the book which uncomplimentary dictatorships in 1982, the Ministry of Education banned its use in schools throughout the country. No doubt the ban affected Barimah financially. Indeed in an unsigned letter dated 20th June, 2002 addressed to the Commission he put his loss at over 1 billion cedis. However the Ministry was not obliged to use his book in preference to any other.

Herbert Otto Boateng petitioned that he arrived in the country from Germany in 1987 bringing with him a Mercedes Benz car. He claimed that the car was damaged by W O 1 Nkwantabisa and that after he and had it repaired, Nkwantabisa took the vehicle away. Nkwantabisa denied all knowledge of the incident. The document with which the petitioner sought to prove his case

did not bear his name, but rather that of one Kwadjo Ackom whose address was given as c/o Nkwantabisa, Ghana Port Authority, Tema.

Charity Nuerkie Noi A consignment of fishing nets and other goods she brought from Nigeria were seized on the Motorway.

Attah Ayibo In 1984, the petitioner, a Ghanaian resident in Libya, went to Amsterdam bought a VW bus, spare parts and accessories for US \$2080 and dispatched it to Ghana. On arrival at Tema Harbour the vehicle was seized. All efforts to recover the vehicle failed.

Bright Kapae Amankwah In 1985 the petitioner, a Ghanaian resident in Germany, sent down a BMW car to his brother, Moses Badu. On arrival at the Tema Harbour the vehicle was seized by soldiers acting on the instructions of the PNDC.

Akua Frimpomaa sold soap popularly called ‘alata semina’ at the Central Market, Kumasi. Soldiers went to her stall and seized her stock of soap. As she had herself bought the soap on credit from her suppliers her business was ruined.

Kwasi Amankwah In 1983 Amankwah went to Wassa Akropong market to sell his wares. After he had sold an enema syringe to a woman at ₵4 he was confronted by members of the local PDC who said the price was excessive. They imposed a fine of ₵1,500 on him.

Kwabena Ampadu sold drinks in his shop at Koforidua. In 1983, two armed soldiers went to the shop, seized the drinks and took them to their base. They were never returned or paid for.

Comfort Osei In 1984, the petitioner, a typist at the CEPS, Koforidua was in her home when eight soldiers arrived. Their mission was to search her room for hoarded goods. After a search the soldiers took away two sets of cooking utensils and two full pieces of cloth.

Patrick Tettey Okai In 1983 the petitioner, a driver, was plying his trade in commercial vehicle No. OY 536 SA when on a report that he had overcharged passengers, the vehicle seized by members of the PDC at Somanya. He never recovered the vehicle.

Edward Charles Sagoe, a cinema proprietor of Koforidua, was the owner of Datsun 160J saloon car No. AK 4877. On 28th July, 1982 four persons, an armed ex soldier, an armed policeman and a man and a woman in civilian clothes went to his home and demanded that he give them the keys to his car. He did so and they took it away. Three weeks later, two soldiers riding in his car arrested him and had him locked up at Effiduase Police Station. Three days later they came to release him. However his car was not returned.

Lord Menasher lived and worked in Israel for five years, returning to Ghana in 1990. On his way back he passed through Belgium and purchased a Mazda car. The car duly arrived at Tema Harbour, but when he went to take delivery he discovered that it had been removed by soldiers. Upon enquiry Menasher was informed that his vehicle was one of several the PNDC had seized for use at a Non-Aligned Movement Conference due to be held in Accra. Menasher waited patiently for the Conference to take place. However, when it was over the vehicle was not returned to him.

Godfrey Yaafi Kodjoe was driving his Toyota Corona car No. GZ 9336 in Takoradi when four armed soldiers stopped him. They demanded that he give them the key to the car. He did so and they drove the car. He made a report to the authorities at the barracks but they said there was nothing they could do. Three months later the soldiers went to Kodjoe's house and gave him the car key. He was told where he could find his car. When he went for it had been damaged beyond repairs.

Hannah Quaicoe In 1982, as the petitioner was about to dispatch six drums of the local gin 'akpeteshie' from Aboso, Western Region, to Accra for sale, the consignment was seized by soldiers who sold it on the spot. They gave the proceeds, a trifling sum, to the petitioner. This act ruined her business.

Samuel Buor Adjei, a trader based in Koforidua, Eastern Region was summoned to appear before the CVC. He was ordered to pay a sum of money as tax arrears. He could not recall how much he was made to pay. His contention that he became impoverished and for that reason wants to be compensated is not sufficient reason for this Commission to interfere.

Charles Kwame Affum a sailor, arrived at Tema Harbour on 23rd December, 1988. He brought with him personal effects, including sitting room furniture, sewing machine, ice chest, two bicycles and tarpaulin. He paid duty on the goods. As he was about to leave the harbour he was stopped by personnel from W. O. I Nkwantabisa's outfit. On the instructions of Nkwantabisa the goods were re-checked after which Nkwantabisa ordered that the petitioner be locked up. Two days later he was released and as his ship was due to depart, he left for Rotterdam. When the petitioner returned to Ghana in March 1989 he went to Nkwantabisa to demand the return of his goods. One W. O. I Awuni who worked with Nkwantabisa ordered him out of the office.

Juliana Klu, a trader, was arrested at her home in Somanya, Eastern Region by two soldiers who accused her of hoarding cloths. They searched her room and removed 27 full pieces of wax prints, school uniform material and all her personal effects. The two soldiers debated whether to kill her. In the end, they relented and went away.

Nana Budu Akrobire a stationery dealer had put up a kiosk in Koforidua. In 1982 the kiosk was destroyed on orders of the municipal authorities. In the absence of proof that he had a right to put the kiosk at that particular spot the petitioner cannot complain.

Cecelia Akomaa, a trader at Akyem Aperade, Eastern Region was at the market selling clothing materials when soldiers arrived. The soldiers demanded that she should stop selling the cloth. She was slapped and her goods were seized.

Beatrice Siaw-Addo was a kenkey maker at New Tafo, Eastern Region. In 1982 members of the PDC led by one Boakye invaded the premises, dismantled the equipment and carried them away together with her utensils.

Ama Serwaah petitioned that her car No. EH 4670 was seized by a police officer Wood Aggrey who used it for two months until it broke down. He later removed the tyres. The petitioner was arrested and taken to the Residency, Koforidua where her hair was shaved off.

Fuseini Zakari a businessman of Tamale was the owner of a Land Rover which carried traders to and from Yamburi market near Togo border. After one such trip the vehicle was seized by border Guards and taken to Misiga border post. Later the driver was prosecuted before a public tribunal at Bolgatanga and fined ₵10,000. Although Zakaria paid the fine, the Land Rover was not returned to him. The only circumstance in which the vehicle could have been confiscated was if it were used in smuggling goods. In this case, the vehicle did not cross the border.

Mohammed Bawa Ali a Staff Sergeant serving as an Air Marshal with Ghana Airways, was arrested after 31st December, 1981 coup and detained at Gondar Barracks. At the time he happened to be staying in premises in Accra where intelligence operatives lived. On his release he found that his personal effects had been stolen. A gun which his father, a former policeman gave him had also been taken away.

Abubakari Mahamud claimed to be the uncle of the wife of one Arthur who fled the country after the 31st December, 1981 coup and has since died. He sought to recover properties owned by Arthur. The petitioner is not related to Arthur. Arthur's wife Celestina Zelisa Nasam has also died. Letters of Administration to her estate was granted to Awudu Tango, a brother, by the High Court, Tamale on 19th July, 1997.

Fuseini Pauyezi had a tailoring shop close to the Tamale Central Market. When the market was being burnt down, soldiers went to his shop, brought everything out and set them on fire. The things which were burnt included a sewing machine, trousers, shirts and empty cocoa sacks.

Kwabena Bowi the petitioner's father, **Yaw Bowi** had a farm in the Desiri Forest Reserve near Tepa, Ashanti Region. In 1988 all farming activity in the Reserve was banned. Following petitions to the government some of the farmers, including the petitioner who claimed to have taken over his father's farm were permitted to go back to the Reserve in 1992. The sacrifices

which a handful of people are called upon to make by the creation and maintenance of forest reserves are small compared to the benefits to be derived by the nation as a whole. There can be not right to farm in a forest reserve.

Kwabena Bowi The petitioner's father, Yaw Bowi had a farm in the Desiri Forest Reserve near Tapa, Ashanti Region. In 1988 all farming activity in the Reserve was banned. Following petitions to the government some of the farmers, including the petitioner who claimed to have taken over his father's farm were permitted to go back to the Reserve in 1992. The sacrifices which the present generation are called upon to make by the creation and maintenance of forest reserves are small compared to the benefits to be derived by the nation as a whole. There can be not right to farm in a forest.

Nana Kofi Asante petitioned that following his arrest and detention at Gondar Barracks the soldiers looted his properties. He claimed to have lost as many as 14 vehicles and a tractor. However, he had no documents on any of them.

Joseph Boadi and his wife, Mary Boateng, lived in Germany for some years. In 1984 Mary returned to Ghana bringing with her a used Peugeot 504 saloon car. The vehicle duly arrived at Tema Harbour but when she went to clear it she discovered that it had been seized and taken away by soldiers.

Kojo Andoh Quansah proprietor of Andoh Hardwood Agencies Limited, a timber company based in Takoradi was summoned to appear before the NIC and ordered to pay DM 7000 and ¢9 million. He was accused of underinvoicing, a practice whereby timber firms managed to keep most of their profits abroad to the detriment of the country. Timber firms suspected of engaging in the practice were granted an amnesty if they made voluntary repatriation of their profits. It was in the course of this that the petitioner's company made the payments.

Elisabeth Ayensu, a bread baker, lived with her husband at Burma Camp. She was the owner of a flour mixing machine which she bought for ¢39,000 in 1984. She used her machine to mix flour for the Armed Forces Wives' Association which then had a contract to bake bread for the

Armed Forces. When the leaders of the Association, Nana Frema and Aisha Asiedu were imprisoned for embezzlement soldiers went to the petitioner's bakery and seized her equipment. They claimed they belonged to the Association.

Sophia Arthur In 1992, the petitioner's son, Rex Adjei who lived in the US imported a Safari Van into the country. Vans were exempt from import duty. On arrival customs officers classified it as an estate car and imposed duties amounting to over ₵2 million on the vehicle. When the UTC dealers in GMC vehicles were brought in they classified the vehicle as a van. In spite of this the customs authorities insisted that the duties be paid and when they were not declared the vehicle forfeited. The vehicle found its way to the Castle, Osu. In a matter like this the opinion of UTC motors ought to have been accepted. Customs officers are not a law unto themselves.

Blay Miezah traveled to the Ivory Coast with one Ndede in early 1982. He returned alone. Miezah was arrested on suspicion of having put Ndede in harm's way and his home was searched. According to him during the search the police seized ₵4.8 million from his room. We have only Miezah's word for it. This is a matter he should have reported to the authorities at the time for a proper investigation to be conducted.

Comfort Wiafe had a shop at Somanya. In 1991 the premises were locked upon the instructions of the Yilo Krobo District Assembly. It was not re-opened until 1995 by which date some of the items, such as frozen meat had gone bad. The premises were converted into a shop called "31st December Shop".

Anthony Sarfo's shop at Achimota, Accra was ransacked and then locked up in 1989 by commandos led by Jack Beblie ostensibly for dealing in stolen properties.

Confidence Ladishie Lumor was running a drinking bar at Accra New Town. In 1982 shortly after she had received fresh supplies of drinks including 100 cartons beer and 150 cartons guinness, soldiers led by one Kudatia raided the bar accusing her of hoarding. The soldiers took the drinks away in a truck. Following complaints made by the petitioner the soldiers returned two cartons beer and one carton guinness.

Charles Tieye Zieche In 1978, Zieche, a Technical Assistant at the Department of Game & Wildlife based at the Mole National Park was dismissed for poaching. In 1986 he was again caught poaching when shot a female elephant and its offspring. Put on trial before a Circuit Court, he was acquitted when the court accepted his plea that he acted in self-defence. On the face of it, the decision was wrong as he had broken the law by entering the Park while hunting. Although the State did not appeal against the decision, the question of the seizure of his gun went all the way to the Supreme Court. The order of the Chief Wildlife Officer confiscating the gun was upheld. There are no good grounds for this Commission to take a different view of the matter.

Johnson Mpaba Nyande, a Captain in the Ghana Army, was arrested in January, 1990 for alleged subversive activities which also involved Major Courage Quashigah. He was taken away without being permitted to arrange for the safe custody of a pistol, an amount of ₵870,000 and his luggage which were in his car. When he was released seven months later he was unable to recover either the pistol or the money. In 2001 the military authorities decided to surcharge him with the cost of the pistol amounting to ₵5,082,000.

Kwame Kwarteng petitioned that on 14th February, 1976 he was ejected from TDC estate house No. M 30 C8, Tema which he was occupying as a tenant. He was given a replacement No. AD C9 but after two weeks he was ejected from the premises by soldiers.

Karbo Umar In 1983, the petitioner, a businessman, traveled from Takoradi to Accra on his way to Laura, Upper West Region. While he was waiting at the State Transport yard, Accra to board a bus for Laura, three armed soldiers approached him, gave him the “Hands up” , and after ascertaining from him how much money he had in his bag, seized the bag and bolted away. The amount in the bag was ₵300,000.

Naa Seidu Yakubu Over the years the petitioner, the chief of Balawa near Wa had had cause to complain about cattle rustling. In 1978 two persons were tried and convicted. In 1986 – 87 he had cause to complain about more thefts of cattle. However when he was invited by the local

CDR to a meeting to discuss the issue he at first declined the invitation, believing that the CDR themselves were behind the thefts. When he later answered the summons he was manhandled at the meeting. More thefts took place and according to him he lost 87 sheep and 65 goats. In spite of the petitioner's claim that members of the CDR were themselves the thieves he did not supply the Commission with any evidence to back up the claim.

Sumani Lafuoe of Tumu Upper West Region tried to take across the border in Burkina Faso to sell 200 tubers of yam. These were seized at the border. Without an export permit the petitioner could not lawfully send foodstuffs in commercial quantities out of the country. The excuse that his wife was ill and he needed money to take her to hospital is untenable.

Adamu Kabanya In 1965 the petitioner's mother, Asana Wala, was allocated a plot near the Old Market Square, Wa to build a structure for trading purposes. A condition of the offer was that the plot was to be developed within three years/ Asana died and the property came into the hands of the petitioner. In 1972 he applied for and obtained a permit to build on the land. As a PNC branch chairman he fled the country after the 31st December, 1981 coup and became a refugee in Burkina Faso. All this time he had not built on the land. Subsequently the land was taken from him a building put up to house a 31st December Women's Children's Day Care Centre. Having broken a condition of the lease to build within 3 years, the petitioner can hardly complain of the reversion of the land to government and its re-allocation.

Michael Chame Awuku petitioned on behalf of **Oluwole Odeinde**, a Nigerian for the return of two vehicles, a BMW and a Peugeot 504 which were seized by soldiers in February, 1982. The vehicles were imported through Tema Harbour and were on their way to Nigeria. The Peugeot was allocated to the District Secretary, Sekondi and the BMW to the PNDC headquarters. Later, instructions were given for the release of the BMW to its owner, but the instruction was not obeyed.

Ibrahim Bumo Nabubie was a Border Guardsman stationed at Kwame Ninsin. In May, 1982 he was summoned to appear before the CVC to explain how he came by a Nissan Pick Up. His explanation that he bought it with a gift of money from his mother was not accepted and the

vehicle was ordered to be confiscated. His appearance before the CVC was given wide publicity in the *Ghanaian Times* of 22nd May, 1982.

Amadu Douri a cola and timber products exporter of Bawku escaped to Togo when an attempt was made to arrest him in January 1982. After three months he returned to Ghana and appeared before the NIC in Accra. He was cleared. A document signed by W. Sam Awortwi, Chairman of NIC stated:

“ALHAJI AMADU DIORI

This is to certify that the above-named person on 6/5/82 appeared before the National Investigations Committee, Accra and after thorough interrogation, nothing adverse was found against him.

2. He has therefore been cleared and released to go about his normal work without let or hindrance.”

In spite of this, on 1st June, 1982 the PNDC issued a decree, the Forfeiture of Assets (Amadu Duri) Law 1982 (PNDC L 9) confiscating all his assets. These assets comprised houses, trucks, machines and other equipment, and timber boards. Since then some of his assets have been released to him. He is asking that all other assets be released.

Eliasu Ayiriya was conveying 17 bags maize from Kintampo to Sharigu, near Navrongo for sale when on reaching a police barrier at Windogo the maize was seized. He was accused of attempting to smuggle the maize across the border to Burkina Faso. All efforts to get the maize back failed.

Agirasse Anabila was driving a tractor to his farm at Karemanga when two soldiers stopped him and ordered him to drive the tractor to the Residency, Bolgatanga where the soldiers were stationed. There the tractor was seized from Anabila. He bought the tractor from the Ministry of Agriculture in 1976. It bore the registration number GF 1449.

Sumbeida Ibrahim was the owner of an Albion truck which plied Wudan – Pusiga – Bawku route with passengers. On one such journey, when the truck reached Pusiga and the passengers alighted for a police search, Peter Tasiri and some soldiers arrived at the scene in response to a complaint by a lady that the driver, Osmanu Sumbeida, had refused to take her on board at Bawku. The soldiers poured petrol on the truck and fired gunshots into it setting it alight. The vehicle was burnt to ashes.

Alhaji Seidu Bogobiri was a well known entrepreneur who lived in Navrongo. Like many successful businessmen he became the object of envy and prey to the high-handedness of the PNDC and its officials. They despised and detested all who had made it in the world and were determined to bring them down. He was summoned to appear before the CVC in Accra. He did so and was cleared. His detractors would have none of it. They caused him to be summoned before the CVC in Bolgatanga. Ndebugre was Regional Secretary and Major Aduku Chairman of the Committee. Between them, they were able to find evidence in the space of one hour that Bogobiri had not paid his taxes. He was ordered to pay ₵4,857,003.20 to the government. Under pressure from Ndebugre, Bogobiri sold several of his properties at give away prices and paid the fine. He was a broken man and never recovered until his death.

How did Bogobiri make his money? This is what his son Iddrissu had to say in a statement filed at the Commission.

“He started his business in the 1930s walking all the way to Tamale and back buying and selling yams, coconuts and tobacco. He also sells his wares in Sandema and Fumibisi markets.

He later bought a bicycle in the early 1940s and uses that to Sandema and Fumibisi market. Due to his good managerial skills, he bought a grinding mill in 1952.

Through the proceeds of the grinding mill and trading with colanuts he became a small contractor digging wells and building small culverts.

He started getting sizeable contracts from 1969 onwards. But when the PNDC came to power through the gun things became bad for the old man who caters for the welfare of over sixty family members and a hundred and over workers.

All his assets were frozen and his movable properties confiscated and packed at the Navrongo Police Station.”

William Amaldorim Apambilla, a businessman of Bolgatanga, went into exile after the 31st December, 1981 coup. On his return two years later he found that his private car No. AM 1200 had been taken over by Mba Atanga of the CDR and his Leyland Tanker No. AM 9925 by the Regional Co-ordinating Council. His electric generator had been seized by the Border Guards. His building materials had been sold to the public.

Kwaku Ampadu In 1983, Ampadu, a trader at Kantanmanto, Accra was summoned before the Citizen’s Vetting Committee which imposed an arbitrary fine of ₵30,000 on him for non-payment of taxes. He had been brought to the Committee as the owner of two houses in Accra. He denied owning a house anywhere at all.

Albert Esar Enchia The petitioner, representing the Ellis and Wood families, is seeking the return of the Heman lands. These lands were compulsorily acquired by the State under the Heman Lands (Acquisition & Compensation) Law 1992 (PNDC L 294). Since the law of the land permits of the compulsory acquisition of land the acquisition remains good until PNDC L 294 is repealed by Parliament. What the petitioner can dispute before a Commission such as this is the adequacy of the compensation paid. However, that is not the claim before us.

George Owusu Akyenteng Following a chieftaincy dispute, the PNDC made EI 49/87 for the seizure of the Adjobue Stool property. Among the properties was a 381 acre cocoa farm in the Birim Forest Reserve. The farm was placed under the caretakership of the Birim North District Assembly. Later on a petition by the chief, Nana Owusu Akyenteng, petitioner’s father’s 41 acres which he claimed as properties of member of his family were released to him. Petitioner’s

claim to a share in his father's properties is best resolved in a court of law, especially as there is evidence that he died leaving a will.

Joseph Agbotui, a soldier in the Ghana Army; was discharged in 1973. Following the 31st December 1981 coup, he tried to re-enlist in the Army. He was rejected. The new government was not bound to re-enlist him.

Victor Aidoo In 1985, Aidoo an employee of the P&T Corporation based in Cape Coast alleged that some of his senior officers had conspired with the police to break into his living quarters. The allegation was investigated and found to be false. Aidoo then had a few brushes with the law: a charge of assault, another for insulting behaviour and a third for theft. He was in lawful custody for a brief period, he paid a fine and was obliged to enter into a bond to be of good behaviour. Aidoo's erratic behaviour fully justified the decision of his employers to disperse with his services. He had been in their employment for only two years.

Andy Yaw Boadi In 1989 the petitioner was convicted of printing fake CFA currency notes. He was sentenced to six years imprisonment. His properties, including a house plot 3 BLK 22, Sepe, Kumasi, Honda Saloon car No. TRA 6197 and a water pump were confiscated.

Sampson Kwabena Aboagye a former employee of the defunct Worker Brigade petitioned for redemption of Savings Bonds paid for from his earnings. Petitioner has no documents to back up his claim.

Sophia Appiah Danquah's husband, **Martin Appiah Danquah** was one of the persons whose assets were investigated by the Jiagge Commission. On the strength of the Commission's report the following properties said to belong to Danquah were confiscated: (a) a building at Nkawie (b) House No. 196 Kwadaso Estate, Kumasi (c) House No. A732/4 Laterbiokorshie, Accra (d) an uncompleted house at Tesano. The petitioner contended that the Kwadaso house belonged to her and not to her husband. Indeed, the title deed is in her name. The house which is currently occupied by the Ghana Police Service ought to be returned to the petitioner.

James Zoomug Ziebah's company Zadonia International Limited was in the business of exporting lumber to Burkina Faso. In 1988 a consignment of lumber which was being exported to Burkina Faso was seized in Kumasi. Following a number of persons, including the petitioner were charged before a public tribunal. The company, Zadonia, was also charged as Accused No. 3. At the end of the trial the tribunal made the following order:

It is hereby further ordered that the value of the
lumber sold by CEPS, Kumasi, the subject matter of
Court 5, be restored to the 3rd accused's company.

It is known that the total value of the seized lumber was CFA 18,732,196.40. What the Commission has been unable to ascertain is the value realised by CEPS when the lumber was sold in Kumasi. Whatever it is, it ought to be paid to the company as directed by the tribunal.

Hawa Iddrisu a Kumasi-based trader, imported rubber sandals and thread from the Ivory Coast through Bonokrom. The vehicle was detained at the border for security checks. Later it was sent to Accra. Hawa never had her goods back.

Stephen Kwame Anane was a Corporal in the Ghana Army. In 1986 he went on peacekeeping duties in the Middle East. According to him before they left the country their Commanding Officer told them that they would be paid US\$10 per day but when they got to the Middle East soldier from other countries told them the United Nation's rate was US\$85 per day. The petitioner had no contract of service with the UN. His contract of service was with the Ghana Government. It was not his concern what rates other governments paid to their soldiers.

Benson Baafi-Kobi was a Sergeant in the Ghana Army. In 1984 he went on peacekeeping duties in Lebanon. He petitioned that from information available to him soldiers serving on peacekeeping mission in the Lebanon were to be paid US\$85 per day but that the government of the PNDC paid him US\$10 per day. The petition is based on misinformation. The rates are fixed by government which then negotiates a refund from the UN.

Nancy Ode a trader based in Kumasi imported a quantity of rubber sandals and powder from Ivory Coast. The goods were seized at the Bonokrom border post.

Emmanuel Owusu Kodua In 1985 Kodua bought a Toyota bus No. ARB 9677 from one Alhaji Gbadamosi. Later a question arose as to whether on importation of the vehicle into the country from Nigeria the requisite duties were paid. The vehicle was impounded by the NIC. Kodua appeared before the NIC. Then it was said that he had paid bribes to some members of the NIC. The NIC was re-constituted and the vehicle declared confiscated.

Theresa Yeboah In 1984, after her husband had died the petitioner went to Techiman market to sell some of her cloths to assist her to make ends meet. While at the market her cloths were seized by soldiers. She was handed over to the police who put her before a public tribunal. She was fined ₵50,000.

Ama Kyerew Amoako In 1985 the petitioner went to Techiman market to sell some of her already sewn cloths to help her make end meet. After she had displayed the clothes on a table she was arrested by police who also seized the cloths. She was later charged before a court in Sunyani and fined ₵50,000. To raise money to pay the fine her husband was obliged to sell his refrigerator and tape recorder.

Prince Osei-Kofi was the owner of a night club in Kumasi. In 1983 soldiers went to the club and accused the management of selling beer above the capital price. The soldiers then seized all the drinks in stock. They included 151 cartons beer and 125 cartons guinness. The soldiers took away a Toyota Hiace and a Mercedes Benz saloon car.

Yaa Ankomah The petitioner and her husband, now deceased, acquired land at Subriso in the Ahafo Ano North District for farming in 1954. When the area was made part of the Disiri Forest Reserve, farmers with farms within the Reserve were given permission to continue farming within specified boundaries. In 1988, following persistent encroachment into the Reserve, the farmers were ejected. The petitioner contends that in the course of ejecting the farmers her cottage and that of other farmers were burnt down. After several petitions to the government

they were allowed back on their lands. The petitioner seeks compensation for loss incurred by her.

Jackson Kwame Pipim a farmer at Abonsuaso in the Ahafo Ano North District his farm fell in the Disiri Forest Reserve. During the confrontation with the Forestry Officials in 1988 he was driven off the land, arrested and put before a public tribunal. He spent a month on remand until the matter was resolved. For two years he was unable to harvest his cocoa. He sought compensation for that loss.

Peter Anderson Sarpong In 1986, following the submission of the report of the Special Task Force, the petitioner was asked to declare his assets and to appear before the CVC in Kumasi. He declared, among others, an estate house No 223B Kwadaso, Kumasi, a Datsun Taxi cab, 2 Mercedes Benz Trucks and a Nissan pick-up. These properties were ordered to be confiscated. The CVC was of the view that these properties were beyond the means of a junior Accounts Clerk in the GES.

Kofi Boakye Dede petitioned that he had been prevented from farming on land in a forest reserve and wants to be compensated. He blamed Forestry Officials for moving the boundary into part of his land. As the petitioner admits this dispute was adjudicated upon in 1984 by the Circuit Court at Mampong, Ashanti which found that the petitioner had trespassed into the Forest Reserve and imposed a fine of ₵1000 on him. It is in the interest of the nation that some land should be set aside as forest reserves.

Susana Larley Lartey inherited from her mother Addokailey Allotey a plot of land at Odorna, Accra. She erected a wooden four bedroom structure on the land. It bore the number H/No. D 451 B/14. The petitioner gave evidence that Enoch Teye Mensah, the then Chief Executive of the Accra Metropolitan Assembly visited the site and asked her to produce her title deeds for inspection. She took the documents to his office and showed them to him. Subsequently the plot was taken over by the AMA which demolished the wooden structure and handed over the site to some mechanics. E.T. Mensah appeared at the hearing with Council who cross-examined the petitioner at length. When it came to his turn, he relied on his written statement in which he

denied all knowledge of the petitioner's land. We are thus left with choosing between the sworn evidence of the petitioner and the unsworn statement of E.T. Mensah. We have no hesitation in preferring the sworn evidence of the petitioner. All too often persons in authority ride roughshod over the rights of their fellow citizens. This must stop.

Sophia Buamah In 1979 the petitioner paid ₵200 to the SHC as a deposit for a Type SH6 house along the Nsawam Road, Accra. In 1980 she paid a further ₵32,000 to upgrade her request to a Type 13 house. In spite of these payments. She was not allocated a house.

Matthew Kingsford Arthur, petitioned about the destruction by soldiers of his mother's 'chop bar' in Takoradi. He did not provide any information about the kind of structure involved and whether the required permit was obtained from the Municipal Council. In the absence of such information, it is not possible to determine whether the destruction of the structure was justified.

The Commission received several petitions from military personnel who had been on peacekeeping duties in the Lebanon. While there, many of them ordered various goods through three companies, Blackmore & Sons, Kludjeson International and Ofori Electronics. These firms were introduced by the military authorities to the soldiers as the accredited agents of the Government of Ghana. Orders placed by the soldiers were received by the military authorities which passed them on to the companies and paid them what was due by deductions from the entitlements of the soldiers. All went well for a time, but at some point, Ofori Electronics defaulted in supplying the goods for which the soldiers had paid. In an effort to recover the huge sums which the company had misappropriated, the military authorities arrested one Ofori, Managing Director of the Company, and placed him in one of their guardrooms. He remained there for some five years. The following petitioners satisfied the Commission that they are yet to receive a refund of what is due to them:

Sgt Adu Godfried

Sgt Paul Frempong

Sgt Robert Ahene Quarcoo

Cpl Joseph Narh

S/Sgt Kwaku Frimpong	US \$ 980
W O II David Asante	US \$621
Juliana Mensah for W O II Samuel Abina	US \$649
Sgt Kwabena Oduro-Fosu	US \$ 665
William Oduro regimental quartermaster	US \$ 375
S/Sgt Moses Torto Laryea	US \$ 315
L/Cpl Anum Yarboi	US \$ 175
Cpl Samuel Adjei Mensah	US \$ 210
S/Sgt Martin Otchere	US \$ 583
S/Sgt Kofi Adu	US \$ 1038
L/Cpl Godson Dey	US \$ 654.80
Cpl Edward Bulley	US \$ 987.40
WO 1 John Owusu-Afriyie	US \$ 424
Sgt Peter Kukubor	US \$ 252
Cpl Thomas Aryeetey	US \$ 339
Sgt Anthony Dzenyo	US \$ 324
W O I Jomo Ghanattah	US \$ 684
W O II Joseph Tetteh	US \$ 414.20
Sgt Ali Mahama	US \$ 360
Abraham Wiredu	US \$ 425
Staff Sgt Kofi Hene	US \$ 252
Sergeant Martin Sarfo	US \$ 576
WO II George Asiedu Ofori	US \$ 304
Staff Sgt Kwaku Frimpong Adom	US \$ 1014
Cpl Joseph Mensah	US \$ 1019
BDR John Nai-Ako	US \$ 568
Cpl Ebenezer Owusu	US \$ 682
Staff Sgt Asafoa Amoah	US \$ 36
Staff Sgt Okpoti Koney	US \$ 420
Sgt Paul Quartey	US\$ 900
Cpl Joseph Mawuyome-Adukpo	US \$1,183

INTERFERENCE WITH THE RIGHT TO WORK

The Collective Bargaining Agreement governing the relations between the Posts & Telecommunications Service (P&T), now Ghana Telecommunications Co. Ltd., and the Communications Workers Union of the Trades Union Congress of Ghana provides for the setting up of a Board of Enquiry to try an employee against whom a charge is brought under the disciplinary code. One such Board was set up in 1982 to try Charles Awuah Frimpong on a charge of neglect of duty. Having been found guilty, the following disciplinary measures were taken against him:

- (i) Loss of pay for 15 months
- (ii) Reduction in rank from Postmaster to Post & Telegraph Officer

On 26 and 28th December, 1984 announcements were made on radio and in the newspapers (see *Daily Graphic* of 29/12/84) that over 200 employees had been dismissed for various disciplinary offences. No Boards of Enquiry were set up to give the affected employees the opportunity of defending themselves. Among the employees were:

- (a) **Charles Awuah Frimpong** who had already been punished for his breach of discipline
- (b) **John Kweku Mensah**
- (c) **Johnson Asamoah Opare**
- (d) **John Ayitey Hammond**
- (e) **Julius Neeboye Hammond**
- (f) **Prince Saxbon Quansah & 200 others** – List Attached
- (g) **Patrick Mensah**
- (h) **Joe Lartey**
- (i) **Joseph Mensah Quarcoo**
- (j) **Francis Adu Mante**

- (k) **Samuel Teiyo Adjarkey**
- (l) **Frederick Kojo Assumang**
- (m) **Peter Adams**

The failure to give the employees the opportunity of defending themselves was a violation of their rights.

John Kingsley Eduam, an employee of P & T, was informed on 31st January, 1985 that he was among the employees who were summarily dismissed and whose names appeared in the *Daily Graphic* of 28th December, 1984. Protests that his name was not on the list fell on deaf ears and he has since been treated as one of the dismissed employees.

Nathan Kwashie Cheetham, an employee of P&T Corporation, was among workers who were dismissed by radio announcement on 21st December, 1984. The names were published in the *Daily Graphic* on 22nd December, 1984. Prior to the dismissal, Cheetham had been recommended to Ghana Airways by the P&T. He had however not yet taken up his new appointment. He now went to Ghana Airways which accepted him and assigned him duties. Twenty months later Ghana Airways discovered that he was among those dismissed by the P&T. They therefore revoked the appointment and dismissed him.

Edward Obiri Akuamoa-Boateng, a Senior Post Master stationed at Assin Foso, was dismissed through a publication in the *Daily Graphic* of 28th December, 1984.

Following allegations of serious financial malpractice made against them by an audit report, **Joseph Kwabena Asamoah, George Ashitey Abbey, Emmanuel Asare** and other officers of the Ghana Water and Sewerage Corporation (now Ghana Water Company Ltd.) were arrested in October 1989 and placed in custody. They were interdicted in accordance with section 57(a) of the Senior Staff Conditions of Service.

On 16th August, 1991, the NIC which was charged to go into the matter issued a report which said in paragraph 37(e): “The officers of Ghana Water and Sewerage Corporation now under interdiction should be recalled since no financial impropriety have been found against them.”

On 24th August, 1992 the Ministry of Works & Housing wrote to the Acting Managing Director of the Ghana Water & Sewerage Corporation to inform him that the government had decided that the officers should “have their interdictions commuted to retirement with full benefits.” In accordance with this directive, the Corporation, on 22nd October, 1992 wrote to the officers to terminate their employment.

The rights of Joseph Kwabena Asamoah, Assistant Auditor, George Ashitey Abbey, Principal Internal Auditor and Emmanuel Asare, Workshop Manager, were violated in two ways:

- (a) their interdiction for three years was inordinately long and far in excess of the three months stipulated in Circular No. SCR U/14 of 27th July, 1976 issued by the Secretary to the Supreme Military Council.
- (b) without holding an enquiry under the Senior Staff Conditions of Service, the officers could not lawfully be dismissed or otherwise punished.

Emmanuel Kofi Arkorful In September, 1981, Arkorful, Financial Controller of the Post & Telecommunication Corporation, was suspended from office on an allegation of financial impropriety. In February, 1982, while the matter was under investigation by the NIC, he was dismissed. The NIC later cleared him. Subsequently, the Ombudsman also made a finding in his favour. Clearly, Arkorful has been a victim of the arbitrary exercise of power.

Gilly King Osei was a Public Relations Officer at the P&T Corporation. He was retired on health grounds and his entitlements paid to him. His contention is that he worked for the Corporation from 1974 to 1984, a period of 10 years and not 1976 to 1984, a period of 8 years which was used as the basis for working out what was due to him. In this, Osei is clearly right as

a publication of the Corporation attached to his petition shows that as at October 1975 he was in the employ of the Corporation.

Emmanuel Armah Hammond was a Senior Post Master in charge of the Ministries Post Office, Accra. In April 1986, he was summoned to appear before a Disciplinary Board to answer charges relating to the unauthorized sale of postage stamps and air letter cards valued at ₵74,000. He was found guilty. Earlier, in 1985, he had been found guilty of another offence and suspended for seven days. This time, it was decided to dispense with his services altogether. In the face of the findings of the Disciplinary Board, Hammond's protestations of innocence cannot be accepted.

John Hayford, Chief of Finance of the GWSC, was dismissed by the Ministry of Works and Housing by a letter dated 22nd August, 1983. This was in reaction to the findings of a Committee of Enquiry into malpractices at the Corporation. The Committee's findings on the role of Hayford in the alleged malpractices are at page 63 of the report and record the fact that he failed to exercise professional care and judgment in the signing of cheques resulting in financial loss to the Corporation.

Hayford has no complaint about the way and manner the enquiry was held. His view is that the Committee's recommendation that he be re-deployed ought to have been accepted. Of course, the government was not bound to do so. Even though government intervention was unnecessary, his dismissal was justified by the findings of the Committee and the financial loss incurred by the Corporation.

Kofi Mensah Addison, Deputy Managing Director of the GWSC, was dismissed from his post in August, 1983 when a committee of enquiry appointed to investigate the affairs of the Corporation submitted its report. The decision was announced on the radio. He was never issued with a letter. His entitlements were not paid to him.

Ebenezer Chaiku Armah, a Senior Accountant of the PWD, was dismissed through an announcement on the radio on 23rd August, 1985 followed by a publication in the *Daily Graphic*.

The announcement alleged that he had been guilty of financial improprieties. He was never given a hearing. After several petitions to the authorities, the Ministry of Works and Housing recommended in letter No. MWH/PER/04/4 of 19th March, 1993 that since he was almost 60 years of age he should be pensioned off. This recommendation is yet to be implemented.

Following a fire at the workplace, **Jubilee Ephraim Kodzo Nutakor**), Senior Supply Officer of the Public Works Department, was interdicted on 12th November, 1981 and sent for trial. He was later discharged for want of prosecution.

He returned to work in 1982 to find that the PDC and the WDC had taken control of the Department. He was subjected to harassments, including arrests, until out of frustration he vacated his post and went to live in Lome, Togo. According to him, he had then served for 28 years.

In 1982, Nutakor was 47 years old. Instead of leaving his post without permission, he should have applied for early retirement. That he did not do so indicates that he took a conscious decision to forego his benefits for the sake of his peace of mind. In any case, a press release issued by the Ministry of Works and Housing in 1983 shows that Nutakor was dismissed “for gross negligence in failing to monitor delivery and issue of stores, and for fraudulent authorization of pre-payment of goods totaling €1.7 million.” This was on the recommendation of the committee which investigated the fire.

Gilbert Victor Kudjo Baku, a District Fire Officer stationed at Denu in the Volta Region, was found by a Committee of Enquiry to have smuggled petrol to Togo. The Committee recommended that he should be removed from office but paid his full retiring awards. He was dismissed on 29th January, 1981. His retiring awards were withheld.

Baku’s employers were not bound by the recommendation to pay his retiring awards when he had been dismissed.

Joseph Yaw Koblah, a tanker driver of the State Transport Corporation (STC), retired from the service of the Corporation on 1st July, 1988. On 8th September, 1989 he was arrested for diverting fuel in 1985. He was tried, convicted and sentenced to a term of imprisonment by a Public Tribunal. On 25th January, 1990, the Managing Director of the Corporation wrote letter No. PF/K.165/37 to inform Koblah that following his trial, conviction and sentence for “doing and act with intent to sabotage the economy of Ghana”, the Corporation “has no alternative than to convert your retirement from the service to summary dismissal in accordance with Article 15(a) of the Collective Agreement with effect from the date of your retirement.” Article 15(a) is 18(a) in the current Collective Agreement. It gave the Corporation power to terminate the employment of a worker in the position of Koblah “from the day of his conviction.” If on the day of his conviction he is not in the employment of the Corporation, he cannot be dismissed.

The purported dismissal of Koblah 18 months after he had retired from the service of the Corporation was illegal. He is entitled to be paid his retiring awards.

Frank Davis Kpentey, an Assistant Traffic Officer of the STC, was dismissed in 1987 on the recommendation of a Committee which investigated malpractices in the Corporation. He claimed that he was not given the opportunity of appearing before the Committee. Matter is before CHRAJ. The Commission expresses no opinion on this as it has not seen the report of the Committee.

John Narku Nortey, a Senior Traffic Clerk of the STC, was dismissed for failing to account for 106 receipts which had been issued to him in the course of his work. The omission was serious enough to warrant dismissal.

Charles Okordie, an Assistant CEPS officer based at Sunyani, saw a publication in the *Daily Graphic* and the *Ghanaian Times* that he had been retired from the Service. He accordingly gave up his post on 16th September, 1986. He receives a pension, but no gratuity was paid to him.

Antonio Archie In 1982, Archie, an employee of the CEPS based in Accra, was asked to go on transfer to Bolgatanga. He failed to do so claiming that his daughter was seriously ill and he needed to be by her side. In 1983, he was dismissed.

When his employers refused Archie's pleas to cancel his transfer he ought to have complied. His failure to do so cannot be condoned.

Ruth Delali Agbana, a Typist in the CEPS, and other officers were dismissed in 1986 through an announcement on the radio. Ruth and some of the officers challenged their dismissal at the CHRAJ and in the High Court. A settlement was reached in the case *Agyare v CEPS & Attorney General*, High Court, Accra. On the basis of this settlement Ruth was paid 2 years salary as compensation. She now asks to be re-instated in accordance with what she says was a directive from the CHRAJ.

Since the court settlement came after the proceedings at the CHRAJ, they override any orders made by the CHRAJ.

John Kwami Fiagbenu, joined the CEPS in 1954. Following a re-organization of the Service in 1960, he was retrenched. He has petitioned that he be paid a pension. As at the time of his retrenchment, Fiagbenu, who is now 75 years old, was not qualified either by age or length of service of a pension.

John Kofi Ayitevi, a Senior Inspector of CEPS stationed at Aflao as Officer-in-Charge, Preventive was found guilty by a committee of enquiry set up in 1981 of having authorised a subordinate to amend entries made in a customs form with a resulting loss of revenue to the State. Following the findings of the Committee, Ayitevi was dismissed. Ayitevi was given every opportunity to defend himself.

Yakubu Dadinkai was a journalist working for the New Times Corporation, publishers of the *Ghanaian Times* and the *Weekly Spectator*. On 29th April, 1982, he was appointed Deputy Editor of the latter paper. His letter of appointment was signed by Ato Austin, Secretary for

Information. On 15th October, 1983, Dadinkai published an editorial and a commentary on the departure of Fathia Nkrumah, widow of Kwame Nkrumah, from Ghana. There was also another piece which was on the same subject. In both, Dadinkai criticised those whose actions had brought about the departure of that lady from the country. The paper came out on a Saturday. The following Monday, that is, 17th October, Dadinkai was summoned to a meeting at which Joyce Aryee, then Secretary for Information, questioned Dadinkai about the publication. On 18th October, 1983, Joyce Aryee, as Secretary for Information wrote letter No. MOI/8/3 addressed to Dadinkai. The letter said in part:

“I have decided that you should be retired from the Services of the New Times Corporation as Deputy Editor of the Weekly Spectator with immediate effect. ...

The latest issue (October 15th 1983) is proof of your complete lack of control and direction over the paper. Your unintelligible and incoherent editorial under the heading “opinion” makes this most manifest and lends credence to your inadequacies. What is more, it clearly exhibits your total lack of understanding of the revolution. You seem to be so fanatical that you are unable to discern when the very names of the great leader, Dr. Kwame Nkrumah is being dragged into total disrepute.”

A copy of the letter was sent to the Managing Director of the New Times Corporation who followed up with a letter dated 19th October, 1983 asking Dadinkai to hand over any property of the Corporation by the close of work that day.

Augustine Vorodam was the Upper West Area Manager of the Cotton Development Board. On 17 February 1982 he was arrested by soldiers and taken to the Wa Police Station. The government set up a Committee of Enquiry to look into the affairs of the Board. The Committee found that the sum of ₵30,000 had been misapplied to meet the cost of picking seed cotton from Vorodam’s own farm. He was ordered to refund this sum to the State. On 6 February 1984 he was dismissed from the service of the Board. Before then, on his arrest, the following properties of his had been seized:

180 bags of paddy rice
1,250 bags of sorghum
250 head of cattle
150 sheep and goats

In a petition for re-instatement written by Vorodom on 27 November 1985 and addressed to the Secretary for Agriculture, Vorodom stated:

5. That the said ¢30,000 was duly authorized for use by the then Executive Director of the Board, Mr. Ziblim Andam for Special Seed Multiplication Projects in the Area....
6. That part of the ¢30,000 was used in picking seed cotton on the Board's seed multiplication farm and that the part of the said sum which was used in meeting the cost of picking the seed cotton from Vorodom's farm was applied as a result of the personal insistence by the then Executive Director, that having regard to the high quality of Vorodom's seed cotton...very good seed could be saved for sowing by farmers the following year....

There was thus ample justification for the finding of misapplication of public funds. However, during the period 17th February, 1982 to 6th February, 1984 when Vorodom was not permitted to work, he was effectively on interdiction and entitled to be paid half salary until the decision was taken to terminate his appointment.

Roland Yakubu Adams was District Manager of the Cotton Development Board, Tamale. On 25th October, 1983 he was convicted by a Public Tribunal under the chairmanship of Cletus Avoka of abuse of office for private gain. On the strength of this conviction, he was dismissed from his post. However, it is evident that the Tribunal was in doubt as to the guilt of Adams. It said:

“...we regret to say that this is the first time that we have been very confused after a case has been presented...At the close of the case except for the 3rd and 4th accused persons we could not make our minds clear as to the case against the 1st, 2nd, Adams and 5th accused persons. Our problem was compounded or made worse when the 1st and 2nd accused persons put up the most porous and lackadaisical defence in their favour...”

1. “...the prosecution alleged that 1,000 gallons of diesel and 25 gallons of Engine Oil and a quantity of hydraulic Oil went to the District Office. Nobody was called to give evidence to support this, and the Area Manager was not also cross examined on this issue. Similarly the 2nd accused said in his unsworn explanation that he received only seven gallons of engine oil and not 25 and 650 gallons of diesel and not 1,000 gallons from the Area Office. He did not call evidence to support this contention of his too. So which of them is speaking the truth...
2. The evidence before us as to when the farming season started and how many tractors were efficient for ploughing purposes was so blurred and inconsistent that as at now we cannot concretely decide when they were available...
3. We were told that certain farmers paid money to the 2nd accused but were never serviced, but no farmer either gave evidence to this effect before us or the NORRIC report Exh ‘E’. But this allegation was not meaningfully denied by the 2nd accused.”

In other words, even though the proof offered by the prosecution was not sufficient to establish his guilt, since Adams did not satisfy the Tribunal of his innocence he was guilty as charged. The trial was a travesty of justice and the conviction and sentence unlawful. Clearly, they ought not to be allowed to stand.

George Daniel Asante, a Foreign Service officer of some 25 years standing, was arrested on 20th February, 1985. He was kept in cells at Legon Police Station for 5 ½ months before being released. He was later dismissed by a letter dated 25th October, 1985 which said in part:

“The Ministry has carefully studied the report on your financial transactions while serving at the Ghana High Commission in Harare between 1980 and 1985 and is satisfied that you took advantage of your diplomatic status to indulge in serious financial and banking irregularities which the Government of Zimbabwe had to bring to the attention of the Government of Ghana. Your action and improper conduct have caused considerable embarrassment to the Government of Ghana and you are accordingly hereby dismissed from the Ghana Foreign Service forthwith.”

The report referred to was one prepared by officers of the Ministry who were sent to Zimbabwe to investigate alleged malpractices at the Embassy. The report said in part:

“Diplomats are not allowed to operate a non-convertible account with their earnings. They can only operate a convertible non-resident account which must always be fed with convertible currency other than Zimbabwean dollars. The currency may be transfers from the convertible account into another or transfers from overseas accounts...The second non-convertible account was opened to serve only the selfish personal interests of Messrs GOHOHO and ASANTE...The effect of these currency manipulations was to deprive the Mission of Z\$90,000 convertible Zimbabwean dollars in place of 90,000 non-convertible Zimbabwean dollars. The anger of the Zimbabwean Authorities stemmed from the fact that had GOHOHO and ASANTE not transferred the Missions convertible currency outside the country, the Mission in meeting its financial commitments would have drawn on this convertible account for non-convertible Zimbabwean dollars. The effect would have been convertible currency for Zimbabwe...The two officers (GOHOHO and ASANTE), from the report of the first investigating committee, admitted their wrong doing in paying into the Mission’s account non-convertible currency and withdrawing from its convertible account convertible currency.”

In an exculpatory note written by the petitioner on 1st July, 1985, he explained that because the Embassy in Harare was short of funds he and his colleagues pooled their own resources to pay rent, electricity and other bills until funds arrived from Accra. Refunds were then made to the

affected officers, including himself. As to the source of his contribution, he claimed that his wife was running a tie and dye business as well as a dress-making enterprise in Zimbabwe.

It was not for the petitioner to lend money to the Ghana Government and recover it from public funds later. It is also a standard rule that diplomats and their spouses do not engage in trade or other business ventures in the countries to which they are accredited. The potential for financial irregularities and possible embarrassment to the Ghana Government was real and justified the action taken against the petitioner.

Paul Yao Kumordzie In February, 1990, Kumordzie was dismissed from the Ghana Foreign Service. At the time, he was in Accra and had been placed under arrest for matters unconnected with his work. A letter from the Research Department to the Minister dated 31 January, 1997 gave full reasons for the dismissal. It stated:

31st January, 1997

PETITION FOR REINSTATEMENT
MR. PAUL YAO KUMORDZIE
(EX-SERGEANT)

Please refer to your SCR.AD/RB/SF.Vol.7 dated January, 1997 on the subject above.

2. Mr. Yao Kumordzie was dismissed from the Research Department in February, 1990 for acts prejudicial to the efficient conduct of the Civil Service in accordance with section 25 (1) of the Civil Service Act and interim Regulations 1960.
3. Mr. Kumordzie was employed in the Research Department of the Ministry of Foreign Affairs on 5th August, 19981 as a Radio Operator soon after his retirement from the Ghana Armed Forces. He was posted to London as a Radio Operator on 22nd January 1985 and returned to base on 6th July, 1989 on completion of his tour of duty.

4. Mr. Kumordzie's work at post left much to be desired. The officer exhibited disinterest and lack of commitment to his duties. This is evidenced by the numerous queries and warnings given to him whilst working at our Mission in London.
5. Shortly after his arrival at post, the officer started dictating to operators at the base station Accra hours during which he could be contacted. Even though the Operators at base yielded to his dictates, he was barely on the set thus causing delays in relay of message. At one point that is, in March 1989, an officer was detailed to directly supervise his movements. Even with this restriction he persisted in his usual ways thus attracting a warning in June 1989.
6. In brief he was fond of malingering and did not show any interest in his work neither did he attach any importance to it.
7. This habit persisted when he returned to base. After taking his accumulated leave of fifty (50) working days with effect from 11th July, 1989, he also took sick leave for a couple of times and had casual leave of ten (10) days on 30th October 1989.
8. He had barely resumed work when he was arrested on 22nd November 1989, at the Ministry of Foreign Affairs Communications Section for his involvement in a mortgage fraud in London. But for the fact that he had been recalled to base, the United Kingdom Foreign and Commonwealth Office would have requested the Ministry to waive his diplomatic immunity to enable him assist the Police in their investigations. Indeed, the United Kingdom Police inquired from the High Commission whether it would be possible to extradite Mr. Kumordzie to Britain for interrogation.
9. In view of the officer's apparent disinterest in the work and his complicity in the mortgage fraud in London, the Department sought and was granted approval by the competent authorities for his dismissal from the Civil Service in accordance with the laid down regulations.

For: AG. CHIEF DIRECTOR
Sgd. (A. K. BAAH-BOAKYE)
DEP. DIRECTOR/ADMIN

THE MINISTER OF FOREIGN AFFAIRS
MINISTRY OF FOREIGN AFFAIRS
ACCRA

(ATTN. MR. J. G. BAETA
SUPERVISING DIRECTOR/ADMIN.)

Isaac Awuzu Tiyo, was employed as a messenger in the Ministry of Foreign Affairs in 1977. In 1988 he was retired from the public service. His conduct while in the service had been unsatisfactory: in 1983, he absented himself from duty without permission; in 1984, he was made to forfeit a week's salary for failing to deliver on time a very urgent letter to the Castle; in July, 1986 and in October, 1987 he was queried for absenting himself from duty without permission; he was detained in police cells for purchasing stolen items. These were all serious infractions of Civil Service Regulations and fully justified the decision to retire him.

Anthony Kwofie Jabialu, Jabialu joined the Ghana Foreign Service in 1962. When the 31st December, 1981 coup took place, he was serving at the Ghana Mission in Lome. On being recalled to Accra, he submitted a medical report from a doctor in Lome that he was receiving treatment for a cardiac condition. Accordingly, the Ministry of Foreign Affairs granted him permission to stay in Lome till June, 1982. When he failed to return, his salary was withheld and, on 24th August, 1983 he was formally dismissed for vacating his post. Thereafter Jabialu took refugee status in Lome and was paid an allowance by the UNHCR.

The dismissal of Jabialu was in keeping with practice in the Civil Service. Even if he was unwell, having enjoyed six month's leave with full pay under Civil Service Regulations, he

ought to have returned to Ghana to face a medical board to determine whether he was in a fit state to continue with his employment. His failure to return home amounted to vacation of office.

Through the intervention of CHRAJ, Jabialu has been paid gratuity and now draws a pension.

Benjamin Kwadwo Yeboah, an officer in the Research Department of the Ministry of Foreign Affairs, was retired from the Civil Service with effect from 30th November, 1984 as part of a review of the staff strength in the Department.

No employer is bound to keep an employee for the whole of his working life. If he decides to dispense with his services, he is bound to pay him whatever is due the employee under the terms of his contract. Yeboah has not alleged that he was either not paid what was due or short paid.

Charles William Ackah was employed as a Security Guard at the Ministry of Foreign Affairs in 1964. In 1983, he underwent a surgical operation. In spite of this, the state of his health did not improve and it was decided to retire him on health grounds. This is evidenced by a Certificate of Service issued to him on 21st March 1984. Discharging an officer from the public service on medical grounds is a normal proceeding. Ackah has not produced any evidence to show that in his case it was done in bad faith.

Henry Breakspeare Apatu-Plange, a High Court judge, was removed from office by radio announcement in 1986 by the PNDC under powers they conferred on themselves by PNDC (Establishment) Proclamation (Supplementary & Consequential Provisions) (Amendment) Law, 1986 (PNDC L 145) which deprived judges of the protection they had against arbitrary dismissal under Article 128 of the Constitution of Ghana, 1979. It amounted to an abuse of power and a violation of the rights of the individual.

Michael Komla Adzovie, a Circuit Court Judge, was removed from office in the same manner and under the same enactment as Apatu-Plange.

Kenneth Emmanuel Bruce, a Chief Immigration Officer, was removed from office by radio announcement on 20th May, 1989. He was arrested, detained and then released. No charges were brought against him. He has been denied a pension.

Ansah Barnor, In 1983, during the trial of Amartey Kwei and others for the murder of the judges, reports on the British Broadcasting Corporation and Voice Of America which showed Capt Kojo Tsikata in an unfavourable light were attributed to Barnor, an editor of the Ghana News Agency, who also wrote for West Africa Magazine. He was forced to resign his post.

Michael Amegadzi Sokpoli, a Senior Revenue Collector of the Tema Metropolitan Assembly, he was dismissed with others on 31st January, 1987 on the strength of recommendations said to have been made by a committee which enquired into allegations of financial malpractice at the Tema District Council. The letter informing Sokpoli of his dismissal is dated 15th February, 1987. Thus, it is clear that he was not given any notice whatsoever of his dismissal.

Ayanga Tindana; Lamisa Busanga; Charles Aidoo, Tindana, Busanga and Charles Aidoo were employees of the Town & Country Planning Department at Cape Coast. Tindana and Busanga were watchmen and Aidoo, a driver. In 1980, they were arrested when a pick-up got missing from the Department's yard. An attempt to prosecute them was aborted when the Principal State Attorney, Cape Coast, advised that the evidence was insufficient. Following this advice, the Department purported to dismiss the three employees. This was ruled out of order by the Ombudsman and, subsequently, the Head of the Civil Service took a decision that the employees be paid their salary arrears and formally retired or re-deployed. Busanga was paid ₵3,031,992.96 being salary arrears from June 1980 – December, 1995. Tindana has not been paid. Aidoo is believed to have died in 1980. Implementation of the decision requires that Tindana be paid salary arrears; that Tindana and Busanga be pensioned off and Aidoo's next of kin be paid appropriate entitlements, if any.

Samuel Adjei Larbi; Akosua Owusuaa Elisabeth Amponsah; Afua Agyeiwaa; Yaw Kwakye; Abena Buruwaa Emmanuel Owusu Appiah; Emmanuel Ofori, these employees of the Cocoa Services Division of the Cocoa Marketing Board were retrenched in 1985. The

government of the PNDC fixed arbitrary retiring awards for them and ordered that they be paid by instalments.

On 20th February, 1984 **Samuel Anum Okai** was summarily dismissed by the Ghana Cocoa Marketing Board for disclosing classified information relating to cocoa purchases. He was also prosecuted in a Public Tribunal and found guilty of the offence. In the cocoa industry the offence of unauthorized disclosure of information is a serious one calling for appropriate sanctions. However, considering that Okai had worked for the Board for 24 years, an ex gratia payment could have been made to him in respect of his end of service benefits.

Stephen Dickson Kofi Nimoh On 24th September, 1982, the Chairman of the PNDC announced at a farmer's rally at Sunyani that Nimoh, Regional Purchasing Officer of the Produce Buying Company for Ashanti, had been dismissed along with Borquaye, Managing Director, and one other. The reason given was that the three had disregarded a directive from the PNDC to provide it with certain information. A report of this appeared in the *Ghanaian Times* of 25th September, 1982. Nimoh was not given a hearing, nor has he since received any letter terminating his appointment. After petitioning for redress, the dismissal was altered to retirement. Nimoh was paid a gratuity. However his pension has been withheld. At the time of his dismissal, Nimoh had worked with the PBC for 24 years.

Alexander Akuetteh Hammond was a Works Superintendent of the CMB stationed at Agona Swedru. On 22nd February, 1988 his appointment was terminated on the directions of the PNDC for what was described in letter number PRS/DD/155/X of 21 March, 1988, signed by K.N. Owusu, Chief Executive of the CMB, as "gross dereliction of duty which has cost the Board millions of cedis".

It is clear from the letter that the decision to terminate Hammond's appointment was taken by the PNDC and not the Board of the CMB. Even though the letter indicated that Hammond's entitlements would be paid, he claims that they were not, infact, paid. If this is so, he ought to be paid without further delay.

Cecilia Adjoa Mensah In 1988, Cecilia, a Senior Labour Officer, was charged with defrauding by false pretences. She was put before a public tribunal which found her guilty and sentenced her to a fine of ₵3 million or in default five years in hard labour. In consequence of this conviction, she was dismissed from her employment. A reading of the judgment of the tribunal shows that as many as 14 persons came forward to testify that Cecilia obtained various sums of money from them on the representation that she was in a position to recruit them or their relatives to work in Israel and Libya. The overwhelming evidence adduced at the trial amply justified the verdict of guilty and rendered her totally unfit to continue to hold an office in the public service.

Augustus Munkoh Baiden, a security guard with the Ghana Oil Palm Development Corporation, was dismissed in 1992 for absenting himself from duty without permission. Earlier, he had committed a similar offence resulting in the theft of two car batteries belonging to his employers. He was given one month's salary in lieu of notice. Since the relevant provision in the Collective Agreement, Article 29 required that as a person who had been in employment for eight months only his services could be dispensed with on two weeks' notice, Baiden can hardly complain. It is a serious matter for a security guard to absent himself from work without permission.

Joseph Kwasi Nimako, was General Manager of GIHOC. In June, 1984 the government ordered that he be dismissed. This decision appeared in the *Ghanaian Times* of 25th June, 1984. The allegation made against him was that he and the Commercial Manager of the Corporation had committed various irregularities in connection with tenders. He was put before a public tribunal, but the trial was never concluded.

Samuel Kwadjo Mireku, a Registrar of the National House of Chiefs, was dismissed on 17th September, 1988. Upon a complaint brought by him the CHRAJ made an order for the payment of his salary and allowances up to 1st June, 1996. He is disputing the basis of calculation of his entitlements. The dispute is one for the CHRAJ or a court of law to resolve.

Enoch Boateng, an employee of the State Shipping Corporation, was laid off in 1990 after twenty years' service. His entitlements were not paid.

Magnus Nortey Ocquaye, On 20th August, 1983, following the jail break of 19th June, 1983, a number of Prisons Officers, among them Ocquaye, a Chief Superintendent of Prisons, were summarily dismissed for "gross incompetence in the execution" of their duties. At the time Ocquaye was the second-in-command at James Fort Prison. On 28th March, 1995 the dismissal was altered to retirement with payment of full benefits on the instruction of the Prisons Service Council.

Michael Kwao Anang, a driver attached to the household of the Chairman of the PNDC, was detained in the Castle guardroom for four weeks and then summarily dismissed.

Emmanuel Kingsley Anto In 1987, while Anto was holding the Civil Service post of Acting Chief Director in the Ministry of Local Government, he was seconded to the National Commission for Democracy as a deputy PNDC Secretary, a political appointment. In December, 1989 he was released to go back to the Civil Service for re-posting. On 31st July, 1990 he was compulsorily retired from the Service. No reasons were given.

Robert Sowah Anyankor, a member of the June Four Movement claimed that in November, 1983 he was enlisted into the Forces Reserve Battalion, a paramilitary organisation set up by the PNDC. In proof of this he filed letter No. PSC/A/AAA/21 of 26th September, 1985 signed by the Secretary to the Public Services Commission. By this letter, Anyankor was offered an appointment as Personal Security Officer Grade IV in the Civil Service with effect from 1st November, 1983. He was to be on probation for two years and his conditions of service were to be governed by the Civil Service Act, 1960. Paragraph 8 of the letter indicated that a formal letter of appointment would be issued to him at a later date, presumably after he had completed his two years' probation. On 7th May 1986, while he was in the company of another militiaman, Raymond Akushie Okine, the said militiaman shot and killed one Emmanuel Quarshie. Okine and Anyankor were tried by a public tribunal for the offence. Anyankor claimed to have been acquitted. The authorities ordered that he be dismissed. There was more than a reasonable

suspicion that Anyankor was implicated in the murder of Quarshie. In any case, the dismissal took effect while he was on probation.

James Kwasi Tega and one other, Adjei-Twum, spent their period of National Service working for the 31st December Women's Movement. On completion of their service Nana Konadu Agyeman Rawlings, President of the Movement, sought to retain their services on a permanent basis. On 23rd September, 1987 she wrote a letter to the Chief of Staff, Burma Camp, Accra to request for their services. She said:

“Dear Sir

RETAINMENT OF NATIONAL SERVICE PERSONNEL

With reference to our discussion we would like to retain Messrs J. K. Tega and K. Adjei-Twum who have completed their two years national service with the Movement. This is because of the efficient and effective way in which they conducted their duties during their term of national service. We would be most grateful if they could remain with the movement for continuity.

Please, you will find attached, their documents. They are however if possible to be started on the scale equivalent to their qualifications and experience.

Thanking you in advance for your usual kind cooperation and support.

Yours faithfully,

Nana Konadu Agyeman
President”

Tega and his colleague had meanwhile applied for regular jobs in the Civil Service. They were successful. On 14th July, 1988, Tega wrote a letter to Mrs. Rawlings asking that he be seconded from the Civil Service to work with the Movement. He said:

“Dear Madam

APPOINTMENT INTO GHANA CIVIL SERVICE

I wish to inform you that I have been offered appointment as Administrative Officer Grade IV in the Ghana Civil Service as per Public Services Commission letter Ref. No. PSC/A/AAA/8 of 10th May, 1988.

I shall be grateful, Madam, if you will kindly arrange for my secondment to the Movement to enable me to continue working with it.

May I seize this opportunity to thank the President and the National Executives of the 31st December Women’s Movement who have in diverse ways contributed to my stay. I look forward to many more years working with the Movement.

Thank you.

Yours sincerely

J. K. Tega”

Mrs. Rawlings was unimpressed. She made it clear to Tega that he was trying to run away. On 1st August, 1988, Tega received a letter from the Acting Chief Director of the Civil Service terminating his appointment with the Civil Service. The letter stated:

“Sir,

**TERMINATION OF APPOINTMENT AS ADMINISTRATIVE OFFICER
GRADE IV**

Please refer to letter No. PSC/A/AAA/8 dated 10th May, 1988 from the Secretary, Public Services Commission offering you an appointment as Administrative Officer Grade IV and the subsequent directive from this office posting you to the Volta Regional Administration (Anlo District).

It has been brought to the notice of this office that checks conducted on you as required by Regulation 27 of the Civil Service Interim Regulations 1969, (LI. 47) indicate that your work and conduct during the period of your national service were grossly unsatisfactory. In view of this, I am directed to inform you that your appointment as Administrative Officer is terminated with immediate effect.

Yours faithfully,

(F. Y. KYEI)

AG. CHIEF DIRECTOR

For MEMBER/SECRETARY OF COMMITTEE OF
PNDC SECRETARIES & HEAD OF CIVIL SERVICE”

This damning letter was enough to prevent Tega from getting any other job in the Public Service. After a vain search for other employment, Tega was obliged to go back to Mrs. Rawlings’ Movement in 1995. He was finally discarded, very much against his wishes, in 1999.

Frederick Amoako-Ofori, an accountant with the Ghana Publishing Corporation, was retired from the service in 1992. No reasons were given. Before his retirement, he had been placed on interdiction for two years while reporting to the NIC.

Daniel Namoale Mensah, In September, 1991, Mensah, an Accounts Assistant at the office of the Controller & Accountant General was interdicted pending police enquiries into an allegation

of fraud made against him in an audit report. In November, 1992 he was dismissed from the service. He was never tried. Following a petition filed by him at the CHRAJ, a settlement was arrived in 2001 and he was paid an agreed sum as damages. Having accepted the terms of settlement Mensah cannot now resile from them.

Constance Murray nee Benson-Adjei, joined the Ghana Education Service in 1961. In 1986, while she was serving as the Headmistress of Yaa Asantewaa Girls Secondary School, Kumasi, she complied with a request from the Service to submit the roll of students for the purpose of receiving government bursaries. As it turned out, the roll prepared by the Bursar of the School contained some inaccuracies. On discovering this, the petitioner wrote to the Regional Director, Ashanti to refund the excess payment of ₵123,200. This sum was duly forwarded by the Director to the Head Office in Accra under cover of letter No. TJ/PS/6/23 dated 8th July, 1986. Subsequently, the petitioner received a letter demoting her from the position of Assistant Director to that of Principal Superintendent and transferring her to Wesley College, Kumasi to teach. Naturally, the petitioner felt aggrieved, but her protest fell on deaf ears. Her health was adversely affected and she applied for leave of absence to join her husband in the United Kingdom. She now asks that she be re-instated so that she may draw a pension. Since the petitioner is now above the compulsory retiring age, re-instatement is no longer available as a remedy. However, she is right in complaining about the shabby treatment meted out to her.

Rose Ghansah; Faustina Paintsil; Theresa Paintsil, In 1978, the petitioners were appointed as untrained Attendants at the Saint Michael Day Care Centre at Ajumako Besease. In 1986, they were given permanent appointments as teachers at the Catholic Day Nursery. Three years later, their appointments were terminated. Although the appointments were described as permanent, they could be brought to an end if (a) a trained teacher became available or (b) as a result of misconduct, neglect of duty or general inefficiency.

The replacement of the petitioners with untrained teachers was not in accord with their contracts. The issue of cheques in their favour, but which were later stopped, was an acknowledgement of their entitlement to compensation for loss of employment.

Pius Albert Akoi was Headteacher at Govinakrom L/A Middle School. In 1983, he was arrested for selling pens to his pupils above the control price. He was put before a public tribunal, convicted and sentenced to two years imprisonment. After serving the sentence he was dismissed by the Ghana Education Service.

Johnson Bonyah Asamoah, was the storekeeper of Bawku Secondary School. In 1987, adverse findings were made against him, the Headmaster and the Bursar of the school by an audit task force. As a result, the three were surcharged with the amount involved and dismissed by the GES. The headmaster and the bursar petitioned against the findings. A review was ordered and both were cleared. Nothing was said about Asamoah who had left the north to return to his hometown down south. In 1997, he petitioned CHRAJ. In response, letter No. NTP.10363/35 of 19th February, 1998, signed by G.N. Badu for the Director General, informed CHRAJ that in view of the re-instatement of the two officers, Asamoah's petition ought to be favourably considered. Thereafter, nothing appears to have been done. The GES ought to have taken the decision to re-instate Asamoah without waiting upon CHRAJ to tell them to do so.

Emmanuel Koblah Akpanyah, an Assistant Administrative Officer in the Ghana Education Service (GES), was re-deployed under a staff reduction exercise which was implemented in 1988/89. He refused to collect the compensation due to him and instead left the country to live in the Ivory Coast. He has now returned and is asking to be paid. He is entitled to receive whatever sum was originally due to him.

Anthony Nicholas Bartz-Minlah, a teacher in the GES stationed at Ada Foah, sustained injuries in a motor accident on the Winneba-Awutu Road in April 1973. He sought a transfer to Accra to enable him attend Korle Bu Hospital for treatment. This was granted in 1978. He then applied to take his annual leave from 20th November, 1978 to 2nd January, 1979. On 19th January, 1979 he applied for leave without pay on the ground that he needed more time to recover from his injuries. This was granted and he left the country. He claims he returned to resume his duties on 13th March, 1982 but was told to leave shortly thereafter. Minlah's story that for three years he was on leave without pay for the purpose of treating his fractured hand abroad is an improbable one.

Anthony Dadzie, also known as Assan Mensah, was Chairman of the CDR at GES Regional Office, Koforidua. He was also a militiaman. In 1986, following an audit of educational institutions and the Treasury offices of the Controller & Accountant General, Dadzie and two others were charged with misappropriation of public funds. Dadzie was found guilty and sentenced to three years imprisonment plus a fine of ₵1 million or in default 10 years imprisonment. He appealed against the decision, but the judgment was affirmed.

The tribunal was right that, as a CDR Chairman and a militiaman, Dadzie ought to have known better than to engage in such dishonest practices.

Daniel Essah Afari was Principal Accountant of the Ghana Highway Authority. In 1983, a Committee of Enquiry was set up to look into the running of the Shai Hills Training Centre. Following the submission of its report, Afari and other employees were dismissed. Afari was accused of gross inefficiency in supervising the Centre's account. By the dismissal he lost his right to gratuity and pension. Since he was not accused of misappropriation himself the decision to dismiss him rather than dispense with his services seems rather harsh.

Joseph Amarkwei Amartei, an Assistant Accountant at the Ghana Highway Authority at Wa, Upper West, was found to have incurred a shortage when his accounts were checked during an annual audit in 1988. He was made to refund the amount. He was interdicted and then dismissed. His explanation that he had no safe in which to keep funds and that other persons had access to his office though plausible, cannot clear him of responsibility for the shortage.

Samuel Laryea Abbey, was appointed Acting Managing Director of the State Farms Corporation in June, 1982. He was unceremoniously removed from office by radio announcement in September of that year. No reasons were given for his removal.

Francis Kwadzo Ampony, a Senior Meter Reader of the ECG stationed at Wa, Upper West Region, was found guilty by a board of enquiry of providing meters without authority to two houses, thereby enabling them to be connected to the Corporation's installations. As a result, his

appointment was terminated. He was given an ex-gratia award under Article 58 of the Collective Agreement, 1973.

Winfred Kwami Narcoor-Tsey, was a former employee of the Ghana Atomic Agency (GAA). After completing a course of studies in the United States of America, he sought re-engagement as a means to obtaining financial assistance to the tune of US \$20,000 from the Intergovernmental Committee for Migration for returning to Ghana. The GAA refused to employ him. In desperation, he came to Ghana to plead with the GAA. When the ICM got to know that he had returned to Ghana on his own, the financial assistance was withdrawn. On the facts the GAA were not bound to employ Tsey.

Christoph Nutsugah, was an Accountant at the Controller & Accountant General's Department. He was attached to the National Malaria Service, Ho. When his books were checked in 1986 he was found to be short by ₵348,000. He refunded the amount and, soon after, he was dismissed. There are no good grounds for his claim for re-instatement.

Alex Kwaku Mensah, a records assistant in the Ministry of Health stationed at Ada, petitioned that in 1991, he was re-deployed without being paid any benefits. However, we have on our file letter number GAR 18/32 Vol. IV of 7th December 1991 written by the Regional Medical Officer of Health, Greater Accra Region to the petitioner asking him to submit his particulars to enable the office work at his end of service benefits. Instead of complying with this request, he resorted to using his connections with the CDR and CDO to have the redeployment reversed.

Robert Nii Sai Botchway, an employee of the Aburi branch of the Ghana Commercial Bank, was dismissed on the strength of an audit report which revealed the theft of over ₵100,000,000 from the branch. Botchway and other employees, including the Branch Manager, were tried by a public tribunal. Botchway was found guilty and sentenced to 10 years imprisonment. On appeal, he was released on refunding the portion of the loss attributed to him.

Emmanuel Quarcoo Buami, On 25th November, 1981, Buami and nine other employees of the VORADEC were interdicted for alleged mismanagement of the affairs of the Corporation. In

early 1982, a Committee, the Nutsugah Committee, was set up to carry out an investigation. Its report was set aside by the High Court, Ho, presided over by Hayfron J. on 12th April, 1983. Subsequently, Kwamena Ahwoi, Co-ordinator, Revenue Commissioner & Investigations wrote letter number PNDC/CIV/54/HW of 14th August, 1986 to the Secretary, PNDC Secretariat, the Castle, Osu, recommending that Buami be re-instated. He said:

Mr. E. O. Buami should be re-instated with all his arrears in salaries and allowances from the date of his interdiction. His assets and bank accounts, if not defrozen, should be defrozen immediately.

Buami's accounts have since been defrozen, but he was not re-instated. Only part of his entitlements were paid to him.

William Kwamla Woekpor, a Senior Accounts Clerk of VORADEC, was interdicted pending an investigation into the affairs of the Corporation. Although he was cleared by the NIC by their letter No. PNDC/NIC.70.125 of 15th April, 1987, he was not re-instated, nor were his end of service benefits paid. Meanwhile the VORADEC was placed under divestiture and wound up in 1997.

Nora Emily Azu, an employee of the Ministry of Health, left her post and went to London where she stayed for a year-and-a-half. On her return, she asked to be paid what she claimed were her entitlements for the period 1972 – 1982 when she worked for the Ministry. This was refused. On the facts, Nora vacated her post and was not entitled to any end of service benefits.

Kwame Dartey-Bempong; William Kwame Asiedu, Bempong and Asiedu were employed by Fattal Brothers Ltd., a motor company. They were kept on when the government took over the company. On 5th September, 1985, Captain Dordor of the PNDC Secretariat wrote letter number PNDC/S.09 to the Secretary for Trade informing him that the PNDC had decided that Bempong, Asiedu and six other employees be summarily dismissed. On the strength of this letter the new company, Ghamot Company Ltd., wrote letter number GCL/662/85 dated 3rd December, 1985 to Bempong, Asiedu and the others to inform them of the decision of the PNDC that they be dismissed summarily with effect from 13th June, 1985. It was alleged that Bempong,

Asiedu and their colleagues had been found guilty of certain improprieties by an audit report. They were denied their entitlements.

As an incorporated company, Ghamot Company Limited has a legal personality of its own. Even though, with the compulsory seizure of the shares of the Faltal Brothers, the government had become the majority shareholder, the decision to dismiss ought to have been taken by the company and not the government. The interference of the government in the affairs of the company was uncalled for and wrong.

Pingo Dzakpata, On 19th February, 1992, Abubakar Alhassan, a detainee who was on admission on the 4th floor of the Surgical Ward at Korle-Bu escaped. Dzakpata and Moses Ahele, prison officers, were on duty to guard him. Following the escape, the appointments of the two were terminated. Dzakpata is asking to be re-instated. The fact that Alhassan who had been chained to his hospital bed could procure a hack-saw blade to free himself from his shackles and escape by clambering down the wall from the 4th floor without being observed raised serious questions as to the competence of Dzakpata and his colleague. The action of the prison authorities was justified.

Emmanuel Amartey Amarquaye, was a driver at the GNTC clinic, Accra. On a day in 1982, he took the vehicle home and parked it there for the night on the excuse that if he parked it at the clinic, he would not be able to get home before the curfew. Unfortunately, all four tyres were removed and stolen while the vehicle was in his custody. He was dismissed. Amarquaye has himself to blame. Instead of parking the vehicle in his house, he ought to have parked at the clinic and spent the night there.

Daniel Awah, was Advertisement Manager of the New Times Corporation, Accra. In 1988, a committee was set up to investigate allegations of impropriety in financial administration of the Corporation. Even though Awah was never called before the Committee to answer any allegations of financial impropriety, the government took a decision which it said was based on the finding of the Committee that Awah be retired from the service of the Corporation.

James Kwaku Nyame, was a mechanic working with the Suhum Cocoa Project. In 1985, the Project was closed down and all workers, including Nyame were retrenched. Nyame was paid ₵8000. His petition is to be paid the balance of what is due to him. In the petition he gives no indication as to the quantum of his claim and he did not appear before the Commission to give evidence. In the circumstances, it is impossible to make an assessment of his entitlements.

Kwame Kwateng Nketia, a university student who failed his examinations, attributes his dismal performance to his participation in strikes calling for the removal of Acheampong from power. He claimed that the PNDC promised to find jobs for all such students. Petitioner failed to appear before the Commission to back up his claim with evidence.

Christian Yao Anku, was an employee of the GBC. In 1989 he and 592 other workers had their appointments terminated as part of a retrenchment exercise. All the affected workers were paid their terminal benefits. However, a memorandum from the Regional Manager, Ho to the Director General of the GBC dated 22nd April, 1992 shows that Anku had outstanding leave of 115 days. The Regional Manager recommended that this be commuted to cash and paid to Anku. If, as Anku claimed, this has not been done, then it ought, clearly, to be done.

Egya Acquah was employed as a sanitary labourer by the Adjumako-Eyan-Esiam District Assembly from 1981 to 1985 when he was retrenched. He claimed compensation for loss of employment. Acquah did not appear before the Commission to give evidence when offered the opportunity to do so. The petition as filed was not supported with any documents. In the absence of proof that by the terms of his employment his four years' service entitled him to some kind of payment for loss of employment, we are unable to make any recommendation in his favour.

John Ben Bekoe, was employed by the Agona District Council as a Revenue Collector in 1978. In 1986, he was laid off. Although he claimed compensation for loss of employment, he did not provide any documentary evidence to support the claim.

Albert Twumasi, worked for the State Transport Corporation for 10 years as a messenger and, later, as a conductor. In 1992, he was retrenched with other workers after the necessary consultations had been held with the Ministry of Mobilisation & Social Welfare and the local Trade Union. His benefits were paid to him. Petitioner's claim for re-instatement is not a reasonable one.

Joseph Kwame Tomfuor, was Transport Officer at the Ghana Publishing Corporation. In 1992, he was laid off as part of a general reduction of staff at the Corporation. The petitioner admits that he was paid some money, but does not disclose the amount or state why he considers it to be insufficient. Reduction of staff is a normal industrial practice. All that the worker can demand is that he be paid what is due him under the terms of his contract of employment.

Philip Danso, who is now old and infirm, retired from the Ministry of Health as a Medical Assistant Grade I in 1982. His son, Martin, who filed the petition on his behalf, claimed that although his father receives pension he was not paid any gratuity. When contacted by the Commission, the Chief Treasury Office responded by letter number PC.2/209/03 dated 2nd December 2003 as follows

“The procedure for the payment of gratuity and monthly pension as per CAP 30 has not changed since 1982. It has always remained the same.

Gratuity is paid after the file has gone through certain processes and controls and it is paid to the pensioner. The jacket containing the pension Form 1 is only released to Pension Payment section for the processing of monthly pension on condition that the gratuity had been paid. Effectively, the system works on the basis that non-payment of gratuity to non-payment of monthly pension.

With regard to the case under consideration the jacket for Mr. Philip Danso has been retrieved from the Ghana Government Archives (PRAAD).

It is pertinent to note that a letter was written by the Controller and Accountant-General's Department on 26th August, 1982 (copy attached) requesting the Principal Secretary, Ministry of Health to submit to the office of the Controller and Accountant-General for passing payment voucher in respect of gratuity amounting to ₵13,723.00 (Thirteen thousand, seven hundred and twenty-three cedis only) due to Mr. Philip Danso a Medical Assistant Grade 1.

On 6th October, 1982 the Ministry of Health responded to Controller and Accountant-General's Department (find copy attached) that it was submitting payment voucher for ₵13,723.00 thirteen thousand, seven hundred and twenty-three cedis only) in respect of gratuity due to Mr. Philip Danso for passing and payment.

It is pertinent to note that Mr. Danso went ahead to process his monthly pension at the Pension Payment Office.

The above analysis gives sufficient evidence that Mr. Philip Danso was paid his gratuity in 1982.

The Commission is satisfied from the above that Philip Danso was duly paid his gratuity in 1982.”

Kwow Amanfo Sagoe, was Special Adviser and Director of Research at the Stool Lands Boundaries Settlement Commission (SLBSC). On 7th April, 1982, he was appointed Chairman of the Lands Commission. Paragraph 3 of his letter of appointment stated as follows:

3. Your emoluments and other conditions of service will be communicated to you in due course.

These “emoluments and other conditions of service” were never communicated to him. However, he continued to receive the salary and allowances attached to his former office of Special Adviser and Director of Research at the SLBS Commission. He retired as Chairman of

the Lands Commission in 1989. He claimed that the position of Chairman of the Lands Commission was a political office and that he ought to have been paid terminal benefits as such.

The fact that when Sagoe retired in 1989 he was paid gratuity and pension attached to his Civil Service post indicates that he never left the Civil Service. If he had, he would have been paid gratuity and pension in 1983.

Stephen Antwi, was an Examiner in the Audit Service. In 1985, he had occasion to audit the books of George Akuffo, Bursar of the Presbyterian Training College, Aburi. Subsequently, Akuffo followed Antwi to Asutware where he had gone on other audit duties. Akuffo persuaded Antwi to tick entries he had re-written in a new Cash Receipt Book. According to Antwi, Akuffo told him a page in the original Cash Receipt Book was torn out and spoilt by his daughter and that the District Auditor, Akropong, Adjei Ampofo, had directed that the re-written record be sent to Antwi for certification. As it turned out, Adjei Ampofo knew nothing about it. On receiving Antwi's new certificate, he referred the matter to the Eastern Region Special Audit Task Force. Akuffo, Antwi and one Nicholas Asumadu, his immediate superior officer, were arrested. After having been granted bail, Akuffo fled the country. Antwi was interdicted from duty and later dismissed. As an experienced auditor Antwi's suspicious ought to have been raised. The fact that Asumadu was later re-instated does not help Antwi.

George Elliot Kwasi Oppong was Marketing Manager of the Tema Food Complex Corporation. A Committee appointed to enquire into the operations of the Corporation recommended that he be retrenched. He was paid nothing by way of compensation.

Matthew Yaw Adjei was a Deputy Superintendent of Prisons at the Nsawam Prisons. During 1986, Andrews Kwame Pianim was a prisoner at the Prisons. It was the duty of Adjei, from time to time, to escort Pianim to various places in Accra in connection with a prison poultry project of which he was the consultant. In the course of these visits to the town, Adjei permitted Pianim to visit his home. Adjei was arrested and, after a period of detention, dismissed from office. It is clear that Adjei was in breach of Prison rules.

Alexander Minta Addo, an officer of the BNI, was dismissed for breach of regulations in passing a note from a person in custody to his wife. Even though established disciplinary procedures were not followed, the facts were not disputed by Addo. In the circumstances, his removal from the BNI was fully justified.

Solomon Odoi Manu, an officer of the BNI, was dismissed following the escape of a person held in custody. His disclaimer of culpability in the escape namely, that the vehicle which was to take him to work was late in coming is unconvincing. Therefore, even though established disciplinary procedures were not followed in his case, the dismissal was the appropriate penalty for his lack of vigilance.

Victor Dunyo, and four other officers of the BNI were summarily dismissed in July, 1987 when a prisoner in their custody escaped. The escape from custody of a prisoner is a serious matter which calls for the severest punishment on the officer or officers responsible for the escape. Dunyo failed to plead any exculpatory facts in his defence. He was re-engaged in 2001. He seeks re-instatement with promotion. We do not consider this to be a reasonable request to make after 13 years.

Pius Komla Mensah, on 12 July 1987 while Mensah, Dunyo and others were on duty at the BNI, a suspect, Justice Asafo Adjei, escaped. The officers then on duty, including Mensah and Dunyo, were dismissed. With the charge of government, they were re-engaged in 2001 more as a humanitarian gesture than any thing else. However, they expressed dissatisfaction with their placement as Field Desk Officer III. They want to be promoted to FDO I to take account of the period they were out of the Bureau. Their request is unreasonable.

Borazo Timothy Agbley, was an officer of the BNI. In 1991, he and one other officer accepted an amount of ₦1 million from a suspect who was then in the custody of the BNI. A Board of Inquiry set up by the Director of the BNI to go into the matter. Following the submission of the report of the Board, Agbley and his colleague were dismissed. The conduct of Agbley and his colleague was grave and deserved the severest censure. They were given every opportunity to defend themselves.

Martin Kwasi Essien, was a driver with the PDD. He was re-assigned to the Special Branch after the 1966 coup, but later retrenched. He now enjoys pension as an ex-employee of the PDD.

In 1983 and 1988 the PNDC dismissed or retired a number of police officers without any formal proceedings. Among them were:

- (a) **Chief Supt. Samuel Adjepong Okyere**
- (b) **ASP Francis Murphy Anane**
- (c) **D/Cpl Rockson Symon Agorkpah**
- (d) **Supt. Gabriel Loverigde Quampah**
- (e) **DSP Emmanuel Yaw Blessie**
- (f) **Emmanuel Owusu-Boakye**

The dismissal/retirement of the petitioners without being given the opportunity of being heard constituted a violation of their rights.

In 1986 a disciplinary enquiry was held into the conduct of **Alhaji Alidu Muhammed**, an Inspector of Police. He was found guilty of falsely claiming that he was the investigator in a case of uncustomed goods and making a statement to the press without the permission of the Inspector General of Police. It was the view of the Police Administration that his conduct had embarrassed the Service, undermined discipline and authority and was prejudicial to good conduct and efficiency. He was ordered to be dismissed.

Since the petition was filed, the Police Council has gone into the circumstances leading to Muhammed's dismissal and concluded that his removal from the Service was not justified. The Council has paid him ₵10 million in lieu of re-instatement and retired him from the Service with the rank of Chief Inspector with effect from 31 March, 2003.

Edmund Oheneasah, DSP and a member of the Police Investigation Team which investigated the murder of the three High Court judges and the retired army officer, was dismissed from the Police Service in September, 1983. Before then a service enquiry had been held into an

allegation that he was involved in currency trafficking and he had been cleared, a decision which had been upheld by the Central Disciplinary Board.

ASP Robert Kwaku Antwi, A few days after the Gyiwa-led coup attempt of 19 June, 1983, Antwi was arrested at his house in Accra. He was kept in detention for six months after which he was discharged from the Police Service. He died in 1998.

Sgt Anthony Kwasi Owusu In September, 1987, Owusu, who was based at Akwatia was arrested on suspicion of involvement in the stealing of diamond exhibits. He was kept in custody for six months and then summarily dismissed. No charges were ever preferred against him.

In 1984, **Yaw Woli**, a policeman stationed at Tema, was charged before a Service of Enquiry with stealing a Walkie-Talkie. His defence that he found it on the ground was rejected. He was dismissed from the Service. Woli had every opportunity to defend himself. Even though the charge of stealing was a serious one which merited dismissal, we take note that there is on file a letter dated 14th September, 1982 from the Police Hospital which indicates that Woli had had mental problems. There is no indication that this aspect of the matter was given any consideration.

Charles Bong Yinzuob, Sampson Offei, Emmanuel Osei were policemen stationed in Sunyani, Brong Ahafo. On 15th August, 1989 while they were manning a barrier on the Sunyani-Fiapre road, they allegedly extorted ₵600 from a traveller who had recently returned to Ghana from abroad. They were tried by a public tribunal, found guilty and sentenced. Their defence was a complete denial that on the day in question they encountered the complainant while on duty at the check-point. The tribunal heard the complainant who had earlier identified the petitioners at an identification parade. This was a case which turned on the facts. The tribunal was entitled to believe the complainant and disbelieve the defence put up by the petitioners.

Seth Mensah Martey, a Detective Inspector of Police stationed at Kaneshie, Accra, was dismissed through a radio announcement in March, 1988. Before then, he and one other policeman had arrested two persons for possessing mercury. They resisted attempts to bribe

them to drop the matter. Subsequently, they were arrested on an allegation that they had conspired with others to pass off a substance as mercury in an attempt to defraud the culprits. However, forensic examination of the substance showed that it was, indeed, mercury. In spite of those facts, the police administration dismissed Martey and his colleague. Corporal Eduah. Eduah was later recalled. On a complaint to the CHRAJ, it was found that Martey was being victimized for having made a complaint direct to the IGP after his superior officer DSP Torpey had refused to pass on his complaint. The police administration has failed to implement the CHRAJ decision re-instate Martey.

ASP Patrick Kwashie Adih, was in charge of Ada District. Following a publication in the *Daily Graphic* of 15th March, 1985 concerning an alleged diversion of 10 drums of engine oil by James Ayiku Nartey, District Secretary for Ada, relations between Adih and the District Secretary became sour. In May, the District Secretary made a complaint to the IGP that Adih had failed to heed his request for an investigation into the shooting of a woman.

A service enquiry was convened to go into the allegation. While the proceedings were still pending, C.K. Dewornu, Commissioner of Police, Administration, wrote letter number 105/SF.2/V.II/217 dated 31st July 1985 to the Paymaster – General of the Police Service to inform him that the PNDC had ordered the retirement of Adih with effect from 19th July, 1985. Adih was then 45 years old. His forced retirement while proceedings were pending to determine the truth of the matter alleged against him was a clear case of abuse of power.

Alfred Setsoafia, a Police Sergeant, was on duty at the Ofankor barrier, Accra when a senior officer paid a surprise visit to the barrier and searched the 10 policemen on duty. An amount of ₵15,000 was found concealed in the charge office. All 10 policemen disclaimed ownership. Following an enquiry, the 10 were dismissed. There is no doubt that whoever kept the money in the charge office came by it through dishonest means. However, since it was impossible in the circumstances to put the blame on a particular policeman, it was unfair to dismiss all 10 of them. It was possible that some of them were innocent. Dismissal should have been resorted to only if a clear case of misconduct had been proved against each policeman.

Nicholas Asiama Obirikorang, a Police Sergeant attached to the BNI, and two others were dismissed in 1985 following the escape of Lance Corporal John Adongo, a suspect detained at the BNI Headquarters, Accra for subversion. He petitioned the Police Council for re-instatement, but this was refused.

The escape of a prisoner in custody is a very serious matter which usually attracts severe punishment. In the circumstances, the decision of the Police Service Council to dismiss Obirikorang's petition for re-instatement is understandable.

Joseph Kwabena Taylor, a Police Constable, was sent with one other policeman, a Corporal, to effect an arrest of a person suspected to be dealing in mercury. It was subsequently discovered that a quantity of the mercury which was seized from the suspect was missing. The theft was admitted by the Corporal who implicated Taylor. After due investigation, they were dismissed. In spite of his protestations of innocence, those who investigated the matter were satisfied of Taylor's guilt. From his statement he was given every opportunity to defend himself.

Ezra Douglas Martinson Stephens, an Assistant Commissioner of Police, was retired from the service on 6th January 1993 on the instructions of the PNDC. He was then 45 years old. No reasons were given.

Francis Nsowah, a Corporal in the Police Service, was on duty at the Aburi barrier, Accra when a senior officer paid a surprise visit to the barrier and searched the policemen on duty there. An amount of ₵1,050 was found on Nsowa. After a service enquiry, Nsowah and two others were dismissed. The incident took place on 1st April, 1989. Nsowah had just received his salary for the month of March 1989. The amount found on him was not so excessive as to raise a suspicion that he was engaged in extortion at the barrier. His dismissal after 21 years of service was not justified.

John Henry Tenkorang In 1986, Tenkorang, an Inspector of Police stationed at Sunyani, Brong Ahafo Region led a team from the Police Regional CDR Secretariat to arrest Banker-to-Banker operators at Duayaw Nkwanta. They broke down the door of Massa Wudu Wahab Mohammed who escaped through the window. Later Mohammed lodged a complaint that during a search of

his room in his absence an amount of ₵150,000 was stolen. Tenkorang was charged with the theft and tried by a Circuit Court which found him guilty. When he appealed to the High Court, he was given an enhanced sentence. On the facts, Tenkorang had a fair trial and cannot complain.

Attah Tweneboa Kodua, a Police Corporal, was stationed at the Central Police Station, Accra. He described himself as a ‘Special Operation Commander’ of the PDC and CDO for the junior ranks. In 1984, following an unauthorized operation undertaken by him and two others, the Operational Disciplinary Advisory Committee were asked to hold a Service Enquiry into their conduct. They were charged with (a) going to town on night patrols when they were not detailed for such duty and without making an entry in the Station Diary (b) unlawfully entering the premises of Ransada Traders Limited, Accra with intent to steal (c) stealing various items belonging to Ransada Traders Limited. Kodua pleaded guilty to (a) and was found guilty of (b) and (c). He was ordered to be dismissed. The conduct of Kodua in mounting an operation without authority and without making an entry in the Station Diary was serious enough to warrant his dismissal from the Service.

Sgt Winfred Kwasi Agbi was on duty at Dzodze in October, 1989 with Sgt. Dartey when they set up an unauthorized road block which they were believed to have used to extort money from motorists. They were arrested by soldiers from the Castle and were later summarily dismissed.

In 1990, **Abraham Bortey**, a police constable, was arrested at Dodge, Volta Region on suspicion of engaging in corrupt practice. He was summarily dismissed. No enquiry was held into his conduct.

Frederick Ayeh Okraku; Richard Asiedu Obuobi; Johnson Yao Mihesu; Stephen Ofori; Prince Gabriel Kwami; Dennis Kwaku Amewuda; James Yeboah; Emmanuel Appiah; Abraham Teye Kwao; Ernest Agyei-Kwakye; Alice Appiah; Emmanuel S. K. Adams; Linus Atachie; John Appiah Kusi; Samuel Nimako Frempong; Ahmed Sisui; Peter Ernest Kingsley Quaysel; Peter Amo-Baah; Emelia Amoah-Danso; Agnes Ofori, Clement Oposika-Agudey; Thomas Adu Poku; Christopher Ankuyi Senyo: In 1987, the Police

Administration decided that promotion from the rank of constable to corporal was to be determined by a promotional examination. Several police personnel affected by the decision protested, preferring instead the previous practice of promotion by seniority. On the due date for the examination several policemen, among them the petitioners, decided not to take part. There were some disturbances at some of the centres for the examination. Later, some 90 policemen were summoned to answer charges of misconduct. They were dismissed.

It was going too far to equate the refusal of the petitioners to take the examination as a refusal to obey a lawful command. The penalty for not taking the examination ought simply to have been that the officers would be deemed to have taken it and failed. That should have been a sufficient punishment for the petitioners.

ASP Abraham Odiko Borketey, was summarily dismissed in 1987 following the submission of the report of a fact-finding committee of enquiry into irregularities in promotions of policemen. No formal proceedings were taken against him in accordance with the relevant regulations governing the Police Service.

Cpl Simon Kwame Owusu, a corporal in the Police Service, was dismissed in 1990 after he had been found guilty by a duly-constituted Service Enquiry of insubordination. His offence was that he had written letters to the Inspector General of Police without passing them through his immediate superiors. He had been active in the Police CDR and had come into conflict with his superiors. This matter went to the CHRAJ which recommended that the dismissal should be converted into retirement. We endorse that recommendation.

Kingsley Kwesi Adjei, a Sergeant in the Police Service, he was dismissed along with George Appiah, L.K. Sogbey and others for extortion at a police barrier.(check facts????)

Joseph Kwame Odoom, a policeman, went to town in his uniform while he was off-duty. When a superior officer saw him and tried to seize his belt and cap he engaged him in a struggle. He was charged with assault and dismissed from the Service (Poor Photocopy, please check)

Albert Dodoo, On 25th November, 1989 Dodoo, a police constable, stationed at Tema accompanied Sergeant Aidoo to effect an arrest. They and one other, Corporal Bismarch Henkel, were charged with unlawfully searching the premises of Mary Ashitey while armed with rifles. Aidoo and Henkel were further charged with failing to attend to their duties on certain dates. After a service enquiry all three were dismissed. Dodoo is right to complain that as a subordinate officer, he was bound to take instructions from Aidoo; if it was wrongful to conduct the search, it is Aidoo, not Dodoo, or Henkel for that matter, who ought to be reprimanded.

DSP Emmanuel Fiati was retired from the Service with other officers on 6th January, 1993. No reasons were given. The letter simply said that the retirement was on the directions of the PNDC.

ASP Cletus Yao Bakah and four others were dismissed by radio announcement on 2nd August, 1986. He was accused of complicity in irregular admissions to the Police College on the basis of the report of the Tabiru Committee, a fact-finding body which investigated the matter. However, it was stated by the Inspector General of Police, Dewornu, in a report that the practice whereby senior officers recommended junior officers for admission to the Police College and promotion out of turn was one of long standing. In any event, the findings of the Tabiru Committee merely provided ground for holding service enquiries into the conduct of particular officers. By dismissing Bakah without holding such an enquiry, he was denied the opportunity to defend himself.

Alexander Kwaku Nkrumah was a Detective Corporal stationed at Akwatia, Eastern Region. In 1987, he and other officers were interdicted from duty on suspicion of involvement in the theft of diamonds seized from a suspect. On 31st May, 1988, Nkrumah was dismissed by a letter which informed him that the dismissal was under the authority of Act 350/70, NRCD 303/74 and PNDC L 74. Subsequently, some of Nkrumah's colleagues were put on trial. Nkrumah was called to give evidence for the prosecution. No charges were preferred against him. The element of arbitrariness would have been removed if he had been made to face a Service Enquiry or had been tried along with his colleagues.

ASP Philip Kofi Adzaklo was stationed at Nkwanta District, Volta Region. He was dismissed from the service in 1988 for diversion of seized contraband goods. He was tried by a public tribunal and found guilty.

Christian Kormla Mensah, a Police Constable stationed at Ada Foah, was dismissed in 1990 for misconduct when he escaped from lawful custody after a complaint of extortion had been made against him. His explanation that his superior officers were corrupt and that he was victimized for refusing to assist them extort money from drivers and smugglers is unconvincing.

Sgt Kofi Tagari, In November, 1989, Tagari led a team of policemen to attend to duties at a police barrier on the Nsawam Road. While there, senior officers arrived at the scene and conducted a search which revealed an amount of ₵15,000 concealed in the wireless room attached to the post. Tagari was subsequently dismissed from the Service. Since it was not established that the money was hidden in the wireless room by Tagari there was no reasonable inference that he had extorted money from motorists.

Adolph Davor was Chief Inspector of Police in charge of Kete Krachi Police Station. In 1983, he was charged before a public tribunal with extorting ₵10,000 from a suspect as a condition for granting her bail. He was convicted and sentenced to 2 years imprisonment and a fine of ₵20,000. As a result, he lost his job, gratuity and pension.

John Boateng Yeboah, a policeman stationed at Koforidua, Eastern Region, was dismissed when one Inspector Acheampong who had shot and killed a school-teacher and had been placed in the cells managed to escape from custody. Yeboah was put on trial and evidence was led to show that he was seen leading Acheampong out of the station. On this evidence he was convicted. In the light of his conviction, the dismissal of Yeboah was right.

Emmanuel Mireku, was a Detective Corporal stationed at Agona Swedru. On 21st May, 1987 he was convicted by a Public Tribunal of corruption by a public officer in accepting a bribe of ₵40,000. He was sentenced to two years' imprisonment. On the strength of this conviction,

Mireku was dismissed from the Police Service. Mireku's claim that he was being victimised by his superior officers is not borne out by the facts proved at his trial.

Rexford Kwame Badu following the escape of four prisoners from the cells at Abor, Volta Region, Police Constable Badu, the station orderly who was on duty, was arraigned before a Service Enquiry, found guilty of negligence and dismissed. The dismissal was confirmed by the Central Disciplinary Board. The escape of remand prisoners is a serious matter. Badu was given every opportunity to defend himself.

Seth Kofi Oware, a policeman serving with the BNI, was dismissed in 1989 for accepting ₵50,000 from a suspect who had been placed in custody. He was tried and found guilty by a duly constituted service enquiry and the decision was confirmed by the appropriate authority. Petitioner admits the offence but says the punishment is too harsh. We can find no excuse for the conduct of the petitioner.

Abdulai Geti In 1985, Geti, a Police Constable serving as an orderly to Omane, Inspector General of Police, had his appointment terminated when he admitted that an amount of ₵200 missing from the IGP's bedroom was with him. The circumstances of the loss and finding of the ₵200 are suggestive of a deliberate act of stealing committed by Geti.

In 1964, **ASP Daniel Ofotchu MacCarthy** was transferred to the Special Branch where he was placed on a higher salary. In 1965, he was promoted from the rank of Field Desk Officer Grade III in the Special Branch to that of Field Desk Officer Grade I. In 1967, MacCarthy reverted to the Police Service as a Deputy Superintendent of Police on a salary lower than that of a Field Desk Officer Grade I in the Special Branch. He was later promoted to the rank of Superintendent.

Since there were different rates of salaries for officers of the Police Service and the Special Branch, it was only right that on reverting to the Police Service MacCarthy should receive a lower salary than what he received while working with the Special Branch.

George Kusi was a Sergeant in the Ghana Airforce stationed at Takoradi. In 1983, he applied for a discharge after nine years' service. His request was granted and he left the country for Nigeria. He now seeks to be re-admitted into the Airforce in order to qualify for pension. The request is unreasonable.

Kwame Ofori-Yentum, a Commander of the Ghana Navy and lecturer at the Staff College, was discharged from the Navy in 1982. His benefits were not paid.

Peter Kow Nkrumah, a Captain in the Ghana Navy, was retired from the Service with effect from 29th July, 1986. He was accused of malpractice in the procurement of supplies for the military. No enquiry was ever held into the allegations.

Joe Ofori-Mensah, a lieutenant in the Ghana Navy, was released from the Service on 5th March, 1987 for driving a military vehicle without a permit. His pension which was first denied him has been restored.

Edward Asumin Adu, a Lance Corporal in the Army stationed at Tamale, was arrested after the jail break by Corporal Gyiwa and others on 19 June 1983 and detained for 60 days. He was thereafter discharged from the army.

Edward Oduro; James Osei, soldiers in the Ghana Army based in Tamale, claimed that in 1984 they obtained permission from their superior officer to travel to Saukasi in Burkina Faso or Togo to buy funeral cloths. On their return they were questioned about possible contacts with the Ghanaian exiles in Burkina Faso or Togo. They were dismissed from the Army.

Tamale is not on the border with Burkina Faso or Togo. The story of the petitioners that they travelled there to buy funeral cloth is unconvincing. Kumasi in Ghana is much nearer and the types of cloth worn in Ghana are in greater abundance.

Ransford Nkrumah was an L/S in the Ghana Navy based at Takoradi. In 1985, he took time off without permission to travel to Accra to make arrangements for a Ghana passport. While he was

away, he was declared AWOL. He was subsequently dismissed. Nkrumah behaved in a most irresponsible manner and fully deserved the treatment he received.

Francis Kojo Acquah, a Senior Rating in the Ghana Navy based at Tema, was discharged from the Navy on 19th June, 1983 when nine soldiers in custody at the Base escaped. He was paid his end of service benefit and receives a pension. 19th June, 1983 was the day of the Gyiwa-led attempt to overthrow the PNDC. The security implications were grave enough to warrant the discharge of Acquah who had charge of the prisoners.

Jimmy Kingsley Smith, was a soldier in the Ghana Army. On 15th August, 1980, he was discharged after 16 years 48 days service. His complaint is that he ought to have been permitted to complete 18 years service in order to qualify for a pension.

There are various reasons which may lead to the discharge of a soldier, among them, that his services are no longer required or in order to promote efficiency. In the absence of evidence that Smith was being victimized it would be inappropriate to interfere.

Eric Kwaku Asiedu was a Lance Corporal in the Border Guard. In 1982, while stationed at Aflao, he was discharged from the army. No reasons were given.

William Akuzor claimed to have been employed as a 'houseboy' or 'batman' by Colonel Caternor. In 1985 he was told that his services were no longer required. Since the petitioner did not attach any documents to the petition or appear before the Commission to explain the terms of his employment, the Commission is unable to make any finding in his favour that the termination of his employment was wrongful.

Abraham Atia was a Lance Corporal in the Ghana Army based at Tamale. In May, 1987 he went to the Bole border on official duties. While there, a question arose over the seizure of a sum of money in CFA currency from a traveller. As a result, Atia and another soldier, W.O 1 Amedzro, were released from the Army. Both Atia and Amedzro were paid their entitlements.

Anthony Yaw Kwarteng was enlisted into the Ghana Army on 6th November, 1978. He took part in the 4th June, 1979 insurrection on the part of the insurgents. He claimed that thereafter he became disenchanted with military service and left for Nigeria. He was discharged on 30 May 1980 after serving for 1 year 206 days. He returned to Ghana in 1983. He asked to be compensated or re-enlisted. On the facts, Kwarteng voluntarily left the army and has no cause for complaint.

Ofoe Ambasaki was a Corporal in Military Intelligence. Like his colleagues, he was taken into custody after the 31st December, 1981 coup. He was released and discharged from the Army in 1984. His benefits were not paid.

Lawrence Adikah was a Corporal in the Airforce attached to Military Intelligence. He served as a bodyguard to President Limann. After the overthrow of the Limann Administration, he went into hiding. Later he re-surfaced and tried to rejoin his unit. When this failed he applied for discharge with benefits in 1983. This request was granted and he was paid ₵10,078.78. Although the gratuity paid to him was based on his 7 years 214 days' service, he considered it inadequate.

Eric Kwaku Asiedu, a Lance Corporal in the Border Guard, was discharged on 4 March 1983 after 5 years service under regulations which permit the compulsory retirement of a soldier to promote economy or efficiency.

Nana Victor Sekyiamah, a Wing Commander of the Ghana Airforce, complained about some officers being promoted above him. He applied for voluntary retirement by a letter dated 1st November, 1982. Attempts to get him to change his mind failed and he was retired with effect from 31st July, 1983. He went to Zimbabwe where he found work and returned to Ghana in 2001. Sekyiamah was paid all that he was entitled to receive from the Government of Ghana. The inadequacy of the pension payable to an officer who voluntarily retires as against that of one who is compulsorily retired is not a reason for petitioning for more money.

Charles Akogte, a Lance Corporal in the Army, went on guard duty at Tema Harbour in January, 1986, with six other soldiers. A consignee who was unable to arrange for transport to convey his goods from the harbour requested that the soldiers keep an eye on them till the next day. When the consignee finally cleared the goods, he gave the soldiers ₵70,000. A quarrel ensued among the soldiers over the sharing of the money. The authorities heard about it and summarily dismissed the seven soldiers. Even if a formal enquiry was required before disciplinary action was taken, the facts were not in dispute, and the result would have been the same. It was the duty of the soldiers to look after the goods without any financial inducement.

Emmanuel Koranteng, a W.O. I in the Ghana Army, was discharged for challenging a Government delegation which had gone to Cambodia in 1992 to persuade troops on peacekeeping duties to vote for the National Democratic Congress in the elections.

Dominus Elias Kwashie Edjameh, a Major in the Recce Regiment of the Ghana Army, was shot and seriously injured on 4th June, 1979 during the uprising. He underwent surgery for the removal of pellets from his heart at the 37 Military Hospital, Accra. He was incapacitated for a year. While still on light duties he was released from the Army on 24th March, 1984 on the ground that his services were no longer required.

Lovestone Kwashie Gbewonyo, was a Lt. Cdr. in the Ghana Navy. In 1985, he was released from the Navy on medical grounds. He challenged his release in the High Court, claiming that with treatment he would have been fit for duty. In 1995, the High Court, Tema presided over by Asare Korang J. gave judgment in his favour and awarded him ₵4 million cedis as damages. His claim for re-instatement was dismissed. The petitioner cannot be permitted to re-open the matter as a way of seeking further damages.

Emmanuel Kofi Aryeetey, a Commander of the Navy, was on leave when a naval rating L/S Joseph Degolo was shot and killed by a soldier at Tema Harbour on 13th June, 1983. Following this, naval personnel took over the Harbour. In seeking to resolve the problem, Aryeetey had a confrontation with Gen. Arnold Quainoo who then arbitrarily removed Aryeetey from his command as naval officer in charge at the Harbour. On 16th December, 1983 Aryeetey was

released from the navy under a provision in the Armed Forces Regulations as being “unsuitable” for service in the Navy.

Mike Kofi Boafo-Ntifo, a corporal in the Border Guards stationed at Honnuta on the border with Togo, was arrested and searched in October, 1982. He was discharged from the Army in February, 1983. The regulation under which Ntifo was discharged does not require that a soldier be first found guilty of misconduct.

Kofi Kwako, a soldier in the Ghana Army based in Takoradi, was declared AWOL and released from the Army when he failed to report to his unit from a trip to Accra. Even though Kwako’s reasons for failing to report on time, namely, that because the Signal Regiment was having its administrative parade he could not complete his private assignment on time seem plausible, this was a matter entirely for the military to determine.

Alfred Kofi Appiah, was a soldier in the Border Guard stationed at Aflao. In 1983, he was given a letter of release from the service. His Discharge Book shows that he was compulsorily retired under regulations which permit such a course to be taken when necessary to promote service efficiency. It seems that the real reason for his retirement was that his affluent life-style had brought him under suspicion of engaging in illicit activities at the Ghana-Togo border.

Harrison Somuah Sasu, a corporal in the Ghana Army attached to the Base Supply Unit, Accra, was arrested and placed in the guardroom on an allegation that he had diverted flour meant for the Armed Forces. He spent six months in detention before his release. On his release, he was discharged from the army. His entitlements were not paid.

Asare Bediako, a lance corporal in the Ghana Army, and another soldier were arrested and placed in the Guardroom at Michel Camp after they had returned to the barracks from a day’s trip to Aflao in January, 1986. They were suspected of being in contact with alleged dissidents in Togo and of smuggling arms into the country. They were released after six weeks. On 30th June, 1986, Bediako and his colleague received letters discharging them from the army.

Mike Tetteh Addy, a lieutenant colonel in the Ghana Army, was compulsorily retired on 18th July, 1983. No reasons were given for the decision to retire him. His claim:

- (a) 84 days earned leave to be commuted into cash
- (b) gratuity in accordance with AFR Vol. III Article 206.521 (4) (ii)

Abu Haruna, a soldier serving with the Ghana Army, was dismissed in 1991 when a search of his luggage on arrival from peacekeeping duties in Liberia revealed a tear gas canister. Tear gas is an offensive weapon. Its possession by a soldier without authority is a serious breach of discipline.

Alexander Adusei, a soldier in the Ghana Army, was dismissed for being AWOL. The excuse that he attended a religious convention marks him out as lacking discipline.

Dennis Mahama Adam, a captain in the Army serving with the Border Guard at Sunyani, Brong Ahafo, was ordered to be released from the Army in December 1984 for allegedly making contact with dissidents in Togo. He admits to friendship with Major Seidu Musa, Major Awudu Mahama and Lt. Korah who had been involved in an abortive coup attempt and had gone into exile in Togo.

Ebenezer Adu Henaku, a Captain in the Ghana Army, was retired from Service in March 1983, three weeks before he was due to be promoted to the rank of Major. No reasons were given.

Daniel Adjabu, a Captain in the Ghana Army serving with the Border Guard, fled to the Ivory Coast in March, 1982 when he heard that while he was away from his post at Kwame Oseikrom, Brong Ahafo, soldiers from Sunyani Barracks had come looking for him. When he returned to Ghana in June, 1982 he was dismissed from the Service.

Gilbert Kwashivi Gbegble, a Sergeant in the Border Guard, resigned on 31st July, 1978 in order to enter the UST to read for a degree. On completion of the course, he applied to be taken back

into the Border guard. His request was refused. The authorities were not bound to re-engage him.

Commander Charles Kwaku Addae; Commodore Joseph Danso Oppong, were former Chiefs of Naval Staff. They both vacated their posts and left the country when they thought their lives were in danger. Subsequently, they were accused of being CIA agents and their citizenship purportedly revoked. The atrocities committed after 4th June, 1979 were a sufficient warning to senior military officers of what might happen to them if they fell foul of those who had seized power. The act of revoking the citizenship of a citizen by birth is a nullity.

William Gumenu, a Captain in the Ghana Army, was convicted in 1987 of smuggling tyres to the Ivory Coast and sentenced to three years imprisonment and a fine. On 10th January, 1989, he was granted a pardon. He claimed to be paid his benefits on discharge from the army. (See Alex Hammah).

Kwaku Badu Gokel was a telex operator at the Cocoa Marketing Company Limited under the CMB. On 22nd November, 1987 he was arrested for passing confidential information about cocoa to a United States citizen, Alton Darwell Sawyer. He was kept in custody at the BNI until January, 1988. In August, 1988 he was summarily dismissed from his post.

The office of telex operator was a sensitive one which required circumspection in one's dealings with foreigners. From the statement filed by the petitioner it seems that Sawyer was a frequent visitor to him at the work-place. Information gathered by Sawyer from his contacts with the petitioner could be useful to speculations in cocoa purchases. There is also an indication that Sawyer was dealing in the illegal export of gold and that the petitioner was a party to that activity.

Even though the detention of the petitioner for 5 weeks without trial was unlawful, his employers were right in terminating his employment.

Christian Wilfred Ankrah retired from the University of Cape Coast as a Deputy Finance Officer in 1982. Since then he has been at loggerheads with the University over the computation

of his benefits. While he claimed 33 years service going back to 1948 when he was with the PWD, the University accepted his service from 1965 when he joined the Accounts Department of the University from the Crops Research Institute, Kumasi. The UCC is an autonomous institution which cannot be compelled to treat service at the PWD or the CRI as continuous service (refer investigations).

King Agyeman-Dua In 1979, the petitioner, a superintendent of Posts stationed at Tepa, Ashanti was charged before a Circuit Court with criminal offences arising out of his work. The case dragged on for four years until he was finally acquitted and discharged. After his discharge the petitioner was summoned to appear before a disciplinary enquiry to answer charges of dishonest conduct. He refused to do so claiming that his acquittal by the Circuit Court ended the matter. In this he was clearly wrong. The petitioner informed the Commission's investigators that he has brought an action against the P & T in the High Court, Kumasi and that the case is still pending. When he was requested to make a written statement regarding the fact, he declined to do so. He also failed to turn up when the petition was listed for hearing before the Commission.

(Was he acquitted or only discharged for want of prosecution?)

Theresa Osei, a nurse midwife had had mental problems throughout her working life. She reached the rank of Senior Staff Nurse (Midwife) at the KATH in Kumasi after 8 years. She regularly went to the Ankaful Hospital, Cape Coast for psychiatric treatment. When her condition did not improve she absented herself from work. Later when she tried to go back she was turned away. Since her condition was known to the authorities they ought to have formally boarded her out after a proper medical examination.

In 1978, **Joseph Mensah** was given appointment as an Electrician Grade II by the KMA. In 1987 he was declared redundant and paid a month's salary in lieu of notice. Altogether some 1,500 employees were laid off. It is unusual to treat such a mass redundancy as if it were a mere termination of an employee's contract of service on the requisite notice. Such redundancies are required by our labour laws (?) to be undertaken after due consultation with the unions and the Labour Department. It appears that this was not done in this case.

Joseph Amankwaah, a corporal in the Ghana Army, was seriously injured while on peacekeeping duties in the Lebanon. He was boarded out of the army on medical grounds. He claimed that he had received no compensation for his injuries.

Kodwo Ampiah-Bonney, In 1980 Bonney was Headmaster of Wesley Grammar School. When it was found that question papers for the WAEC examinations entrusted to his care had been tampered with, he and his son, Richmond, a form 5 student and candidate came under suspicion. Bonney was interdicted pending investigations. Eventually he was dismissed. His son was barred from raking WAEC examinations for 3years. In 1990 there were moves to have him re-instated but these were aborted when the Director of Education, Greater Accra Region, refused to take him back.

Patrick Allasani Marmah, a Detective Inspector of Police was tried with one other before a public tribunal on two counts of conspiracy to steal and stealing cigarettes suspected to contain narcotic drug. They were in fact exhibits which had come into their custody in the course of their work as detectives. Marmah and his colleague were convicted and sentenced. Although the convictions were in 1987, it was not until 1995 that the appeals were heard. By then Marmah had served his sentence and left the country. The Court of Appeal (Cram Amuah, Forster and Benin JJA) ruled that since Marmah was not present it was not proper to permit his Counsel to argue the appeal. Marmah's appeal was then struck out. Hearing of the appeal by D/Cpl Kwadwo Kumah proceeded. In the end the Court allowed his appeal and acquitted and discharged him. It is trite law that a person cannot conspire with himself. When therefore, the Court of Appeal found that the charge of conspiracy had not been proved, they ought to have set the conviction of Marmah on that court aside even though his appeal was no longer before them.

On the count of stealing, there was no reason why Marmah should be present at the hearing when he had already served the term of imprisonment imposed on him.

Mathias Wolana Ofori was Deputy Managing Director of the Ghana Publishing Corporation. In 1982 an announcement was made on radio that he had been retired. At the time the petitioner

was absent from duty on account of ill-health. Petitioner claims that he was not paid his entitlements (refer to Investigation).

Philip Gyasi Afoakwa, a Senior Technical Officer in the Agricultural Extension Service stationed at Agogo, Ashanti was ordered by radio announcement to proceed on retirement at age 54. Since there is no right to be kept in employment until one reaches the retiring age, it was necessary for the petitioner to furnish the Commission with facts which show that in the circumstances the termination of his employment was improper. Unfortunately, the petitioner failed to attend the Commission and give evidence when the petition was listed for hearing.

James Adu Acheampong As part of a general reduction in the size of workforce, Acheampong, an employee of the Tema District Council was discharged from his appointment with the Council. The letter informing him of this indicated that all his benefits would be paid. Acheampong admits receiving his benefits but says that the Ministry of Local Government decided that he should thereafter be re-instated. Unfortunately, the letter by which he sought to prove this bears the name of one Addo. It simply stated that Addo's 'dismissal' had been amended to read "termination of Appointment". Addo's letter does not in any way help the petitioner to prove his case.

Benjamin Anim petitioned that he was a member of the Border Guards who was unjustifiably reduced in rank and retired. Efforts to get him assist the Commission in verifying the matters alleged by him as responsible for his troubles came to nothing as he failed to respond to letters addressed to him at the postal address provided by him.

Samuel Larweh-Totimih In 1990 the petitioner was affected by the government's policy of reducing excess labour in the Civil Service. The petitioner, an employee of the Ada Foah Health Centre was affected. A letter dated 7th December informed him of the decision and asked him to provide certain particulars for his end-of-service benefits to be determined. His right to payment is not in dispute. If as he claims he has not been paid, he may institute an action to recover what is due.

Sylvanus Kweikou Osai a teacher employed by the GES has had mental problems since 1974. In January 1990, a medical board recommended that he should be retired from the GES. However, the decision to retire was made to take effect from 1 October, 1992. The petitioner complains that for a period of 23 months he received no salary and is asking that this be paid. The practice is that a person in the situation in which the petitioner found himself would be given full pay for six months, half-pay for three months and then made to appear before a medical board for the purpose of being boarded out. From the statement filed by the petitioner, it would appear that this practice was followed. In a letter No. MC.55076/35 of 15th April, 1994 the GES stated that they had finally dealt with the petitioner's claims and that it was for him to deal with SSNIT in regard to his Invalidity Benefits and pension.

Anastas Latevi Mikayan a Transport Officer in the Department of Rural Housing and Cottage Industries was retrenched in 1992 as part of a labour redeployment programme in the Civil Service.

This is surprising as letter No. B 907 of 19th August, 1992 from the Office of the Head of the Civil Service spelt out the terms of his re-deployment/retranchment. It said in part:

“In pursuance of the reforms being undertaken in the Civil Service I am directed to inform you are to be discharged from your appointment with your present Ministry/Department. The effective date of your release from the Service will be the date on which you receive your end-of-service benefits.

2. The Controller & Accountant-General is arranging to pay your benefits in due course. To facilitate the calculation of your awards, your Head of Department is required to submit to the Controller and Accountant-General your personal particulars as required per the Member/Secretary of the Committee of the PNDC Secretariat and Head of Civil Service's Circular No. SCR-25/2 of 6th August, 1987, together with duly completed Social Security/Pension form as appropriate, and your personal file. You are to ensure that this is done early to avoid any delay of the payment of your benefits.

5. In the meanwhile, you are advised to obtain the relevant Redeployment Forms from your Head of Department and complete same for submission to the Special Redeployment Office, Ministry of Mobilization and Productivity, Accra. You are advised to immediately contact the Redeployment Management Committee for the necessary counseling and guidance.”

If he has not already done so, the petitioner ought to take steps to claim what is due to him.

Kwadwo Owusu-Agyemang was a Depot keeper of the GCMB stationed at Kaase Shed No. 2 in Kumasi. A check on his stock by the siding supervisor and a team of soldiers revealed a surplus of 49 bags of cocoa. He was detained at the barracks for 9 months after which he was put before a public tribunal convicted of attempted stealing and fined ₵100,000. Subsequently he was summarily dismissed. On the facts, there were good grounds for dismissing Agyemang.

Haruna Busanga an employee in the Waste Management Department of the Kumasi City Council was retrenched in 1987 after 11 years’ service. His benefits were not paid to him.

Dr. Armstrong Mensah was appointed Managing Director of TVLC in 1982. He was dismissed in 1988. His benefits were not paid.

Kenneth Boafo Insaidoo an employee of the Management Development & Productivity Institute (MDPI) took his annual leave in September, 1987. He went to the U. K. while there he informed his employers that he had been taken ill and was to undergo a surgical operation. His employers asked him to produce medical reports from the hospital. He produced a report from his general practitioner or family doctor. As at 11th February, 1988 the petitioner had not returned to Ghana. Accordingly the MDPI informed him that he had vacated his post and that his appointment had been terminated with immediate effect. A medical report attached to the petition shows that the ailment which required surgery was piles from which he had been suffering for 20 years. This could have been easily treated in Ghana. To expect his employers to

keep his post vacant for him was unreasonable. As it was, the petitioner returned to Ghana in August, 1988.

Patricia Fosu In April, 1981, Patricia, a pupil teacher was involved in a motor accident. She was admitted to the KATH in Kumasi for treatment. She was discharged in February, 1982 when disturbances involving soldiers made it unsafe for her to remain at the hospital. By the time Patricia recovered from her injuries the GES had begun to phase out the employment of pupil teachers. For this reason she was not re-engaged. The petitioner is seeking compensation for loss of employment.

It is common knowledge that the position of a pupil teacher is not a pensionable one. When she was discharged from the hospital she ought to have sought permission before going away to seek treatment elsewhere. It was unreasonable to expect that her post would be kept vacant for her to resume duty at her pleasure.

Solomon Tawiah Lomotey was an Assistant Director of Education at the Head Quarters in Accra. He worked under one J. B. Cobbina, Director of Budget. In 1988, following the discovery of irregularities in release of funds for the purchase of educational materials both he and Cobbina were retired from the GES. It was the Director of Budget, not his subordinates who were responsible for the release of funds for purchase of educative materials. It was unfair to hold the petitioner jointly responsible with him for any irregularities that might have occurred.

Wendy Adiamah a journalist working for the Daily Graphic was on two occasions in 1982 and 1983 summoned to the BNI and questioned about her supposed links with the American CIA. Although she protested her innocence, she continued to be harassed until 1985 when the Soussoudis spying scandal broke out. State sponsored demonstrations were held against her and other alleged CIA agents. The persecution of Wendy continued until in September, 1992 her appointment was terminated. Various sums which she claimed was owed her were not paid. There is a need to work out her terminal benefits and pay her at current rates.

Mahama Abdulai an employee of the Ghana National Manganese Corporation tendered his resignation from the Corporation in 1984. The Corporation accepted his resignation and paid him his benefits. There can be no question of compensating him for loss of employment.

Sisala Dramani a labourer with the Ghana Highway Authority went on compulsory retirement in 1986. He petitioned that his end of service benefits were not paid to him. (refer to Investigation)

Samuel Insane petitioned on behalf of his late father, Insane Frafra, an employee of the KMA who was retrenched in 1984 with other workers. Petitioner alleged that no compensation for the retrenchment was paid to his father.

John Yaw Frimpong a Corporal in the Police Service, was on duty at the Ofankor barrier in Accra when a spot check revealed that an amount of ₵14,000 was hidden at the barrier. All the policemen came under suspicion of extorting money from the public. The ₵14,000 was wrapped in a polythene bag and concealed under a tarpaulin at the charge office, ₵1000 was found hidden under a mattress at the charge office.

Frimpong and his colleagues were acquitted by a service enquiry. However the review panel found them guilty and ordered their dismissal.

Alex Oppong was a driver working with the Electricity Corporation at Tema. On 27th July, 1982 while driving from Tema to Accra. On 27th July, he overtook a vehicle and then stopped for a colleague to alight from his vehicle. The vehicle he had overtaken came up to him. Out came Flt. Lt. Rawlings who demanded that the petitioner should surrender the ignition key. Flt. Lt. Rawlings then took over the steering and drove the car with the petitioner on board to Gondar Barracks. Senior Officers of the ECG were summoned to Gondar Barracks and ordered to dismiss the petitioner. The following day, the petitioner received a letter with these terms:

Dear Sir,

LETTER OF DISMISSAL

Upon the personal instructions of the Chairman of the P.N.D.C Flt. Lt. J. J. Rawlings, you are dismissed with effect from today Wednesday, 28th July, 1982. The reasons for your dismissal are negligence of duty and lack of proper care for government vehicles.

The Chairman also warns you that, you should never attempt to drive a government vehicle again.

Be informed that your photograph is being sent to the office of the P.N.D.C. upon the request of the Chairman.

You should surrender immediately to me your identity card and any other Corporation property in your possession.

Yours faithfully,

Ag. Regional Director
(C. G. Abavana)

The Corporation abdicated their responsibility by failing to follow established procedures for discharging their employee. Dismissing him because they had been asked to do so was not good enough.

Tei Na-Ansah On 15th January, 1982 the Chairman of the PNDC, Flt. Lt. Rawlings, wrote a letter to some employees of the CMB, among them the petitioner ordering them to proceed on indefinite leave. They were then sent to the NIC for interrogation. Since then the petitioner has held various posts in the CMB, including Senior Purchasing Officer in the PBC and Senior Administrative Officer in Cocobod Plantations. In September, 1992 he received a letter terminating his employment. The CMB has seen a large turnover of staff over the years all in the

name of restructuring. All one can do for the workers is to ensure that they are paid their benefits, if any.

Lantei Lamptey was a welder at the Water & Sewerage Corporation. According to him he had been rendering domestic services to one of their senior officers called Obrafo. When after a time he showed reluctance to continue rendering these services, his appointment was terminated on the instructions of the said Obrafo. The petitioner showed the Commission his ID card No. 3041 issued on 7th February, 1984. The practice of using public officers in the junior grades as domestic servants is an abuse which needs to be checked.

Raymous Dzeble, Marketing Officer of the SFC was suspended from office by the PNDC (same time as Kaba) in March 1988 pending an investigation into his assets. Although he has since left the now defunct Corporation his entitlements have not been paid to him (refer to Investigation)

Felix Jones Quashie a technician in the Research Department of the Ministry of Foreign Affairs was dismissed on 12th December, 1983.

Lawrence Kwame Blay Acting Deputy Managing Director of the GNTC was relieved of his post in September 1985. He petitioned that he was not paid his salary from July 1982 to September, 1985.

Akuamoah Boateng was a purchasing clerk of the PBC of the CMB. In 1985 he was arrested and referred to the Ashanti Region Investigation Committee. There he pleaded guilty to various charges relating to financial impropriety. He offered reparation in the sum of ₵15,000 under PNDC L 2 section 8. Thereafter he was dismissed. On a petition to the Ombudsman his dismissal was ruled to be ultra vires. Even though it was reasonable in the circumstances to dispense with the petitioner's service this ought to have been done by way of termination with appropriate notice. Having paid reparations he could not be dismissed. The petitioner is entitled to be paid benefits as on termination.

Edward Asuming Adu a Lance Corporal in the Ghana Army, he claims to have been dismissed following an attempted coup.

Joseph Agyeman a chief Superintendent of Police was arrested on 8th March, 1983 and detained in the guardroom at the Field Engineers in Accra for 23 days and then released. He was not told why. On 1st September it was announced that he had been retired from the Police Service. Again, no reasons were given.

Daniel Awah was the Advertisement Manager of the New Times Corporation. In 1989 following the submission of a report by a Committee to look into the financial administration of the Corporation, it was announced on the radio that he had been retired from the service of the Corporation. Awah was not invited to appear before the Committee. He ought to have been confronted with any adverse findings made against him and asked to offer an explanation.

Richard Kwabena Damasi a police constable was dismissed after he had been found guilty of assault in 1986 by a service enquiry. In his petition to the Commission he did not set out any attenuating circumstances to justify intervention by this Commission.

Francis Dontoh was an Assistant Telecommunications Superintendent at the P & T, Accra. He was among those dismissed by newspaper announcement on 28th December, 1984 see Daily Graphic of that date.

Daniel Kaba In 1986, the petitioner, Marketing Officer of the SFC was appointed Out-station Co-ordinator with the responsibility of organising sales of fish in the Brong Ahafo Region. On 21st March, 1988 he was relieved of his duties by an announcement on the radio. This was followed on 26th April, 1988 by a letter signed by the Secretary for Agriculture, Commodore Steve Obimpeh. The reason given was that the petitioner had been guilty of “dishonesty and abuse of position”. He was not given the opportunity to defend himself. What is more the management of the Corporation were completely side-lined.

Mathew Kwasi Owusu was among the CMB employees who were retrenched in 19985. He filed the petition on behalf of some 1000 employees who had constituted themselves into an

Association. The essential facts are that (a) letters giving notice of the retrenchment were dated 30th November, 1985 while the retrenchment took effect on 1st December, (b) the employees were obliged to accept their entitlements in three instalments, (c) the calculation was based on a salary of ¢35 per month when the salary had been increased to ¢70 by letter No. DA/121/V.1/79 dated 1st February, 1985.

Frederick Tuffuor an employee of the PBC of the CMB was retrenched in 1992. He seeks reinstatement.

Sylvester Roland Aneawe was an Escort Corporal in the Police Service. On 29th December, 1988 he went on duty at the Castle Annex. At about 11.30 pm that night Capt. Kojo Tsikata, the PNDC member responsible for Security accompanied by two military officers went on an inspection and found him and other policemen fast asleep. Aneawe was charged before a service enquiry and found guilty of misconduct. He was dismissed from the Service. Sleeping while on duty is a major offence with grave implications for national security. The decision to dismiss Aneawe and his colleagues was proper.

Emmanuel Okata Sarpng was a Divisional Officer II in the Ghana National Fire Service stationed at Akosombo, Eastern Region. On 13th December, 1988, a Fire Tender was involved in an accident while it was being used to run a private errand. Following an investigation into the accident it was decided that the petitioner be retired from the Service. This was to be lieu of dismissal. He accepted the decision and submitted a letter applying for voluntary retirement. The request was granted. His complaint is that he is being paid the pension of a Fireman, instead of a D O II. Since he was not demoted prior to retirement he is entitled to be paid pension attached to his grade as at the date of retirement that is D O II.

Isaac Ahinakwa Tibboh was a Technician at the Ghana Atomic Energy Commission. In 1991 he was declared redundant and paid nearly ¢3 million as severance award. Dissatisfied with the award he sought the intervention of CHRAJ on whose recommendation a further sum was paid to him as end of service benefit. His plea now is that although he joined the GAEC in 1976 he

had worked for other government bodies, including the CSIR since 1963. On this basis he asked to be put on pension. It is recommended that this request be granted.

Kwabena Agyekum was Circulation Supervisor at the New Times Corporation, publishers of the Ghanaian Times. On 3rd February, 1978 he was dismissed for what was termed ‘gross misconduct’. This entailed forfeiture of benefits. The petitioner says he was punished for wrongs committed by his subordinates. If the petitioner thought he had been wrongly accused he ought to have taken up the matter then. On the seizure of the VW car for which he had paid ₵2000 out of ₵5000 loan, his employers were perfectly entitled to do so. Agyekum tried to seek a remedy at law in 1985. His action was dismissed and an appeal to the Court of Appeal failed.

Samuel Nii Armah-Tsei Tagoe was Principal Personnel Officer of the GPHA stationed at Takoradi. On 31st August, 1989 he was declared redundant in a re-structuring exercise. The petitioner who says he was the District Chairman of the June 4 Movement admits that a re-structuring exercise did take place in the Authority which was said to be overstaffed by 50%. Indeed, the petitioner was a member of the committee which worked out the implementation of the redundancy programme. His plea that he did not fall within the laid-down criteria is unconvincing. At the time he was over 54 years of age, close enough to the 55 which according to him was to be the starting point. As a so-called cadre, he could hardly have been discriminated against.

Kwabena Adomako The petitioner was a corporal in the Police Service stationed at Krofofrom, Kumasi. On 22nd August, 1983 while on duty a prisoner, Kofi Tawiah, escaped from custody. A Service Enquiry recommended that he be dismissed. The Central Disciplinary Board varied the sentence to one of reduction in rank. On 5th October, 1983 while the petitioner was on duty two prisoners, Kwasi Boakye and Kwaku Addo escaped from custody. A Service Enquiry recommended that he be dismissed. The recommendation was affirmed by the Central Disciplinary Board. In our opinion, the petitioner has no good grounds for being aggrieved.

Isaac Kwesi Oduro was employed by SSNIT as a labourer at their Koforidua office in 1976. After working for three years, four months he left for Nigeria. While he was away, he was

declared as having vacated his post and his appointment was terminated. On his return to the country he tried to go back to his job but was refused admission. As in most organizations, the rule at SSNIT is that an employee who absents himself from work for more than 10 days is deemed to have vacated his post. The decision to dismiss the petitioner was proper.

Yaw Kwakye an employee of the Cocoa Services Division of CMB was retrenched in 1985.

James Kwame Danso was an auditor at the Ghana Commercial Bank, Koforidua. He admits that contrary to the terms of the Collective Agreement governing his work, he took private loans from the manager of the Aburi branch of the Bank. For this the petitioner was dismissed. He took his case to the High Court, Koforidua and lost. His appeal to the Court of Appeal was dismissed. There is no merit in the petition.

Larweh Abrefa Sakyi also known as **Gustave Kwadwo Sakyi**, Assistant Welfare Officer of the Department of Social Welfare stationed at Ada Foah petitioned that in April, May and June 1979 he was not paid his salary. The Commission has not been able to ascertain the full facts of this petition.

Augustine Kwame Serebuor in 1988, Serebuor, a driver of the GWSC stationed at Koforidua-Tafo road was involved in an accident. At the time he was taking the Chief Security Officer of the Corporation to Tafo for a surprise check on the Corporation's watchmen. Under the Corporation's rules it was the Chief Security Officer who should have sought clearance for the use of the vehicle, not the driver. Making a scapegoat of the driver and allowing the Chief Security Officer to go scot free was among. The CHRAJ decision of 1988 that the petitioner should be re-instated was right. However, since he is now over 60 years of age he ought to be appropriately compensated.

Edward Asuming Adu a Lance Corporal in the Ghana Army he was arrested after the Gwiwa led coup attempt of 19th June, 1983. He was detained for two months and then discharged from the Army.

Laurence Adikah, a corporal in the Ghana Army serving with Military Intelligence, and bodyguard to President Limann, went into hiding when the 31st December, 1981 coup occurred. After unsuccessfully trying to resume his military career, he put in a petition for a formal discharge. This was granted in 1995. His petition is that his gratuity of ¢10,078.78 is woefully inadequate. The Commission is in agreement with him that he should have been paid at the current rate.

Rexford Kwame Badu, a police constable was stationed at Abor, Volta Region. On 29th March, 1985, a prisoner under his care escaped from the cells. A Service Enquiry was held and he was dismissed. The petitioner puts the blame for the escape on the Counter NCO who he said was not at post to assist him. The escape of prisoners is a serious matter. All those responsible for it need to be punished.

Joseph Korku Gbinde In 1990, the petitioner, an accounts officer with the Land Valuation Board, Ho was interdicted when an audit of his accounts revealed a shortage of over ¢1 million. A prosecution was mounted but appears not to have been pursued. On 12th July, 1999 the petitioner was discharged by the Regional Tribunal, Ho. On the facts, the petitioner needs to be compensated.

Nicholas Asiamah Obirikorang a sergeant in the Police Service, was attached to the BNI Headquarters in Accra. On 14th May, 1985, while he and two officers of the BNI were on duty a prisoner, L/Cpl John Adongo was found to have escaped. The three were dismissed by letters dated 20th July, 1985. The escape of a prisoner from lawful custody is a serious matter which calls for severe punishment of those found to have neglected their duties. By his own account the petitioner was given every opportunity to defend himself.

Kwesi Sasu-Mensah was a Principal Auditor in the Audit Service stationed at Akropong, Eastern Region. In 1986 a Special Audit Task Force set up by the PNDC found that he had misappropriated an amount of ¢222,375.10. He was ordered to pay this sum with interest and reparation. Meanwhile he was dismissed by a letter dated 13th October, 1986. Subsequently, his dismissal as well as that of other public officers against whom adverse findings had been made

were reviewed by a committee appointed by the PNDC. The Committee recommended that the petitioner should be retired with full benefits. It is evident that if the petitioner had been exonerated he would have been re-instated and not retired as indeed some officers were.

Gordon Adarkwa-Yiadom a police constable stationed at Bechem, Brong Ahafo and another arrested three women and placed them in cells at Brosankro police station. The women leveled charges of assault and extortion against them. On a report being made to the Police Headquarters, the petitioner was tried at a Service Enquiry. The petitioner left the country for the Ivory Coast. On his return he was put before a public tribunal which found him guilty and sentenced him to five years imprisonment. Having regard to his conviction the petitioner's dismissal was proper.

Emmanuel Owusu Appiah a District Officer of the PBC of the CMB was retrenched in 1985. He petitioned that his entitlements were not paid.

Michael Kwadwo Adeti Among those dismissed by announcement in the Daily Graphic of 25th December, 1984 was a postmaster at Sampa, Brong Ahafo called M. K. Adeti. The petitioner whose initials are also M. K. was then postmaster at Koforidua, Eastern Region. Whether by accident or design, the Controller of Posts in charge of the Koforidua District received a note from the Principal Controller, Eastern Region asking him to bring the publication to Adeti's notice. Adeti's salary was stopped. It is clear that Adeti was not the postmaster who was supposed to have been dismissed through the Daily Graphic publication. Stopping his salary and thereby dismissing him was a decision of the Court of Appeal in Civil Appeal No. 57/89 dated 7th June, 1990 that it was the PNDC not the P & T which dismissed him, led to his being denied even his entitlements.

Kwaku Kanjaga Ayanapo an Escort Corporal in the Police Service was dismissed when he was convicted of taking bribes.

Alhassan Alhandu In 1984 the petitioner, a Detective Corporal in the Police Service was found guilty of misconduct and ordered to be dismissed. On appeal the punishment was changed to

one of reduction to the rank of Constable. The petitioner refused an instruction to report at the police Depot for a refresher course. As a result he was summoned to appear before another Service Enquiry on charges of misconduct. He refused to do so and the proceedings were held without him. At the end of the proceedings he was ordered to be dismissed. The petitioner was a model of indiscipline. The least he could have done was to attend the enquiry and defend himself.

Edward Kwaku Fokuo In 1985, the petitioner, a Principal Information Officer of the Information Services Department based at Tamale, was compulsorily retired from the Department. The only thing stated in the letter sent to him was that he had shown apathy towards his work. He attributes his retirement to the influence of Huudu Yahya, the then Regional Security. Even if the petitioner had shown apathy towards his work he ought to have been queried before the drastic step of termination of his appointment as taken. There is no evidence that any such queries were sent to him.

Issifu Ziblim a City Guard employed by the Tamale Municipal Assembly was injured in a road traffic accident. He petitioned for the recovery of ₵22,910 being medical expenses incurred by him. This is a matter which depends on the conditions under which he was employed. However, most workers in his position have their medical bills paid for them.

George Ghakunwa Koyiri a Principal Technical Officer in the Ministry of Food & Agriculture petitioned that he had been denied promotion to the rank of Chief Production Officer. Promotion to the rank of CPO is by interview. The Commission is not in a position to assess the petitioner's competence for the office he seeks.

David Yussif Yobo a Senior Superintendent in the GES stationed in the Tolon-Kumbungu District was interdicted when criminal charges were brought against him. When he was acquitted the then Director General of the GES instructed that the deductions made from his salary during the period of interdiction be refunded to him. In spite of the directive he is yet to be paid.

Francis Mahama was a Sergeant in the Ghana Army based in Accra. In December, 1985 he made a trip to Aflao. On his return, he was accused of engaging in smuggling of goods. His rooms were searched but nothing incriminating was found. In March 1986 he was released from the army.

Ahmadu Mahamadu a driver of the GWSC was dismissed for complicity in the theft of cement belonging to the Corporation. Stealing or aiding and abetting stealing is a major offence that calls for the severest punishment.

Tia Adjei was Senior Registrar of the Upper East Region House of Chiefs. On 17th September, 1988 it was announced in the Ghanaian Times that the government had retired him from the public service on grounds of old age. The petitioner claims that at the time he was 56 years old. It is common knowledge that many public officers falsify their dates of birth in order to remain at post beyond the retiring age. Without medical evidence it is impossible to say if at the time of his forced retirement the petitioner had reached the retiring age of 60 years.

Paul Braimah Abudu was a Senior Manager of the GCB at Yendi. As he concedes, he gave an authorized loan of ₵7 million to one Issahaku Fuseini. As a result, both he and Fuseini were tried by a public tribunal in 1988. Abudu was fined ₵5 million and Fuseini was sentenced to 15 years imprisonment. His contention is that he was discriminated against because Fuseini was later granted a pardon. Abudu should blame himself. As a senior manager he ought to have known that was wrong to grant an unauthorised loan.

Philip Brandford Arthur a Lieutenant Colonel in the Ghana Army was retired in 1985. He petitioned that his gratuity of ₵121,000 and pension of ₵1,800 were inadequate. There is no evidence before the Commission to show that the petitioner's entitlements were calculated at a rate lower than that applicable at the time.

Christopher Okpot Kwao a driver at the Castle, Osu was dismissed in 1987 for using a government-owned vehicle for private purposes. Over a period of 12 months he had received three queues. On the facts, the dismissal was justified.

Joseph Armah Boye; C S A Nortei; Samuel O. Commey; Josephine Armah; J. A. Tetteh; Ben A Kulley; J P K Bolton; Frank C A Smith; Rebecca Tagoe; James T Quarcoo employees of the IRS were retrenched in 1986 as part of re-organisation of the Service. They have petitioned that they were denied compensation for losing their jobs.

Samuel Yaw Ose a Principal Soil Research Assistant in the Agricultural Soil Science Department of the University of Ghana, Legon retired in 1987. Since then acquisition has been raised as to whether he was on the University's supernauation scheme or on Social Security. Investigations carried out by CHRAJ revealed that he has no Social Security records. It is therefore incumbent on the University authorities, his employers, to regularize his posisiton in the Social Security scheme or place him on the superaunuation scheme of the University.

Elisabeth Quartey petitioned on behalf of her late husband Kofi Quartey, Deputy Commissioner of Police was dismissed on 23rd September, 1979 on the basis of recommendations made by the Huppenbauer Committee.

Alexander Ani-Adjei was Director of Commercial Banking at the Bank for Housing & Construction, Accra. On 13th January, 1990 the Daily Graphic newspaper reported that a sub-committee of the NIC was to investigate allegations of improprieties in the disbursement of funds for the Fourth Highways Project. The publication also announced that the PNDC had retired the petitioner. Retiring the petitioner even before the investigation had begun amounted to prejudging the issue. It was a highly prejudicial move calculated to prejudice the outcome of the investigations.

Frederick Asafu-Adjei was an employee of the Security section of the Ghana Civil Aviation Authority. On 23rd February, 1983 he heard an announcement on the radio that he and two other colleagues had been dismissed. His dismissal was later confirmed in a card from the Castle, Osu which was delivered to him through the security office.

Kwasi Sasu-Mensah was a Principal Auditor in the Audit Service. He was stationed at Akropong Akwapim, Eastern Region. On 13th October, 1986 he was dismissed from the service

on the basis of a report by the Eastern Region Task Force which found that he had embezzled an amount of ₵222,375.10. The PNDC accepted the report and the petitioner was ordered to pay this amount together with interest and reparation. According to the petitioner his relatives paid the amount under duress. Later the dismissal was reviewed and the PNDC ordered instead that the petitioner and others affected by the earlier decision be retired from the Service with full benefits. The petitioner's request that the amount paid by his relatives be refunded is unreasonable. The payment was tantamount to an admission of guilt.

The Commission received a number of petitions from officers in the Armed Forces who were retired at their prime for unexplained reasons. Many of them laid the blame for their premature retirement on Lt. Gen. Arnold Quainoo who variously held the office of Army Commander and CDS. He accused some of them with being disloyal to the PNDC; others he accused of showing him disrespect. He bears a heavy responsibility for destroying the careers of many promising and hard-working officers.

Edward Teye Kisseh was Lt Col in the Ghana Army. On 10th December, 1982 he was summoned to the office of Brig Quainoo at Flagstaff House and questioned about remarks he was alleged to have made at a durbar held in connection with the retirement of Brig Nunoo-Mensah from the Army. Quainoo accused Kisseh of being disloyal to the PNDC. For his part Quainoo denied ever summoning Kisseh to his office and insisted that Kisseh's retirement was in accordance with the Armed Forces Regulations.

Kisseh stated that even after his discharge, Quainoo pursued him and had him dismissed from his new job of head of security at the Gold Mining Corporation, Tarkwa.

On retirement, Kisseh was not paid gratuity. After petitioning the authorities he was paid a gratuity of ₵39,000 in 2002. The amount represented what he would have been entitled to in 1983 when he retired.

Mercy Tonugble was a teacher in the Kpando District Directorate of the GES. She complained of unfair treatment on the part of her employers. She submitted to the Commission documents

which showed that between August 1982 and September 1983 she was transferred to three different schools within the District. In response the then Director in charge at the Kpando District submitted reports which indicated that the petitioner had neglected her duties as a teacher and one occasion failed to report to her new school resulting in the vacancy being filled by some other teacher. In the end the petitioner was declared to have vacated her post. She left the GES, worked for some private schools in Accra and was later re-engaged. She petitioned the GES for redress. The Acting District Director, J S K Darko was asked to investigate the matter. In a report to the Acting Director-General Ref. GES/VR/KPD/MC/2434/29 of 13th January, 2002 he found that the petitioner had been unfairly treated and recommended that she should be given accelerated promotion to the rank of Senior Superintendent.

John Kwame Owusu was an Assistant Commissioner of Police (CID). In 1982, he was arrested and detained at various places, including the 48 Field Engineers Regiment Guardroom at Teshie, Accra for almost one year on an allegation that he had been engaged in corrupt practices. Even though an investigation by the NIC cleared him of all wrong-doing the PNDC announced in a publication in the Daily Graphic of 3rd September, 1983 that he had been dismissed from the Police Service.

G/Cpl George Appiah; Cpl Amu; Francis Dzureku; Constable Sogbe; Constable Mensah; Sgt. Kingsley Kwesi Adjei: The policemen were on duty at the Adenta Barrier on 2nd April, 1989 when following a spot check they were accused of extorting money from motorists. Of the 10 men involved, only Sogbey was found with what was then the large sum of ₵8,350. The rest had small sums of money with them. They were tried at a Service enquiry and the Central Disciplinary board ordered their dismissal. Adjeio who was near retiring age lost his right to pension. Even though there is a need to stamp out corruption in the Police Service, it is wrong to punish individual policemen on mere suspicion. In this case there was no evidence that the policemen had extorted money from any person.

Frank Neequaye was Senior Works Superintendent of the CMB stationed at Koforidua. In February, 1988 it was announced on the radio that he and two other officers of the CMB, Tutu,

Chief Accountant, and Alex Hammond, Works Superintendent, had been dismissed. Later he was called to the Castle, Osu and handed his letter of dismissals.

Raymond Bernard Konadu In 1988, the petitioner, an Accounts Office at the Tema Shipyard & Drydock Corporation resigned his position out of frustration when he was denied a scholarship to study abroad. He now asks for re-instatement. The petitioner is not entitled to be re-instated.

Santos Bala Mumuni a storekeeper at Kanton Secondary School, Tumu, Upper West Region was dismissed for stealing school text books. He admitted to giving out four school textbooks to a friend without permission. There were thus reasonable grounds for believing that he did so with intent to steal.

Kankubata Wienuo Kpangkpari retired from the GES in 1991. His complaint is that his gratuity and pension are too low and that they ought to be revised upwards. The petitioner did not provide any basis for a finding that he had been paid less than what was due to him.

Timothy Damwaa Mani, a Lance Corporal in the Ghana Army based in Sunyani, was dismissed for being AWOL. He claimed to have had a mental black out and found himself in the Damango Game Reserve. It was for the authorities to decide if his claim of a mental black out had any medical basis. They were entitled to disbelieve him and imposed the appropriate penalty.

Sumani bin Mani was bursar of the Wa School for the Blind. In 1985 he was arrested on the instructions of the Special Audit Task force of the GES and placed in police cells. It was claimed that he had embezzled an amount of ₵240,000. He was dismissed but this was later changed into retirement. However, his benefits have not been paid.

Martin Mutuo Bugu In 1988, the petitioner, a resident of Tumu was banned by the Regional Secretariat of the GPRTU, Wa from operating his commercial vehicle for one year for refusing to release the vehicle to convey dancers to grace the occasion of a visit to Tumu by Konadu Agyeman Rawlings, wife of the Chairman of the PNDC and President of the 31st December Women's Movement. Thus, the petitioner was banned from earning a living for one year.

Sumani Kalinka was a Lance Corporal in the Ghana Army. In 1983 while he was on leave in the Upper West Region there was an attempted coup d'état. All service personnel were recalled to barracks. He reported after one week. By then he had been declared AWOL. He claimed that he continued to perform his duties until in September, 1986 he received a letter asking him to vacate his quarters at the barracks. He is yet to be paid his entitlements.

Dr. Mohammed Kandem Kanbong was first appointed to the Public Services in 1959 as an Electrical Instructor in the Builders Brigade. In 1961 he was appointed Assistant Regional Manager for Tourism, Northern and Upper Regions. He left the country in November 1966, returning in August 1978. According to him during this period he was on study leave without pay in Vienna, Austria. He resumed his career under the Ghana Tourist Board until May 1981 when he was re-deployed to the Ministry of Information & Tourism as Chief Tourist Officer. In February 1983 he took his annual leave which he chose to spend in Vienna, Austria attending the annual Congress of the Austrian Afro-Asian Institute. He also sought for and was granted leave of absence from duty until 10th October, 1983??? for him to complete a research project. However, his real purpose was to find schools for his children whom he was settling in Austria. He claimed to have fallen ill and promised to send a medical report in November, 1983. Meanwhile, the Ministry of Information had decided to dispense with his services. A letter dated 12 September, 1983 informed him that the PNDC had decided to terminate his appointment with effect from 1st August, 1983. The petitioner appears to have been more interested in pursuing an academic career than in working in the Civil Service. Even if, as the NIC found in a report (PNDC INV.5/552 issued on 31st January, 1983 he was a difficult man to work with, he was entitled to be given the requisite notice of the termination of his appointment

Rock Alhassan Kurugu In 1989, Kurugu, a Health Inspector of the Bolgatanga District Assembly was re-deployed and paid a little over ₵500,000. He kept on petitioning against the re-deployment and did not take the money until 1992. He petitioned that the amount paid to him was inadequate.

Lawrence Kobina Yelpien was the bursar at the St. Francis Secondary School, Jirapa, Upper West Region. In 1985 an audit task force which examined his accounts found that there was a shortage of ₵161,970. He was arrested and kept in police cells at Jirapa until he paid the amount. He was later dismissed with loss of entitlements. On the facts, the refund was made under duress. No inference of guilt could be properly drawn from it.

Chris Danduri In 1989, the petitioner, an official of the CDR Secretariat in the Upper East Region wrote a letter accusing members of the Confiscated Assets Committee (CAC) of corrupt practices. A committee was set up to investigate the allegations. On the basis of its finding that Danduri was only out to undermine his colleagues he was dismissed from his post. The letter of dismissal is dated 26th March, 1990 and reads:

“TERMINATION OF THE APPOINTMENT OF MR. CHRIS DANDURE

As a result of representations made in a letter dated 1st November, 1989 from you alleging leadership inadequacies in the Revolutionary Organs of the Upper East Region, the PNDC Regional Secretary set up a 3-member Committee to investigate the allegations and other related matters.

2. Upon submission of the committee's Report, the PNDC Regional Secretary, Bolgatanga, has accepted and accordingly given approval for the Committee's Report, recommending that your appointment with the CDRs should be terminated so as to halt the bad practice of denigrating other cadres and persons.

3. Consequently, you have, with immediate effect, been dismissed from the CDRs. The National Secretariat of CDRs' endorsement of the above recommendation is viewed as a disciplinary action to restore the morale and enthusiasm of Cadres in the Upper East Regional Secretariat in particular and in the Region generally.

4. Please hand-over properly to the Regional Organising Assistant before your departure.

Best Regards,

PNDC DEPUTY SECRETARY/CDRs
(DAN ABODAKPI)”

Since Danduri was given the opportunity of substantiating the allegations made by him he cannot complain about the outcome of the enquiry.

George Ateng joined the P & T Corporation in 1982. Barely a year later he was accused of stealing copper wires and suspended from duty. After a number of appearances in Court the prosecution was abandoned and he was discharged. However, he was not re-engaged. While Ateng could be dismissed even without a Court order convicting him of the theft, it was necessary that established procedures be followed. This entailed an enquiry of some sort in which he would have the opportunity of defending himself. Since this was denied him, the termination of his employment was not proper.

Clend Sowu On 23rd April, 1970, a general court martial convicted Sq. Leader Sowu of certain offences. Following his conviction, he was dismissed from the Armed Forces with effect from 12th May, 1970. On 18th September, 1973 Sowu was granted a pardon.

In 1988 Sowu applied for salary and pension. In response, Sowu was informed that his Commissioned military service on full pay was 7 years, 5 months and 18 days which under the applicable regulations did not entitle him to a pension. However, an ex gratia award of two-thirds salary from 12th May, 1970 to 18th September, 1973 was made in his favour. Sowu then claimed that he was entitled to full pay for the period and this would give him Commissioned military service of more than 10 years which would make him qualified for pension.

A free and unconditional pardon removes all penalties and disabilities imposed by the conviction and sentence. Thus, when he was granted the pardon the military authorities could have recalled him into service. The correspondence submitted by Sowu to the Commission indicates that an

offer of recall was made to him but that he declined it. In the circumstances, the decision not to put him on pension was proper.

James Kuffordzi a soldier was instructed by a superior officer to arrest a civilian and place him in the guardroom at Gondar Barracks. Having carried out the order Kuffordzi went out of his way to assault the civilian. When the guard commander asked him to stop he refused to do so. A report was made to the RSM who caused Kuffordzi's arrest. He was placed in a guardroom and later charged. He was ordered to be dismissed from the Army. Kuffordzi had no cause for complaint.

Mathew Kwesi Dogbey petitioned on behalf of the Association of Retrenched/Retired Staff of Cocobod. The staff were retrenched in 1985 and paid paltry sums of money as compensation. This is a matter which needs to be re-opened.

John E. Yankey was an officer in the Research Department of the Foreign Service when in 1983 he was dismissed. He does not give the reasons for his dismissal. However, he complained to CHRAJ which in 1986 made a finding in his favour and ordered that he be paid two years' salary as compensation together with other benefits. The orders made by CHRAJ have not been complied with by the Ministry.

Robert Koom Amissah Following internal investigations into the conduct of some of its officers, the Bank of Ghana decided to dispenche with their services. Amissah was asked to resign. He did so and the resignation took effect on 24th July, 1979. He was paid his benefits amounting to ₵67,057.17. Amissah returned the cheque, claiming that he was entitled to more than that amount. Even though the committee which conducted the internal investigation recommended that Amissah be transferred elsewhere in the bank, the Board of Directors were well within their rights in asking him to resign. If he disputed the quantum of his benefits he ought to have taken action in the courts.

Sylvanus Kweikou Osai, a trained teacher with the GES, has a history of mental problems. In 1976 he was placed on full pay for a further six months. That should have been the prelude to

boarding him out of the service. For some reason this was not done immediately even though Osai wrote several letters asking to be retired from the Service. He disappeared on a number of occasions and when he re-surfaced he refused to work. Eventually a medical board was convened and on its recommendations Osai was boarded out on 26th January, 1990. A savings account was opened for him at the Ghana Commercial Bank, Ministries Branch, Accra to enable SSNIT pay his benefits into it. These facts are set out in letter No. MC55076/35 dated 15th April, 1994 signed by Simon K. Amediku of the Welfare Unit of the GES and addressed to CHRAJ. The GES has dealt with Osai as humanely as anyone would wish. He has no cause for complaint.

Daniel Obiri Bennett-Lartey was an officer of the BNI. In 1991 he accepted the sum of ₵1 million from a suspect in the custody of the BNI. For this breach of discipline a Board of Enquiry was held at which the petitioner was given the opportunity to explain his conduct. In the end it was decided to dismiss him. The authorities were clearly justified in dispensing with the petitioner's services.

Andrews A. Ablorh a policeman was boarded out of the Service in 1981 on medical grounds. He petitioned CHRAJ which by a decision dated 29th September, 2003 ruled that his entitlement was only for Social Security invalidity benefit under SMCD 8 which was duly paid to him. That concludes the matter.

Joseph Kodzo Dzandu was an Accounts Officer of the PWD based at Ho. For being absent without permission for more than 10 days he was dismissed. When he re-appeared he claimed that he had been ill. The dismissal of the petitioner was justified.

Kennedy Noah Hlovor was a clerk in the Cocoa Services Division of the CMB stationed in Accra. A self-styled vigilante, he made a habit of leaving the office without permission on so-called investigations some of which ended with his being arrested and detained by the police. After several warnings he was dismissed. From claims of supernatural powers made by him in his statement to the Commission, the petitioner would appear to have a mental problem.

Alhassan Bukari Alhandu was a Detective Constable in the Police Service. On 11th February, 1984 he was dismissed after he had been found guilty on corruption charges by the Central Disciplinary Board. However, he was re-instated on 1st August, 1984. not long thereafter, the petitioner who was stationed at Savelugu got himself into trouble again. He was charged before another Service Enquiry. He appeared on 7th January 1985 and again on 22nd January 1985. On the later date he raised an objection that the officer was due to retire on 24th January 1985. The objection was overruled and the enquiry continued. The petitioner was dismissed from the Service for the second time on 11th February, 1985. The petitioner sought the assistance of Valerie Sackey of the PNDC Information Bureau at the Castle without success. The insubordination shown by the petitioner to his superior in the Police Service is evident in the unsavoury remarks he made about them in his petition. He called them “reactionary cliques”, accused the IGP of adopting an ‘uncompromising attitude’ towards him, referred to the first Service Enquiry as “a mockery and unwarranted, wasteful reactionary” and he blamed “reactionary cliques within the government” for his second dismissal. The petitioner is not deserving of any sympathy from this Commission.

Joseph Berchie was a craft instructor in the GES. He was based at Adwafo, near Kuntanase, Ashanti Region. Following a decision by the GES to dispense with non-handicapped craft instructors, Berchie’s appointment was terminated. He had worked for the GES for five years. The letter of termination was dated 1st November, 1989 and the termination was made to take effect from 31st August, 1989. Berchie was entitled to at least one month’s notice of the termination of his appointment.

Richard Apau was a Produce Examiner in the Produce Inspection Division of the CMB. In 1985 he was summarily dismissed for issuing a fictitious Produce Inspection Form 1 Certificate.

In a statement filed with the Commission the petitioner admitted that he had used a P1 form he was not authorised to use. He has only himself to blame for his dismissal.

Issifu Abubakari was a Sergeant in the Ghana Army. He was released from the army in 1989.

John Albert Kwaku Addai was a Depot Keeper in the Produce Buying Division of the CMB based at Kaase, Kumasi, Ashanti Region. In 1981 it was detected that cocoa sent to Takoradi from his depot for export were short in weight. The petitioner was held responsible and he was asked to make good the extra cost incurred by the Division in replacing the stolen cocoa beans. According to him he refused to refund the amount which stood in the sum of ₵99,500. He was dismissed. As the depot keeper he must bear responsibility for the short weight of the cocoa in his custody. The beans were either stolen after delivering to the depot or he was negligent in weighing them when the farmers brought in their stock.

Christian Emmanuel Amaning was a clerk at the Ghana Oil Palm Development Corporation, Kwae. In 1985 he and the CDR Chairman wrote a letter in defence of the Mill Manager who had made unauthorised alterations on the mill. He persisted when warned not to interfere. Eventually he was dismissed. He was instructed to collect a month's salary in lieu of notice.

The petitioner, a mere clerk, had no business interfering in matters concerning the Mill Manager.

Samuel Awuah; C.K. Agbanyo; Stephen Gamah; Mmai Musah; Ebenezer Debrah; John Nyamitei; Benjamin Nongor; Nai Marley; J. Y. Mensah; Enoch Kumie Addo; Ransford Adjei Mante; Philip Tetteh; S.T. Asare; Wilson Antwi; Emmanuel K. Yeboah were employed by the GCMB as casual labourers in 1985. In 1994 they were laid off. Their petition was that they be paid some compensation for loss of employment. It is absurd to keep a worker as a casual employee for nine years. It was an attempt to circumvent the labour laws of the country which give a measure of protection to workers in regular employment. The petitioners are entitled to be treated as regular employees of the Board and paid the appropriate compensation.

Emmanuel Kwafo; Samuel Yaw Asirifi; Patrick Gyasi; Godfried Appiagyei; Stephen Yeboah; Baba Wangara were employees of the Agricultural Development Bank, Kumasi. In 1990 the Bank decided to reduce the number of staff on its payroll. Letters were written to some members of staff, among them Gyasi, informing them that as from a specified date their services will no longer be required. In 1992 the retrenchment of staff was still continuing and other

workers, among them, Kwafo, were encouraged to put in their resignation. All the affected staff were paid what in the judgment of the Bank was due to them under their conditions of service. The petitioners now say what they received was inadequate. The petitioners have not provided the Commission with any basis for disputing the quantum of the entitlements paid to them.

Elizabeth Owusu Afriyie was an employee of the Kumasi City Council. She was designated as a “Water Girl”. She stated in her petition that she worked with the Council from 1976 until 1987 when she was declared redundant. She was paid one month’s salary in lieu of notice. She complained that having worked for 11 years she should have been paid more as compensation for loss of employment. Redundancy is usually worked out with the assistance of the Labour Department and the local unions. Any complaints regarding a workers entitlement under redundancy ought to be referred to the Labour Department.

J.K. Ameyaw was District Administrative Officer at Techiman, Brong Ahafo Region. In 1992, following the submitting of a report by a committee of enquiry into the Kintampo District Assembly, the PNDC issued a White Paper directing that Ameyaw be retired from the Civil Service with effect from 1st September, 1992. Ameyaw disputed the adverse findings made against him by the Committee and petitioned the PNDC, then CHRAJ and now this Commission for re-instatement. While it is in order for Ameyaw to continue to challenge the findings that he should refund certain moneys, it is not, after this length, time, reasonable for him to ask for re-instatement.

Peter Anderson Sarpong In 1986 the PNDC appointed a special Audit Task Force to examine the accounts of the GES. Following the submission of their report the petitioner, a junior account clerk at the Ashanti Regional Office of the GES was arrested. He was later brought before the CVC under the Chairmanship of one NEK Yankah who it appears, was also Chairman of the Special Task Force. The CVC interdicted him. After remaining in interdiction for some years the petitioner took the matter to the CHRAJ which made a finding in his favour. The Director-General of the GES by letter No. PJ.4033/35 of 12th November 1997 instructed the Regional Director of Ashanti to implement the decision. Accordingly the Regional Director wrote letter No. PJ.210/53 dated 29th December 1997 to the petitioner to say that he had been re-

instated with “retrospective effect from June to be paid all arrears of salaries due to you”. The Regional Accountant was asked to find a place for the petitioner.

According to the petitioner he was neither re-instated nor paid any arrears of salary.

APPENDIX D

LIST OF PETITIONERS

FILE NUMBER	SURNAME	FIRST NAMES
ACC000001	ADJAYE	EMMANUEL
ACC000002	MENSAH	DANIEL BOSOMPEM
ACC000003	DOGBEY	JULIANA
ACC000004	BOAFO-NTIFO	MIKE
ACC000005	ABRAHAM	ISAAC
ACC000006	ABROKWAH	EDWARD
ACC000007	ANIMAH	YAA
ACC000008	MOHAMMED	OSEI
ACC000009	BOATENG	SAMUEL
ACC000010	MENTOR	EMMANUEL
ACC000011	NASSAR	SAMMY
ACC000012	RAMEIL	A. E.
ACC000013	ZIKPI	LAWRENCE
ACC000014	OMANE-AGYEKUM	
ACC000015	HAMAH	JOHN
ACC000016	KISSI	GODFRED
ACC000017	ANANE	FRANCIS
ACC000018	AGORKPAH	SYMONS
ACC000019	AMISSAH	ROBERT
ACC000020	AGBOTUI	JOSEPH
ACC000021	AGYARE	BENJAMIN
ACC000022	TINKLIN	KARIM BADOR
ACC000023	AYIGWA	KOJO
ACC000024	SETRANA	GORDON
ACC000025	YANKEY	JOHN
ACC000026	MENSAH	JOHN
ACC000027	INKOOM	HANNAH
ACC000028	ASARE	JOSEPH
ACC000029	HALM	THOMAS
ACC000030	AGUDU	ERNEST
ACC000031	FRIMPONG	JOHN
ACC000032	ASANTEWAA	ELIZABETH
ACC000033	YEBOAH	ALEX
ACC000034	APEDOE	ROSE
ACC000035	MENSAH	ATTA
ACC000036	MENSAH	KWABENA
ACC000037	OPPONG	ANDREWS
ACC000038	DWIRA	SAMUEL
ACC000039	ASIMENG	PAUL
ACC000040	MENSAH	CECILIA
ACC000041	SOWAH	ALFRED
ACC000042	OTENG-GYAN	LAWRENCE
ACC000043	DONKOR	FRANCIS
ACC000044	NSIAH	ALEX
ACC000045	OWUSU	ROSE
ACC000046	OTU-NYARKO	SAMUEL
ACC000047	DOGBE AJANI	SIKIRATU
ACC000048	ACQUAYE	JACQULINE
ACC000049	AMEMATEY	JOHN
ACC000050	OPPONG-AGYARE	SAMUEL
ACC000051	FRIMPONG	ISAAC
ACC000052	AHIMAH	NANA
ACC000053	DUAH	BEN
ACC000054	DARKO	OHENEBA

ACC000055	NYAMEKYE-OSEI	EMMANUEL
ACC000056	MADJANOR	EDWIN
ACC000057	NII MOI	GRACE
ACC000058	SAM	ALBERT
ACC000059	MANTEY	AYI
ACC000060	HOFFMAN	CECILIA
ACC000061	AGBOTTAH	VALENTINE
ACC000062	BADDOO	CECILIA
ACC000063	LANQUAYE	ANNANG
ACC000064	OWUSU	SAMUEL
ACC000065	APATINGA	JOHN
ACC000066	YEBOAH-AFARI	ROSE
ACC000067	ADIMEH	HARRISON
ACC000068	AGYAPONG	KOFI
ACC000069	SEY	GEORGE
ACC000070	ABAYE	KWAKU
ACC000071	LOMOTey	HENRY
ACC000072	AMASAH	ALFRED
ACC000073	KWAKYE	ROBERT
ACC000074	CARR	JOSEPHINE
ACC000075	NTOW	PETER
ACC000076	AMARTEIFIO	AMARKAI
ACC000077	ALLOTEY	ALBERT
ACC000078	ODONKOR	EMMANUEL
ACC000079	OKINE	GEORGE
ACC000080	OHEMENG	REXFORD
ACC000081	BOYE	SARAH
ACC000082	ASAMOAH-OPARE	JOHNSON
ACC000083	BAIDEN	JACOB
ACC000084	ASIEDU	SIKIE
ACC000085	GYIMAH	FRED
ACC000086	SQUIRE	JAMES
ACC000087	TETTEH	ALFRED
ACC000088	AIDOO	VICTOR
ACC000089	BANSON	LORD JOE
ACC000090	ANIM	MPARE
ACC000091	TIYO	AWUZU
ACC000092	AWATE-LAMPTEY	HENRY
ACC000093	SANNIEZ	WILLIAM
ACC000094	APPEA-BREMPONG	NANA TWUM
ACC000095	ASAMOAH	JOSEPH
ACC000096	ADU-BARNIE	LAWRENCE
ACC000097	ABUBAKAR	ALHASSAN
ACC000098	OLYMPPIO	CYRIANO
ACC000099	MENSAH	VINCENT
ACC000100	GARIBA	ADAM
ACC000101	DARTEY	FRANCISCA
ACC000102	ALLOTEY	MARY
ACC000104	ARKORFUL	KOFI AKWANDOH
ACC000105	SOWAH	SAMUEL
ACC000106	AKOTO	GEORGE
ACC000107	ADOFO	SOMUAH
ACC000108	MIREKU	EMMANUEL
ACC000109	ADJEKUM	ISAAC
ACC000110	DZANE	DANIEL
ACC000111	KAITOO	MABEL
ACC000112	ADJEI	GEORGE
ACC000113	SAWUNDI	EMMANUEL
ACC000114	WEGUDI	GODWIN
ACC000115	NUTAKOR	JUBILEE
ACC000116	OPARE-SARPONG	DANIEL

ACC000117	NANOR	MICHELL
ACC000118	ASANTE	OPpong KWAME
ACC000119	BADASU	EMMANUEL
ACC000120	BAWKU	SALIFU
ACC000121	ANDOH	EBENEZER KWAKU
ACC000122	ODURO-FOSU	KWABENA
ACC000123	BOATENG	ISAAC
ACC000124	TAGARI	KOFI
ACC000125	AFAGLO	CHRISTIAN (TOGBUI SATSIMADZA)
ACC000126	AFARI	ESSAH
ACC000127	ADONGO	ELIZABETH
ACC000128	OFORI	ALI
ACC000129	ACKAH	JOHN
ACC000130	ASANTE	STEPHEN
ACC000131	ALIDU	MOHAMMAD
ACC000132	POKU	DANIEL
ACC000133	ABBIA-KWAKYE	ALEXANDER
ACC000134	BENEFO	THOMAS
ACC000135	LARTEEF	ABDUL
ACC000136	ARHIN	EMMANUEL
ACC000137	ANKRAH	AMPOFO
ACC000138	ACHEAMPONG	VIVIAN
ACC000139	APATU-PLANGE	HENRY
ACC000140	APIAH	SOLOMON
ACC000141	YEBOAH	KWABENA
ACC000142	MACCARTHY	DANIEL
ACC000143	NAVRO	PHILIP
ACC000144	TWUMHENE	SAMUEL
ACC000145	ARMAH	EBENEZER CHAIKU
ACC000146	PEPRA	AGYENIM BOATENG
ACC000147	AMOAKO-OFORI	FREDRICK
ACC000148	DANSO	MARTIN
ACC000149	ADANE	MARTIN
ACC000150	ADJEI	OHENE
ACC000151	SARPONG	FRANK
ACC000152	HAMMOND	ELIZABETH
ACC000153	ARYEE	CHRISTIANA DEEDE
ACC000154	ABDUL MOOMIN	ABDUL
ACC000155	ADUSEI	POKU
ACC000156	OBENG	STANLEY
ACC000157	MARKO	CLIFFORD
ACC000158	MILLS	CLEMENT
ACC000159	NTIAMOAH	ELIZABETH
ACC000160	AKORAH	PAUL
ACC000161	MAJDOUD	VICTORIA MANSA
ACC000162	FRIMPONG	CHARLES
ACC000163	KORANTENG	FELIX
ACC000164	SULEY	ABUBAKARI
ACC000165	HAMMOND	JULIUS
ACC000166	HAMMOND	JOHN
ACC000167	SMITH-AMANKWAH	JOSEPH
ACC000168	QUARCOO	JOHN
ACC000169	ACHEAMPONG	FREDERICK
ACC000170	AMARTEI	AMARKWEI
ACC000171	MENSAH	ALBERT
ACC000172	BROWN	THOMPSON
ACC000173	AFRAMEAH	AKUA
ACC000174	FRIMPONG-MANSO	FRANCIS
ACC000175	DAVOR	GEORGE
ACC000176	OWUSUAH	GLADYS

ACC000177	OKYERE	SAMUEL
ACC000178	ZION	KWAS (ALIAS RASTA)
ACC000179	KUMI	SUSUANA
ACC000180	ZOOGAH	JAMES
ACC000181	QUIST	FRANK
ACC000182	FORDWOO	SAMUEL
ACC000183	TENKORANG	JOHN
ACC000184	QUARCOO	ISAAC
ACC000185	AMPOFOAH	NANA
ACC000186	BOATENG	SAMUEL
ACC000187	ODAMTTEN	FRANCIS
ACC000188	AMPADU	RICO-KWABENA
ACC000189	KWAKYE	SAMUEL
ACC000190	MACLEAN	WILKINS
ACC000191	OKAI	BOYE
ACC000192	SABLAH	SIMON
ACC000193	OKAI	COMFORT
ACC000194	KORLETEY	SUSANA
ACC000195	NORVIMEGBE	NICHOLAS
ACC000196	ABDULAI	BABA
ACC000197	LAMPTEY	ODARTEY
ACC000198	INKUM	FRANCIS
ACC000199	KOBLAH	JOSEPH
ACC000200	OSEI	MARTIN
ACC000201	DOKU	BEATRICE
ACC000202	ANSONG	ALEXANDER
ACC000203	BAMFO-MANUH	MOSBY
ACC000204	BONAH	THOMAS
ACC000205	MOHAMMED	HAJIA
ACC000206	LARTEY	VICTORIA
ACC000207	OWUSU	MARTIN
ACC000208	MAHAMADU	YAKUBU
ACC000209	ERZUAH	ANTHONY
ACC000210	BARTZ-MINLAH	ANTHONY
ACC000211	HLOVOR	KENNEDY
ACC000212	ATIAH	MOSES
ACC000213	ADAMA AKATI	ALHASSAN
ACC000214	BOTWE	ABRAHAM
ACC000215	NUER	JOSEPH
ACC000216	ANIM	ALICE
ACC000217	MUSAH	ABUBAKARI
ACC000218	ADDO	EMMANUEL
ACC000219	ABU-BONSRA	PRINCE
ACC000220	MANU	SOLOMON
ACC000221	MINTA ADDO	ALEXANDER
ACC000222	PARKER	EBENEZER
ACC000223	YEBOAH-AGYEMANG	KOFI
ACC000224	ODONKOR	SAMUEL
ACC000225	YEBOAH	KOFI
ACC000226	TAGOE	GEORGE
ACC000227	GARBRAH	GEORGE
ACC000228	OKRAKU	ROSE
ACC000229	QUAMPAH	GABRIEL
ACC000230	OSEI	KWAME
ACC000231	AHADZI	CHRISTIAN
ACC000232	FIANOO	LAWRENCE YAO
ACC000233	OKAI	SAMUEL
ACC000234	AMIDU	MUSAH
ACC000235	AGYEI	AFARI

ACC000236	AMPAW	FELIX
ACC000237	ZAHABI	MOHAMMED
ACC000238	AGYAPONG	CECILIA
ACC000239	BOTCHWAY	GLADYS
ACC000240	OWUSU	EMMANUEL
ACC000241	NKUM	WILFRED
ACC000242	FREMPONG	NUMO
ACC000243	ASANTE	EBENEZER
ACC000244	TETTEH	GRACE
ACC000245	KUGBLENU	ADLAI
ACC000246	DUODU	ISAAC
ACC000247	ANSAH	SAMUEL
ACC000248	HAYFORD	JOHN
ACC000249	QUARCOO	ROBERT
ACC000250	BOATENG	ENOCH
ACC000251	LATZOO	VICTOR
ACC000252	AGYEKUM	PAUL
ACC000253	AGGREY	RICHARD
ACC000254	MANTE	ADU
ACC000255	AKONOBEO	COMFORT
ACC000256	BOAKYE	JOSHUA ANIM
ACC000257	ARYEETAY	EMMANUEL
ACC000258	NOBI	SOLOMON
ACC000259	KOTEI	STEPHEN DAVID
ACC000260	DANSO	SAMUEL
ACC000261	YIADOM	ADAKWA
ACC000262	SAMUAH	AFUA
ACC000263	LARTEY	JERRY
ACC000264	ATTAH-EDUAH	EVANS
ACC000265	KPAKPO	AKWEI
ACC000266	FAMPONG I	NANA DOMENA
ACC000267	KUMAH	ATTAH
ACC000268	ATTA MENSAH	ELIZABETH
ACC000269	KOOMSON	SAMUEL
ACC000270	OBIRI-KUMI	ROSE
ACC000271	OWU	JAMES
ACC000272	SUBERU	ABDUL
ACC000273	TETTEH	JAMES
ACC000274	AMEYIBOR	DANIEL
ACC000275	BAIDEN	AUGUSTUS
ACC000276	ADUSEI	ALEXANDER
ACC000277	AKOETAY	PATRICK
ACC000278	YEBOAH	NORTEY
ACC000279	AMARLEY	VICTORIA
ACC000280	AYEH	CLEMENT
ACC000281	KWAKO	KOFI
ACC000282	NARTEY	THOMAS
ACC000283	ANSONG	JOSEPH
ACC000284	TETTEH	JERRY
ACC000285	AMPADU	KWAKU
ACC000286	KUMORDZIE	PAUL
ACC000287	KOMENG	COMFORT OFOSUA
ACC000288	KAISSER	GERMAN
ACC000289	TORTO	WILLIAM TORGBOR
ACC000290	ACHEAMPOMAAH	AKOSUA
ACC000291	OKORDIE	CHARLES
ACC000292	NAABU	DANIEL
ACC000293	OBENG	YAW
ACC000294	OFORI	COLLINS
ACC000295	ABABIO	ALEXANDER
ACC000296	YAABERE	BASIL

ACC000297	ANOKYE	BENEDICT
ACC000298	ARMAH	WILBEFORCE
ACC000299	ABROQUAH	NICHOLAS
ACC000300	FREMPONG	PAUL
ACC000301	AGYEKUM	SAMUEL
ACC000302	AGBETOR	MICHAEL
ACC000303	AMPONSAH	ADDI
ACC000304	OWUSU	SIMON
ACC000305	ADJAPONG	HERMAN
ACC000306	ATULIK	JOSEPH
ACC000307	AHADZIVIA	SETH
ACC000308	DADE ARMAH	PHILIP
ACC000309	APPIAH	EMMANUEL
ACC000310	SISU	AHMED
ACC000311	AMEWUDA	DENNIS
ACC000312	YEBOAH	JAMES
ACC000313	AMO-BAAH	PETER
ACC000314	OFORI	EDWARD
ACC000315	KURANKYI	SAMUEL WILSON
ACC000316	SREBI	FIASE
ACC000317	DARKO	OKWANING
ACC000318	LAMPTEY	MARY KWOSHIE
ACC000319	BOATEMAA	BEATRICE
ACC000320	QUANSAH	AUGUSTINA
ACC000321	ASANTE	GEORGE
ACC000322	VIALA	PETE ALBERT
ACC000323	DUGBARTEY	BINGA SAPPOR
ACC000324	BULUMIATWUM	KWASI
ACC000325	ANEawe	SYLVESTER
ACC000326	MAXWELL	VICTORIA
ACC000327	ADONGO	GEORGE
ACC000328	TAKYI-MICAH	EBEN
ACC000329	SENNA SONGODZAGI	SAMUEL
ACC000330	BOYE	KOFI
ACC000331	NVIDAH	NICHOLAS
ACC000332	AKOI	PIUS
ACC000333	OKYERE	MARTIN
ACC000334	NYANTE	SAMUEL
ACC000335	ATTIPOE	JOHN
ACC000336	BOATENG	JOHN
ACC000337	QUARTEY	GIFTY OYO
ACC000338	BERKO	KATE
ACC000339	IMORO	DRAMANI
ACC000340	ADDISON	KODWO
ACC000341	FIATI	EMMANUEL
ACC000342	APENTENG	YAW
ACC000343	GYESIWA	AFUA
ACC000344	APPIAH	JOSHUA
ACC000345	GOKU	GODWIN
ACC000346	FYNN	ANTHONY
ACC000347	JARFRO	JOHN
ACC000348	ADAE-AMOAKOH	SAMUEL
ACC000349	PLANGE	NII
ACC000350	BEBLIE	THEODORE
ACC000351	ANANE	DORA
ACC000352	BONSU	KOFI
ACC000353	SIAW	JOSEPH
ACC000354	NIMAKO	JOSEPH
ACC000355	OWUSU-ANSAH	MAXWELL
ACC000356	OSEI-BOTWE	SAMUEL

ACC000357	WIAFE	GOTTFRIED
ACC000358	MENSAH	JOSEPH
ACC000359	BOATENG SAMPONG	CHARLES
ACC000360	AGBI	WINFRED KWASI
ACC000361	APPIAH	ANTHONY
ACC000362	OBENG	FLORENCE TAKYIWA
ACC000363	OCQUAYE	MAGNUS
ACC000364	AGYEI-BAAH	FRANK
ACC000365	QUANSAH	PRINCE SAXTON &200 OTHERS
ACC000366	BORTEY	ABRAHAM
ACC000367	DARTEY	EMMANUEL
ACC000368	TAWIAH	KWAKU
ACC000369	ODAI	GEORGE
ACC000370	BAZAWULE	HAGBEMIE
ACC000371	AKPOBI	VICTOR KWABENA
ACC000372	ADJAYE	MARY
ACC000373	AKYIAA	ADWOA
ACC000374	AMEDZAKE	SIMON
ACC000375	MAHAMA	MUMUNI
ACC000376	ANOKYE	BOSOMPRA
ACC000377	OPPONG	KWABENA
ACC000378	ADDY	MIKE
ACC000379	ADJEI	YAA
ACC000380	OSEI-POKU	EBENEZER
ACC000381	SEY	LORD
ACC000382	AMPOFO	EDWARD
ACC000383	OSEI	EMMANUEL
ACC000384	BANNERMAN	CHARLES
ACC000385	FREMPOMAA	VIDA
ACC000386	HUSSEIN	GILBERT
ACC000387	AGGREY	SOLOMON
ACC000388	BEDIAKO	EBENEZER
ACC000389	BOAFO	JESSIE
ACC000390	KUSI	APPIAH
ACC000391	ANTWI-BOSIAKO	KWABENA
ACC000392	KUTU-ACHEAMPONG	STEPHEN
ACC000393	ABROKWA	SAMUEL
ACC000394	BUCKMAN	CECILIA
ACC000395	KISSI	JAMES KWADJO
ACC000396	ADOM-AMPADU	APAU
ACC000397	ADJARTEY	SAMUEL
ACC000398	TAKYI	SAMPSON
ACC000399	ASARE	THEOPHILUS
ACC000400	NYARKO	HANNAH
ACC000401	OCANSEY	ORSON ATTEH
ACC000402	DOMPREH	ROSE
ACC000403	AKYENTENG	GEORGE OWUSU
ACC000404	NARH	JOSEPH
ACC000405	LAMPTEY	SAMUEL ODARTEY
ACC000406	GYAMFI	KWAME
ACC000407	TSETSE	ALEX YAWO
ACC000408	NORTEY-BOTWEY	BENJAMIN NARKU
ACC000409	ACQUAYE	SAKA
ACC000410	BLESSIE	EMMANUEL
ACC000411	YEBOAH	PATRICK KWABINA
ACC000412	ASENSO	BENJAMIN AKWASI
ACC000413	TONKO	AKOSUA
ACC000414	UPENDRA	DAS
ACC000415	LARBI	EMMANUEL
ACC000416	OSEI	ERNEST OKAI
ACC000417	ASARE	OKU DANIEL NII

ACC000418	HIAMABE	AUGUSTUS
ACC000419	FRIMPONG	ESTHER
ACC000420	OSEI	JOSEPH HAYFORD
ACC000421	BRAM-KOFI	ELIZABETH
ACC000422	AKWEI	ERIC ADOTEI
ACC000423	IMRAN	ALFRED
ACC000424	NTSIN	ATO
ACC000425	ANING	VICTORIA
ACC000426	TEGA	KWASI JAMES
ACC000427	ANKRAH	SOLOMON TETTEY
ACC000428	ASAE ASIRIFI	DANIEL NANA
ACC000429	TIBBOH	ISAAC AHIANKWAH
ACC000430	BUABENG	SIMEON KWADWO
ACC000431	BAAH	EMMANUEL
ACC000432	MUSAH	ISSIFU
ACC000433	ADJEI	MIKE
ACC000434	OUSMANI	SALIFU
ACC000435	SASU-MENSAH	ISMAIL BOAMAH
ACC000436	ASANTEKWATIA	BOAFO VICTOR
ACC000437	OWUSU	SALOMEY
ACC000438	MANSAH	JULIANA
ACC000439	BAKAH	CLETUS
ACC000440	ASANTE	DAVID
ACC000441	OBENG	NOAH
ACC000442	IDDRISU	SEIDU
ACC000443	HANSEN	JAMES KOFI
ACC000444	ASIEDU	ERIC KWAKU
ACC000445	TESMAFO-DADZIE	ANTHONY
ACC000446	TORGBOR	WILLIAM
ACC000447	LOGAH	FREDERICK
ACC000448	AMOH	KWASI
ACC000449	ADUTWUM	AGNES
ACC000450	OSEI	EMMANUEL
ACC000451	OSEI TUTU	DORIS
ACC000452	OPPONG	NANA KOFI
ACC000453	OFORI-PANIN	KWABENA
ACC000454	OPOKU-WARE	CHARLES
ACC000455	HUTCHISON	CARL BARTELS
ACC000456	OCRAN	FRANCIS JOE
ACC000457	AMPONSAH	JOSEPH BRONI
ACC000458	MARFO	ANTHONY KWABINA
ACC000459	ABBAN	JOHN KOJO
ACC000460	ARKOH	EMMANUEL KWESI
ACC000461	ACQUAH	DAVID
ACC000462	ASARE	BEDIAKO
ACC000463	ODDOYE	SAMUEL EMMANUEL
ACC000464	DANQUAH	SAMPSON PETER
ACC000465	NOI	CHARITY NYERKIE
ACC000466	ADDO	CECIL TETTEY
ACC000467	ADJEI	KWABENA
ACC000468	AMPONSAH	SAMUEL
ACC000469	ABBAM	KATE
ACC000470	AMANORTEY	GEORGE
ACC000471	ANKRAH	JOSEPH ALEX
ACC000472	CHEETHAM	NATHAN
ACC000473	THERSON-COFIE	LARWEH
ACC000474	BOTWE	MARY
ACC000475	KANUKWA	RICHARDSON
ACC000476	OWUSU	GILBERT
ACC000477	NUNOO	AMISSAH
ACC000478	ATSAKPO	EDWARD KWABLAH DEGOE

ACC000479	WILLIAMS	NSIAH
ACC000480	BOAKYE-YIADOM	ABDUL
ACC000481	ANANG	MICHAEL
ACC000482	KANKAM	KETIA KWAKU
ACC000483	ANTO	EMMANUEL
ACC000484	ADAMS (AFUA NKETIA)	MERCY
ACC000485	ADU-BOATENG	CHARLES
ACC000486	KWAMI	PRINCE GABRIEL
ACC000487	OFOSU	ERASMUS DENSU
ACC000488	ANTOR JNR	SAM GATRO
ACC000489	BOAKYE-YIADOM	KWABENA
ACC000490	DANSO	SAMUEL
ACC000491	AKO-ADJEI	OLIVIA
ACC000492	BUAHIN	DAVID KOFI
ACC000493	NKRUMAH	KWAME
ACC000494	ASAMOAH	MAXWELL
ACC000495	PADITEY	KWAO MICHAEL
ACC000496	NTIAMOAH	MAXWELL KWASI
ACC000497	MENSAH	SAMUEL KWABINA
ACC000498	MAYAKI	HASAN JEBILA
ACC000499	BOATENG	ATTAH
ACC000500	AFRIFA	CHRISTINE
ACC000501	AGYEI	QUESSIE DANIEL
ACC000502	SADIA	ALIMATU
ACC000503	TETTEY	AGNES
ACC000504	KANOR	ABRAHAM AYIKU
ACC000505	AKPALOO	JOSEPH JOE
ACC000506	TORKONU	VICTORIA
ACC000507	ASSAN	DORCAS
ACC000508	WINFUL	JOHN KOFI
ACC000509	DUAQUEYEE	AFIA
ACC000510	OWUSU	GEORGE ANTWI
ACC000511	ASANTE	OFORI KWAME
ACC000512	QUARCOO	JOSEPH MENSAH
ACC000513	LARKAI	CHARLES LARTEY
ACC000514	BLUKOO	CHRISTIAN
ACC000515	MARTIN	FAROUK
ACC000516	ADAMS	EMMANUEL SETH
ACC000517	KWAO	ABRAHAM TEYE
ACC000518	GYIMAH	SAMUEL ADJEI
ACC000519	KUMAH	STEPHEN
ACC000520	AFALETEY	MAXWELL PAUL
ACC000521	KOOKULU	OTOO CHRISTIANA
ACC000522	TAWIAH	LAKYNE MARY
ACC000523	OWIREDU	JONATHAN ROBERT
ACC000524	BOATENG	KWADJO ADJEI
ACC000525	ASAMOAH	SAMUEL ABBOAH
ACC000526	SAKYI	AKOMEAH
ACC000527	SARPONG-MYLES	SAMUEL
ACC000528	ESSUMAN	ADOLPHUS
ACC000529	ASAMOAH	STEPHEN
ACC000530	YANKSON	ISAAC
ACC000531	DOMPREH	JULIANA AFUA AGYEKUMWA
ACC000532	KOFI	TEI
ACC000533	ZINIYELI	AGAPITUS
ACC000534	TACHIE-MENSON	CHARLES
ACC000535	AMANIAMPONG	STEPHEN
ACC000536	ADJEI	ALEX
ACC000537	ADU-NYAME	SAMUEL YAW
ACC000538	APEDO	EMMANUEL KWAME
ACC000539	ACHEAMPONG	EMMANUEL ADJEI
ACC000540	SERWAH	AMA

ACC000541	NTORHAN	BENJAMIN BENNIN
ACC000542	ALHASSAN	AWUDU
ACC000543	KOFFIE	AUGUSTINE
ACC000544	DONKOR	STEPHEN MAXWELL
ACC000545	MENSAH	PATRICK
ACC000546	FREMPONG	SAMUEL NIMAKO
ACC000547	JACKSON	KOFI ABAKA
ACC000548	AZIABOR	JOSEPH KORNOR
ACC000549	ABU	SUFYAN SIDI
ACC000550	LAATE	SAMUEL
ACC000551	ADJEI	HERBERT
ACC000552	OCANSEY	WILLIAM SETH
ACC000553	TAGOE	GEORGE
ACC000554	GETI	ABDULAI
ACC000555	KYEI	JOHN BAFFOUR
ACC000556	AGYEKUMWAA	ANGELINA
ACC000557	KARIM	MAMUD
ACC000558	ADDAI	GEORGE KOJO
ACC000559	DOWOKPOR	GILBERT
ACC000560	GBEKOR	GORDON KOFI
ACC000561	COBBINA	PA KOFIE
ACC000562	DJARBENG	JAMES ARIEL
ACC000563	EDUAM	JOHN KINGSLEY
ACC000564	GRANT	CHARLES KWESI
ACC000565	ALAGWUGAH	ANTHONY KUBAZA
ACC000566	ADJABU	DANIEL
ACC000567	MYERS	JAMES
ACC000568	BOTCHWAY	ROBERT NII SAI
ACC000569	ADOMAKO	PETER ASHFORD
ACC000570	OPPONG	GODWIN
ACC000571	KWABENA-ESSEM	NSONWA ADU
ACC000572	NKRUMAH	PETER KOW
ACC000573	NYANTE	VICTOR BARIFI
ACC000574	STEPHENS	EZRA DOUGLAS
ACC000575	AGYEKUMWAH	FLORENCE AFUA
ACC000578	ADIZATU	SHARDOW
ACC000579	OSEI	GODWIN
ACC000580	OBAKA-TORTO	EMMANUEL TETTEH
ACC000581	IBRAHIM	ADAMA
ACC000582	OSEI	YAW
ACC000583	OPAM-AFANA	SIMON KWAME
ACC000584	OFORI-MENSAH	JOE
ACC000585	ARTHUR	MARGARET ESI
ACC000586	OTENG	ISAAC KWESI
ACC000587	KWAKYE	JOHN EPHRAIM
ACC000588	OSEI	YAW
ACC000589	ADJARTEY	EDWARD KUMANOR
ACC000590	IMBEAH	KWAME
ACC000591	ADU	EDWARD ASUMING
ACC000592	DARRY	OSUMANU
ACC000593	APPIAH	JOSEPH
ACC000594	OPUNI	SAMUEL HAYFORD
ACC000595	ASIGBE	OMINIK-MENSAH
ACC000596	NUHU	ALFA
ACC000597	COLLISON	JOHN CLOTTEY
ACC000598	ADUMAOH	EMMANUEL ASSAH
ACC000599	QUAYSEL	PETER ERNEST
ACC000600	TAGOE	STELLA
ACC000601	YEBOAH	COMFORT
ACC000602	ARKORFUL	EMMANUEL
ACC000603	GOKA	CHRISTIAN
ACC000604	YIDANA	JACOB

ACC000605	ADJEI	ALFRED
ACC000606	ALHASSAN	ABIBA
ACC000607	MENSAH	SAMUEL CHRISTOFER
ACC000608	ANI-ADJEI	ALEXANDER
ACC000609	FORKUO	JOHN
ACC000610	ADDISON	KOFI
ACC000611	ASANTE	ALICE
ACC000612	BRUCE	KENNETH
ACC000613	BAMPOE	SAMUEL
ACC000614	ACHEAMPONG	KWAME
ACC000615	APPIAH	ALFRED
ACC000616	FOKUO	PETER KWADWO
ACC000617	OWUSU-AGYEMANG	CHARLES
ACC000618	AMUAH	GEORGE
ACC000619	ASSIAMAH	GEORGE
ACC000620	ASHIA	EMMANUEL
ACC000621	KORANTENG	CHARLES
ACC000622	AHENKORAH	AKWASI
ACC000623	OPARE	SAMUEL
ACC000624	SOKPOLI	AMEGADZI MICHAEL
ACC000625	MOHAMMED	AMINU
ACC000626	AMPONSAH	HENRIETTA
ACC000627	LARTEY	JOE
ACC000628	ALLOTEY	WILLIAM
ACC000629	YIRENKYI	ALEXANDER KWESI
ACC000630	AGBE IV	
ACC000631	SERWAH	JULIET
ACC000632	AGYEKUM	KWABENA
ACC000633	QUAYE	DANIEL
ACC000634	WILSON	COMFORT
ACC000635	AJONGBAH	ALIANE
ACC000636	GYEBI	HENRY
ACC000637	AFFUM	EMMANUEL
ACC000638	OCANSEY	EDMUND
ACC000639	ANWOMEAH	JOHN
ACC000640	ADDAI	KWEKU
ACC000641	WASHINGTON-ADZAXO	GEORGE
ACC000642	BLANKSON	JOSEPH
ACC000643	KOTEY	VICTORIA
ACC000644	ODEIBEA	COMFORT
ACC000645	ROCKSON	ABEKA
ACC000646	ADARKWAH	GORDON
ACC000647	TAGOE	SAMUEL
ACC000648	HARUNA	ABU
ACC000650	QUARTEY	EVELYN
ACC000651	ANIM	JACOB
ACC000652	KYEREMEH	JOSEPH
ACC000653	ADJETEY	JOHN
ACC000654	NARTEY	SARAH
ACC000655	ANDOH	VICTOR KOBINA
ACC000656	BAAH	ANDREWS
ACC000657	AMEYAW	ADU
ACC000658	ADJIMAH	MAWUENAM
ACC000659	DOMPREH	NICHOLAS
ACC000660	EDRAH	JUSTICE
ACC000661	OKYERE	AGNES
ACC000662	QUARTEY	JOSEPH
ACC000663	OKYERE	GLADYS
ACC000664	NIKOI	JONATHAN
ACC000665	KWAWU	DICKSON
ACC000666	PUGANGA	MOHAMMED

ACC000667	DONYINAN	DOMINIC
ACC000668	OSEI	KWAKU
ACC000669	YEBOAH	AMOS
ACC000670	AMEVOR	GABRIEL
ACC000671	ABBAY	SAMUEL
ACC000672	OSIBO	ROWLAND
ACC000673	GYAN	PAUL
ACC000674	OKOE	JANET
ACC000675	GYASI	AMOAKO
ACC000676	BIKAMBA	MAYIM
ACC000677	OSOM	BENJAMIN
ACC000678	TETTEH	ALBERT
ACC000679	ATTAH	KWAKU
ACC000680	APPIAH	SAMUEL
ACC000681	BEKOE	ALFRED OBOUBISA
ACC000682	OFORI	MATHIAS
ACC000683	SACKEY	SAMUEL
ACC000684	TSHITEY	BARTHOMEW
ACC000685	SANGARI	MOUSTAPHA
ACC000686	ASANTE	ANTWI
ACC000687	KORANTENG	YAW
ACC000688	OPONG KYEKEYEYKU	KWESI
ACC000689	AVASHIAME	VINCENT
ACC000690	EKINS	DANIEL
ACC000691	SALIFU	ZENABU
ACC000692	HUDU	MOHAMMED
ACC000693	ABUBAKAR	DAUDA
ACC000694	YEBOAH	ISAAC
ACC000695	KUDJORDJI	JOSEPH
ACC000696	YAMOTSE	GERALD
ACC000697	ABDU-SAMAD	KASSIM
ACC000698	TASIRI	PETER
ACC000699	ABBAH	JANET
ACC000700	NADUTEY	PETER
ACC000701	OSAE-MENSAH	EMMANUEL
ACC000702	ASANTE	JOSEPH
ACC000703	COLLISON	SAMUEL NII CLOTTEY
ACC000704	AMBASAKI	PATIENCE
ACC000705	KORLETEY	ISAAC
ACC000706	LAMPTEY	AYUBA
ACC000707	GBEMU	MICHAEL
ACC000708	GYIMAH	JOHN
ACC000709	DONKOR	EMMANUEL
ACC000710	WOEKPOR	WILLIAM
ACC000711	ASANTE	DANIEL
ACC000712	KONDO	KWAO
ACC000713	AKYEM	ANNA
ACC000714	ISSAHAKU	ABDUL ELLIAS
ACC000715	DARKWAH	SAMPSON
ACC000716	MAHAMA	YAKUBU
ACC000717	TETTEH	MATTHEW
ACC000718	AFFUL	JAMES
ACC000719	OHMEN	KWAME
ACC000720	COBBLAH	CEPHAS
ACC000721	AGBESHIE	BEATRICE
ACC000722	ABUBULAI	ABU-JAAH
ACC000723	ABONTOAKO	EFUA
ACC000724	FARL	MOHAMMED
ACC000725	OWARE	SETH

ACC000726	MAHAMA	SALAMATU
ACC000727	TABI	NTI
ACC000728	OPOKU -BADU	EDWARD YAW
ACC000729	ADUSAH	MICHAEL KOJO
ACC000730	YIRENKYI	SAMUEL
ACC000731	BOAKYE-DANQUAH	JAMES
ACC000732	QUARTEY	DORIS
ACC000733	ADDO	HABIB
ACC000734	SEKYIAMAH	NANA VICTOR
ACC000735	APPIAH	OKYEREFIO
ACC000736	OWUSU	KWAKU
ACC000737	ADJEI	BOATENG
ACC000738	ANKAMAH	SAMUEL
ACC000739	ADABUGA	MATHEW
ACC000740	AWHAITEY	BENJAMIN
ACC000741	AMISSAH	EMMANUEL
ACC000742	SARPEI	BLANKFORD
ACC000743	TAKYI	AARON
ACC000744	LAMPTEY	SAMUEL
ACC000745	TANNOH	NANA ASUO
ACC000746	HAMMOND	JUSTICE
ACC000747	AKAI-NETTEY	JOHN CYRIL
ACC000748	OKAI	PATIENCE KAI
ACC000749	FRANCE	EMMANUEL
ACC000750	QUARTEY	JAMES OKOE
ACC000751	OWUSU-FORDWOUEH	ELLISON
ACC000752	BADU	REXFORD
ACC000753	BOATENG	SYLVIA
ACC000754	ABRUQUAH	JOSEPH
ACC000755	SEGLAH	RICHARD
ACC000756	POKU	NANA
ACC000757	ASSUMANG	FREDRICK
ACC000758	TETTEY	TETTEHFIO
ACC000759	AMEDANU	KOFI ABOTSI
ACC000760	BOAPEA	ALEXANDER
ACC000761	OWUSU	EMMANUEL
ACC000762	YOMELEY	GRACE
ACC000763	SASU	HARRISON
ACC000764	SAKYIAMA	KWAKYE
ACC000765	AIKINS	SARAH
ACC000766	KOOMSON	SAMUEL
ACC000767	APPIAH	THOMAS
ACC000768	SAM	BERNARD
ACC000769	WELBECK	DAVID
ACC000770	AMPONSAH	DANIEL
ACC000771	TAY II	SAMUEL
ACC000772	ABDUL	LATIF
ACC000773	BARNOR	ANSAH
ACC000774	KWAO	TETTEH PHILIP
ACC000775	LARYEA	MARY
ACC000776	NKEGBE	KWASI
ACC000777	MENSAH	KWAKU
ACC000778	BRUCE-TAGOE	WILLIAMS
ACC000779	MIHESO	JOHNSON
ACC000780	OWUSU-GYIMAH	AUGUSTUS
ACC000781	MILLS	JOSEPH
ACC000782	HOLOMAH	EMMANUEL
ACC000783	AKUMOA-BOATENG	EDWARD
ACC000784	SWATSO	CYPRIAN
ACC000785	AGBEKO-SEDZIAFA	JOHN
ACC000786	SMITH	JACOB

ACC000787	ASHITEY	DENNIS
ACC000788	QUAYE	FRANCIS
ACC000789	AFFUM	CHARLES
ACC000790	ABBAN	GRACE
ACC000791	TIBBOH	VIVIAN
ACC000792	GYAMPO	DANIEL
ACC000793	BAAH	JAMES KOFI
ACC000794	GYAMFI	MATILDA
ACC000795	TAWIAH	ALFRED
ACC000796	ABREFA	AGNES
ACC000797	BORKETEY	ABRAHAM
ACC000798	OSEI	ALBERT
ACC000799	AFFUL	MARGARET
ACC000800	APAW	BARIMA
ACC000801	TAY	ROBERT
ACC000802	DUNYO	VICTOR
ACC000803	MARTEY	EMMANUEL
ACC000804	AMEGASHIE	VAL-ARMSTRONG
ACC000805	ADU-DARKOH	SAMUEL
ACC000806	CUDJOE	JOY
ACC000807	OSEI	KWABENA
ACC000808	GYEKE ASANTE	SOLOMON
ACC000809	APRONTI	GODSON
ACC000810	BENYE	EMMANUEL
ACC000811	OFORI-MANTE	FRANCIS
ACC000812	DOWUONA	ANMOKO
ACC000813	OMANE	KOFI
ACC000814	AGYEMAN	KOFI
ACC000815	ABBAN	DOMINC
ACC000816	NYAHO- TAMAKLOE	NYAHO
ACC000817	WAGBA	EMMANUEL
ACC000818	ODURO	JOSHUA
ACC000819	WELBECK	JOHN WELLIS
ACC000820	OBIRIKORANG	NICHOLAS
ACC000821	LAATE	SAMUEL
ACC000822	OWUSU	GODFREY
ACC000823	KISSEIH	EDWARD
ACC000824	BAMFO-AWUAH	WILSON
ACC000825	IDDRISU	UMARU
ACC000826	SCHANDORF	HENRY
ACC000827	COLLISON	MABEL
ACC000828	TWENEBOA-KODUA	MARY
ACC000829	ASEPARE	GODWIN
ACC000830	NTI	ARCHISON
ACC000831	MARTEY	SETH
ACC000832	HAMMOND	ALEXANDER
ACC000833	SASU-MENSAH	KWESI
ACC000834	NYANYO	EBENEZER
ACC000835	NEEQUAYE	FRANK
ACC000836	BEKOE	YAW
ACC000837	LAMPTEY	YUSUFU
ACC000838	ASIEDU	SARAH
ACC000839	OWUSU	KOFI
ACC000840	TAWIAH	ABENA
ACC000841	ACQUAH	JEMIMA
ACC000842	ASHUN	BENNY
ACC000843	AKOSA	AGYEMAN
ACC000844	OPOKU-AMPOMAH	JOSEPH
ACC000845	APPEAH-DANQUAH	APEANYO II
ACC000846	OPARE	KWAME
ACC000847	AIDAM	BEARTRICE

ACC000848	LARTEY	SUSUANA LARLEY
ACC000849	QUAYE	NII BOYE
ACC000850	KONADU	DIANA
ACC000851	BOTCHWEY	ERIC
ACC000852	AGYEKUM	ALBERT
ACC000853	BOGEE	DAMASUS
ACC000854	DADINKAI	YAKUBU
ACC000855	ARYEETAY	YUSUF ARMAH
ACC000856	DARQUAH	KWABLAH
ACC000857	KONADU	RAYMOND
ACC000858	ISSAKA	HAMIDU
ACC000859	OWUSU	JOHN KWAME
ACC000860	ASAMOAH	STEPHEN
ACC000861	GHANSAH TAY	MAUD
ACC000862	OSEI	ERIC
ACC000863	OFORI	COMFORT
ACC000864	ASANTE	JOHN KOFI
ACC000865	AUFEL FIANKO	LAWRENCE
ACC000866	ONYINA	JOSEPH
ACC000867	ASEM	KAFUI
ACC000868	OWUSU-BOAKYE	EMMANUEL
ACC000869	ADDOH	JOSEPH
ACC000870	NKRUMAH	BEATRICE
ACC000871	NTIAMOAH	AKWESI
ACC000872	BODUA	ROSE DEDE
ACC000873	ANOKYE	FRANCIS YAW
ACC000874	MENSAH	DANIEL NAMOALE
ACC000875	KOOMSON	CHARITY
ACC000876	OSEI	MICHAEL
ACC000877	NUERTEY	JONATHAN
ACC000878	APETONU	PROSPER
ACC000879	HAMMOND	BENJAMIN
ACC000880	DEBRAH	GEORGE
ACC000881	GRAY JR.	GEORGE
ACC000882	ODURO	FELIX
ACC000883	YEBOAH	JANET
ACC000884	ZIECHE	CHARLES
ACC000885	PADI	JONATHAN
ACC000886	ARCHIE	ANTHONIO
ACC000887	ANSONG	GIFTY
ACC000888	NANA KWAME HENAKU II	
ACC000889	HAMIDU	ISSAKA
ACC000890	ADU POKU	MARGARET
ACC000891	YEBOAH	JOHN
ACC000892	OTOO	JOHN
ACC000893	QUANSAH	KOJO
ACC000894	TURKSON	JOSEPH
ACC000895	ADU	KWAME
ACC000896	ASANTE	SAMUEL KWAKU
ACC000897	MINTA-AMPOFO	KWABENA
ACC000898	TONUGBLE	MERCY
ACC000899	AGYEMAN	BEATRICE
ACC000900	ADAM	DENNIS
ACC000901	NARTEY	GEORGE
ACC000902	NIMOH	STEPHEN
ACC000903	BOATENG	JOSEPH
ACC000904	BOATENG	OWUSU
ACC000905	AWUAH	SAM (14 OTHERS)
ACC000906	YIRENKYI	SAMUEL
ACC000907	AKAKPO	ESTHER

ACC000908	ABOETAKA	FRED DOH
ACC000909	KALITSI	SAMPSON
ACC000910	OBUADEY	EMMANUEL
ACC000911	KUBUNYAN	MICHAEL
ACC000912	ATTAH	KOJO
ACC000913	KUMFU	GEOFFREY
ACC000914	ANTWI	PERCY
ACC000915	ABURAM	STEPHEN
ACC000916	ANIM	SETH
ACC000917	ARMAH	JOSEPH
ACC000918	APIAH-DWAA	EMMANUEL
ACC000919	AINADJEI	VICTORIA
ACC000920	ADAMS	PETER
ACC000921	OKAI	WELBECK
ACC000922	HAMMOND	ESI
ACC000923	OPARE	ISAAC
ACC000924	SARFO	ANTHONY
ACC000925	TOTIMEH	SAMUEL
ACC000926	ABANKWAH-YEBOAH	KWABENA
ACC000927	MENSAH	SAMUEL
ACC000928	AMPADU	KWAKU
ACC000929	ASHUN	CHARLES
ACC000930	AWAL	ABENA
ACC000931	ANYANKOR	ROBERT
ACC000932	TOMFUOR	JOSEPH
ACC000933	YEBOAH	KWAME
ACC000934	ANSONG	EMMANUEL
ACC000935	WILLIAMS	ANNA
ACC000936	AGYEKUMOAH	MARY
ACC000937	ASANTE	BRANDFORD
ACC000938	CRABBE	NII DAKI
ACC000939	NARTEY	HELENA
ACC000940	AKUAMOAH	SOLOMON
ACC000941	GOKEL	KWAKU
ACC000942	DACOSTA	ABU
ACC000943	NAMONAH	RITA
ACC000944	NORTEY	JOHN
ACC000945	AGYEI-KANTONN	DONYINA
ACC000946	OFORI-YENTUM I	KWAME
ACC000947	BARWAH	ABDUL JALEE & FAMILY
ACC000948	AIKINS	CHARLES
ACC000949	ANTI	PHILIP KWEKU
ACC000950	DARKWAH	JACOB BAMFO
ACC000951	BOATENG	PRINCE
ACC000952	AGYEMANG	ISAAC
ACC000953	SETSOAFIA	ALFRED YAO
ACC000954	KPENTY	FRANK DAVIS
ACC000955	ANSONG	MARY
ACC000956	LARBI	GLADYS
ACC000957	MAHAMADU	ABU
ACC000958	OSAI	SYLVANUS
ACC000959	ESSEL	DAVID KWAMI
ACC000960	DODOO	NAOMI NAA
ACC000961	ADDAE	CHARLES
ACC000962	TETTEH	SAMUEL
ACC000963	ANAFO	THOMAS
ACC000964	ANIPAEDE	PHILIP
ACC000965	OFORI	AGNES
ACC000966	AMOAH-DANSO	EMELIA
ACC000967	PADI	FRED

ACC000968	QUARTEY	GORDON
ACC000969	FRIMPONG	ODURO
ACC000970	ODURO	WILLIAMS
ACC000971	AZU	NORA
ACC000972	ARYEE	FAUSTINA
ACC000973	OPARE-AGYEI	WILSON
ACC000974	TANDOH	FRANK KOFI
ACC000975	NELSON	JAMES
ACC000976	MENSAH	ALHAJI MOHAMMED ABBAS
ACC000977	LANGMEH	ROBERT A.
ACC000978	NSOWAH	FRANCIS
ACC000979	BEDIAKO	GYAN
ACC000980	AGYEMANG	KWEKU
ACC000981	AWUAKYE	JOHN
ACC000982	BREW HAGAN	WILLIAM
ACC000983	KWADWO YEBOAH	BENJAMIN
ACC000984	ANSONG	STEPHEN
ACC000985	AMAKYE	VIVIANA
ACC000986	AKANA	MOHAMMED
ACC000987	BAAWAH	ESI
ACC000988	YEBOAH	JOHN
ACC000989	TAY	CLIFFORD
ACC000990	KPOMLI	MARGARET
ACC000991	OKAI	MARTIN
ACC000992	LARYEA	TETTEH
ACC000993	OWUSU	DANIEL
ACC000994	QUAYE	SAMUEL NII
ACC000995	AMANKRAH	JOHN KOFI
ACC000996	NKRUMAH	ALEXANDER
ACC000997	TETTEH	SUSUANA
ACC000998	LARBI	JACKSON
ACC000999	LAMPTEY	ELIZABETH
ACC001000	ASANTE	EMMANUEL
ACC001001	FRIMPONG	EMMANUEL
ACC001003	ANTWI	NOAH
ACC001004	ASARE	BOATENG
ACC001005	OLANI	ABDUL-WAHAB
ACC001006	NYARKO	JOSEPH
ACC001007	TETTEH	CLAUS
ACC001008	QUARTEY	ROBERT
ACC001009	WELBECK	AGNES
ACC001010	HOYLE	ELIZABETH
ACC001011	BUAH	ANTHONY
ACC001012	OWUSU-AKONNOR	SAMUEL
ACC001013	AMANOR	JOHN
ACC001014	ASIEDU	VINCENT
ACC001015	BOTCHWAY	EMMANUEL
ACC001016	BUABENG	ELIZABETH
ACC001017	KASSAR	PATRICK
ACC001018	ATIA	ABRAHAM
ACC001020	OWUSU	VICTOR
ACC001021	QAUO	WITTY
ACC001022	MENSAH	VERONICA
ACC001023	APPIAH	AUGUSTUS
ACC001025	BOTCHWAY	GRACE
ACC001026	YIRENKYI	EMMANUEL
ACC001027	DAMASI	RICHARD
ACC001028	LOMOUR	CONFIDENCE
ACC001029	MARTEI	ABOTSI
ACC001030	TENOBYMYO	ZAM

ACC001031	ACQUAH	FRANCIS
ACC001032	AKPABEY	WINFRED
ACC001033	NINTSYE	SULEIMANA
ACC001034	OPARE-ADDO	VINCENT
ACC001035	ARKORFUL	DAVID
ACC001036	LETSA	PAULINA
ACC001037	MARMAH	PATRICK
ACC001038	HAMELO	DENNIS
ACC001040	DECKER	WILLIAM
ACC001042	QUANSAH	BEN
ACC001043	ESHUN	ANTHONY
ACC001044	HODASI	IMELDA
ACC001045	BOYE	KOFI
ACC001046	AYIKU	DAVIES
ACC001047	ABEDI	JULIAN
ACC001048	HAMMOND	EMMANUEL
ACC001049	NAYKENE	GEORGE
ACC001050	MILLS	ROSA
ACC001051	APPIAH	GEORGINA
ACC001052	JOHNNY	HANSEN
ACC001053	BUER	TETTEH
ACC001054	ADJEI	KINGSLEY
ACC001055	ANACICLI	COMFORT
ACC001056	OKYERE	STEPHEN
ACC001057	ALLOTEY	ISAAC
ACC001058	WIAFE	OFORI
ACC001059	QUARTEY	ELIZABETH
ACC001061	ALARAH	REGINA
ACC001062	AFRAH	COMFORT
ACC001063	BAISSIE	ENTSUAH
ACC001065	OKU	CHARLES
ACC001066	MENSAH	PIUS
ACC001067	IMBEAH-ANSAH	LORD
ACC001069	DANSO	BRIGHT
ACC001070	NYANDE	ALEX
ACC001071	DEBRAH-DICKSON	GEORGE
ACC001072	NKETIA	KWAME
ACC001073	BENNETT-LARTEY	DANIEL
ACC001074	MENSAH	YAW
ACC001075	ACKAH	CHARLES
ACC001078	BORTEI-DOKU	SAMUEL
ACC001080	LEONARD	SAMUEL
ACC001086	B.S.K	KWAKYE
ACC001087	ODURO	EDWARD
ACC001088	AGBOMADZI	SIMON
ACC001089	NUDO	COMFORT
ACC001090	OSEI	JAMES
ACC001091	DONTOH	FRANCIS
ACC001092	AMAUAYE	EMMANUEL
ACC001093	ACQUAH	JOHN
ACC001094	AWAH	DANIEL
ACC001096	NORTEY	ISAAC
ACC001097	EFFAH	RICHARD
ACC001098	SAM	MARGARET
ACC001101	OFOSU-OKYERE	ENOCH YAW
ACC001102	LUTTERODT	PHILIP
ACC001103	ARTHUR	MORRISON
ACC001104	NYAME	JAMES
ACC001105	ABEDI	NATHAN ANND
ACC001106	OWAO	ELIZABETH
ACC001107	APPIM	MADINATU

ACC001108	AMEGBLETOR	COMFORT
ACC001109	OWUSU-BOATENG	FLORENCE
ACC001110	AGYIMAH	PAUL KOFI
ACC001111	ASIMA	WINFRED
ACC001112	APPIAH	JAMES
ACC001113	INSAIDOO	KENNETH
ACC001114	AFORO	SOLOMON
ACC001115	ARTHUR	PHILIP
ACC001116	ADIKAH	LAWRENCE
ACC001117	BENTIL	BEATRICE
ACC001118	BRAIMAH	ABUBAKAR-SADIQ
ACC001119	ADOMAA	THERESA
ACC001120	AMNNVIVOR	DORA
ACC001121	AGYEI	EDWARD
ACC001122	ACQUAH-BUABENG	ERIC
ACC001123	NARTEY	SOLOMON
ACC001124	KPALAM	ROBERT
ACC001125	OKUNNOR	ALEXANDER
ACC001126	DOUGAN	KINGSLEY
ACC001127	SMITH	JIMMY
ACC001128	NANA DIAWUO II	
ACC001129	ASAFU-ADJEI	FREDERICK
ACC001130	BENTIL	JOSEPH
ACC001131	BADUWA	NANA ESI
ACC001132	FELLI	AUGUSTINE
ACC001133	DUKU	KOFI
ACC001134	AMEYAW	J.K
ACC001135	ADDAI	KWAKU DUA
ACC001136	ANTWI	GEORGE
ACC001137	AKROFI	JAMES OFEI
ACC001138	SEFA	BENJAMIN
ACC001139	LARYEA	MOSES TORTO
ACC001140	ADJEI MENSAH	SAMUEL
ACC001141	SEKYIAMAH	ATTU
ACC001142	ATTOH	EMMANUEL
ACC001143	KODZO	DORA KAI
ACC001144	KUFFORDZI	JAMES
ACC001145	KONEY	OKPOTI
ACC001146	ADU-POKU	THOMAS
ACC001147	BOAMAH	BERTHA
ACC001148	AKO-NAI	JOHN
ACC001149	AKUZOR	WILLIAM
ACC001150	BEDIAKO	ENOCH
ACC001151	ENCHIA	ALBERT
ACC001152	ACKOM-DAAFO	FRANCIS
ACC001153	KABA	DANIEL
ACC001154	ADJEI	JONES
ACC001155	QUIST	VIDAL
ACC001156	DARTEY-BEMPONG	KWAME
ACC001157	OTCHERE	MARTIN & 2 OTHERS
ACC001158	BRONI	OBED KWESI
ACC001159	TUTU	DAVID
ACC001160	DARKU	JOSEPH WILLIAM
ACC001161	OWUSU	DAVIDSON
ACC001162	NYATEFE-ATTIPOE	GALE
ACC001163	ANSAH	GEORGE
ACC001164	CUDJOE	MATHIAS
ACC001166	ADDAE	GEORGE KWESI
ACC001167	TANSON	MARTIN
ACC001168	KUKUBOR	PETER
ACC001169	DOGBATSE	CROWTHER
ACC001170	KEDEM	KOSI

ACC001171	ARYEETAY	THOMAS
ACC001172	DOH	MANFRED
ACC001173	ANSONG	CHARLES
ACC001174	QUARTEY	PAUL
ACC001175	SURAQA	HUSSANI
ACC001176	NORMAN	JOHN
ACC001177	OSEI	ELLEN
ACC001178	ALAFEILANA	MUHAMMAD TAHIR
ACC001179	DZAKPATA	PINGO
ACC001180	FIAGBE	OTILIA
ACC001181	BLOOD-DZRAKU	JACOB HESTER
ACC001182	ASEIDU	WILLIAM
ACC001183	BULLEY	EDWARD
ACC001184	DOE	JAMES
ACC001185	KODUAH	ATTA
ACC001186	ASEIDU	CLEMENT
ACC001187	DZENYO	ANTHONY
ACC001188	BISMARCH	ALICE OYE
ACC001189	KYEI	LAWRENCE
ACC001190	AKATANG A/K/A ASHER	AWUAKYE A/K/A CHRIS
ACC001191	GARR	EMMAH
ACC001192	DOGBEY	MATTHEW
ACC001193	APPIAH	JOHNSON
ACC001194	ARTHUR	SOPHIA
ACC001195	KWATENG	JOHN
ACC001196	ANDAM	DAVID
ACC001197	SASU	EMMANUEL
ACC001198	NYANDE	JOHNSON
ACC001199	BANDOH	ANTHONY
ACC001200	SIMPE-ASANTE	M.P
ACC001201	AHADZIE	TENNYSON
ACC001202	TORTIMEH	SAMUEL LARWEH
ACC001203	KWAO	CHRISTOPHER
ACC001204	KORANTENG	EMMANUEL
ACC001205	AMANING	CHRISTIAN
ACC001206	AYENSU	ELIZABETH
ACC001207	DEDE	ADWOA
ACC001208	MENSAH	FREEMAN
ACC001209	BOAMAH	FELICIA GLADYS
ACC001210	ATSAKPO	KWADZO
ACC001211	SASRAKU	FOFO
ACC001212	BABA	RAMATU
ACC001213	POKU	HELENA
ACC001214	OWUSU	EVELYN
ACC001215	KEGLEVOR	ADOLF K.
ACC001216	HENE & FRIEND	KOFI
ACC001217	ARMSTRONG-MENSAH	K..O.
ACC001218	SARKODIE	ISAAC
ACC001219	DUAH	KENNEDY POKU
ACC001220	BOATENG	GABRIEL EX-L/CPL
ACC001221	NYARKO	ABRAHAM
ACC001222	AGYARE	ANDREWS KISSI
ACC001223	AYIBO	ATTAN
ACC001224	SIMPE-ASANTE	MAXWELL P. LT. COL. RTD
ACC001225	NYARKO	EMMANUEL
ACC001226	BOATENG	KWAME APPIAH
ACC001227	MADJITEY	EVANS SIKAPA
ACC001228	ASARE	SAMUEL AKURANG
ACC001229	OFORI	RICHARD DUHO
ACC001230	GYANG	MARY

ACC001231	AMANKWAH BOATENG	JOSEPH FRANK
ACC001232	DEKU	ANTHONY KWASHIE
ACC001233	HEMANS	JOHN MORAND KOJO
ACC001234	AKWAA	STEPHENS OSEI
ACC001235	KUMADEY	WALTER COMBLA
ACC001236	KOTEI	DAVID THOMAS
ACC001237	SQUIRE	ENOCH TORGBOR
ACC001238	MENSAH	COMFORT
ACC001239	ARYEE	MICHAEL EX-SGT.
ACC001240	ACQUAAH	ROBERT MENSAH
ACC001241	ADORBORH	FELIX
ACC001242	NANA BENTSI I	
ACC001243	ALORMENU	RICHARD AGBESI
ACC001244	APPENTENG	SIGMAN PAUL
ACC001245	LIMAH	MOUBOUH
ACC001246	ADDO	JAMAL KWAME
ACC001247	ASARE	JOHN KOFI
ACC001248	YAAFI	GODFREY KODJOE
ACC001249	TWUM	CHARLES KWAME
ACC001250	BONSU	KWAME
	NANA KWAME FANTE	
ACC001251	ADUMOA II	
ACC001252	TAKYI	MARSHALL CHARLES
ACC001253	BEKOE	ELIEZER GYAU
ACC001254	NEGBLE	ABLA
ACC001255	ALHASSAN	COLLINS
ACC001256	ATTOH	FREDERICK AWUA
ACC001257	AMOA H	KWADJO
ACC001258	ADDAI	SAMUEL KWASI
ACC001259	ADOMAKO	JOSEPH
ACC001260	APPIAH BOATENG	KWAME
ACC001261	ASHER	CHRIS (PROF.)
ACC001262	BUDU-KWATIA	MARTIN KWASI
ACC001263	KWARTENG	NANA KWAME
ACC001264	OBENG	FRANCIS KWAKU
ACC001265	BANINI	DANIEL
ACC001266	DANSO	CHARLES HAMMOND
ACC001267	BAFFOUR-ASARE	ANTHONY
ACC001268	KPEMBER	WURA HARUNA
ACC001269	DUMFEH	EMMANUEL
ACC001270	ACCAD	MAGUERITA
ACC001271	SAGOE	KNOW
ACC001272	SAGOE & OTHERS	KNOW
ACC001273	BUDU-KWATIA	MARTIN KWESI
ACC001274	ASEBA	ISAAC
ACC001275	AGBLEY	TIMOTHY BURAZO
	NANA ASARE NKONTIMAAKO	
ACC001276	I	
ACC001277	ALI	ABDULKARIM
ACC001278	ADDO	FRANCIS KOJO
ACC001279	MILLS	EMMANUEL ODOTHEY
ACC001280	NUKPORPE	KWESI
ACC001281	ODEI	CUDJOE
ACC001282	ADZOKATSE	SIMON KOFI
ACC001283	KORANTENG	SETH
ACC001284	DYLAN	THOMAS
ACC001285	SAPEI	GEORGE
ACC001286	NORSHIE	LAWRENCE KWAKU

ACC001287	AYISI	SETH
ACC001288	FAYEDE	KOJO
ACC001289	ACHEAMPOHG	GEORGE
ACC001290	ASIEDU	STEPHEN YAW
ACC001291	BOAKYE DJAN	OSAHENE
ACC001292	QUASHIE	KOBINA
ACC001293	AWORTWE	NANA BANYIN KWAMENA
ACC001294	OPPONG	LOVELACE JNR
ACC001295	MENSAH	THERESAH JNR
ACC001296	DONKOR	AKUA
ACC001297	NYARKO	ABEREWA AMA
ACC001298	MENSAH	OPANIN KOFI
ACC001299	FRIMPONG	JOHNSON KOFI
ACC001300	AMOA	AMA
ACC001301	PEPRAH	IBRAHIM OWUSU
ACC001302	YEBOAH	SAMUEL
ACC001303	ADDO	ESTHER
ACC001304	APPIAH	EMMANUEL
ACC001305	AIDOO	MARGARET
ACC001306	MAH	VINCENT
ACC001307	BOAMAH	SOPHIA
ACC001308	OWUSU	JOHN KWASI
ACC001309	GYAMFI	ISIDORE KWAME
ACC001310	NANA YEBOAH OKO II	
ACC001311	MENSAH	SOPHIA
ACC001312	MAINU	OPANIN OSEI
ACC001313	NKRUMAH	KWASI
ACC001314	AWUKU	OTENG
ACC001315	KRAMO	OPANIN MUSSA
ACC001316	APPIAH	SARAH
ACC001317	OWARE	KOFI
ACC001318	OWUSU	DIANA
ACC001319	ADAMU	MAHAMA ADAMS
ACC001320	MODI	DANJIMA
ACC001321	ASARE	THOMAS OPPONG
ACC001322	BANNERMAN-SMITH	
ACC001323	WELBECK	AGNES AMA
ACC001324	YORKE	HELENA
ACC001325	TANKO	SANI
ACC001326	ABUBAKAR	HAJJ ISSAH
ACC001327	OTOO	GADDIEL HACKMAN
ACC001328	ARTHUR	ELIZABETH
ACC001329	BOATENG	HACKMAN KWADWO
ACC001330	THOMPSON	AUGUSTUS BREW
ACC001331	ACHEAMPONG	BEATRICE
ACC001332	ARTHUR	STEPHEN WILFRED
ACC001333	DAVIES	JOSEPH
ACC001334	ABLORH	ANDREWS A.
ACC001335	ANKRAH	JOSEPH NII
ACC001336	SACKEY	WILLIAM
ACC001337	AMPOFO	YAW
ACC001338	BUSANGA	LAMISA
ACC001339	GYASI	ANTHONY YAW
ACC001340	SANNIEZ	CHRISTIANA W. A.
ACC001341	KWAWU	ELVIS GORDON
ACC001342	GUMENU	WILLIAM (CPT.RTD)
ACC001343	BOAKYE	JAMES KWABENA
ACC001344	DARKAH	DAVID KWADWO

ACC001345	ATABURU	DAVID AKALE
ACC001346	ASIAMA	WENDY AKUA SERWA
ACC001347	TAYLOR	JOSEPH KWABENA
ACC001348	SAKYI	ELIZABETH
ACC001349	NYAMEKYE	MARY
ACC001350	ANANE	OPANIN KWABENA
ACC001351	ANIM	BENJAMIN
ACC001352	SOWU	CLEND(SQL.)
ACC001353	BOATENG	KWAKU TWUM
ACC001354	FREMPOMAA	GLADYS
ACC001355	BONNEY	ALFRED KOBINA
ACC001356	AKANYACHUM	JOHN FEDERICK
ACC001357	MENSAH	BENJAMIN ASMOND
ACC001358	ALI	BENBLAY
ACC001359	GHANATTAH	JOMO
ACC001360	DJENTUH	MARIA O'SULLIVAN
ACC001361	MAHAMA	ABDUDULAI
ACC001362	NDEDE	JOSEPH MINTAH
ACC001363	FORDE	CECIL KWAME
ACC001364	KWAO	ELIZABETH
ACC001365	QUARSHIE	LLOYD
ACC001366	NTIWAA	YAA
ACC001367	ABBAN	DINAH
ACC001368	AMANKWAA	KWASI
ACC001369	BOAFO	KWASI
ACC001370	FOKUO	KWAKU
ACC001371	ASANTEWA	AMA
ACC001372	ASANTEWA	YAA
ACC001373	SANOAH	ADWOA
ACC001374	KUSI	CHARLES
ACC001375	COBBINAH	PETER BLAY
ACC001376	KOJOE	CATHARENE
ACC001377	MENSAH	JOHN KOJO
ACC001378	MENDS	EBENEZER
ACC001379	ASARE	AZIZ
ACC001380	BEDIAKO	JOHN DEROY
ACC001381	OCRAN	SAMUEL SIMPLE
ACC001382	ASAMOAH	JOHNSON BONYA
ACC001383	KESSE	EBO
ACC001384	QUAIDOO	MOSES
ACC001385	AKYEAH	JOHN
ACC001386	ADJEI	FRANCIS
ACC001387	MANU	AKUA
ACC001388	APPIAH	JOHN MINAH
ACC001389	APPIAH	ELIZABETH
ACC001390	MENSAH	MOSES KOFI
ACC001391	GYASI	KWAKU
ACC001392	QUAICOE	HANNAH
ACC001393	ABDALLAH	YAKUBU
ACC001394	BAIDOE	TUFUNENE
ACC001395	BLAY	IGNATIUS ARIZI
ACC001396	ESSIEN	MARTIN KWASI
ACC001397	ACKAH	ISAAC
ACC001398	BLAY	MIEZAH
ACC001399	DUKU	HENRY WALTERS
ACC001400	MANU	YAW OPANIN
ACC001401	MAHAMA	ISSAKA
ACC001402	KWARTENG AMANING	ISAAC

ACC001403	BEDIAKO POKU	ISSAC
ACC001404	YAKUBU	AGYARA
ACC001405	NTIWAA	ADWOA
ACC001406	WIAFE	COMFORT
ACC001407	KLU	JULIANA
ACC001408	MATE	ENOCH
ACC001409	ABASS	GEMAL SAM
ACC001410	MARTEY	EBENEZER
ACC001411	PANTI	ASARE
ACC001412	AMOA	ASAFOAH ST.SGT.
ACC001413	TUFFOUR	FREDERICK
ACC001414	LAMPTEY	LANTEI
ACC001415	GYANFOUH-ASANTE	RUTH AKUA
ACC001416	OPPON	PETER ALEX AKWASI
ACC001417	OWUSU	VICTOR
ACC001418	ADWUBI	ALICE
ACC001419	ESSEL	HAGAR
ACC001420	LOMOTY	SOLOMON TAWIAH
ACC001421	TETTEH	MATHEW N. DR
ACC001422	MENSAH	LARLAI
ACC001423	NKRUMAH	KWAME
ACC001424	MENSAH	ISAAC
ACC001425	OPOKU-ADDAI	KWABENA
ACC001426	MAYER	STEPHEN YAO
ACC001427	BEDIAKO	CHARLES KWAME
ACC001428	KALEDZI	GODWIN KWASI
ACC001429	AGBAKLI-ZAKLI	MARTIN
ACC001430	ANKUYI	CHRISTOPHER SENYO
ACC001431	QUARSHIE	FELIX JONES
ACC001432	DADZIE	KENNETH ASSAN
ACC001433	MURRAY	CONSTANCE
ACC001434	AMETAME	PETER WORLALI
ACC001435	OSEI YAW	SAMUEL
ACC001436	BUAMAH	SOPHIA
ACC001437	BREMPONG	KOJO ANTWI ADJEI
ACC001438	YEBOAH	KOJO
ACC001439	DUKU-GENFI	GRACE
ACC001440	BOYE	JOSEPH AMARH
ACC001441	NA-ANSAH	TEI
ACC001442	ADJEI	JOSEPH OTWEIMA
ACC001443	KWARTENG	KWAME
ACC001444	BLAY	LAWRENCE K.
ACC001445	GYASI	NANA KOFI
ACC001446	ACKAH	JAMES NAW
ACC001447	AMPIAH-BONNEY	KODWO REV
ACC001448	ADUSAH	DAVID SAMPSON
ACC001449	EASAH	MOHAMMED
ACC001450	ANTWI-BOATENG	STEPHEN KWADWO
ACC001451	BOYE-DOE	JULIUS
ACC001452	KOOMSON	CHRIS NANA
ACC001453	DAUDA	ALHAJI
ACC001454	ATTIPOE	ROBERT SENANU
ACC001455	NANTOGMAH	AHMED DASANA
ACC001456	ABEBRESE	AKWASI
ACC001457	KUMAH	MICHAEL KWASI
ACC001458	AMETEWEE	CHARLES KWAME
ACC001459	YELPIEN	LAWRENCE K.
ACC001460	ZINGUELLA	KOFI

ACC001461	BAKYEE	DASAA
ACC001462	DOMO	WANYE
ACC001463	UMAR	KARBO
ACC001464	ADAMA	STEPHEN KWAME
ACC001465	KOYIRI	BIZOOLA
ACC001466	KUKUR	MARK KUUKU
ACC001467	BUGU	MARTIN MUTUO
ACC001468	NENKENTIE	BAYAN
ACC001469	MUMUNI	SANTOS BALA
ACC001470	LAFUOE	SUMANI
ACC001471	BASUGLO	NUHU
ACC001472	BAGBANA	ALHASSAN
ACC001473	KPOBI	ALFRED
ACC001474	YAKUBU	ADAMS
ACC001475	ZAATO	JOSEPH EMILE
ACC001476	KPANGPARI	KANKUBATA
ACC001477	DAMWAA	TIMOTHY MANI
ACC001478	YAKUBU	SEIDU (NAA)=CHIEF
ACC001479	AWUKU	DANIEL
ACC001480	TAMBRO	JONATHAN K.
ACC001481	SAKARA	A. B.
ACC001482	OBIRI YEBOAH	
ACC001483	ATAGABE	ROLAND
ACC001484	DOMBO	BUKARO
ACC001485	AMADU	HABIBATA
ACC001486	MAHAMA	ABUBAKARI
ACC001487	GASTON	KALE
ACC001488	LIMAN	KURIBUK TIE (KUORI-CHIEF)
ACC001489	TERMAGRE	YVONNA
ACC001490	GBEGNE	ALEXANDER
ACC001491	MANI	SUMANI BIN
ACC001492	LAMEN	YUSSIF
ACC001493	DERRY	CHRISANTHUS
ACC001494	AKUSAKI	AZUMA
ACC001495	GUMAH	AHMED DAHAMANI
ACC001496	ARTHUR	EBENEZER EDWARD
ACC001497	YEBOAH	ROBERT KOFI
ACC001498	ZAMZAM	MOHAMMED
ACC001499	AKOWUAH	EDWARD
ACC001500	MENSAH	JOHN BORLESBAH
ACC001501	AKPAN	SAMUEL
BLG100001	APAMBILLA	WILLIAM
BLG100002	TALBALLAH	AWUDULAI
BLG100003	AYAMGA	BUKARI BAWA
BLG100004	ADDY	JAMES ADUAH
BLG100005	AGONA	KOJO
BLG100006	ABUBAKARI	ISSIFU
BLG100007	ACQUAH	COMFORT KESEWAA
BLG100008	LEBIL	ALBERT PUNABIL
BLG100009	KURUGU	ROCK ALHASAN
BLG100010	ANAMOLGA	JOSEPH
BLG100011	MAHAMA	DANIEL BABA
BLG100012	AMADU	ZENABU
BLG100013	AKONGNE	ADUAH
BLG100014	BOAHEN	NSOWAH
BLG100015	AWUVIRI	GILBERT NEWTON
BLG100016	BARNAADA	ADORNIA

BLG100017	AYAMGA	AWALIGAH
BLG100018	NCHOR	ABASAH
BLG100019	HOLU	CONSTANCE
BLG100020	DANDURI	CHRIS
BLG100021	BOGOBIRI	IDDRISU SEIDU
BLG100022	KRIBA	STELLA
BLG100023	APAABA	ASABILLA
BLG100025	ATANGOSIGO	GEORGE AMASON
BLG100026	ADUKO	FUSEINE
BLG100027	CAMARA	ISSAH
BLG100028	ATENG	GEORGE
BLG100029	ANONSIGE	AYUURA
BLG100030	GRUSHIE	KWABENA
BLG100031	ANABILA	AGIBASSE
BLG100032	ABUGUMZIO	RICHARD KWABENA
BLG100033	ALAPELUM	AZURE
BLG100034	SAMINONAH	ANDREWS SAMPANA
BLG100035	APASNORIN	CLIFF ATAMPUGRI
BLG100036	ACHANA	CLETUS
BLG100037	IBRAHIM	SUMBEIDA
BLG100038	AYEMLEME	ATANGA
BLG100039	ISSAKA	OSMAN BAWA
BLG100040	AMOAH	SYLVESTER
BLG100041	ATULARI	SOLOMON TULLE
BLG100042	ATULE	BOB NSOH
BLG100043	AKIBI	ESSI-AKIRA
BLG100044	NAABA	AYAMDO ABANE
BLG100045	VORADAM	MAADE OTOO
BLG100046	ACHAW	MARGARET
BLG100047	ASEKABTA	MOSES
BLG100048	AZUBIRE	NABA THOMAS
BLG100049	AKOLOR	KENNETH
BLG100050	ATANGA	GILBERT
BLG100051	ALHASSAN	HAMIDU
BLG100052	GANDINA	ASAMPAMBILLA
BLG100053	ATINCHINA	JOHN AYAMGA
BLG100054	ADOMBILA	COSMAS
BLG100055	AGORIGO	ROLAND
BLG100056	KUUTEGHE	PIUS
BLG100057	SAM	RICHARD
BLG100058	ADOMOGRI	TUROKETE
BLG100059	ADOMBILLA	GEORGE ASEKO
BLG100060	AYAMGA	BASIDU
BLG100061	AMORI	AGNES
BLG100062	AKOLOGO	IBRAMHIM
BLG100063	APEEKSIYA	AKARIM
BLG100064	AGANA	JAMES
BLG100065	BAYIGWANAMU	NAMOO
BLG100066	BADGIE	FRANCIS
BLG100067	AWINEBUNO	NNONGE
BLG100068	AKOLOGO	AYAMBILA
BLG100069	ZAGSKOPAYA	TONG
BLG100070	ABELINGO	ALIKA
BLG100071	AYIRIYA	ELIASU
BLG100072	AZORTAH	ASUKUWING
BLG100073	AYIRIGIYA	ELIASU
BLG100074	KANBONG	MOHAMMED KANDEM
BLG100075	AKALINKOSA	ABIATEKUM

BLG100076	APENTIHK	LAMISI
BLG100077	ATIBILLA	MARTINA
BLG100078	NABUBIE	EX-SGT. IBRAHIM BUMO
BLG100079	KALINKA	SUMANI
BLG100080	KABANYA	ADAMU
BLG100081	BAAWINE	KWAKU
BLG100082	ABDULAI	SAFANA
BLG100083	YAKUBU	ABDULAI
BLG100084	ANAABA	ABAGNA
BLG100085	ACHAW	GEORFREY-TAMALE
BLG100086	ADAMU	ALHAJI
BLG100087	KARIM	ABDULAI
BLG100088	ANAMOO	NSOH
BLG100089	ADOMOLGA	BINGLORO
BLG100090	OSUMANU	MARIMA
BLG100091`	MMAH	ATAMALE
BLG100092	AGARTEY	YAKUBU
BLG100093	ANAPALUM	REGINA
BLG100094	ATAMPOKA	ADONGO
BLG100095	ZENABU	IBRAHIM
BLG100096	ADOMBIRE	ANEERO
BLG100097	NMAH	ADINDOA
BLG100098	ANOLUSKO	ASSEBI
BLG100099	NABA ADONGO BINGLORO III	
BLG100100	BUKARI	MOHAMMED JIMMY
BLG100101	ASIBIGA	ATINTORO
BLG100102	SANATU	MMA
BLG100103	BIBETA	HARUNA
BLG100104	AZUURE	ABASIGA
BLG100105	HAMADU	MARIAMA
BLG100106	ZELIATU	KARIM
BLG100107	ATANGARA	ASANYURE
BLG100108	BRAIMAH	ZETU
BLG100109	AZURE	IBRAHIM
BLG100111	MAHAMA	ABDULAI
BLG100112	DUMBA	MAHAMA UMORU
BLG100113	ALHASSAN	ABUDUGAFAR
BLG100114	DOURI	AMADU (TESTIMONY BY ADAMU IBR
BLG100115	IBRAHIM	SEFA
BLG100116	ASIMA	DANIEL DUMAH
BLG100117	YAHAYA	MAHAMA
BLG100119	MWANZAALA	YAWRI
BLG100120	GBEGNE	ALEXANDER
BLG100121	MWIN	WALTER
BLG100122	TOPIE	ZAKARRA
BLG100123	TEDAN	KALEONAA
BLG100124	TERONWEE	MARTHA
BLG100125	KANTOMO	BAAVI
BLG100126/136	AGONGO	ATANGA
BLG100127	AYAMGA	ATANGA
BLG100128	AZUURE	AKANYERE
BLG100129	AYELEME	ATANGA
BLG100130	AZARA	ABDULAI
BLG100131	ATOBELGO	ADAMU
BLG100132	ADONGO	ADAKOORA
BLG100134	ANAMOO	ABESAARE
BLG100135	ANAMOO	RUTH
BLG100136	AGONGO	ATANGA

BLG100137	AKUMOLGA	ABUGRE
BLG100138	ADOMBIRE	LARDI
BLG100139	ABUDULAI	SAADIA
BLG100140	AZARA	IBRAHIM
BLG100141	DAMATA	KARIM
BLG100142	AYANYIRE	SECSENA
BLG100143	YANDOR	ISAAC
BLG100147	DAMATA	KARIM
BLG100148	YAHAYA	PATRICK
BLG100149	AWINEBUNO	NNONGE
BLG100156	AYUA	ALUDI
BLG100157	ATOYEPORUM	KANAA
BLG100158	AKOLOGU	MUSAH
BLG100159	AKOLOGU	ABAA
BLG100160	ABARTEY	GRACE AMA
BLG100161	ABU	MAHAMA
KSI300001	KUNTOR	JOSEPH OWUSU
KSI300002	BEDIAKO	PETER
KSI300003	ASUMADU	SAMUEL YAW
KSI300004	ABASS	HASFORD
KSI300005	YEBOAH-KODIE	SAMUEL
KSI300006	ANINIWAA	ELIZABETH
KSI300007	AMOA	JOSEPH
KSI300008	KYEREWAAH	HANNAH ABENA
KSI300009	BART-PLANGE	JACOB
KSI300011	AKUOKO	JAMES KOFI
KSI300012	THE LORD IS MY SHEPHERD CHURCH	
KSI300013	NANA SERWAA AKYIMPIM II	
KSI300014	NANA AMPABENG II	
KSI300015	NSIAH	KOFI
KSI300016	GYIMAH	REV JOSEPH KWBENA
KSI300017	OWUSU	CHRISTIAN
KSI300018	AFOAKOH	FRANCIS KWABENA
KSI300019	ANTWI	KOFI
KSI300020	SERWAAH	AFUA
KSI300021	AGGREY	DESANTOS NOAH
KSI300022	ADUBOFFOUR	KWABENA
KSI300023	NIMO	MARGARET
KSI300024	BOATENG	BENJAMIN OKYERE
KSI300025	ABDULAI	SEINI
KSI300026	PEPRAH	ROBERT KOFI
KSI300027	ADU-POKU	JAMES KWAME
KSI300028	BARIMA	NANA YAW
KSI300029	KOBENA	JOHN
KSI300030	OPOKU	JOHN WILLIAM
KSI300031	ADUBOFFOUR	JOSEPH KWASI
KSI300032	BANGA	STEPHEN ABUKARI
KSI300033	BOADI	JOSEPH
KSI300034	ADJEI	MATTHEW YAW
KSI300035	YEBOAH	KOFI
KSI300036	YIADOM	ANDREWS BOAKYE
KSI300037	HACKMAN	TODD RICHARD
KSI300038	TWUMASI	ERNEST
KSI300039	AMOA	AUGUSTINE OPOKU
KSI300040	TONGO	DAVID

KSI300041	OSEI	TUTU
KSI300042	TUFFOUR	AMMA
KSI300043	BRONYA	AKWASI
KSI300044	OWUSU-AFRIYIE	SAMPSON
KSI300045	ASENSO-MENSAH	KOFI
KSI300046	KWARTENG	STEPHEN
KSI300047	FERGESON	KODJO
KSI300048	MOSHEI	JAMES AGYEI
KSI300049	OWUSU	THERESA AMA
KSI300050	SARKODIE	AKOSUA SERWAA
KSI300051	DANQUAH	JEPSON KWABENA
KSI300052	OPOKU-AGYEMANG	KOFI
KSI300053	GYIMAH	PETER KWABENA
KSI300054	MANU	AKOSUA
KSI300055	ADDAI	JAMES AGYAPONG
KSI300056	ACHEAMPONG	OWOAHENE
KSI300057	OWUSU	KWADWO
KSI300058	KOFI	KOFI
KSI300059	KOFI-MENSAH	EMMANUEL
KSI300060	SEREBOUR	KWAME
KSI300061	MANSO	NANA FRIMPONG
KSI300062	MENSAH	GEORGINA
KSI300063	OWUSU-SEKYERE	KWADWO
KSI300064	KONADU	YAW
KSI300065	OSUMANU	ABDULAI
KSI300066	OWUSU	KOFI
KSI300067	AMOFA	PHILIP KOFI
KSI300068	MINTAH	OKESSEKU AFARI
KSI300069	SEFAH	YAW
KSI300070	FOSU-OWUSU	STEPHEN
KSI300071	YEBOAH	FRANK
KSI300072	AWUDULAI	MAHAMA
KSI300073	APPIAH-KUROTWIAMANSA	KWESI
KSI300074	ATENKA	KWAME
KSI300075	ASANTE	COLLINS ANINAGYEI
KSI300076	NYAME	THOMAS
KSI300077	ADOVOR	SAMUEL KWAME
KSI300078	YUNUS	AHMED
KSI300079	ASAMOAH	EMMANUEL
KSI300080	OPOKU	JAMES
KSI300081	ADDAI	ALBERT KWASI
KSI300082	ADU-BOAHENE	BAFFOUR
KSI300083	BIRAGO	FLORENCE
KSI300084	OFOSU	SAMUEL ADU
KSI300085	DENKYI	SAMUEL BOAMAH
KSI300086	OWUSU-KWARTENG	ANTHONY
KSI300087	SEKYERE	OWUSU (KONTONYI)
KSI300088	YEBOAH	KOFI OBIRI
KSI300089	NYAMEBEKYERE	SAMSON KWAKU
KSI300090	ADISA	SENA
KSI300091	NYARYO	ROBERT ODJAO
KSI300092	FRIMPONG	ISAAC
KSI300093	ANNIN	EMMA
KSI300094	TWENEBOAH-KODUA	NANA
KSI300095	ACHEAMPONG	DICKSON JEREMIAH
KSI300096	ZAKARI	ALHAJI BAWA
KSI300097	ODURO	WILLIAM
KSI300098	AGYEKUM	JOHN KWABENA

KSI300099	ADARKWA	KWAME
KSI300100	APPIAH	KWAME
KSI3001000	OFORI	SAMPSON
KSI3001001	FORKUO	AGNES
KSI3001002	BROBBEY	PAUL KWASI
KSI3001003	ZIEBAH	JAMES ZOUMUG
KSI300101	DEBRAH	FRANCIS
KSI300102	QUIST	EDWINA
KSI300103	OSEI	BONSU
KSI300104	BOAKYE	NANA YAW
KSI300105	APPAUH	JOSEPH ARCHIBALD
KSI300106	OSEI	JOYCE VICTORIA
KSI300107	BRANTUO	SAMUEL KWEKU
KSI300108	ADU	RICHARD AGYAPONG
KSI300109	BOAKYE	CHARLES
KSI300110	ANSAH	KOFI BOBIE
KSI300111	CROWTHER	MOSES ADJEI
KSI300112	YEBOAH	MENSAH
KSI300113	BRAGO	AFIA
KSI300114	OFFEI	ANSAH
KSI300115	BENFI	PETER
KSI300116	OSEI	COSMOS
KSI300117	OBENG II	NANA KWADWO
KSI300118	SARFO-ADU	KWAME
KSI300119	ACHEAMPONG	AKWASI
KSI300120	OSEI-KOFI	PRINCE
KSI300121	GYARTENG	NANA OPUNI
KSI300122	APPIAH	GABRIEL KWASI
KSI300123	NKRUMAH	KWEKU
KSI300124	OPPONG	REV. NELSON
KSI300125	OWUSU	ANTHONY KWASI
KSI300126	APPIAH	JOHN KUSI
KSI300127	ADJEI	KENNEDY
KSI300128	AMPOMAH	EMELIA
KSI300129	JUANTUAH	KOFI
KSI300130	KUMAH	KOFI AMPONSAH
KSI300131	SARFO	MANU
KSI300132	NSIAH	KWAME
KSI300133	ATTA	AHEANASA
KSI300134	APPIAH	KOFI
KSI300135	AGYEMANG-BADU	ALEXANDER
KSI300136	BABA	MORO
KSI300137	BOSUMBRU	KWABENA
KSI300138	PREMPEH	DANIEL AKWASI
KSI300139	OBENG	IGNATIUS JOSEPH
KSI300140	FRIMPONG	JOHN YAW
KSI300141	MANU	SAMMY SAMPSON
KSI300142	ADABI	AKOSUA
KSI300143	AMANKWAH	THOMAS
KSI300144	NYAMEYE	AMA
KSI300145	EFFAH	KWAME
KSI300146	IBRAHIM	ALHAJI
KSI300147	AFARI	PETER OBIRI
KSI300148	JAKPA	DANA IGNATUS
KSI300149	SARFO	YAW
KSI300150	BEKOE	STEPHEN AGYEMAN
KSI300151	KONADU	AMA
KSI300152	APPIAH-DANQUAH	MARTIN

KSI300153	ADOMA	YAA
KSI300154	GARE	KWADWO
KSI300155	DAPAA	KWABENA
KSI300156	AMOAKO	AMA KYEREW
KSI300157	NSONYAMEYE	KWAME
KSI300158	OWUSU	AGNES
KSI300159	AMPONSAH	KWADWO
KSI300160	OKYERE	DAVID
KSI300161	ESSILFIE-BRAKATU	JOSEPH
KSI300162	NYARKO	KOFI
KSI300163	AKUAMOAH-BOATENG	ROBERT
KSI300164	ESSIM	GODFRED BOAKYE
KSI300165	MANU	KWAKU
KSI300166	AMOAKO-AGYEMANG	NANA
KSI300167	HAWA	NESTA ASOMAH
KSI300168	OSEI	PHILIP BARIMAH
KSI300169	AFRIYIE	MARY
KSI300170	ADABO	OHENE KOFI
KSI300171	SUMANA	HAMANI ALHAJI
KSI300172	BARIMAH	YAW
KSI300173	ASAMOAH-MENSAH	KWABENA
KSI300174	AMPRAH TWUM	KWABENA
KSI300175	NTIAKO	NANA BONIN
KSI300176	ASANTEWAAH	AMA
KSI300177	ATAKORAH	BOSSMAN AGGREY
KSI300178	AFRIYIE	OWUSU AGYEMAN
KSI300179	BOADI	ANDY YAW
KSI300180	ADDO-MAINOOH	WILLIAM
KSI300181	OPOKU	GABRIEL KWAME
KSI300182	DAPAAH	ABENA
KSI300183	KANKAM	JOSEPH KWADWO
KSI300184	DARKWAH	KOFI
KSI300185	NYARKO	ADWOA
KSI300186	OSEI	KWABENA
KSI300187	ANSERE	HAYFORD AFRIYIE
KSI300188	ADU	ROBERT OWUSU
KSI300189	BOATENG	RICHARD
KSI300190	NKANSAH	THERESA
KSI300191	SERWAAH	MARY YAA
KSI300192	BOUR	AFUA
KSI300193	NANA OFORI AMANFO I	
KSI300194	SARPONG	GEORGE
KSI300195	KWARTEMAA	AGARTHA
KSI300196	NUHU	DAO
KSI300197	ADJEL-FRIMPONG	JAMES
KSI300198	MENSAH	ANDREW KWABENA
KSI300199	SERWAAH	YAA
KSI300200	OBENG	GEORGINA
KSI300201	TABI	LEWIS
KSI300202	ADYENING	JOSEPH WILBERFORCE
KSI300203	ASANTE	KWAME
KSI300204	OWUSU	JOSEPH ASIEDU
KSI300205	TAKYI	JOSEPH
KSI300206	ODUMASI	CHARLES
KSI300207	ANING	EMMANUEL
KSI300208	ASIEDU-ABOAGYE	JONES
KSI300209	DEDE	ABENA
KSI300210	MENSAH	PAUL KWESI

KSI300211	OWUSU	SETH GYAMFI
KSI300212	BROBBEY	ANTHONY KWADWO
KSI300213	ADU-AMANKWAH	DOMINIC
KSI300214	NANA AGYEMANG DUAH	
KSI300215	BRAIMAH	ALHASSAN
KSI300216	DICKO	OMARU
KSI300217	AKOWUAH	MARGARET
KSI300218	OWUSU	KWAME
KSI300219	AGYAPOMAAH	AFIA
KSI300220	DUAH	CONSTANCE
KSI300221	ANTO	ABENA
KSI300222	BOAKYE	DANIEL
KSI300223	ANAMAN	CHARLES COKER
KSI300224	ADOM	GIFTY
KSI300225	NKANSAH	JOSEPH
KSI300226	TABASE	LAWRENCE BANDASOA
KSI300227	ADDAE-BERKO	SAMPSON
KSI300228	KAKORAH	BENEDICT NAAB
KSI300229	AGYEMANG-AMPONSAH	FRANK
KSI300230	DANSO	DAVID KINFUL
KSI300231	GYIMAH -DANSO	PATRICK
KSI300232	TAKYIAW	AUGUSTINA
KSI300233	TWENEBOAH-KODUA	ALEX
KSI300234	NIMO	JOHN
KSI300235	ADUM	AGNES
KSI300236	BENTU	OPOKU BAAH
KSI300237	NIMO	KWADWO
KSI300238	OSEI	KOBIA
KSI300239	OKYERE	DARKO
KSI300240	DANQUAH	ERIC
KSI300241	MAMA	ALI
KSI300242	OFORI	SAMUEL
KSI300243B	OSEI	YAW
KSI300243A	TWUMWAA	YAA
KSI300244	BADU-AMOA	KINGSLEY
KSI300245	NYAMEKYE	BOASIAKO
KSI300246	FRIMPONG-MANSO	NANA
KSI300247	OSEI	OWUSU GRAY
KSI300248	AGYEMANG	RANSFORD DUAH
KSI300249	ADU-BOAHENE	KOFI SARFO
KSI300250	ASAMOAH	EMMANUEL KOFI
KSI300251	DUAH	KWAKU
KSI300252	FORDJOUR	ADWOA(COMFORT AGYEMANG)
KSI300253	DUASO	AKOSUA
KSI300254	TETTEH	MICHAEL KOFI
KSI300255	KRAH	PAUL KWAKU
KSI300256	TUA	EMMANUEL KWABENA
KSI300257	NKRUMAH	JOHN WILLIAM
KSI300258	ASOMAH	MARTIN BENERSON
KSI300259	YEBOAH	ALEX FRANK
KSI300260	KUNTOH	EMMANUEL ALBERT
KSI300261	YEBOAH	SAM KOFI
KSI300262	YARO	DANIEL ISSAHAKU
KSI300263	BAAH	ANDREWS PIZZALI
KSI300264	OSEI	SAMPSON OWUSU
KSI300265	FRIMPONG	OPUNI
KSI300266	AMPAH	J.W.Y
KSI300267	FOSU	JAMES KWADWO

KSI300268	ADWODE	AFUA
KSI300269	ADJEI BOATENG	KWAME ANTWI
KSI300270	ADASAN	NANA NKRUMAH
KSI300271	KARIKARI	NANA KWASI
KSI300272	ABUMYEWA	ODURO
KSI300273	ADJEI	FRANCIS WEREMFO
KSI300274A	OTI	KWAKU
KSI300274B	QUAYSON	AGYEI ASUMADU
KSI300275	AMPONSAH	AMA
KSI300276	BOAKYE	AGNES
KSI300277	BOATENG	AKUAMOA
KSI300278	KPODO	GERHAD
KSI300279	NKRUMAH	YAA
KSI300280	GYEABUOR	ISAAC KYERE
KSI300281	BUGYEI	ANTHONY
KSI300282	KUBI	APPIAH
KSI300283	ANANE-AMPONSAH	KINGSLEY
KSI300284	GYAMBIBI	HASTINGS KWASI
KSI300285	ASAMOA	GYEDABI
KSI300286	AGYEI	MENSAH MANASEH
KSI300287	AGYEMAN	JOSEPH
KSI300288	DONKOR	EDWARD
KSI300289	BONSU	OSEI
KSI300290	FOFIE	CHARLES KOFI (RTD SGT)
KSI300291	AIDOO	STEPHEN
KSI300292	TUFFOUR	YAW
KSI300293	NKRUMAH	COMFORT
KSI300294	BOATENG	DOROTHY
KSI300295	OWUSU-NSIAH	BAFFOUR ADU
KSI300296	DONKOR	AMA
KSI300297	SARFO-MENSAH	ERNEST
KSI300298	AWUAH	SETH KING
KSI300299	OSEI	JAMES
KSI300300	BOAKYEWAA	ADWOA
KSI300301	BOADI	CHRISTIANA
KSI300302	OSEI-ACHIAA	HENRIETA
KSI300303	BONSU-BANDOH	AGNESS
KSI300304	NTAMAAH	JOHN KWABENA
KSI300305	KWARTEMAAH	ESTHER
KSI300306	ADU-TUTU	DANIEL
KSI300307	SERWAAH	ATTA
KSI300308	NTI	KOFI
KSI300309	BADU	ANDREW
KSI300310	ARTHUR	JOHN
KSI300311	AFRIFA	ADOLF SETH
KSI300312	ASARE	JOHNSON
KSI300313	YAMOA	JOSEPH
KSI300314	POKU	MATHEW KWADWO
KSI300315	ADOMA	FOFIE
KSI300316	ALI	DANKASAH
KSI300317	KWARTENG	DANIEL
KSI300318	ACHIAH	YAA (ATAA)
KSI300319	AGYEI	KWAKU
KSI300320	OSEI-KOFI	EMMANUEL
KSI300321	FOSU	PAUL YAW
KSI300322	OKYERE	HELENA
KSI300323	APPIAH	BRYTE
KSI300324	DANTE	SAMUEL

KSI300325	FOKUO	KWAKU
KSI300326	OPOKU	MANWERE
KSI300327	OSEI	SAMUEL
KSI300328	NYANTAKYIWAA	AKOSUA
KSI300329	OFOSU	DANIEL
KSI300330	ADU-DONKOR	PETER
KSI300331	OPOKU-AGYEMANG	REGINA
KSI300332	OPPONG	KWAME
KSI300333	KYERE	KWAME
KSI300334	KYEI	AKWASI
KSI300335	GUMAH	SULE
KSI300336	SARKODEE-ADDO	ANDREW
KSI300337	ABRAFI	YAA
KSI300338	ANOKYE MANU	YORK
KSI300339	OPOKU WARE	STEPHEN
KSI300340	GYASI-NIMAKO	KWAKU
KSI300341	ABDULAI	YAKUBU
KSI300342	NYAMAA POKU	FRANCIS
KSI300343	ASAMOAH	JOSEPH
KSI300344	DUKU	KWAKU AGYEI
KSI300345	OBENG	PAUL KWABENA
KSI300346	SALAMA	SALI
KSI300347	ANTWI BOSIAKO	KOFI ASOKWA
KSI300348	WIREDU	FRED KOFI
KSI300349	ABANKWAH MENSAH	EMMANUEL
KSI300350	BADAWULI	OSMANU
KSI300351	SARFO	JOSEPH RICHARD
KSI300352	AMPAW	SILAS
KSI300353	OWUSU-AGYEMAN	KWABENA
KSI300354	FOKUO	FRANCIS
KSI300355	KROBO	MAAME
KSI300356	ISSAH	SAKINA
KSI300357	ISSAH	SANTOS
KSI300358	NKRUMAH	VICTOR
KSI300359	BOADI	ALFRED
KSI300360	BONNA-BOADI	NELSON YAW
KSI300361	OSEI	AUGUSTINA
KSI300362	ADDOWAA	AKUA
KSI300363	NYARKO	AFUA
KSI300364	OFORI	DONKOR HANSON
KSI300365	OWUSU	KWAKU ISSAH
KSI300366	PINAMAN	AMA
KSI300367	AFRIYIE	JAMES KWASI
KSI300368	ADDAI	AKOSUA
KSI300369	QUANSAH	JOE
KSI300370	ACHEAMPONG	JOE LEWIS
KSI300371	NKANSAH	JAMES KOFI
KSI300372	MANSAH	ADWOA
KSI300373	OSEI-BONSU	AUGUSTINE
KSI300374	OHEMENG	AWERE
KSI300375	ARTHUR	NYARKO FREDRICK
KSI300376	ANKOMAH	ISSAC KWASI
KSI300377	DARKOA	BEATRICE
KSI300378	NKANSAH	EUNICE
KSI300379	BOAMAH	KWABI
KSI300380	KABIKARI	AFIA SERWAH
KSI300381	KUMAH	YAW
KSI300382	KING	THOMAS

KSI300383	OPPONG-MANU	AUGUSTINE
KSI300384	AFARI	EMMANUEL
KSI300385	AHLOTUAH	PAUL BOSOMPRAH
KSI300386	IBRAHIM	SAUDATU
KSI300387	ASENSO	KWADWO
KSI300388	IDDRISU	AKUNI
KSI300389	KONADU	FRANCIS
KSI300390	ATIA	YAA(BOAHEMAA)
KSI300391	SUNKWA	NANA YAW
KSI300392	ADJEI	FRANCIS MENSAH
KSI300393	ADDAI	KWABENA
KSI300394	AKRONG	THOMAS MENSAH
KSI300395	BARIMAH	YAW
KSI300396	AMANKWAAH	AKUA GRACE
KSI300397	COFFIE	JOHN
KSI300398	AKWABOAH	KWAKU
KSI300399	BAFFOUR	NANA ASARE
KSI300400	NYAME	KWAKU
KSI300401	ABRAFI	YAA COMFORT
KSI300402	SARPONG	HAKIM ASANA
KSI300403	OWUSU-ANSAH	JAMES
KSI300404	ADDO	ALFRED
KSI300405	NSAAKYI	KWAKU
KSI300406	MANSAH	AKOSUA
KSI300408	AFRAKOMA	AKOSUA
KSI300409	AMOA	KINGSLEY
KSI300410	AFRIFA	ELIZABETH
KSI300411	BERCHIE	JOSEPH
KSI300412	OSEI	MARTHA
KSI300413	ADUBOFOUR	OTAMAKRO
KSI300414	OSEI	TUTU BONSU
KSI300415	QUANSAH	ALBERT
KSI300416	ANKRAH	KWAKU
KSI300417	BOAKYE	YAW
KSI300418	NTI	CHARLES AKWASI
KSI300419	OFORI	JOHNSON KWAKU
KSI300420	KWARTENG	ODUROSE
KSI300421	INSANE	SAMUEL
KSI300422	TSIVOR	DORIS
KSI300423	DORNYO	GLORIA TAY
KSI300424	ADDAI	ROBERT
KSI300425	SUGLO	JOSEPH
KSI300426	OSEI-BONSU	CHARLES
KSI300427	NSAFOAH	JOSEPH KWAME
KSI300428	JOMOH	JACOB AKWASI
KSI300429	ADAM	ABDULAI
KSI300430	AMADU	MATURI
KSI300431	FOFFIE	KOFI
KSI300432	MENSA-BONSU	NANA
KSI300433	ADAM	ABDULAI
KSI300434	AMADU	MATURI
KSI300435	OPPONG	AKWASI
KSI300436	OFORI	ROBERT YAW
KSI300437	TIWAAH	AFIA
KSI300438	OFORI-DABAN	KWABENA ASAMOAH
KSI300439	HANSON	ZIEMA DAPLAH
KSI300440	OWUSU	THEOPHILUS K.
KSI300441	OSEI ASUBONTENG	ANDY

KSI300442	KWAKYE	PAUL
KSI300443	NKETIA	JOSEPH YAW
KSI300444	KOOMSON	PETER KWAKU
KSI300445	ANSAH-QUARSHIE	OWUSU
KSI300446	AGYAPOMAAH	ABENA
KSI300447	OSEI-BONSU	SAMUEL
KSI300448	AGYEIWAA	AMA
KSI300449	MONNIE	THOMAS
KSI300450	BREFO	OSEI
KSI300451	OKYEM	AMA
KSI300452	ACHIAA	AKUA
KSI300453	OWUSU	RICHARD KWAKU
KSI300454	OTTO-BOATENG	HERBERT
KSI300455	SARPONG	JOSEPH
KSI300456	FRIMPONG	MICHAEL HENRY
KSI300457	NYARKO	MAAME
KSI300458	NFFUM-ANOKYE	BISMARCK
KSI300459	IBRAHIM	HAMIDU
KSI300460	HEMAA	AMA
KSI300461	AGYEKUM	DARKO
KSI300462	OSAAH	AMMA
KSI300463	KWAKYE	FRANCIS
KSI300464	MENSAH	JOHN
KSI300465	OPOKU	EMMANUEL ADUSEI
KSI300466	AGYEMANG	COMFORT
KSI300467	YEBOAH	THERESA
KSI300468	AGYARKO	AKWASI
KSI300469	BOATENG	ISSAH
KSI300470	MENSAH	ANNA
KSI300471	MAHAMA	ALHAJI
KSI300472	DWUMAH	KWASI
KSI300473	AMANKWAH	BRIGHT KAPAE
KSI300474	APPIAGYEI	GEOFFREY KWASI
KSI300475	APPIAH	COFFIE
KSI300476	KRAH	YAW
KSI300477	MANU	KWADWO
KSI300478	ADU	SAMUEL
KSI300479	GYAMSERE	KWASI
KSI300480	GYIMAH	ERIC
KSI300481	MANU	JOHN KOFI
KSI300482	ACHIAA	AMA
KSI300483	MENSAH	KWABENA
KSI300484	DUFIE	ABENA
KSI300485	ADU	MENSAH
KSI300486	MENSAH	PAUL KWASI
KSI300487	MENSAH	ADU
KSI300488	ADAMS	ALI
KSI300489	FOSUA	ADWOA
KSI300490	OBENG	KWAME
KSI300491	OTENG	GLADYS
KSI300492	APAU	KWAKU
KSI300493	WARE	KWAME OPOKU
KSI300494	ADDAE	JONATHAN
KSI300495	NSIAH	KWADWO
KSI300496	MANU	DANIEL WILLIAM
KSI300497	DWOMOH	ABENA
KSI300498	BOAH	GRACE
KSI300499	OPOKU	JULIUS

KSI300500	ANTWI	STEPHEN
KSI300501	AMOAKO	FELICIA
KSI300502	YEBOAH	FRANCIS
KSI300503	MENSAH	KWAKU
KSI300504	KOBI	KWASI
KSI300505	OFORI	KWAKU
KSI300506	MENSAH	PAUL
KSI300507	OPPONG	ALEX
KSI300508	KWARTENG	MARY
KSI300509	GYAAMAH	ADWOA
KSI300510	FOSU	AKWASI
KSI300511	ANANE	AFIA KWARTEMAA
KSI300512	MENSAH	JOSEPH
KSI300513	BOAKYE	SAMUEL ADJEI
KSI300514	ADUSEI	JUSTICE
KSI300515	NANTWI	KOFI
KSI300516	AKORTSU	DICKSON
KSI300517	ASARE	BAFFOUR
KSI300518	SARFO	ISSAH
KSI300519	BOYE	SETH KWABENA
KSI300520	BOAMPONSEM	SETH
KSI300521	DAPAAH	KWABENA
KSI300522	ABDULAI	AYISHETU
KSI300523	DARKWA	SAMUEL ACHEAMPONG
KSI300524	AGUNGA	GILBERT ATARIBA
KSI300525	FRIMPONG	ELIZABETH
KSI300526	AFOAKWA	PHILIP GYASI
KSI300527A	SALIFU	ZAKARI
KSI300528	OTI	KWAKU
KSI300529	OHENEBA	DANIEL K.A.
KSI300530	KUMAH	AFIA
KSI300531	ANING-ADJEI	MICHAEL
KSI300532	MANU	DANIEL ANOKYE
KSI300533	GYEKUMHENE	YAW
KSI300534A	AGYEN	WILLIAM KWAKU
KSI300535A	GYAMFI	KWADWO ADU
KSI300536	BIO	KWASI
KSI300537	FOFIE	AFIA
KSI300538	BOSOMPRA	KWAKU
KSI300539	AGYEMANG-DUAH	RICHMOND
KSI300540	SUBUNO	KWADWO
KSI300541	ATAA	NANA
KSI300542	ASIEDU	WILLIAM
KSI300543	PREMPEH	ASIEDU
KSI300544	OWUSU-AGYEMANG	KWADWO
KSI300545	OWUSU	RICHARD KWAKU
KSI300546	OSAHENE	BAIDOO
KSI300547	BUSANGA	HARUNA
KSI300548	ASIEDU	JACOB AKWASI
KSI300549	AMO-BEDIAKO	JOHN
KSI300550	BOATEMAA	ABENA
KSI300551	ADDAI	LAWRENCE
KSI300552	AGYEMANG-DUA	ALBERT
KSI300553	ADDAI	AHMED
KSI300554	BUSANGA	BRAIMAH
KSI300555	NYAMEKYE	HANNAH
KSI300556	ATIA	JOHN BABA
KSI300557	ANARFO	CHARLES

KSI300558	BONSU	JOSEPH MENSAH
KSI300559	ACHIAW	OWUSU OYIWA
KSI300560	SENCHEREY	GEORGE
KSI300561	AGYENIM-BOATENG	KWABENA
KSI300562	KYEREMATEN	CECILIA OWUSU
KSI300563	OPOKU	JOHNSON
KSI300564	AHENKAN	KOJO
KSI300565	BOSUO	AMA
KSI300566	OSEI	MICAH
KSI300567	ACHEAMPONG	JAMES ADU
KSI300568	KARIKARI	FRANK OSEI
KSI300569	NUM	AKWASI
KSI300570	ACHEAMPONG	JOE LEWIS
KSI300571	ADJEI	PETER
KSI300572	GYEKYE	STEPHEN ATTA
KSI300573	AMANKWAH	GEORGE
KSI300574	ODURO	KWAKU OHENEBA
KSI300575	ANOKYE	MATHEW OFORI
KSI300576	ODE	NANCY
KSI300577	IDDRISU	HAWA
KSI300578	KAASUM	FATIMATU ALHAJI
KSI300579	DUAH	KWAKU
KSI300580	ADOMAKO	OSOFO ABU
KSI300581	GROSSO	EMMANUEL MARTIN
KSI300582	AKYAA	AKUA
KSI300583	ADUSEI	COMFORT
KSI300584	BOAKYE	CHRISTIANA YAA
KSI300585	NYARKO	YAA
KSI300586	ANIM	KWABENA
KSI300587	GYAMFI	KWADWO
KSI300588	KANKAM	ELIZABETH
KSI300589	ADJEI	KOFI
KSI300590	NIMO	PETER KWABENA
KSI300591	MENSAH	JOSEPH
KSI300592	OPPONG	FRANK BEN
KSI300593	OWUSU	EBENEZER
KSI300594	OFORI	AGNES
KSI300595	ADU-GYAMFI	KWADWO
KSI300596	ADADE	ELIZABETH
KSI300597	BOAKYE	ALICE
KSI300598	SAAH	AKOSUA
KSI300599	ASANTE	GEORGE
KSI300600	DONKOR	SAMUEL BOFA
KSI300601	OSEI	KOFI
KSI300602	OSEI	BADU
KSI300603	GYASI	DAVID NIMAKO
KSI300604	OTUO	ACHEAMPONG
KSI300605	NSIAH	AKWASI
KSI300606	AMANFO	JOSEPH
KSI300607	ADDAI	AKWASI
KSI300608	AMOABENG	PAUL
KSI300609	GYAWU	PRINCE BAFFOUR AWUAH
KSI300610	TAWIAH	JOHN
KSI300611	ADUBOFOUR	GABRIEL
KSI300612	BOAFO	SAMUEL AGYAPONG
KSI300613	AGYEMAN	KWABENA KAKARI
KSI300614	ARTHUR	CHARLES
KSI300615	SARPONG KUMANKUMA	

KSI300616	MINTAH	PATRICK KWAME
KSI300617	DUAH	KWAKU
KSI300618	DWOMOH	DOUGLAS KWADWO
KSI300619	MENTA	KWAME
KSI300620	OKYERE	DARKO
KSI300621	KROMO	AMA
KSI300622	AMPONSAH	YAA
KSI300623	DARKO	KWAKU NANA
KSI300624	BRENYA	KWAKU
KSI300625	ASIEDU	ALEXANDER
KSI300626	SARPONG	AFIA
KSI300627	AMPONSAH	PAUL KWABENA
KSI300628	KONADU	AKOSUA
KSI300629	MPOPONSUO	YAA
KSI300630	ACHEAMPONG	ERNEST
KSI300631	MENSAH	MARGARET
KSI300632	ADDAI	AKOSUA
KSI300633	POKU	SOLOMON KWABENA
KSI300634	OWUSUWAA	AKOSUA
KSI300635	OWUSU	GODFRIED MATTHEW
KSI300636	OWUSU	PETER KWADWO
KSI300637	OPOKU	JOHNSON
KSI300638	BAAFI	KWAKU AKYAMPON
KSI300639	ANTWI	KOFI
KSI300640	AWUNI	JOSEPH
KSI300641	NANA ADU-BOATENG	
KSI300642	DARKO	KOFI
KSI300643	BOATENG	ELIZABETH
KSI300644	NANA AMANKWAH AFRIFA	
KSI300645	NKURE	MONICA AKOSUA
KSI300646	POKUAA	ADWOA
KSI300647	GYAWU	KWABENA BAFFOUR
KSI300648	TWUMASI ANKRA	JOHN
KSI300649	APPIAH	SARAH
KSI300650	DAPAAH	FOSU KWAME
KSI300651	BERKO	JOSEPH ARMSTRONG
KSI300652	KUSI	SAMUEL
KSI300653	BEMA	AMA
KSI300654	OPOKU	YAW
KSI300655	AHENKAN	AFUA
KSI300656	NYARKO	AFUA
KSI300657	DAWUDA	OSUMANU
KSI300658	OPOKU	FELIX
KSI300659	NYARKO	AGNES
KSI300660	OSEI	TUTU
KSI300661	TAWIAH	ALEX FOLLER
KSI300662	APPIAH	JAMES
KSI300663	NYAMEKYE	PADMORE
KSI300664	ALHASSAN	ATTA
KSI300665	KWARTENG	YAW
KSI300666	ADU	KWAME
KSI300667	ANNING	STEPHEN KWABENA
KSI300668	DONKOR	KWADWO
KSI300669	YEBOAH	KENNETH
KSI300670	ADJAYE	PAUL BENSON
KSI300671	YEBOAH	COLLINS
KSI300672	FRIMPONG	KOFI APPIAH
KSI300673	SISALA	DRAMANI

KSI300674	SAAH	AMA
KSI300675	OWUSU	SOLOMON KWABENA
KSI300676	ODURO	WILLIAM
KSI300677	DANQUAH	SOPHAYA APPIAH
KSI300678	IBRAHIM	JAMA
KSI300679	DUFIE	AMA
KSI300680	AFIA	NANA
KSI300681	KAKARI	KWASI
KSI300682	SERWAAH	AMA
KSI300683	BOADI	EMMANUEL
KSI300684	AMALE	AVOEGAH
KSI300685	NKETIA	KWADWO
KSI300686	AMPOFOWAA	ABENA
KSI300687	YANA	MICHAEL
KSI300688	POKUAA	YAA
KSI300689	ACHIAA	AFIA
KSI300690	ATTA	FRANCIS
KSI300691	AMPOFO	PAUL RICHIE
KSI300692	ADDO	JAMES
KSI300693	MANSAH	AKOSUA
KSI300694	BAWA	
	COCOBOD RETRENCHED	
KSI300695	STAFF ASS.	
KSI300696	DWOMOH	FRAZER
KSI300697	GYIMAH	JOSEPH
KSI300698	MENSAH	PETER
KSI300699	FRIMPONG	KWADWO
KSI300700	AKOWUA	KWABENA
KSI300701	RAHMAN	ABDUL
KSI300702	DAPAAH	KWAME ABOSI
KSI300703	AFRIYIE	JOHN OWUSU (EX WOJ)
KSI300704	OWUSUAA	AMA
KSI300705	APPIAH	ANTHONY ROCKSON
KSI300706	AKOWUAH	OWUSU ACHEAMPON
KSI300707	U-AMIL	MOHAMMED
KSI300708	ADU-GYAMFI	BANAHENE
KSI300709	NYAMEKYE	ISAAC
KSI300710	BUADU	YAW KANKAM
KSI300711	ADU-GYAMFI	ALBERT
KSI300712	ASIEDU	KWADWO ASUMA
KSI300713	DANSO	JAMES KWAME
KSI300714	BAMFO	VICTORIA ASO
KSI300715	BEDIAKO	ROBERT KWAME
KSI300716	KORANTENG	EBENEZER AGYEI
KSI300717	ASANTE	KWAKU
KSI300718	OFORI	FRANCIS
KSI300719	BOAMAH	BENJAMIN
KSI300721	BOUR	SAMUEL ADJEI
KSI300722	OKATA	EMMANUEL SARPONG
KSI300723	FRIMPONG	JANET
KSI300724	SEKYI	ABREFA LARWEH
KSI300725	ASANTE	NANA KOFI
KSI300726	MANYA	CHRISTIANA
KSI300727	BOATENG	MALOVE YAW MACSTEPHEN
KSI300728	SEREBOUR	AUGUSTINE KWAME
KSI300729	MANU	SAMUEL KWESI
KSI300730	OSEI	COMFORT
KSI300731	OKAI	PATRICK A. TETTEY

KSI300732	LARWEH	MICHAEL
KSI300733A	MANU	AUGUSTINE KWASI
KSI300733B	ODURO	ISAAC KWESI
KSI300734	ADDAI-KUSI	EDWARD
KSI300735	APIAH-OWARE	KINGSFORD DANIEL
KSI300736	KWARTENG	DANIEL
KSI300737	AMOATENG	KOFI
KSI300738	AWUA	YAW
KSI300739	AMPONSAH	KOFI
KSI300740	AMOA	AMA
KSI300741	AGYEI	KWADWO ANANE
KSI300742	KRAMO	OSMANU
KSI300743	DUKER	ROBERT Z
KSI300744	ASUMADU	ATA
KSI300745	BAAFI-KOBI	BENSON
KSI300746	NIMO	MARGARET AKOSUA
KSI300747	WIREKO	KWADWO
KSI300748	ASAMOAH	SAMUEL KWAME
KSI300749	AFRIYIE	PAULINA
KSI300750	HALIDU	OSMAN
KSI300751	KOBIA	KWABENA
KSI300752	AGYEMANG	AKWASI
KSI300753	GYAMPRAH	AUGUSTINE L.
KSI300754	AKON	YAA
KSI300755	FOFIE	AFIA
KSI300756	OWUSU AFRIYIE	ELIZABETH
KSI300757	AMANKWAA	KWAME
KSI300758	ABIRIWO	PATRICK
KSI300759	OTI	NANA KOFI
KSI300760	SARPONG	PETER ANDERSON
KSI300761	OSEI-TUTU	JOSEPH
KSI300762	TIWAA	AKUA
KSI300763	TAAH	JOHN KWADWO
KSI300764	AMOAKO	FRANCIS
KSI300765	SARPONG	DANIEL YAW
KSI300766	ASARE	KWEKU KINGSLEY
KSI300767	AKOI-FREMPONG	RICHARD
KSI300768	OSEI-ANTOBERE	JOSEPH
KSI300769	KOBI	PATRICIA AKUA
KSI300770	ASANTE-MENSAH	KWAKU
KSI300771	VANDERPUIJE	EMMANUEL DODOO
KSI300772	AMOAKO	YAW
KSI300773	AIDOO	JONHSON KWABENA
KSI300774	ANANE	JOSEPH ADU
KSI300775	ASARE-DANSO	FESTUS
KSI300776	NUURI	MORO
KSI300780	AFRIYIE	CECILIA
KSI300781	POKUAA	AKUA
KSI300783	BOAKYE	KWAKU
KSI300784	GYAMFI	YANKSON KWADWO
KSI300785	DWAMENA	NICHOLAS KWASI
KSI300786	ABOAGYE	SAMPSON KWABENA
KSI300787	NYARKO	EDWARD
KSI300788	OSEI	KWABENA
KSI300789	ANANE	STEPHEN KWAME
KSI300790	AMANKWAH	GODBLESS
KSI300791	BOATENG	SAMUEL GODFRED AGYEMANG
KSI300792	OPPONG	OHENE GEORGE

KSI300793	KUMI	KWABENA
KSI300794	KODUA	EMMANUEL OWUSU
KSI300795	OWUSU	HANSON
KSI300796	MUDA	MOHAMMED
KSI300797	PIPIM	JACKSON KWAME
KSI300798	OFOSU	KINGSLEY
KSI300799	BADU	AMA SERWAA
KSI300800	AMOAKOWAA	YAA
KSI300801	SAAWA	AKOSUA
KSI300802	OSEI	THERESA
KSI300803	ABOAGYE	KWESI AMOAKO
KSI300804	SERWAAH	YAA
KSI300805	OWUSU	SAMUEL KOFI
KSI300806	OPPONG	JOSEPH ALEX
KSI300807	TIWAAH	AKOSUA
KSI300808	ANSAH	KWABENA OWUSU
KSI300809	BOATENG	MARY
KSI300810	POKUA	NANA ADWOA
KSI300811	SEFA	YAW
KSI300812	SAKYI	ROBERT SARKODIE
KSI300813	APIMA	DANIEL KWAOFIO
KSI300814	DARKO	MATILDA
KSI300815	AKYEAMPONG	KWAKU
KSI300816	QUANSAH	PETER
KSI300817	OSEI	KWADWO
KSI300818	BONSU	ADDAI
KSI300819	ODOOM	MARY
KSI300820	AFRIYIE	AKUA
KSI300821	MAWUYOME-ADUKPO	JOSEPH
KSI300822	ASARE	STEPHEN MENSAH
KSI300823	OPOKUAA	YAA
KSI300824	DANKWAAH	AUGUSTINA
KSI300825	KYEI-BAFFOUR	KWAME
KSI300826	NARH	JOSEPH TETTEH
KSI300827	YEBOAH	CHRISTOPHER KOFI
KSI300828	KARIKARI	JAMES KOFI
KSI300829	ACHEAMPONG	THERESA
KSI300830	BOAKYE	AKWASI
KSI300831	BOWI	KWABENA
KSI300832	AGYEKUM	EMMANUEL
KSI300833	NYARKO	YAA
KSI300834	ASANTE	BARIMA
KSI300835	ANKOMAH	YAA
KSI300836	AGYEMANG	YAA
KSI300837	MANU	JANET
KSI300838	MIKOYAN	LATEVI ANASTAS K.
KSI300839	DUFIE	MARY ABENA
KSI300840	KYEI	MATTHEW
KSI300841	OSEI POKU	STEPHEN
KSI300842	OHEMENG	KWADWO
KSI300843	OWUSU	NANA KOFI
KSI300844	NYAMEKYE	ALBERT ABOAGYE
KSI300845A	SAGOE	EDWARD CHARLES
KSI300845B	AWUAH	YAW ALBERT
KSI300846	MENASHER	LORD
KSI300847	ASANTE	DANIEL
KSI300848	MANU	AMMA
KSI300849	KWAKYE	YAW

KSI300850	AYISI ARKOH	NANA
KSI300851	ADJEI	MICHAEL KWADWO
KSI300852	NARH	BARNABAS
KSI300853	AGYEI	AKWASI
KSI300854	ASARE	HANNALY
KSI300855	DARKO	KWADWO
KSI300856	TAMAKLOE	GODWIN SEFAKOR K.
KSI300857	AKUOKO	GAMBIA A.K.
KSI300858	OBENG KYERE	KWAKU
KSI300859	APIAH	KWABENA
KSI300860A	OKRA	ALBERT OMANE
KSI300860B	AKROBIRE	NANA BUDU
KSI300861A	OPPONG-BOADU	SAMUEL
KSI300861B	AKOMEA	CECILIA
KSI300862A	AGYEIWAAH	AFUA
KSI300862B	SIAW-ADDO	BEATRICE
KSI300863A	AMPONSAH	ELIZABETH
KSI300864A	ADJEI-LARBI	SAMUEL
KSI300864B	KWAKYE	KOFI AGYIREY
KSI300865A	ARMAH	LYDIA
KSI300865B	OWUSUA	AKOSUA
KSI300866	BURUWAA	ABENA
KSI300867	AMOH	EMMANUEL OWUSU
KSI300868	ADOMAKO	KWABENA
KSI300869	APIAH	EMMANUEL OWUSU
KSI300870	AMPADU	KWABENA
KSI300871	SIMPE	STEPHEN YAW
KSI300872	AYEKPLE	FELIX DIO
KSI300873A	AWUKU	FRANCIS KWADWO OWURANI
KSI300874	OFORI	EMMANUEL
KSI300875	SERWAAH	AMA
KSI300876	ADARKWA-YIADOM	GORDON
KSI300877	KWAFO	EMMANUEL
KSI300878	NORGA	YAKUBU
KSI300879	MENSAH-BONSU	EDWARD
KSI300880	BOATENG	OWUSU ISAAC
KSI300881	ZAKARIA	ABDUL KARIM
KSI300882	ASAMOAH	AKWASI
KSI300883	YEBOAH	SAMUEL ADDO
KSI300884	TUTU	ISAAC OSEI
KSI300885	ALIDU	SEIDU
KSI300886	GATOR	FRANCIS KWAKU
KSI300887	ADOBEA	GRACE
KSI300888	KUTIN	KWESI
KSI300889	OBIMPE	AKUA
KSI300890	DANSO	KWAKU
KSI300891	BAAH	ESSARKWA NANA
KSI300892	BAWA	KWADWO
KSI300893	DONKOR	JOSEPH
KSI300894	AMANKWAA	YAA
KSI300895	MENSAH	ALICE
KSI300896	ARTHUR	JOSEPH
KSI300897	SAGOE	BEN KOBINA
KSI300898	BAAH	AFUA
KSI300899	KUNDANA	MINTANA
KSI300900	DANSOAA	AFUA
KSI300901	OPPONG	VICTORIA
KSI300902	WOOD	JOHN BENJAMIN

KSI300903	KYEI	PETER KWAKU
KSI300904	OSEI	ANTHONY
KSI300905	MAHAMA	THOMPSON
KSI300906	ABUBAKARI	DAWADA
KSI300907	AMPONSA ANTWI	NANA
KSI300908	YEBOAH	PHILIP
KSI300909	KARIKARI	KOFI
KSI300910A	ADDAI	JOHN ALBERT KWAKU
KSI300910B	BREW	REYNOLDS
KSI300911	SARBENG	MATTHEW KOFI
KSI300912	APIAH KUSI BRIMPONG	
KSI300913	JACHIE	JAMES
KSI300914	MENSAH	EVANS OPUNI
KSI300915	GRUSI	KWADWO
KSI300916	TWUMASI	ELLIOT NSIA KWADWO
KSI300917	SAKYI	KOFI MARTIN
KSI300918	AGYEMAN-DUA	KING
KSI300919	MPRENGO	AKUA
KSI300920	AKYAA	ADWOA
KSI300921	OSEI	FRANCISCA
KSI300922	IBRAHIM	AKWASI
KSI300923	AMOA	KWADWO
KSI300924	DAGOMBA	ZAKARIYA
KSI300925	ASAMOA	OBENG (DR.)
KSI300926	ATUAHENE	EMMANUEL
KSI300927	TABASE	AGNES BANDASOA
KSI300928	BOATENG	AKUAMOA
KSI300929	BOAMAH	PETER
KSI300930	ADOMAH	AFUA
KSI300931	DANKWAAH	AKUA
KSI300932	AMANKWAH	JOSEPH
KSI300933	AMPOFOWAA	AMA
KSI300934	APPAU	RICHARD
KSI300935	ASARE	JOHN
KSI300936	NYAMEKYE	MARY
KSI300937	ODOLE	FELICIA
KSI300938	ANTWI-POAKWA	DIANA
KSI300939	KANIN	JOSEPH GYEMPEH
KSI300940	BOATENG	KOFI
KSI300941	TETTEY	SAMPSON
KSI300941	TETTEY	SAMPSON GIDEON K.
KSI300942	DEDE	KOFI
KSI300943	IBRAHIM	ZAKARI
KSI300944	DABODA	ANACHIE
KSI300945	ASANTE	TUFFOUR
KSI300945	ASANTE	TUFFOUR
KSI300947	YEBOAH	MARGARET
KSI300947	YEBOAH	MARGARET
KSI300948	ADJEI	CECILIA
KSI300949	TAWIAH	ANNA
KSI300949	TAWIAH	ANNA
KSI300951	SEY	PHILOMENA
KSI300952	BOATEMAAH	AKUA
KSI300953	YEBOAH	CHARLES
KSI300954	ABAYIE	JANET ABREFI
KSI300955	OPPONG	GEORGE
KSI300956	GYAMFI	KWABENA
KSI300957	ODEI	ANTHONY

KSI300958	YEBOAH	KWAKU
KSI300959	OSEI	JANET
KSI300960	FOSU	PATRICIA
KSI300961	FRIMPOMAA	AKUA
KSI300962	ACHIAA	YAA
KSI300963	ACHIAMAA	ADWOA
KSI300964	ASANTEWAA	AMA
KSI300965	DEBRAH	COMFORT
KSI300965	DEBRAH	COMFORT
KSI300966	AGYEMANG	COMFORT
KSI300966	AWUAH	NICHOLAS
KSI300967	ANTWI	PETER
KSI300968	AFRIYIE	AKUA
KSI300969	KONADU	AMA
KSI300970	AKOTO	DANIEL
KSI300971	COKER	JOE
KSI300972	BOAKYE	AKWASI
KSI300973	AGYAPOMAA	YAA
KSI300974	AMANKWAA	SUSUANA
KSI300975	SERWAH	AKUA
KSI300976	AFRIYIE	IBRAHIM
KSI300977	ASANTEWAAH	ABENA
KSI300978	DARKO	MENSAH
KSI300979	DEBRA	ANTHONY NANA
KSI300980	AMOA	STEPHEN EMMIL
KSI300981	DUA	OPANIN KWAKU
KSI300982	ASIEDU	KWADWO
KSI300983	MINTAH	PAUL
KSI300984	FOSU	KWAKU
KSI300985	DONKOR	ANDREWS
KSI300986	FOSU	CHARLES YAW
KSI300987	AGYEI-MANU	PETER
KSI300988	AFRRAKOMA	YAA
KSI300989	BAAH	PETER KWAKU
KSI300990	KONADU	AKUA
KSI300991	AFRIFA	ATTA
KSI300992	GRUSHIE	ADAMU
KSI300993	GRUSHIE	PETER LUU
KSI300994	ASANTEWAAH	YAA
KSI300995	BEKOE	EDMOND
KSI300996	ADDAI	SAMUEL KWESI
KSI300997	OSEI-TUTU	STEVEN
KSI300998	AMEYAW	JOSEPH KWAKU
KSI300999	YORKE	CHRISTOPHER SAM ALBERT
KSI3001000	OFORI	SAMPSON
KSI3001001	FORKUO	AGNES
KSI3001002	BROBBEY	PAUL KWASI
KSI3001003	ZIEBAH	JAMES ZOUMUG

APPENDIX D 2

LIST OF PETITIONERS

FILE NUMBER	SURNAME	FIRST NAMES
BLG100160	ABARTEY	GRACE AMA
BLG100082	ABDULAI	SAFANA
BLG100070	ABELINGO	ALIKA
BLG100161	ABU	MAHAMA
BLG100006	ABUBAKARI	ISSIFU
BLG100139	ABUDULAI	SAADIA
BLG100032	ABUGUMZIO	RICHARD KWABENA
BLG100036	ACHANA	CLETUS
BLG100085	ACHAW	GEORFREY-TAMALE
BLG100046	ACHAW	MARGARET
BLG100007	ACQUAH	COMFORT KESEWAA
BLG100086	ADAMU	ALHAJI
BLG100004	ADDY	JAMES ADUAH
BLG100054	ADOMBILA	COSMAS
BLG100059	ADOMBILLA	GEORGE ASEKO
BLG100096	ADOMBIRE	ANEERO
BLG100138	ADOMBIRE	LARDI
BLG100058	ADOMOGRI	TUOKETE
BLG100089	ADOMOLGA	BINGLORO
BLG100132	ADONGO	ADAKOORA
BLG100026	ADUKO	FUSEINE
BLG100064	AGANA	JAMES
BLG100092	AGARTEY	YAKUBU
BLG100005	AGONA	KOJO
BLG100126/136	AGONGO	ATANGA
BLG100136	AGONGO	ATANGA
BLG100055	AGORIGO	ROLAND
BLG100075	AKALINKOSA	ABIATEKUM
BLG100043	AKIBI	ESSI-AKIRA
BLG100068	AKOLOGO	AYAMBILA
BLG100062	AKOLOGO	IBRAMHIM
BLG100159	AKOLOGU	ABAA
BLG100158	AKOLOGU	MUSAH
BLG100049	AKOLOR	KENNETH
BLG100013	AKONGNE	ADUAH
BLG100137	AKUMOLGA	ABUGRE
BLG100033	ALAPELUM	AZURE
BLG100113	ALHASSAN	ABUDUGAFAR
BLG100051	ALHASSAN	HAMIDU
BLG100012	AMADU	ZENABU
BLG100040	AMOAHA	SYLVESTER
BLG100061	AMORI	AGNES
BLG100084	ANAABA	ABAGNA
BLG100031	ANABILA	AGIBASSE
BLG100010	ANAMOLGA	JOSEPH
BLG100134	ANAMOO	ABESAARE
BLG100088	ANAMOO	NSOH

BLG100135	ANAMOO	RUTH	
BLG100093	ANAPALUM	REGINA	
BLG100098	ANOLUSKO	ASSEBI	
BLG100029	ANONSIGE	AYUURA	
BLG100023	APAABA	ASABILLA	
BLG100001	APAMBILLA	WILLIAM	
BLG100035	APASNORIN	CLIFF ATAMPUGRI	
BLG100063	APEEKSIYA	AKARIM	
BLG100076	APENTIHK	LAMISI	
BLG100047	ASEKABTA	MOSES	
BLG100101	ASIBIGA	ATINTORO	
BLG100116	ASIMA	DANIEL DUMAH	
BLG100094	ATAMPOKA	ADONGO	
BLG100050	ATANGA	GILBERT	
BLG100107	ATANGARA	ASANYURE	
BLG100025	ATANGOSIGO	GEORGE AMASON	
BLG100028	ATENG	GEORGE	
BLG100077	ATIBILLA	MARTINA	
BLG100053	ATINCHINA	JOHN AYAMGA	
BLG100131	ATOBELGO	ADAMU	
BLG100157	ATOYEPORUM	KANAA	
BLG100041	ATULARI	SOLOMON TULLE	
BLG100042	ATULE	BOB NSOH	
BLG100067	AWINEBUNO	NNONGE	
BLG100149	AWINEBUNO	NNONGE	
BLG100015	AWUVIRI	GILBERT NEWTON	
BLG100127	AYAMGA	ATANGA	
BLG100017	AYAMGA	AWALIGAH	
BLG100060	AYAMGA	BASIDU	
BLG100003	AYAMGA	BUKARI BAWA	
BLG100142	AYANYIRE	SECSENA	
BLG100129	AYELEME	ATANGA	
BLG100038	AYEMLEME	ATANGA	
BLG100073	AYIRIGIYA	ELIASU	
BLG100071	AYIRIYA	ELIASU	
BLG100156	AYUA	ALUDI	
BLG100130	AZARA	ABDULAI	
BLG100140	AZARA	IBRAHIM	
BLG100072	AZORTAH	ASUKUWING	
BLG100048	AZUBIRE	NABA THOMAS	
BLG100109	AZURE	IBRAHIM	
BLG100104	AZUURE	ABASIGA	
BLG100128	AZUURE	AKANYERE	
BLG100081	BAAWINE	KWAKU	
BLG100066	BADGIE	FRANCIS	
BLG100016	BARNAADA	ADORNIA	
BLG100065	BAYIGWANAMU	NAMOO	
BLG100103	BIBETA	HARUNA	
BLG100014	BOAHEN	NSOWAH	
BLG100021	BOGOBIRI	IDDRISU SEIDU	
BLG100108	BRAIMAH	ZETU	
BLG100100	BUKARI	MOHAMMED JIMMY	
BLG100027	CAMARA	ISSAH	

LIST OF PETITIONERS

FILE NUMBER	SURNAME	FIRSTNAMES
HVR200001	FETOR	SIMON KWAME
HVR200002	NUTSUGAH	CHRISTOPH
HVR200003	AHIAKU	SAMUEL
HVR200004	ADOM	JOHN KWABENA
HVR200005	AMENYO S. K.	LETSU
HVR200006	BAAH	ROCKY YAO
HVR200007/8	ATTIANAH	RICKY NELSON
HVR200010	DAVOR	ADOLPH
HVR200011	HONU	ALFRED
HVR200012	HONU	ESMIR
HVR200013	BOBI	JULIANA YAWA
HVR200014	OBENG	STEPHEN KWAME
HVR200015	AMEFIA	KOMLA KUMA
HVR200016	DUMHASSIE	MICHAEL
HVR200017	MENSAH	CHRISTIAN
HVR200018	DZAMESI	AFI MADONUNAWO
HVR200019	DIAMEH	WILLIAM
HVR200020	ASHIAKPOR	VINCENT (TOGBUI)
HVR200022	AFFOR	MEDERIS
HVR200023	DOAMEKPOR	DANIEL MENSAH
HVR200024	AKPANYA	EMMANUEL G.
HVR200025	DEDZO-DZOKOTO	COMFORT AKU
HVR200026	DUGBATSE	GLADYS
HVR200027	ATAGBA	JOHN JACOB
HVR200028	AHIAKONU	FRANCIS KWADZO
HVR200029	AKOTO	CEPHAS M.
HVR200030	BOATENG	MUSTAPHA
HVR200031	AHIAKU	AGBEKO SAMUEL
HVR200032	ATENGBLE	EDWARD
HVR200034	ANTWI-BARIMA	EMMANUEL
HVR200035	BEDIAKO	HOSEA
HVR200036	AGBANA	RUTH DELALI
HVR200037	AGBAKU	ELIZABETH
HVR200038	ANANIE	EMMANUEL
HVR200039	BAKU	GILBERT VICTOR KUDJO
HVR200040	OBLAWU-BEDIAKO	KWAKU
HVR200041	KUSI	VALISIA YAWA L.
HVR200042	DEY-AGBAGLO	HELLEN ADZO
HVR200043	ANTOR	ROBERT KWAME
HVR200044	ASAMOAH	JACOB
HVR200045	ASIMADU	HENRY
HVR200047	ADABLAH	SAMUEL KWAME
HVR200048	AGBEMASU	FREEMAN KOFI
HVR200049	KUMENI	MARY ANTONIA
HVR200050	PUPLAMPU	WILLIAM
HVR200051	AGAHEY	ELIAS
HVR200052	OBUADZO	ALEXANDER
HVR200053	BOAMPONG	EDWARD OTAPA
HVR200054	FOMEVOR	KODZO
HVR200055	ASASE	MOSES KOFI
HVR200056	ABAKE	JOHNSON

HVR200057	ZIGA	YAK
HVR200058	GBEGBLE	GILBERT KWASHIVI
HVR200059	AYITEVI	JOHN
HVR200060	ANKU	MATHIAS KOMLA
HVR200061	OBERKO	CLEMENCE K.
HVR200063	DOMPREH	GERSHON KWAKU
HVR200064	LADZEKPO	ELLEN
HVR200065	DONKOR	DRAI GABRIEL
HVR200066	GBEKU	CHRISTIAN
HVR200067	KWAWU	STEPHEN ROBERT
HVR200068	LARBI	RAPHAEL K,
HVR200069	TITIATI	EMMANUEL KWASI
HVR200070	TEDEKU	EMMANUEL
HVR200071	AGBETSOAMEDO	SEBASTIAN
HVR200072	KATAKO	JOHNSON KWASI
HVR200073	DZANDU	JOSEPH
HVR200074	ANTOR	LUCY YAWA
HVR200075	AGBAVOR	KWAME
HVR200076	AGBADZI	DIVINE CRESPIN
HVR200077	APAWU	SOLOMON
HVR200079	DEMORDZIE	EVANS BRIGHT K.
HVR200080	AFAKE	HENRY KWAKU
HVR200081	COFIE	SAMUEL
HVR200082	ADZOVIE	MICHAEL KOMLA
HVR200083	MOTTEY	HENRY KOFI
HVR200084	APEDU – DOH	JEROME
HVR200085	DANQUAH	GODFRIED
HVR200086	GOKU	MOSES ARKU AMENYA
HVR200087	EWORNYI	DANIEL K
HVR200088	AWUNYE-KPOBI	EMMANUEL MAWULI
HVR200089	ANABILLA	ATIBILLA
HVR200091	ADZROE	JAMES YAO
HVR200093	AMEGBOR	GABRIEL
HVR200094	TOGBUI AKPAO II	
HVR200096	EDEM-YAO	FRANCIS EMMANUEL
HVR200097	SENANU	LOVELACE
HVR200098	AGBLEY	EMIL KOFI
HVR200099	MIREKU	SAMUEL KWADJO
HVR200100	NARCCOR-TSEY	KWAMI WINFRED
HVR200101	BAAH	FRED KWAME
HVR200102	AMANKWA	VINCENT
HVR200103	TSIAGBE	KWEKU ANSAH
HVR200104	KOTTOH	KWAME
HVR200105	VIEW	KWADZO
HVR200106	HOEZAME	VICTOR
HVR200107	SIABI	PROSPER KOJO
HVR200108	OPOKU	MARTIN
HVR200109	DUNYO	FRANCIS
HVR200112	SAKOR	ANTHONY KOFI
HVR200113	ADZOKLO	PHILIP
HVR200114	TSIAGBE	DAN R
HVR200115	KETORWOKO	AUGUSTINE ADDY
HVR200116	AYIFLI	KWAME DONKOR
HVR200117	MENSAH	DAKETSE ISSAC
HVR200118	MENORKPOR	BENJAMIN KOFI

HVR200119	ADUKONU	AGNES
HVR200120	TOGBE NKWANTA VI	
HVR200121	ATTAH	CHRISTIAN B. K.
HVR200122	TOGBE AGBANA II	
HVR200123	AMEVIAH	GODWIN KWABLAH
HVR200124	AMEGAH	FAITH ESI
HVR200127	AGBAYIZA	GODWIN
HVR200128	ANKU	RAPHAEL
HVR200130	DUNYO	PATRICK KWAME
HVR200131	ASEMPA	EVANS AKPABLI
HVR200132	AFFRAM	LUCY ABLA
HVR200133	DOMIE	GIBSON KUDZO
HVR200134	TRE	ANDREWS KWAME
HVR200135	AGUSA	DANIEL
HVR200136	BUAMI	EMMANUEL QUARCOO
HVR200137	ZU I	JOHN KOSI ZU
HVR200138	ASIEDU	NEWLOVE E. K.
HVR200139	ADZOGBLE	ALFRED
HVR200140	AKPAKPLA	JAPHET
HVR200141	OSEI	GILLY KING
HVR200142	VANLARE-KARTEY	ROSE
HVR200143	ZUTTAH	DAN
HVR200149	ANTO	BOAS YAW
HVR200150	BOAMAH	MARY
HVR200151	ADIH	PATRICK KWASIE
HVR200153	NTIAMOAH	BENJAMIN
HVR200155	ISIFU	TAHIRU CHIEF
HVR200158	ASHONG	NORBERT KOFI
HVR200162	AMPONY	FRANCIS
HVR200163	AGBOZO	ELIZABETH
HVR200164	NUKRO	EDMUND
HVR200165	AKATOR	GIDEON KWASI
HVR200167	DUSU	WILLIAM
HVR200168	DUSU	EMMANUEL KOJO
HVR200170	AKUMEAH	HAYFORD
HVR200172	AZAH	HOGBAYO G.
HVR200173	ADDIM	PEACE A.
HVR200174	BOAKYE	BEATRICE
HVR200175	AKAKPO	VALENTINE
HVR200178	AGUDEY	EVANS KWAKU
HVR200179	CLUTSE	OSWALD KWAME
HVR200180	MORTTEY	SAMUEL KWAME
HVR200181	TUPRAH	BERNARD
HVR200182	ATTAH	WILLIAMS
HVR200184	AYITEY	VINCENT
HVR200185	TETTEY	SAMUEL
HVR200187	ASHIAKPOR	TOGBE IV
HVR200190	EKPE	EBENEZER M.K.
HVR200191	ZAVOR	FLORENCE
HVR200192	ATIDOGAH	KWESI
HVR200193	AGEVE	CHRISTINE
HVR200194	FANSEY	COMFORT AKU
HVR200195	DOTSOO	KWEKU ANSAH
HVR200196	MANSAH	PEACE A.
HVR200197	AHADZI	REGINA

HVR200198	NANOR	WILLIAM
HVR200199	TEYE-AGBENYO	S
HVR200200	ANKRAH	LETICIA
HVR200201	GIDI	ANNA
HVR200202	TIKAH	AWUSI
HVR200203	TETTEY-DOH	E. C.
HVR200204	AKEY	DADZO
HVR200205	HABADA	ELIZABETH
HVR200206	AHIAFOR	MABEL
HVR200207	ABEW	VICTORIA
HVR200208	TEHO	KATE
HVR200209	KPEGLO	JANET M.
HVR200210	TOGO	SONOHWE
HVR200211	BAKAH	PEACE A.
HVR200212	EDZE	MAMLE
HVR200213	NARH-ZIKPI	MATHIAS KOMLA
HVR200214	ADJAKY	FRANCIS
HVR200215	AGYEMAN	COMFORT AKU
HVR200216	LAWEH	PROSPER KOJO
HVR200217	AHAGBAGBO	ISAAC
HVR200218	GBEMU	DANIEL
HVR200219	TEE	ADIM
HVR200220	ADIMEH	TETE S.
HVR200221	GANU	SOGBE
HVR200222	AZUMAH	EMMANUEL K.
HVR200223	GIDI-NARH	MAXWELL
HVR200224	ANKRAH	AMA
HVR200225	GBADAGO	PAULINA
HVR200226	AKPO	KORKOR
HVR200227	KPENEY	ANNA
HVR200228	TEE	ATIFA
HVR200229	ZIKPI	OLIVIA
HVR200230	AHORLU	CHARITY
HVR200231	FIAWOYIFE	MILLICENT
HVR200232	OSABU	YOHANA
HVR200233	LAWEH	KATE
HVR200234	FIAWOYIFE	GRACE
HVR200235	AGBOKU	GEORGINA
HVR200236	AHUNKPO	DEDE
HVR200237	ASEREVI	MARGARET
HVR200238	MATI	KOFI
HVR200239	MANKRADO	DZAM V
HVR200240	AGBODO	COMFORT AKU
HVR200241	KPENEY	CHRISTOPHER TETTEY
HVR200242	AWOR	BALEY H.
HVR200243	TEKI	AGBODO
HVR200244	SALLAH	BONIFACE
HVR200245	AGBOZO	MARTHA
HVR200247	AZUMAH	APAM JANET
HVR200248	GBETEI	TETE S.
HVR200250	ADISIE	AFI
HVR200251	KAVI	RUTH YOEWIE
HVR200252	ADDIM	MALWINE
HVR200255	ATIGAH	BEBI YAA
HVR200256	ATIDOGAH	H FREEMAN

HVR200257	AGAH	JOHN
HVR200259	AMUZU	EDITH
HVR200260	AHADZI	REGINA T.
HVR200261	FANSEY	PROSPER
HVR200264	DZANDU	STEPHEN KWAME
HVR200267	DZANKU	K. K. SHAG
HVR200268	ZOGLI	S. KODZO
HVR200269	GBINDE J.	KORKU
HVR200270	AGBALE	DANIEL Y.
HVR200271	ANKRAH	LETICIA
HVR200272	VAN-SAGODO	J. W.
HVR200273	BUBU	EDITH TEE
HVR200274	ADJIMAH	JOACHIM S.
HVR200275	NYAMEKYE	JOHN K.
HVR200276	KLU	ZAKOUR G.
HVR200277	ADJEI	GABRIEL K.
HVR200278	ADELAYITA	EMMANUEL K.
HVR200279	AGBEDZOFE	EMMANUEL B.
HVR200280	TORGBENU	ISAAC TETTEH
HVR200281	PUPLAMPU	AWOYO
HVR200282	PUPLAMPU	DORA
HVR200283	AWUDI	SEWOR EMMANUEL
HVR200284	AKLI	DANIEL
HVR200285	MOTey	SALIFU FIERDZINU
HVR200286	OPOSIKA-AGUDEY	C.
HVR200287	OTCHIE	AKUAFO DANIEL
HVR200288	APRONTI	OFOTSU B.
HVR200289	DJAGBLETEY	FRANCIS W.
HVR200290	PUPLAMPU	TETTEH
HVR200291	SOTI	OSMAN
HVR200292	KLOKPAH	DAWAYE
HVR200293	SOTI	ABDULAI
HVR200294	ABEASI	MARGARET ADZO
HVR200295	SOTI	HAMIDU
HVR200296	BOSUMPRAH	TEYE
HVR200297	SAPPOR	VIDA NMONMLOKIE
HVR200298	OUT	MANGERTEY S.
HVR200299	NYAMEDOR	NATHAN
HVR200300	ANIM	AMARKWOR
HVR200301	SEBI	MAMLE MANSA
HVR200302	KORLEY	TEYE ABEL
HVR200303	AYORNU	MOSES
HVR200304	AGBOVE	VICTORIA D.
HVR200305	KORLEY	NARTEY ANDREWS
HVR200306	NARTEY	AKUTEYE
HVR200307	OUT AYITTAH	ALBERT
HVR200308	SEBI	AKU
HVR200310	AYITTAH LAWER	ALBERT
HVR200311	LARWERTEH	JAMES
HVR200312	AMEVOR	ANIM AMAKI Z.
HVR200313	TEILLAH	TETTEH
HVR200314	ADODOADZI	ATTEH
HVR200315	MONTEY	SALIFU FIERDZINU
HVR200316	AKPALU	ELVIS
HVR200317	GOTA	DAKOMESI MARY

HVR200318	OBUOR	KORLEKI
HVR200319	NAMEY	ASIDAAHE
HVR200320	AGBONOR ABLAYO	FELICIA
HVR200321	MENSAH	ALEX KWAKU
HVR200322	METEKU-AGBEKO	E. K.
HVR200323	AWIDI	SEWOR EMMANUEL
HVR200324	NYAME	KWABENA
HVR200325	SAREBA	YAW
HVR200326	ALHAJI TANIMU	S. B.
HVR200327	PAPAYE	JOSEPH KOFI
HVR200328	BRONYA	DANIEL KWABENA
HVR200329	KHRA	COSMAS YAO
HVR200330	NANA	KANYA II
HVR200331	AGBAGOE	SIMPLICITY W. K.
HVR200332	CHARTY	ROBERT KWAME
HVR200333	NANA	OTAPO III
HVR200334	NANA	DJANTRUBI II (NIFAHENE)
HVR200335	NANA	ANIAMOAH I
HVR200336	OKYEAME	KWASI KUMAH
HVR200337	YENTUMI	YAW
HVR200338	NSANA	AMA BUOR REBECCA
HVR200339	KONDO	EMMANUEL KWAME
HVR200340	ANKU	JOANA ADZOA
HVR200344	ANIAKU	ARKU
HVR200345	SUNKWA	ALEX KOFI DOMINIC
HVR200346	AYITEY	THOMAS NII
HVR200348	GBEWONYO	LOVESTONE K.
HVR200349	TOGBE	AKPAO II
HVR200350	GEDZAH	NOAH KWAKU
HVR200351	OWUSU-KYEI	S. K.
HVR200352	DATSOMOR	BEN
HVR200353	FIAGBENU	JOHN K.
HVR200354	KLIDZA	ANOME
HVR200355	LUMOR	CHARLES K.
HVR200356	DZOTEPE	MAWUTOR K.
HVR200357	AGBETIAFA	MICHAEL A.
HVR200358	HODZI	LINUS K.
HVR200359	ASHINYO	ALEXANDER A.
HVR200360	QUAO	PHILIP A. (SGT.)
HVR200361	AMEGADZE	KWAMI G.
HVR200362	KPODO	SHADRACH
HVR200363	MAWUTOR	PHILIP P. (DR.)
HVR200364	DOGBEY	KORKU
HVR200365	TOGBE	ASINYO MITEFA
HVR200366	AGBENYEGAH	STEPHEN KWAME
HVR200367	AHIAKPA	YAWA
HVR200368	ADORVLO	XORLALI J.K.
HVR200369	MENSAH	NAZA
HVR200370	AKPABLI	MARY
HVR200371	ADZIBOLO	HELLEN
HVR200372	AKORLATSE	KWAME F.H.
HVR200373	KAMASAH	HUDZEKOR
HVR200374	DZILAH	CATHERINE A.
HVR200375	ABOGEY	KOETHEY S.
LIST OF PETITIONERS		

LIST OF PETITIONERS

REG NUMBER	SURNAME	FIRST NAMES
TDI400038	ABA	YAA
TDI400102	ABAI DOO	EMMANUEL KID
TDI400569	ABAKA	NANA
TDI400523	ABAKAH	FRANCIS
TDI400475	ABAKA-KWANSA	KOW
TDI400210	ABAKROW	JOSEPH KWAME
TDI400018	ABEKA	FRANCIS
TDI400269	ABENDINGO AMEBAYELA	FRANCIS
TDI400527	ABIAW	ALBERT
TDI400511	ABIAW	ALBERT
TDI400452	ABOKYI	KWAKU
TDI400030	ABROKWA	WILLIAM
TDI400465	ABU	SEIDU
TDI400672/715	ABUENYI	MARY
TDI400678	ACKAH	FRANCIS ADEKE
TDI400056	ACKAH	JOHN BUNYAN
TDI400689	ACKAH	JOSEPH EKALLA
TDI400257	ACKAH	NYAMENKEH
TDI400031/33/301	ACKON	JOHN KOJO (NANA ABUKU ABAA1IV)
TDI400530	ACKON	LUCY
TDI400332	ACQUAH	EDWARD NASH
TDI400589	ACQUAH	EGYA
TDI400740	ADAA	NANA ADUURI
TDI400548	ADAMS	FRANCIS
TDI400007	ADAMS	KWESI MATTHEW
TDI400079/81	ADAMS	ROBERT DADSON
TDI400643	ADARKWA	KOFI
TDI400576	ADDAE	SAMUEL ASIEDU
TDI400626	ADDAI	EMMNUEL KOJO
TDI400233	ADDO	ALFRED KWAME
TDI400208	ADENYO	ABLAH
TDI400034	ADIAMAH	HENRY
TDI400027	ADIKA	WISDOM
TDI400492	ADISA	EFUA
TDI400070	ADISSAH	HAJIA
TDI400499	ADJEI-MENSAH	ANDREWS
TDI400446	ADOMA	AMA
TDI400510	ADUKU-ADAA IV	
TDI400006	ADUSEI- POKU	PHILIP
TDI400474	ADZENYAN ESSUMAN	EMMANUEL
TDI400151	AFARIE	DE-GRAFT WALTER
TDI400478/79	AFFUL	CHRISTINA

TDI400242	AFFUL	ESTHER
TDI400164	AFFUL	JOSEPH
TDI400520	AFFUL	PHILOMINA
TDI400515	AFFUL	STEPHEN
TDI400091	AFLAKPUI	COSMAS
TDI400471	AFRAM	ASUO
TDI400073	AFRIYIE	JOHN KWESI
TDI400168	AFUM	KWEKU YAW
TDI400670/714	AGGNEY	GODFREY JOSEPH
TDI400572	AGGREY	SAMUEL
TDI400219	AGIDI	JOHN
TDI400139	AGYEIWAA	JOYCE
TDI400111	AGYEN BERKO	ALFRED
TDI400143	AGYENKWA MINTAH	BARNABAS
TDI400112	AGYESAH BASSAW	KOFI
TDI400504	AGYILIHA	DAVID
TDI400488	AHEMMA	NANA
TDI400379	AHWIREN	CHARLES
TDI400390	AIDOO	CHRISTOPHER
TDI400627	AIDOO	JOHN KWAME
TDI400124	AIDOO	JOHN KWESI
TDI400593	AIDOO	SAMPSON KWESI
TDI400586	AIDOO	YAW
TDI400250	AIKINS	CECILIA
TDI400013	AIKINS	SARAH
TDI400014	AIKINS	SARAH MERCY
TDI400236	AINOOSON	DORCAS
TDI400694	AKESE	FRANCIS
TDI400359	AKOM I	KOFI
TDI400063/64	AKONOR	GEOFFERY
TDI400559	AKROFI	EMMANUEL
TDI400343	AKUFFO-WE	ADJANOR
TDI400435	AKYERE	EFUA
TDI400514	ALI	MAHAMMED
TDI400609	ALLU	JOHN
TDI400699	AMBROSE	EDDIE
TDI400389	AMEGBOR	ROLAND
TDI400021	AMENUKU	KWESI
TDI400166	AMETOGLO	GODFRED
TDI400255	AMGBOME	AKWA
TDI400357	AMIAKPU	KWESI
TDI400207	AMIHHERE	FRANCIS
TDI400132	AMIHHERE	FRANCIS ASSUAH
TDI400101	AMISSAH	ANTHONY KOJO
TDI400080	AMISSAH	B. KOJO
TDI400144	AMISSAH	BAIDEN
TDI400371/2/8	AMISSAH	KOBINA
TDI400378	AMISSAH	KOBINA

TDI400583	AMISSAH	KWAME
TDI400408	AMISSAH	SARAH
TDI400450	AMMOAH	KOJOH
TDI400285	AMMOBRA	EFUA
TDI400391	AMO	KOFI
TDI400153	AMOA	DANIEL
TDI400187	AMOA	ISAAC
TDI400315	AMOA	THOMAS
TDI400036	AMPIAH	EBENEZER
TDI400608	AMPIAH	JOSEPH
TDI400127	AMPIAW	JAMES FRED
TDI400684	ANAMAN	J, H.
TDI400200	ANAMAN	JOSEPH BAIWIE
TDI400658	ANDOH	JOSEPH ERIC
TDI400681	ANDOH	MARTIN TAYIE
TDI400306	ANFAN	KOJO
TDI400272	ANIM-OTCHERE	CHRISTIANA
TDI400614	ANING	RUTH
TDI400652/3	ANKAI-MAC AIDOO	JOHN
TDI400341	ANKAMAH	JOHN
TDI400298	ANNAN	GEORGE
TDI400738	ANNAN	JOSEPH OBOH
TDI400396	ANNAN	KWEKU
TDI400220	ANING	BEATRICE
TDI400366/7	ANSAH	JOHN A ELEPHANT
TDI400426	ANSAH	JOHN SULIVAN
TDI400286/7	ANSAH	JULIUS
TDI400624	ANSAH	KOJO
TDI400276	ANSAH	MERCY
TDI400119	APATINGA	MICHAEL
TDI400237	APPARTAIM	PHILIP
TDI400141	APPIA	ABENA
TDI400420	APPIAH	ELIZABETH
TDI400675/718	APPIAH	JOSEPH LORD
TDI400497	APPIAH	KOFI
TDI400708	APPIAH	ROGER KWABENA
TDI400644	APPIAH	YAW
TDI400397	APPO	KWAME
TDI400581	APPOH	MICHAEL
TDI400316	ARIZIKU	OLDLOVE
TDI400352/3	ARKAIFIE	SAMUEL
TDI400642	ARKO	CHRISTINA
TDI400417	ARKO	MARGARET
TDI400404	ARKO	YAW
TDI400089	ARKOO-OTOO	EBENEZER
TDI400693	ARKU	ANNOR
TDI400295	ARMAH	JOSEPH
TDI400742	ARMAH	JOSHUA

TDI400202	ARMOO	NYAMEKEY
TDI400654	ARMOO	PAUL KWASI
TDI400205	ARMOO-KWAW	EMMANUEL
TDI400691	ARPELLEH	DANIEL EVANS
TDI400181	ARTHUR	ALBERT
TDI400265	ARTHUR	CECICLIA
TDI400238	ARTHUR	MARY
TDI400412/13/14/15	ARTHUR	MATTHEW
TDI400145	ARYEE	REBECCA
TDI400344	ASAAM	NATHANIEL
TDI400155	ASABIL	BENTUM
TDI400331	ASAMANI	DANIEL
TDI400648	ASAMOAH	GODFRED
TDI400213	ASANTE	ANTHONY KOFI
TDI400183	ASANTE	KOJO
TDI400225	ASANTE	KOJO
TDI400737	ASANTE	MICHAEL DICKSON
TDI400562	ASARE	JOSEPH
TDI400294	ASARE	THOMAS OPPONG
TDI400328	ASEIDU	KWABENA
TDI400597	ASHER	ARABA
TDI400224	ASHER	BARBARA
TDI400538	ASHER	JULIANA
TDI400103	ASIBI	FELICIA
TDI400519	ASIEDU	F. R.
TDI400724/5	ASMAH	JOSEPH AMO
TDI400704	ASSABIEH	MOSES
TDI400544	ASSAN	JOSEPH
TDI400160	ASSUON	BERNARD KOJO
TDI400305	ATAKORA	YAW
TDI400126	ATIGYIMAH	CECILIA
TDI400493	ATOABA	ABENA
TDI400136	ATOLOGIE	FATI
TDI400407	ATTA	KOFI
TDI400325	ATTA	KWABENA
TDI400629	ATTA	PETER KOFI
TDI400110	ATTAH	KWABENA
TDI400393	ATTAH	KWEKU
TDI400668/711	ATTIPOE	JOJO BULUSA
TDI400567	ATTOBRAH	MATTHEW
TDI400517	AWORTWE	FAUSTINA
TDI400169	AWORTWE	NANA
TDI400534	AWORTWE	STEPHEN
TDI400490	AWOTWE	MOHAMMED
TDI400358	AWUBEY	QUAME
TDI400455	AWULAE AGYENFI KWAME II	
TDI400554	AWUSI	PAUL
TDI400637	AYENFOWA	AMA

TDI400442	AYIMAH	AMA
TDI400312	AYINEMI	SAMUEL
TDI400354	AYISHETU	ADWOA
TDI400228	BAAFI	JAMES
TDI400121	BAAFI	JAMES KWAME
TDI400266	BAAFI	KWAKU
TDI400720	BAAH	SOLOMON SIAW
TDI400540	BAAWA	ABENA
TDI400201	BADOO	KABENLA
TDI400628	BADU	ADWOA
TDI400660	BADU	EKUA
TDI400440	BADUWA	ESI
TDI400483	BAIDEN	JAMES E.
TDI400340	BAIDEN-AMISSAH	JOHN
TDI400706	BAIDOE	VICTORIA
TDI400088	BAIDOO	ANDREWS JACOB
TDI400123	BAIDOO	JAMES
TDI400409	BAISIE	KOFI
TDI400531	BANKAH	JAMES
TDI400592	BARNES	PETER F. Y
TDI400015/48	BARTELS	GEORGE
TDI400032/55/112	BASSAW	KOFI
TDI400625	BAWA	AGAMA
TDI400176	BECKLEY	CEPHAS
TDI400290	BEDFORD	SAMUEL
TDI400564	BEDIAKO	ANTHONY
TDI400491	BEKOE	JOHN
TDI400524	BENEE	KAKU
TDI400618	BENEE & OLD SEAMEN	KAKU
TDI400053	BENTIL	NANA KOFI
TDI400107	BENTSI-ENCHILL	EBO
TDI400410	BENTUM	KOBINA
TDI400120	BENYAH	JOHN ISAAC
TDI400278	BESSAH	JOSHUA
TDI400403	BINEY	FRANCIS
TDI400351	BINEY	RACHEL GHARTEY
TDI400277	BINNAH	JOHN WAYNE
TDI400612	BIO	KOFI
TDI400598	BLANKSON	OKYERE
TDI400029	BLAY	GEORGE
TDI400536	BLAY	KWASI
TDI400050	BLAY	MARY
TDI400662	BLAY	NYAMEKEH
TDI400215	BOADI	AWONZOE
TDI400247	BOADU	ANTHONY
TDI400011	BOAFO	PETER
TDI400159	BOAHIN	FRANCIS KWEKU
TDI400058	BOAKYE	MOSES YAW

TDI400098	BOAMAH	AMA
TDI400105	BOAMAH	AMA
TDI400659	BOATENG	CHARLES
TDI400460-3	BOATENG	SAMUEL KWABENA
TDI400049	BOHAM	GIFTY
TDI400385	BONNAM	KOFI
TDI400573	BONSU	EFIA
TDI400731	BOSOMEFI	THERESA
TDI400268	BOSOMTWE	JANET
TDI400227	BOYE	ALEX KWESI
TDI400596	BOYE	KOJO
TDI400739/741	BREW	JAMES EBENEZER
TDI400743	BROBBEY	JONES K.
TDI400025	BRONI	KWESI
TDI400135	BROWN	KWAME AHENKRA
TDI400590	BUABEN	KOFI
TDI400084	BUABENG	MAXWELL
TDI400695	BUAH	JOHN ADE
TDI400128	BUCKMAN	ALLAN ATTA
TDI400605	BUCKMAN	MARGARET
TDI400487	BUDU-ANGUAH	EKOW
TDI400311	BUTT	RICHARD
TDI400723	CANN	JOSEPH ALPHEUS
TDI400320	CARSON	ISHMAEL
TDI400547	CHEWBY	KWEKU
TDI400239	CHURCHER	ISAAC
TDI400221	CLEMENT	ESTHER
TDI400066	COBBINA	MARGARET NKETIABA
TDI400249	COBBINA	PETER
TDI400154	COBBINA	SABINA
TDI400631	COBBINAH	MOSES
TDI400046	COBBOLD	JAMES SETZ
TDI400692	COFIE	JOSEPH EDIEME
TDI400270	COMEY	AMA ELIZABETH
TDI400291	COMEY	ELIZABETH
TDI400061	CON - NUTSUGAH	ALEXANDER
TDI400003	CUDJOE	ALBERT KWEKU
TDI400518	CUDJOE	ANTHONY KWAW
TDI400299	CUDJOE	HARRISON
TDI400683	CUDJOE	MATHEW
TDI400078	CUDJOE	THOMAS KWAMENA
TDI400161	DADZIE	JOSEPH
TDI400096	DADZIE	FAUSTNA
TDI400502	DADZIE	JOSEPH EBEN
TDI400430	DADZIE	PATIENCE
TDI400640	DADZIE	MARY
TDI400206	DAGARTI	YAW MOSSI
TDI400271	DANI	KWEKU

TDI400721	DANSO	EMANUEL AYISI
TDI400575	DARKO	FREDERICK KOBINA
TDI400013	DARKO	MARGARET
TDI400222	DARKO	SAM NII
TDI400496	DAUDA	ABRAHAM
TDI400495	DAUDA	KENNETH
TDI400421	DE-GRAVES	DOROTHY
TDI400467	DENNIS	FESTUS
TDI400195	DENSON	ABRAHAM
TDI400040	DESBORDES	JOSEPH
TDI400097	DJORHOE	FRANKLIN
TDI400179	DOE	MEMORDZIE
TDI400617	DOKU	JOHN
TDI400429	DONKOH	BENJAMIN
TDI400436	DONKOR	ADJOA
TDI400398	DONKOR	ELIZABETH
TDI400157	DONTOH	EDWARD OKAI
TDI400679	DUKU	SAMUEL KENNE
TDI400506	DUNCAN	EMMANUEL
TDI400209	DZOKOTO	MATHIAS
TDI400485	DZOKOTO	SED
TDI400665	EBBAH	PAUL KWESI
TDI400685	EBOYI	KWAMENLA
TDI400533	EDJAH	MARIAN
TDI400388	EDJAMEH	DOMUNOS ELIAS KWASHI
TDI400012	EDUKU	EKUBAH
TDI400682	EDUKU	FRANCIS FORSAH
TDI400580	EDUMA	ABENA
TDI400310	EGHAN	JONATHAN
TDI400060	EGYA-BLAY	JOHN KWAME
TDI400108	EHWI	SLYVESTER YAMOA
TDI400131	EKELLAH	JEREMIAH
TDI400466	ELIEVI ESSIN	THOMAS
TDI400611	ENCHILL	MICHAEL
TDI400235	ENKSON	GEORGE
TDI400254	ENU	BLAYCHIE
TDI400363	EQUAGOO	CHARLES
TDI400680	ERZUAH	JOHN
TDI400655	ERZUAH	JOSEPH BOGLO
TDI400192	ESHUN	ELIZABETH
TDI400041	ESHUN	FRANCES KWASI
TDI400069	ESHUN	GEORGINA
TDI400667	ESHUN	JAMES EKOW
TDI400732	ESHUN	JOSEPH TAYI
TDI400604	ESHUN	REBECCA
TDI400252	ESSAH	NANA PETER
TDI400599	ESSEL	NORA
TDI400383/4	ESSEL	THERESA

TDI400677	ESSIEN	JOHN ADAKA
TDI400234	ESSIEN	JOSEPH
TDI400184	ESSIEN	THOMAS
TDI400645	ESSIEN	VICTORIA
TDI400727	ESSO	MOSES
TDI400336	ESSON	ARABA
TDI400323	ESSON	KOFI
TDI400037	ESSON	KWAME
TDI400115	ESSON	MARK KINGSFORD
TDI400313	ESSON	NANA
TDI400369/370/377/556	ESSON	SIMON KOBINA
TDI400470	ESSUMAN	ANNA
TDI400635	ESSUMAN	HENRY PETER
TDI400134	ESSUN	STEPHEN
TDI400579	ESUAMA	KWEKU
TDI400578	ETUA	AKUA
TDI400507/8	EUDAH-AMOA	FRANCIS
TDI400584	EWUAH	KWESI
TDI400607	FAIBIL III	
TDI400722	FERGUSSON	IRENE
TDI400175	FIAGBE	EMMANUEL
TDI400240	FIANKO	KOFI
TDI400535	FORSON	EMMA
TDI400226	FORSON	MARY
TDI400719	FOSU	MARGARET
TDI400304	FRAFRA	ABIBA
TDI400477	FRAFRA	GYATO
TDI400338	FRAFRA	NDASOA
TDI400245	FRAFRA	TAMALE
TDI400521	FRENCH	JOSEPH
TDI400318	FRIMPONG	REGINA
TDI400650	GADAU	JAMES
TDI400071	GARBRAH	MARTHA
TDI400546	GBIDI	EMMANUEL
TDI400542	GHARTEY	DANIEL
TDI400174	GHARTEY BINEY	RACHEL
TDI400639	GOMA	MUSSA
TDI400423	GYEKYE	CECILIA
TDI400526	HAGAN	WINIFRED
TDI400424	HAGAN	JAMES
TDI400656	HALM	DAVID KOFI
TDI400355	HAMMOND	JOHN
TDI400666	HANSON	JOSEPH WIABO
TDI400170/71/72	HARRISON	SAMUEL
TDI400356	HAYFORD	FRANCIS
TDI400419	HAYFORD	GIFTY
TDI400447	HAYFORD	GIFTY
TDI400173	HAYFORD	JOSEPHINE AKO

TDI400472/73	HAYFORD	ROCK KWESI
TDI400480	HAYFORD	ROCKFELLER
TDI400368	HAYFRON	JOSEPH ARTHUR
TDI400163	HORNEY	JOSPEH
TDI400443	IDUN	ANASTASIA
TDI400375	IMBRAH	VICTORIA
TDI400585	INKOOM	JOHN
TDI400243/44	INSAIDOO	FRANCIS
TDI400539	ISSAH	AWUDU
TDI400326/7	ISSAH	SULEMAN
TDI400002	JABIALU	ANTHONY
TDI400296	JAMES	OSEI
TDI400701	JAYI	JOSEPH
TDI400093	JOHNSON	CHARLES
TDI400100	JOHNSON JUMAH	BENJAMIN
TDI400094	JONFIAH	FRANK
TDI400090	JORDAN	NICKY
TDI400035	KAINYAH -ERZUAH	MOSES
TDI400603	KAKRABA	AKUA
TDI400223	KAKRABA	KWESI
TDI400019/20	KANKAM	JOSEPH
TDI400649	KANTOR	EKOW
TDI400713	KARIKARI	ARABA
TDI400671	KARIKARI	CHRISTIANA HEMANS
TDI400387	KASU	JOHN
TDI400092	KERSON	STEPHEN M.
TDI400288	KESEWA	MADAM
TDI400703	KETIBUAH	FRANCIS HENRY
TDI400004	KISSI	EMMANUEL
TDI400194	KOBBINAH	CECILIA
TDI400595	KOFIE	JOHN
TDI400399	KONTOH	MARY
TDI400068	KOOMSOM	JOHN KWAMENA
TDI400333/4/5	KOOMSON	ALICE
TDI400400	KOOMSON	COMFORT
TDI400275	KOOMSON	JOHN
TDI400142	KOOMSON	KWEKU
TDI400274	KOOMSON	MARGARET
TDI400039	KOOMSON	MARK ANTHONY
TDI400062	KOOMSON	SUSANNA
TDI400427	KORANKYE	ISAAC
TDI400074	KORANTENG	EMMANUEL
TDI400345	KORDIEH	FRANCIS YAW
TDI400330	KORSAH	CHARLOTTE
TDI400284	KOTEY	DANIEL
TDI400283	KOTEY	JOSEPH
TDI400156	KOWFIE	JOSEPH SALBY
TDI400733	KRAKUE	MARIAM

TDI400551	KRAKUE	THERESA
TDI400241	KRAMPAH	ALBERT
TDI400601	KROFUAH	SOPHIA
TDI400361	KROOCHIE	TIMOTHY
TDI400042	KRUH-OCRAN	MATTHEW
TDI400380	KUM	KOFI
TDI400197	KUM	KWASI
TDI400365	KUMA	KWAKU
TDI400043	KUMI	EMMANUEL EARL
TDI400438	KURANTSIWA	EFUA
TDI400386	KUWORNU	VICTOR
TDI400610	KWAAAYIE	EKUA
TDI400616	KWAKYE	KWAME
TDI400016	KWAPONG-ESSIGYAN	PERCY
TDI400307	KWATENG	ANTHONY YAW
TDI400308	KWATENG	PRINCE TONY
TDI400382	KWAW	JAMES
TDI400253	KWAW-ASASETRE	BEYI
TDI400297	KWEKU	JOHN
TDI400437	KWENU	KWABENA
TDI400565	KWOFIE	ALBERT
TDI400122	KWOFIE	JOHN HALIDAY
TDI400324	KWOFIE	JOHN KOFI
TDI400113	KWOFIE	N. H.
TDI400052	KWOFIE	NORBERT HARUNA
TDI400125	KWOFIE	ROBERT
TDI400459	KWOFIE	SARAH
TDI400381	KWOFIE	THOMAS
TDI400086	KYEREBOAH	KOJO
TDI400317	KYEREMU	KWESI
TDI400129	LARBI	MERCY
TDI400082	LAWSON	FLORENCE
TDI400280	LEEWARD	JAMES
TDI400422	LYDIA	AMA
TDI400638	MAANAN	ADWOA
TDI400005	MACLEAN	THOMAS
TDI400606	MANSA	ABENA
TDI400416	MANSA	ESI
TDI400600	MANSA	ESI
TDI400664	MANSAH	AKOSUAH
TDI400072	MANTEAW	SOPHIA
TDI400189	MANU	PETER KINGSLEY
TDI400728	MARTEY	HENRY AGUDEY
TDI400085	MBEA	KWAME
TDI400001	MENSAH	CECILIA
TDI400445	MENSAH	CECILIA
TDI400309	MENSAH	FRANK-XAVIER
TDI400734	MENSAH	HANNAH

TDI400045	MENSAH	JAMES
TDI400448	MENSAH	KWESI
TDI400178	MENSAH	THERESA
TDI400185	MENSAH	VICTORIA
TDI400329	MENSAH	ELIZABETH
TDI400008/9	MENSAH-WADDIEH	EDWARD
TDI400149	MILLS	THERESAH
TDI400418	MINTAH	CECILIA
TDI400232	MOHAMMED	ABASS
TDI400700	MORKEH	JOHN AWONZOE
TDI400686	MORKEH	PATRICK
TDI400017	NAMLEBIGYA	DAVID APPIAH
TDI400033	NANA ADUKU ADAA IV	
TDI400256	NANA ASUA MMIA II	
TDI400258/63	NANA BRUMIAH TWUM IV	
TDI400451	NANA DEKYI II	
TDI400454	NANA FOSUAKU II	
TDI400646	NANA INTSIFUL ASARE II	
TDI400647	NANA KWABENA KRUKU II	
TDI400570	NANA KWANYONWA IV	
TDI400730	NANA KWASI ITU I	
TDI400261/2	NANA KWASI KUTUWAH IV	
TDI400707	NANA KWAW ARKAA II	
TDI400673/716	NANA KWESI GYEBI II	
TDI400498	NANA NDAMA KUNDUMOAH V	
TDI400561	NANAKWASI KETEWA IV	
TDI400482	NARTEY	GEORGE
TDI400095	NDA BLAY	GEORGE
TDI400292/3	NDEDE	JOHN COBBINA
TDI400702	NDEDE	JOHN KWABENA
TDI400259	NDEDE	SIMON
TDI400687	NDEDE	THOMAS
TDI400669/712	NDOR	EBUSUA BANYIN
TDI400138	NELSON	THERESAH
TDI400322	NIMO	ANTHONY
TDI400528	NIPA	KOJO
TDI400260	NKANSAH	COSMOS KOFI
TDI400558	NKETSIAH	PETER
TDI400411	NKRUMAH	KWESI
TDI400553	NKRUMAH	RANSFORD
TDI400726	NOKOE	JOSEPH ARTHUR
TDI400503	NORTEY	JAMES MENSAH
TDI400337	NTAAMA	CECILIA
TDI400619/20/21/22	NTSIFUL	ALEXANDER
TDI400481	NTSIFUL	CHARLES
TDI400509	NUAKO	KWAKU
TDI400279	NYAME	KINGSFORD SAMUEL
TDI400513	NYAMEKEH	JAMES ABOAGYE

TDI400525	NYAMEKYE	JOSEPH
TDI400076	NYAMEKYE	THERESA
TDI400177	NYAMEKYE	ISAAC KOFI
TDI400392	NYARKO	JERRY ODEI
TDI400054	NYARKO	KOJO BOB
TDI400342	NYARKO	KWESI
TDI400395	NYARKOH	JOHN
TDI400543	OBENG	ABDUL RAHMAN
TDI400150	OBENG	FRANCIS KWESI
TDI400651	OBENG	JOSEPH
TDI400152	OBENG	KWEKU
TDI400218	OBOSUO	KWAME
TDI400203	OCRAN	CLAUDIA
TDI400696	OCRAN	DANIEL
TDI400204	OCRAN	FRANCIS
TDI400130	OCRAN	JOHN BENJAMIN
TDI400458	OCRAN	KWESI
TDI400146	OCRAN	GEORGE &GPHA WORKERS
TDI400563	OCRAN	KATE
TDI400348	ODAMETHEY	EVANS
TDI400114	ODOOM	CHRISTIAN SAMUEL
TDI400537	ODOOM	JOSEPH
TDI400188	ODOOM	KWEKU
TDI400180	ODUM	KWAME
TDI400431	ODURA	EKUA
TDI400591	OFORI	DOMINIC
TDI400571	OFORI	FRANCIS
TDI400555	OFORI-ATTA	JAMES
TDI400047	OHENE-NYARTWI	JOHN
TDI400347	OKAI	KOFI
TDI400394	OKYERE	FRANK
TDI400494	OKYEREWAA	ADJOA
TDI400486	ONOMAH	AGNES
TDI400167	ONYINAH	JOSEPH NELSON
TDI400634	OPOKU	ALFRED
TDI400613	OPOKU	JOSEPH
TDI400246	OPOKU	YAW
TDI400059	OPPONG	GEOFFREY GALAHA
TDI400615	OSEI	DAVID KOBINA
TDI400339	OSEI	JOHN ALEXANDER
TDI400545	OSEI-AKOTO	PETER
TDI400428	OTOO	GADDIEL HACKMAN
TDI400425	OTOO	HACKMAN
TDI400301/1/2/3	OTUWA	AMA
TDI400117	OWARE	DANIEL
TDI400405	OWIRADU	MARGARET
TDI400529	OWOO	ELIZABETH
TDI400633	OWUSU	JOSEPH KWAKU

TDI400588	PAINTSIL	FAUSTINA
TDI400432	PANYIN	KWAME
TDI400674/717	PARKER	O. K.
TDI400067	PEPRAH	FREDERICK
TDI400023	PEPRAH	SAMUEL
TDI400376	PEPRAH	VICTOR
TDI400022/4	PIADU	ELIZABETH
TDI400406	POBEE	MILLICENT
TDI400532	POBEE-MENSAH	AGNES
TDI400505	POH	NANA AKOSUA
TDI400500/1	POLLEY	JOSEPH
TDI400705	POLLEY	RANSFORD NAMUAH
TDI400441	PRAH	BENJAMIN
TDI400087	PRAH	EKOW
TDI400439	PRAH	EMMANUEL
TDI400057	PRAH	JOHN KWAME
TDI400116	PRAH	SOPHIA
TDI400251	PRINTSON	JOSEPHINE
TDI400198	QUAICOE	ALEX
TDI400568	QUAICOE	WILLIAM
TDI400522	QUAIDOO	MOSES
TDI400075	QUANSAH	EBENEZER KOFI
TDI400636	QUANSAH	ROBERT
TDI400641	QUANSAH	SUSUANA
TDI400698	QUARM	ADAYI
TDI400182	QUARM	FRANCIS
TDI400028	QUARM	GEORGE
TDI400211	QUARM	PETER
TDI400360	QUARM	PHILOMENA ADWOA
TDI400582	QUARSHIE	JAMES BONSU
TDI400196	QUARTEY	KOJO GYAN
TDI400736	QUAW	FRANCIS
TDI400489	QUAYSON	COMFORT
TDI400230/1	RABIU	MOHAMMED
TDI400148	RICHIE-MILLS	GERALD
TDI400314	ROBERTS (SNR)	F. MICHEAL
TDI400349	ROBERTSON	JOSEPH
TDI400402	SAAH	ISAAC
TDI400282	SACKEY	JOHN
TDI400158	SACKEY	JOHN ARMAH
TDI400273	SACKEY	JOSEPH
TDI400587	SAGOE	KOJO
TDI400051	SAGOE	MARY
TDI400289	SAGRAZA	OSWALD
TDI400663	SAI	LUDWINE AYI
TDI400602	SAKYIWA	AKUA
TDI400516	SALIFU	NOMBRE
TDI400566	SALIFU	TAWIAH

TDI400444	SAM	ELIZABETH
TDI400401	SAM	HARRIET
TDI400632	SAM	KWEKU
TDI400449	SAM	RICHARD
TDI400364	SAM	THEODORE
TDI400549	SAM	VICTORIA
TDI400044	SAM	FAUSTINA
TDI400140	SAM	MARY
TDI400190	SARKODIE	ADU
TDI400193	SARKODIE	ADU
TDI400191	SARKWA	KOBINA
TDI400676	SCHECK	J. KOJO
TDI400661	SEDEGAH	WISE
TDI400560	SEIDU	ABU
TDI400248	SEKYI HUGHES	EBENEZER
TDI400346	SERWAA	AMA
TDI400109	SEY	ARMAH
TDI400552	SHAIBU	MOHAMMED
TDI400550	SHAIBU	THERESA
TDI400065	SMITH	VERONICA BAABA
TDI400464	SOWAH	THERESA
TDI400557	STEPHENS	ALBERT
TDI400729	STEPHENS	CHRISTINA
TDI400710	SUNNEY	VALENTINE AUGUSTUS
TDI400104	TABSOBA	ALHAJI SALIFU
TDI400077/83	TACHIE-MENSON	ROBERT
TDI400657	TAKYI	ABRAHAM
TDI400697	TANDOH	GEOBERE EDUKU
TDI400453	TANDOH	KOJO
TDI400321	TATRAH	KWEKU
TDI400165	TAWIA	ERIC KWAKU
TDI400594	TAWIA	ESI
TDI400281	TAWIAH	KOBINA
TDI400162	TAWIAH	KWAKU
TDI400229	TAYLOR	JOSEPHINE
TDI400630	TAYLOR	MARY
TDI400484	TAYLOR	PHILIP
TDI400216	THOMPSON	ROBERT KWABENA
TDI400476	TIMITEY	ISSAH
TDI400362	TINDAANBIL	GEORGE
TDI400512	TINDANA	AYANGA
TDI400010	TONGO	BABA ZATO
TDI400623	TONTO	JOSEPH ADDAI
TDI400137	TURKSON	JOHN K.
TDI400709	TWENEFOUR	HAYFORD
TDI400373/4	TWINTOH	JACOB KOFI
TDI400319	TWUM	DAVID
TDI400574	TWUMASI	ALBERT

TDI400433/34	VROOM	MARY
TDI400300	WARDIEH	EDWARD NKANSA
TDI400147	WASHINGTON ADAMS	JOSEPH
TDI400690	WHAJAH	JOSEPH KOFFIS
TDI400688	WHAJAH	MICHAEL ANTHONY
TDI400212	WHYTE	EMMANUEL ATO
TDI400186	WILLIAMS	KOFI
TDI400264	WILSON	ANNANG K.
TDI400577	WILSON	ARABA
TDI400541	WOODE-ESHUN	AUGUSTINE
TDI400556	YAMSON	BARTHOLOMEW KOJO
TDI400456/57	YAMSON	BATHOLOMEW
TDI400214	YANKEY	AGNES
TDI400099	YANKEY	AMBROSE
TDI400133	YANKEY	DANIEL KOFI
TDI400026	YANKEY	JOHN
TDI400468/69	YANKSON	GENEVIEVE
TDI400106	YANKSON	SAMUEL ATTUMBO
TDI400735	YANKSON M.&BENNET M.	
TDI400199	YANNEY	ALFRED KOW
TDI400217	YEBOAH	JOSEPH
TDI400350	YEBOAH	KOFI
TDI400118	YINYE	JOSEPH
TDI400267		JOHN

LIST OF PETITIONERS

FILE NUMBER	SURNAME	FIRST NAMES
TML500144	ADJEI BANIE	FRANCIS
TML500036	TETTEH	JOSEPH EX-WOII
TML500127	ABABIO	THOMAS GYASI
TML500098	ABDUL - RAHAMAN	ALIYATU
TML500050	ABDULAI	ABDULAI
TML500137	ABDULAI	ABDUL-RAHMAN
TML500300	ABDULAI	ABIBATA
TML500182	ABDULAI	ADISAH
TML500161	ABDULAI	AHMED ZAKARI
TML500232	ABDULAI	AISHEITU
TML500307	ABDULAI	AZARA
TML500468	ABDULAI	BAAKO ZAKARI
TML500464	ABDULAI	BADAWI
TML500188	ABDULAI	BAWA
TML500449	ABDULAI	HARUNA
TML500133	ABDULAI	IMORO
TML500114	ABDULAI	LAMNATU
TML500322	ABDULAI	MAHAMADU
TML500176	ABDULAI	NAIDATU
TML500170	ABDULAI	RUFAI
TML500289	ABDULAI	SA'ADATU
TML500219	ABDULAI	SAFURA
TML500343	ABDULAI	SUKENA
TML500031	ABDULAI	HARUNA
TML500033	ABDULAI	YAHAYA
TML500177	ABDULAI-MUUMIN	ABU
TML500261	ABDUL-KARIM	YAKUBU
TML500192	ABDULMANAN	AISHA
TML500200	ABDUL-MUMUNI	BABA
TML500266	ABDUL-RAHAMAN	ABUBAKARI
TML500273	ABDUL-RAZAK	DAHAMATU
TML500222	ABDURAHAMANI	AYISHETU
TML500195	ABDURAMAN	GRUMPAA
TML500335	ABEBRESE	JOANA MAYFAIR
TML500340	ABU	MEMUNATU
TML500160	ABUBAKARI	DAUDA
TML500279	ABUBAKARI	FATI

TML500462	ABUBAKARI	HAWA
TML500075	ABUBAKARI	SEIDU
TML500406	ABUBAKARI	SULEMANA
TML500112	ABUBAKARI	YAKUBU
TML500048	ABUDU	IDDRISU
TML500347	ABUDU	PAUL BRAIMAH
TML500359	ABUDULAI	FATI
TML500043	ABUDURAHAMANI	YAKUBU
TML500038	ABUKARI	HARUNA BABA
TML500052	ABUKARI	IBRAHIM
TML500166	ABUKARI	IMORU
TML500205	ABUKARI	RAFATU
TML500064	ACHEAMPONG	AMOH-BEDIAKO
TML500370	ADAM	ABIBATA
TML500148	ADAM	ABUBAKARI
TML500099	ADAM	AFISHA
TML500451	ADAM	AMIDU
TML500173	ADAM	AMISHETU
TML500151	ADAM	AYISHETU
TML500254	ADAM	GURUNDAA
TML500156	ADAM	HAJIA SAFIA
TML500360	ADAM	IDDRISU
TML500327	ADAM	MEMUNATU
TML500280	ADAM	NIMATU
TML500390	ADAM	RAHINATU
TML500303	ADAM	SALIFU
TML500174	ADAM	SAMATA
TML500249	ADAM	SANDUA KABAKYE
TML500010	ADAM	YAKUBU
TML500041	ADAM	YAKUBU
TML500013	ADJEI	TIA
TML500059	ADOM	KWAKU FRIMPONG
TML500108	ADU-DONYINA	STEPHEN
TML500436	AGYAPONG	KWADWO
TML500315	AGYAPONG	KWAKU
TML500425	AGYEI	THOMAS
TML500106	AGYEKUM	EMMANUEL
TML500089	AGYEMANG	MARGARET AKOSUA
TML500399	AKABORI	AKOSUA
TML500	AKOGTE	CHARLES
TML500288	AKOGTE	CHARLES
TML500314	AKOSAH	GRACE AKUA

TML500456	AKURUGU	IMORO JOHN
TML500042	ALHANDU	ALHASSAN BUKARI
TML500321	ALHASSAN	ADISA
TML500154	ALHASSAN	ALHAJI SIRAZU
TML500465	ALHASSAN	ALIDU
TML500326	ALHASSAN	AYISHETU
TML500363	ALHASSAN	BARICHISU
TML500267	ALHASSAN	FATI
TML500251	ALHASSAN	IDDRISU
TML500233	ALHASSAN	ISSAHAKU
TML500077	ALHASSAN	M.
TML500040	ALHASSAN	MAHAMOUD
TML500229	ALHASSAN	MARIATU
TML500358	ALHASSAN	MARY
TML500395	ALHASSAN	SAFIYA
TML500074	ALHASSAN	SAYIBU
TML500164	ALHASSAN	TANI
TML500352	ALHASSAN	ZUBERU
TML500201	ALHASSAN-YAKUBU	BABA
TML500345	ALHSSAN	ADISAH
TML500467	ALI	ALHASSAN
TML500368	ALI	MOHAMMED BAWA
TML500366	ALI	MUSAH
TML500111	ALIDU	ABUBAKARI
TML500214	ALIDU	MARIAMAH
TML500305	ALIDU	MOHAMMED
TML500076	AMADU	ABUKARI
TML500203	AMADU	AMINA
TML500272	AMADU	BABA AMO AIL
TML500394	AMADU	BAMBA
TML500275	AMADU	FATI
TML500500	AMADU	HAJIA RAHMA
TML500398	AMADU	MARIAMA
TML500027	AMARU	MOHAMMAD
TML500474	AMOAH	PAUL RAYMOND
TML500312	AMPONSAH	SETH YAW
TML500028	ANANE-ADJEI	JACOB
TML500141	ANING	DANIEL ASANTE
TML500080	ANKAMA	SYLVESTOR KWADJO
TML500333	ANNING-BOATENG	YAW
TML500123	ANSAH	IBRAHIM
TML500384	ANSU	KWAME
TML500316	ANSU-ANANE	
TML500424	ANSU-GYEABOUR	PETER
TML500417	ANSUH	KWADWO
TML500415	APPEAGYEI	JOHN KOFI
TML500414	APRAKU	KWAME JOSEPH

TML500381	ARTHUR	ALICE
TML500382	ARTHUR	SAMUEL GEORGE
TML500	ASAMOAH	EMMANUEL
TML500007	ASAMOAH	EMMANUEL
TML500103	ASAMOAH	MIKE KOFI
TML500387	ASANOAH	ESI
TML500142	ASARE	CHEREMEH DOMINIC
TML500472	ASOBONO	GEORGE ASAKEYA
TML500393	AZIRI AZIZI	ABIBATA
TML500405	BAANI	RABI
TML500087	BADU	JOSEPH
TML500063	BADU	KWABENA
TML500061	BADU-DAPAAH	RICHARD
TML500435	BAE	KWABENA
TML500431	BAFFO	JOHN AGYEMANG
TML500471	BAFFOUR	ROSE
TML500442	BANNOBI	ADAM
TML500376	BANNOBI	ZARA
TML500248	BAPONYE	JONAS NGAAYEN
TML500373	BARIMAH	SANATU
TML500104	BOAKYE	PHILIP KWABENA
TML500069	BOAKYE	AGYEMANG NANA
TML500330	BOAMAH	STEPHEN KWAKU
TML500334	BOATENG	BENJAMIN
TML500107	BOATENG	GEORGE OBENG
TML500101	BOATENG	KWAME ALIAS KASSIM
TML500372	BRAIMAH	FATIMAH
TML500348	BRAIMAH	MAHAMADU
TML500374	BRAIMAH	MARIAMA
TML500460	BUKARI	BARICHISU
TML500423	BUKARI	ISSIFU BUSANGA
TML500157	BUKARI	SEIDU
TML500029	CHANTIWUNI	SALIFU
TML500459	DAAJEEB	SUIJAR
TML500282	DAGOMBA	ADISSAH
TML500016	DAMMA	WUNI
TML500439	DAPAAH	SUSANA YEBOAH
TML500223	DARAMANI	MARIAMA
TML500012	DAWUNI	EMMANUEL (LT. COL.)
TML500397	DEGBE	STEPHEN
TML500473	DONKOR	EMMANUEL KWAKU
TML500450	DUFIE	AKOSUA AGNES
TML500002	DULUGU	ADAMS
TML500001	EDDY-COCKORA	ZIBLIM
TML500003	ESSAH	KWEKU
TML500308	FATO'AM	YUSSIF
TML500364	FETRI	JOHN KOJO

TML500296	FOKUO	EDWARD KWAKU
TML500475	FRIMPONG	ANOKYE
TML500317	FRIMPONG	YAW
TML500208	FUSEINI	ADISA
TML500217	FUSEINI	AWABU
TML500037	FUSEINI	FULERA
TML500243	FUSEINI	HARUNA
TML500299	FUSEINI	MAHAMADU
TML500209	FUSEINI	MARIAMA
TML500320	FUSEINI	NAFISAH
TML500193	FUSEINI	YAKUBU
TML500446	FUSEINI	ZAKARIA
TML500263	FUSENA	ABUKARI
TML500100	GAMPSON	JOSEPH
TML500461	GARIBA	OSMAN
TML500438	GYAMFI	ANTHONY OSEI
TML500339	GYAMFI	KWAKU
TML500313	GYAMFI	MARK YAW
TML500129	GYEBI	EX-INSP. SHOWCROSS
		KENNETH
TML500429	GYIMAH	ISAAC KOFI
TML500072	HAIDU	HARUNA
TML500091	HAMIDU	HUSEINI
TML500302	HARUNA	AYI
TML500225	HARUNA	BEIDAU
TML500325	HARUNA	MARIAMA
TML500058	HUSEINI	ISSAH
TML500224	IBRAHIM	ALIMA
TML500162	IBRAHIM	HUSEINI
TML500463	IBRAHIM	MARIAMA
TML500119	IBRAHIM	MARTHA
TML500371	IBRAHIM	MASTERHUDU
TML500147	IBRAHIM	SALIFU
TML500389	IBRAHIMA	ZAKARIA
TML500211	IDDI	BUKARI
TML500255	IDDIRISU	HARUNA
TML500004	IDDISAH CECILIA	MARIAMA
TML500246	IDDRISU	FULERA
TML500361	IDDRISU	SUALEY
TML500032	IDDRISU-DULUGU	ALHASSAN
TML500163	IDI	MAAMAH
TML500025	IDRISU-KPABILA	ALHASAN
TML500055	IMORO	ALHSSAN
TML500277	IMORO	FUSEINI
TML500178	IMORO	SALIFU
TML500184	IMORO	SALIFU
TML500260	IMORO	YAHAYAH
TML500306	INUSAH	ADISAH

TML500323	INUSAH	RUKAYA
TML500444	ISSAH	AMINA
TML500448	ISSAH	FATIMA
TML500294	ISSAH	KULSUMU
TML500357	ISSAH	RAHINATU
TML500180	ISSAH	SALAMATU
TML500024	ISSAHAKU	ABUKARI
TML500268	ISSAHAKU	AZARATU
TML500150	ISSAHAKU	ZUWERA
TML500309	ISSAHAKU DE LIMAN	AZARATU
TML500234	ISSAKA	ADAM
TML500291	ISSIFU	ADAM BABA
TML500269	ISSIFU	MOHAMMED
TML500270	ISSIFU	RUKAYA
TML500167	ISSIFU	SALAMATU
TML500207	JAPAT	JAMES ABASS
TML500407	JINJER	PETER
TML500105	JOHN	YAW
TML500250	KALEEM	AMINA
TML500210	KALEEM	MAHAMADU
TML500258	KALIM	ALIMATU
TML500409	KANTSONG	LABIK
TML500476	KARIWA	LAARI
TML500453	KOMONG	LAARE-BIK
TML500318	KONTOR	EUGENE
TML500332	KORANG	NICHOLAS OBIRI
TML500257	KOTOCHI	ABU
TML500477	KOUNLAN	GEORGE FEIKAB
TML500284	KOYIRI	GEORGE GHAKUNWA
TML500020	KPABIA-MADUGU	IDRISU
TML500437	KUMAA	GRACE YAA
TML500102	KUMAH	ALEX KWAME
TML500433	KUMAH	KWAME BELTON
TML500083	KUSI	GEORGE
TML500421	KUSI-APEA	
TML500143	KUSI-AWITI	EMMANUEL
TML500006	KUUSOYIR	CLEMENT KUUCHE
TML500401	KWAPAH	BRAIMAH BENJAMIN
TML500426	KWATENG	KINGSLEY
TML500120	KYERE	KWAME
TML500478	LAAR	AKOSUA
TML500021	LABADAN	FUSEINI
TML500440	LABIK	JACK
TML500301	LAMINU	KASSIM
TML500281	LAMUSAH	AMADU
TML500458	LANGBON	IMORO
TML500005	LANSAH	SEIDU
TML500457	LEBATIB	YENULONIN

TML500452	LEMIN	PETER
TML500247	MADUGU	ABDALLAH ALHASSAN
TML500135	MAHAMA	ABIBA
TML500404	MAHAMA	ABIBATA
TML500216	MAHAMA	ABU
TML500096	MAHAMA	ADAM
TML500094	MAHAMA	FRANCIS
TML500202	MAHAMA	HAWABU
TML500079	MAHAMA	IBRAHIM
TML500181	MAHAMA	IBRAHIM
TML500187	MAHAMA	IBRAHIM
TML500026	MAHAMA	IMORO
TML500218	MAHAMA	KUBRA
TML500285	MAHAMA	MAHAMADU-TAMALGU
TML500264	MAHAMA	MARIAMA
TML500469	MAHAMA	SAHABI
TML500039	MAHAMA	SEIDU PRINCE
TML500445	MAHAMA	SHEITU
TML500304	MAHAMA	SOFO
TML500391	MAHAMA	TUFELU
TML500392	MAHAMA	YAHAYA
TML500342	MAHAMA	ZALIA
TML500045	MAHAMA	ABUKARI
TML500245	MAHAMADU	ABDULAI
TML500276	MAHAMADU	AMADU
TML500095	MAHAMADU	ISSAH
TML500242	MAHAMADU	SHETU
TML500034	MAHAMAH	ALI
TML500259	MAHAMAH	ISSAHAKU
TML500165	MAHAMAN	ABURUWA
TML500213	MAHAMAN	DAGOMBA
TML500230	MAHAMUD	ABUBAKARI
TML500292	MAHAMUDU	FATI
TML500385	MAHMOOD	MUMUNI
TML500124	MAMA SALIA	ALHAJI
TML500152	MAMUDU	HAJIA HAWAWU
TML500081	MANU	JOHN KOFI
TML500331	MANU	JOSEPH YAW
TML500191	MASHOOD	BARICHISU
TML500018	MBEMA	MAHAMA
TML500066	MENSAH	EDMOND YAW
TML500060	MENSAH	JOSEPH YAW
TML500088	MENSAH	PATRICK
TML500199	MIZIMMA	ZEENATU
TML500046	MOHAMADU	FUSEINI
TML500047	MOHAMMED	ABDULAI
TML500049	MOHAMMED	ABDULAI (FERNANDO)
TML500092	MOHAMMED	HASSAN

TML500044	MOHAMMED	ISSAH
TML500113	MOHAMMED	TALHATU
TML500056	MOHAMMED-SANNI	TOYIBU
TML500183	MORO	ALHASSAN
TML500190	MORO	ALIDU
TML500226	MORO	SANATU
TML500379	MUHAMED	IBRAHIM
TML500278	MUHAMED	SULEMANA
TML500324	MUHAMMED	AYISHETU
TML500022	MUMUNI	FUSEINI
TML500297	MUMUNI	ISSAKA
TML500138	MUMUNI	MAHAMADU ZOONA
TML500011	MUMUNI	MUSA
TML500110	MUNKAILA	ZENABU
TML500109	MUNUFIE	YAW
TML500009	MUSAH	ABDUL-SAMED
TML500353	MUSAH	ABEBA
TML500341	MUSAH	ADAMA
TML500354	MUSAH	ADISAH
TML500132	MUSAH	ALHASSAN
TML500286	MUSAH	HAWA
TML500179	MUSAH	MAHAMADU
TML500070	MUSAH	MOHAMMED
TML500171	MUSAH	SALIMA
TML500355	MUSAH	SEIDU
TML500295	MUSAH	ZAHARAWU
TML500310	MUTARM	SAMATA
TML500367	NABILA	AMINA
TML500430	NANA AFFUL NYANTEKYI II	
TML500085	NANA BOAKYE-TROMO II	
TML500084	NANA OPPONG GYABENEH I	
TML500071	NASSAM	ABDULAI
TML500466	NIBI	OSCAR MOI
TML500057	NINDOW	ALHASSAN
TML500051	NINDOW	JOHN IDDI
TML500351	OFOSU-AGYEKUM	KWABENA
TML500128	OHENE PEPRAH	SIMON
TML500388	OPARE	SAMUEL
TML500145	OPPONG	BENJAMIN KUFFOUR
TML500121	OPPONG	KWAME
TML500434	OPPONG	PAUL KWASI
TML500062	OSEI	JAMES
TML500338	OSEI	JOSEPH OSEI
TML500197	OSEI	KWAKU
TML500082	OSEI	NICOLAS ANDREWS
TML500386	OSEI	SAMUEL
TML500252	OSMAN	MUHAMED
TML500227	OSMAN	RUKAYA

TML500212	OSMANU	AYISHATA
TML500019	OSUMANU	AFABILA
TML500336	OWUSU	EDWARD YAW
TML500428	OWUSU	KWAME
TML500067	OWUSU	SETH
TML500311	OWUSU-ANSAH	THOMAS
TML500231	PANYEZI	FUSEINI
TML500454	PARIMAK	LAARE-BIK
TML500068	PEPRAH	ANDREWS KWAME
TML500337	POKU	KWABENA
TML500420	POKUA	AGNES
TML500221	RAUF	FATI
TML500228	SAAKA	AMINA
TML500172	SAAKA	ZENABUBILA
TML500455	SAANA	ACHIRIFA
TML500014	SAIBU	ALHAJI ABDUL KADR
TML500274	SAIBU	ASHEITA
TML500015	SAIBU	IDDRISU BABA
TML500375	SAIBU	MEMUNATU
TML500158	SAIBU	TALHATU
TML500159	SAIBU	ZENABU
TML500346	SALIFU	ABDUL-FATAW
TML500262	SALIFU	ABUKARI
TML500136	SALIFU	ADAM
TML500118	SALIFU	ASIA
TML500053	SALIFU	IBRAHIM
TML500290	SALIFU	IDDRISU
TML500344	SALIFU	SEIDU
TML500349	SALIFU	WAKASO
TML500265	SALIFU	YAKUBU
TML500298	SALIFU	YAKUBU
TML500149	SANATU	NINDOO
TML500185	SANDOW	IDDRISU
TML500383	SARPONG	JONES
TML500215	SAYIBU	MARIAMA
TML500238	SAYIBU	MUHAMEDU TAHIRU
TML500253	SEIDU	ABDULRAZAK
TML500078	SEIDU	ABDURAHAMAN
TML500422	SEIDU	ABEBA
TML500198	SEIDU	AMADU BAWA
TML500206	SEIDU	FUSEINI
TML500117	SEIDU	ISSAH
TML500365	SEIDU	MAHAMA
TML500400	SEIDU	SALIFU
TML500416	SERWAA	FLORENCE AFIA
TML500319	SERWAAH	COMFORT
TML500134	SHISHI	ABUBAKAR IMORO
TML500122	SIKAYENA	AMA

TML500240	SULE	SADIA
TML500175	SULEMANA	ALHASSAN
TML500115	SULEMANA	MUNIRATU
TML500073	SULEMANA	YAKUBU
TML500189	SUMANI	FATI
REG	SURNAMES	FORENAMES
REG	SURNAMES	FORENAMES
TML500126	TABIRI	EMMANUEL MENSAH
TML500239	TAHIRU	FULERA
TML500413	TAKYIWAA	RAHEL
TML500481	TAMBRO	JONATHAN KOFI
TML500402	TAMIMU	FATI
TML500480	TETTEH	CHRISTIAN KWAME
TML500125	TUA-YEBOAH	KWASI
TML500470	TWENE	KWAMI NANA
TML500035	WIREDU	ABRAHAM
TML500412	WIREKO	WILLIAMS
TML500140	WOLI	YAW
TML500139	WULANA	ALHASSAN
TML500023	WUMBEI	ALHASSAN
TML500380	WUNNI	AZARA
TML500256	YAHAYA	AYISHETU
TML500443	YAHAYA	MAHAMADU
TML500350	YAKUBU	ABDULAI
TML500362	YAKUBU	ABDUL-RAHAMANI
TML500271	YAKUBU	ADAM
TML500377	YAKUBU	ADAM ANYAME
TML500356	YAKUBU	ADAMU
TML500328/9	YAKUBU	AMINA
TML500116	YAKUBU	BARICHISU
TML500236	YAKUBU	IDDRISU
TML500169	YAKUBU	ISSIFU
TML500369	YAKUBU	MOHAMMED
TML500090	YAKUBU	MUMUNI
TML500155	YAKUBU	MUSAH
TML500093	YAKUBU	RUFAI
TML500186	YAKUBU	SALIMATA
TML500130	YAKUBU	SARATU (HAJIA)
TML500131	YAKUBU	SAWDATU
TML500030	YAKUBU	ZIBLIM
TML500408	YAMBIR	PAUL
TML500168	YAMUSAH	DAMATA
TML500244	YAYA	ISSAH
TML500086	YEBOAH	KWABENA
TML500146	YINZUOB	CHARLES BONAG
TML500204	YOBO	DAVID YUSSIPH
TML500441	YOGBAT	ANDREWS
TML500241	YUSSIF	BARICHISU

TML500097	YUSSIF	SEIDU
TML500153	ZAKARI	ABDUL RAHMAN
TML500220	ZAKARI	ALABIRA
TML500378	ZAKARI	HAWA
TML500235	ZAKARI	JALIATU
TML500293	ZAKARIA	AYI
TML500008	ZAKARIA	FUSEINI
TML500396	ZAKARIA	SAFURA
TML500196	ZAKARIA	ZALIATU
TML500065	ZA-SAKPAKU	HIMA KORBLAH
TML500283	ZAZAH	NINA
TML500237	ZEBLEM	IDDRISU
TML500287	ZIBLIM	ISSIFU
TML500194	ZUU	ISSAHAKU

VOLUME 2**APPENDIX A**

**PRISONERS EXECUTED BY FIRING SQUAD BETWEEN 14TH MAY 1983 AND
17TH MAY 1993**

NO.	NAME OF PRISONER	DATE ADMITTED	DATE EXECUTED	PRISON HELD
1.	Emmanuel Boadi @ Padmore	13/5/83	14/5/83	Ussher Fort
2.	No. GH 264 Major Samuel Boaten Okyere	2/8/83	13/8/83	Medium Security Prison Male Nsawam
3.	Pte Evans Tekpor	4/8/83	13/8/83	Ussher Fort
4.	Cpl Edward Ofei	4/8/83	13/8/83	“
5.	Pte Henry Obeng	13/8/83	13/8/83	“
6.	J. Amartey Quaye	15/8/83	18/8/83	“
7.	Johnny Dzandu	15/8/83	18/8/83	“
8.	Michael Senyah	15/8/83	31/8/83	“
9.	Sulemana Tijani	19/5/83	19/5/84	“
10.	Samuel Awuley Lartey	26/4/84	19/5/84	“
11.	Samuel Ofei Kwame Fianko	26/4/84	19/5/84	Medium Security Prison Male Nsawam
12.	Joseph Ebenezer Ferguson	22/5/84	26/5/84	“
13.	Ebenezer Sackey Okine	22/5/84	26/5/84	“
14.	Joseph Aryee	22/5/84	26/5/84	“
15.	Francis Nketsia Coleman	22/5/84	26/5/84	Medium Security Prison

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				Male Nsawam
16.	Kwakuvi Fudzagbo	7/10/83	29/9/84	Ussher Fort
17.	Kofi Nworkpor @ Agboga	10/7/83	29/9/84	Ussher Fort
18.	Flt Lt Robert Kojo Lee	9/12/83	29/9/84	Medium Security Prison Male Nsawam
19.	Adjinakor George @ Teye Wayo	22/12/83	29/9/84	Ussher Fort
20.	Azura Dagarti	9/5/84	29/9/84	“
21.	Kojo Nyamekye	9/5/84	29/9/84	“
22.	Sumaila Mohammed	19/7/84	29/9/84	Medium Security Prison Male Nsawam
23.	Issaka Fuseini @ Black Power	19/7/84	29/9/84	“
24.	Issaka Bukari @ Alhaji Bukari	19/7/84	29/9/84	“
25.	Richard Nii Amu Addy	13/9/84	29/9/84	“
26.	Danjuma Abudu Ramani	17/3/85	22/3/85	“
27.	Tetteh Nartey @ Negro	17/3/85	22/3/85	“
28.	Douglas Ayitey	17/3/85	22/3/85	“
29.	Pte Alfred Holdbrook	15/3/84	25/5/85	“
30.	Major Nana Twumasi Anto	1/4/85	25/5/85	“
31.	Shaibu Ibrahim @ Baba	1/4/85	25/5/85	“
32.	Sgt Joseph Issaka	1/4/85	25/5/85	“
33.	Major John Ocran	1/4/85	25/5/85	Ussher Fort
34.	Sgt. Francis Duku	1/1/85	25/5/85	“
35.	Taller	17/3/85	25/5/85	Medium Security Prison

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				Male Nsawam
36.	Azura Nartey @ Tibey	17/3/85	25/5/85	“
37.	George Salami	17/5/85	23/5/85	“
38.	Augustus Owoo	17/5/85	23/5/85	“
39.	Ritz Kofi Osei	17/5/85	23/5/85	“
40.	Joseph Nelson Kwame Adu	23/5/85	31/5/85	“
41.	Bernard Apertey Odonkor	23/5/85	31/5/85	“
42.	Mark Nyame Boham	27/5/85	31/5/85	“
43.	Baba Abana	26/6/85	27/6/85	“
44.	Seth Amponsah	15/3/84	21/6/86	Ussher Fort
45.	L/Cpl George Badame Doog	6/4/84	21/6/86	Medium Security Prison Male Nsawam
46.	Sgt Richard Kwashie Kwaku	19/5/85	21/6/86	“
47.	Kwaku Torsu @ Adzewordo	19/5/85	21/6/86	“
48.	Seidu Issifu	8/5/84	21/6/86	“
49.	Ahmed Denteh @ Braimah Kankani	15/5/86	21/6/86	“
50.	Anthony Coffie @ Alass	30/4/84	21/6/86	“
51.	Samuel Boamah Panyin	15/5/86	21/6/86	“
52.	Kwame Addo	8/5/84	21/6/86	“
53.	Kyereme Djan	15/5/86	21/6/86	Ussher Fort
54.	Yaw Brefo Berko	15/5/86	21/6/86	“
55.	Sulemana Mohammed @ Killer	19/12/85	21/6/86	“
56.	Pte Charles Koomson	15/5/86	21/6/86	Medium Security Prison Male Nsawam
57.	WOII Samuel Charles Lartey	15/5/86	21/6/86	Ussher Fort

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	Aforo			
58.	Godwin Mawuli @ Kofi Dra Goka	15/5/86	21/6/86	Medium Security Prison Male Nsawam
59.	Kwame Mathias	14/11/84	27/12/86	Ussher Fort
60.	Iddrisu Busu	13/8/85	27/12/86	Medium Security Prison Male Nsawam
61.	Musah Landan	13/8/85	27/12/86	“
62.	Issakah Mamudu	13/8/85	27/12/86	“
63.	Atia Frafra	13/8/85	27/12/86	“
64.	Ali Hansah	13/8/85	27/12/86	“
65.	Sule Zabrama	13/8/85	27/12/86	“
66.	Gariba Adamu	13/8/85	27/12/86	“
67.	Kasum Moshie	13/8/85	27/12/86	“
68.	Osumanu Zabramah	2/10/85	27/12/86	Ussher Fort
69.	Joseph Forson @ Kwadwo Nyarko	30/4/86	27/12/86	“
70.	Kwabena Sarfo	30/4/86	27/12/86	“
71.	Osumanu Mohammed	30/1/87	16/7/87	Medium Security Prison Male Nsawam
72.	Sotormw Sogobadzi @ More	28/2/87	16/7/87	Medium Security Prison Male Nsawam
73.	Godson Adams @ Cake Pan	28/2/87	16/7/87	“
74.	Ekyire Joseph Kekesi @German Cargo	28/2/87	16/7/87	“
75.	Emmanuel Milebar	28/2/87	16/7/87	“

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76.	Joseph Kojo Ataklo @ Las Palmas	28/2/87	16/7/87	“
77.	Moses Mark Ali @ Maconi	28/2/87	16/7/87	“
78.	Edward Marby @ Bob Marley	28/2/87	16/7/87	“
79.	Okoe Otoo @ Zion	28/2/87	16/7/87	“
80.	Wahabu Musah @ Smart	28/2/87	16/7/87	“
81.	George Kudaya @ KC	28/2/87	16/7/87	“
82.	Safahu Dzogbedoh @ Choco Spanner	28/2/87	16/7/87	“
83.	Issaka Alidu @ Giwa	28/2/87	16/7/87	“
84.	Kwasi Twum	28/2/87	16/7/87	“
85.	Sefianu Adamu @ Love Chico	28/2/87	16/7/87	“
86.	Afatsoo Dogbatse	15/5/87	27/6/88	Medium Security Prison Male Nsawam
87.	Mohammed Adamu Dantatwa Kwabena Amoako	15/5/87	27/6/88	“
88.	Narh Kofi @ John Wayne	15/5/87	27/6/88	“
89.	Martin Marquaye	20/5/87	27/6/88	“
90.	Martin Balanayin	20/5/87	27/6/88	“
91.	Sanni Haruna	20/5/87	27/6/88	“
92.	Kwabena Asare @ Ko-Hwe	10/11/86	27/6/88	“
93.	Joseph Jarjo Annan	21/11/86	27/6/88	“
94.	Merings Mohammed @ Sannie Halidu	2/7/87	27/6/88	“
95.	Rashid Awolwo @ Filapa Alhaji	2/7/87	27/6/88	“

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96.	Francis Annobil Awaab	11/4/84	3/9/88	“
97.	Philip Boakye Dua (Dr)	12/9/85	3/9/88	Ussher Fort
98.	Kwaku Duah	18/3/86	3/9/88	“
99.	Kofi Bour	18/3/86	3/9/88	...
100.	Gariba Kussasi @ Attah Kussasi	18/3/86	3/9/88	Medium Security Prison Male Nsawam
101.	Kwasi Ataa Kakraba @ Sea Man	19/12/86	3/9/88	“
102.	Ranfu Binney @ Anthony Olu	19/12/86	3/9/88	“
103.	Kwaku Acheampong	19/12/86	3/9/88	“
104.	Opoku Ware Aboagye @ Cudjoe	19/12/86	3/9/88	“
105.	Emmanuel Mensah Hammond @ Osa Mensah	19/12/86	3/9/88	“
106.	Safiana Moro @ Talata	19/12/86	3/9/88	“
107.	Okomfo Ofori Agyeman	9/8/88	1/10/88	“
108.	Kwame Ofori	9/8/88	1/10/88	“
109.	Benjamin Affi @ Ackaah	24/8/88	1/10/88	“
110.	Joseph Kumah @ Yaw Kwarteng	24/8/88	1/10/88	“
111.	Paul Jackson @ Boadu, @ JB Jomo	24/8/88	1/10/88	“
112.	Bafour Twene	5/9/88	1/10/88	“
113.	Nana Kwasi Agyei II @ Nana Gyabey @ K.G	24/8/88	1/10/88	“
114.	John Bosco	5/9/88	1/10/88	“
115.	Sidiki Abubakari	5/9/88	1/10/88	“

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116.	Koikoi Debiera Dery	5/9/88	1/10/88	“
117.	Issifu Salifu @ Uroy	27/5/87	3/2/90	“
118.	Kwaku Dagbah Agododzo @ Yente Gyae	31/7/87	3/2/90	“
119.	Hamidu Mohammed @ Mustapha	26/10/87	3/2/90	“
120.	Emmanuel Torgbor Arbenzar	9/11/87	3/2/90	“
121.	Kwasi Koranteng @ Quist	7/12/87	3/2/90	Medium Security Prison Male Nsawam
122.	Benjamin Aryee Teiko	22/6/88	3/2/90	“
123.	Seth Akrong Sowah @ Roger	22/6/88	3/2/90	“
124.	Francis Kwasi @ Agbenyor Flash	12/11/88	3/2/90	“
125.	Awudu Sulley @ Davies	8/8/89	3/2/90	“
126.	Kwame Azanu @ Owura	8/8/89	3/2/90	“
127.	Benjamin Mireku @ Kwasi Mireku	13/5/84	17/7/93	Ussher Fort
128.	Issah Isaka @ Issah Agege	26/6/85	17/7/93	Medium Security Prison Male Nsawam
129.	Kwame Nkansah @ Bob Darling	26/6/85	17/7/93	“
130.	Zakari Salifu	26/6/85	17/7/93	“
131.	Kwepey Yartey	26/6/85	17/7/93	“
132.	Kofi Kodua	13/6/85	17/7/93	“
133.	Mohammed Ali	7/5/87	17/7/93	“
134.	Mohammed Yao	11/4/88	17/7/93	“

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	Midoagbodzi			
135.	Amadu Seidu @ Saaire @ Oldman	15/7/88	17/7/93	“
136.	John Cudjoe @ Torsu @ Etse	9/12/88	17/7/93	“
137.	Kwadwo Ackon	13/3/89	17/7/93	“
138.	Atta Bruce @ Guy	13/3/89	17/7/93	“
139.	Vincent Kodzo Ayivor	13/3/89	17/7/93	“
140.	Eric Nii Addo	13/3/89	17/7/93	“
141.	Samuel Kofi Akitta @ The Boy	19/12/86	17/7/93	“
142.	Courage Aryee @ Markoe	16/3/89	17/7/93	“
143.	Dieter Hansen Odartey Aryee @ Good Show	19/12/86	17/7/93	“
144.	Godfred Nyavie	17/4/89	17/7/93	“
145.	Mustapha Bruce	17/4/89	17/7/93	“
146.	Abu Bashiru	11/5/84	17/7/93	“

VOLUME 2**APPENDIX B****REPORT ON EXHUMATION OF THE REMAINS OF CERTAIN
EXECUTED PERSONS**

UNDER CORONER'S ORDER: NO. MS.36/2003; DATED APRIL 17, 2003

CORONER'S COURT: Osu District Court

AUTHORITY REQUESTING FOR ORDER OF EXHUMATION: National
Reconciliation Commission

EXHUMATION

DATE: 1st September 2003

TIME: 10.30 a.m.

UNDER DIRECTION OF: Professor Edwin Kwame Wiredu, Consultant Pathologist

OTHER MEMBERS OF TEAM:

1. S. Ramaswamy, Forensic Anthropologist and Anatomist
2. Dr. Robert Kumoji, Senior Medical Officer
3. Dr. Henry Armah, Medical Officer
4. Mr. William Kwaku, Chief Prosecutor
5. Mr. James Tackie, Prosecutor

SITE: Public Cemetery, Mile 11, near Weija and off the Accra-Cape Coast road.

GRAVES IDENTIFIED BY: Alhaji Annan (Senior Sexton) and Isaac Aryee (Sexton-in-charge) on identification given by Mr. H.O. Korney (Director of Prisons), ASP Vincent Asare (Manhyia local prison), SCO P.K. Mensah (Kumasi Central prison), ACO Ben Biney (Kumasi Central prison), ACO Owusu Ansah (Kenyasi) and ACO Joseph Hormeku (Tamale Central prison).

IN THE PRESENCE OF:

1. Supt. (Rtd.) Ben Ameleke (Investigating Officer, N.R.C.)
2. Mr. W.A. Marfo (Head of Environmental Health and Sanitation Unit, Min. of Local Govt. & Rural Development)
3. Mr. Jonas Annan (Public Health Department, A.M.A.)
4. Christian Goka, brother of Godwin Mawuli Kofi Dra Goka

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5. Selorm Goke, nephew of Godwin Mawuli Kofi Dra Goka
6. Mrs. Evelyn Owusu (nee Djan), sister of Kyereme Djan
7. Godfred Boakye, nephew of Kyereme Djan
8. Madam Benneh Djan, sister of Kyereme Djan
9. Osei Boakye, nephew of Kyereme Djan
10. Mr. Samuel Robert Ofori, Head of Family of Samuel Charles Aforo
11. Solomon Charles Aforo, senior brother of Samuel Charles Aforo
12. Augustina Aforo-Yeboah, sister of Samuel Charles Aforo
13. Atta Kuma alias Ampadu Dacosta, twin brother of Samuel Boamah Panyin

GRAVES: Two unmarked, earth mound graves were identified to the exhumation team. Both graves were approximately fifty (50) metres from the road, in an east-south-east direction, and to the Sexton's office.

Grave 1 contained three (3) bodies, individually wrapped in grey blankets and lying predominantly side-by-side. Each body was carefully removed and placed in individually labelled body bag for further examination later.

Grave 2 contained five (5) bodies, also individually wrapped in grey blankets and lying predominantly side-by-side. Each body was carefully removed and placed in individually labelled body bag for further examination later.

EXAMINATION OF BODIES

DATE: 5th – 7th September 2003

PROCEDURE:

All relations who were present at the time of examination were interviewed and given brief counselling before viewing items of clothing for possible identification of deceased relation. Relations were given the choice of not using visual identification because of the extent of decomposition and the effect the procedure might have on them. All of them chose to provide visual identification. Description of items of clothing likely to aid in identification were taken before viewing of bodies and clothings.

The bodies were examined one after the other in no particular sequence except for convenience of the team. Examination of a body was completed on each occasion before moving to another. Each body bag was opened, the blanket and clothing carefully removed and the bones taken out, identified and placed in their normal position in the body. Injuries to bones were noted. Items of clothing were also carefully examined for bullet holes and where these were found matched to identified bony injuries where possible. Any

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peculiarities of clothing or body that might serve as means of identification were also noted. Photographs were taken to aid the process.

DESCRIPTION AND IDENTITIES OF BODIES**A. GRAVE 1****1. BODY 1****STATE OF BODY:**

Completely, skeletonised body with fragmentation (fractures) of the verbal bones in the region of the T10 to L1 and fragmented ribs (probably fractures). Lower jaw shows loss of all teeth from right incisors through to first molar inclusive and replaced by denture. A bullet entry hole is present just below the left mandibular condyle with linear fracture through the ramus. The upper jaw shows the loss of both left upper premolars, which are replaced by corresponding denture.

Femoral length is 35.6 cm.

CLOTHING:

- i. Long-sleeved shirt, with dark blue background and green cross-hatching giving it a “tartan-like” pattern. The shirt bore:
 - a. two small gunshot entry holes in the right upper chest region with two corresponding larger exit holes in the region of the right shoulder blade.
 - b. a large probably gunshot exit hole in the back approximately 28 cm from the shoulder and corresponding to the level of the fracture vertebral bones (T10 to L1)
 - c. two holes in the right side of the collar, either a bullet entry-exit hole pair or exiting bullet holes
- ii. Pale blue trousers
- iii. Open heel, slip-on, shoes measuring 27.5 cm from toe to heel.

IDENTITY: YAW BREFO BERKO

Identified by Kate Barbara Berko of North Kaneshie (contact phone number 024-691166), house number E33 (also B349/10) daughter of deceased and Kwaku Adade of Nsuta, nephew of deceased.

MEANS OF IDENTIFICATION: Clothing and shoes (items described by relations during interview prior to identification).

2. BODY 2:

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STATE OF BODY: Completely skeletonised body. The skull bears a bullet entry hole in the right temporal bone approximately 1 cm in maximum dimension, 30 cm above the external auditory meatus and 40 cm from the right asterion anteriorly. There is loss of the squamous temporal bone. There is a fracture extending posteriorly for 30 cm from the entry hole, then coronally across the right parietal bone, ending 45 cm from the left parietal bone to the infero-lateral margin of the bone, ending 45 cm from the left asterion and in continuity with a transverse fracture of the middle cranial fossa. The exit is through the anterior part of the left temporal fossa with loss of the left squamous temporal and part of the left frontal bone. A fracture across the frontal bone connects the entry and exit paths of the bullet. There are fractures involving the third to seventh cervical vertebrae (C3 to C7) suggesting passage of bullet (s) through the neck. Femoral length is 45.4 cm.

CLOTHING:

- i. Blue political suit
- ii. Red shoes with a strap across the tongue
- iii. Pale plain socks
- iv. Leather belt

IDENTITY: SAMUEL BOAMAH PANYIN ALIAS ATTA KULULU

Identified by Atta Kumah alias Ampadu Dakota of Kokomlemle (contact phone number 024-8500370, twin brother of deceased).

MEANS OF IDENTIFICATION: Red shoes with strap across the front (Item described by brother during interview prior to identification).

3. BODY 3

STATE OF BODY: Completely skeletonised body with intact skull. The right scapula (shoulder blade) is shattered suggesting passage of bullet (s). The right upper ribs are shattered also suggesting the passage of bullet (s). The third and fourth cervical vertebrae are also shattered indicating probably passage of bullet. Femoral length 50 cm (19.6”).

CLOTHING

- i. Shirt made of synthetic material, whitish with black patterns bearing a hole in the back (likely a bullet hole)
- ii. Vest with hole in the back corresponding to hole in the shirt
- iii. Black belt with a flat metal buckle
- iv. Black rosary
- v. Green sports shorts with white trimmings
- vi. “Charlie wote” slippers

IDENTITY: SAMUEL CHARLES LARTEY AFORO

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Identified by Solomon Charles Aforo of A75 Teshie Tsui Bleo (opposite Manna Hospital), and Augustina Aforo-Yeboah (contact phone number 022 401332) of Sakumono, brother (elder) and sister respectively of deceased.

MEANS OF IDENTIFICATION: Belt, rosary and sports shorts by Solomon and rosary and sports shorts by Augustina.

Described as the tallest of the deceased persons by all the Prison Officers. Femoral length of 50 cm marks him as the tallest.

B. GRAVE 2**1. BODY 1**

STATE OF BODY: Completely skeletonised body. Skull bones shattered into many fragments suggesting passage of bullets through the head. Femoral length 48.1 cm.

CLOTHING:

- i. Pair dark brown, lace-up, ankle length shoes with toe cap
- ii. Pair white socks
- iii. ?Pale brown ?dark brown trousers with Margaret Howell designer label
- iv. Dark blue underpants
- v. Handkerchief, white with brown borders
- vi. Leather belt with narrow stitched tongue and metal buckle

IDENTITY: GODWIN MAWULI KOFI DRA GOKA

Identified by Christian Goka of No. 13 First Ringway, Osu-RE (contact phone number 024-235390), brother of deceased and Esinam Adjei of No. 9 Jonkobri Walk, Lartebikorshie (contact phone number 021-306967), cousin of deceased.

MEANS OF IDENTIFICATION: Shoes and Margaret Howell designer trousers (label mentioned by Christian during interview prior to identification).

2. BODY 2

STATE OF BODY: Completely skeletonised body. Proximal phalanx (side not identified) was stained green likely from copper salt deposition from cooper or brass ring. Four (4) rusted metal fragments were found with the bones. ?Bullet.

CLOTHING

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- i. Blue canvass shoes with white trimming, five (5) lace holes on each side.
- ii. Black woollen socks
- iii. Long-sleeved button-down shirt (buttoned) with orange plastic buttons. Shirt is white, pale brown or grey, thin pale blue stripes
- iv. Elasticated band with red and black stripes likely from underpants
- v. Dark blue metal zip likely from trousers.

IDENTITY: CHARLES KOOMSON

Identified by Samuel Koomson, brother and Diana Koomson, sister in law and wife of Samuel Koomson, both of House number 413/2 Madina Old Road (contact phone number 024-519633).

MEANS OF IDENTIFICATION: Dark blue canvass shoes with white trim.

3. BODY 3

STATE OF BODY: Completely skeletonised body. Skull and hip fragmented bones. Right femoral length is 44.5 cm.

CLOTHING:

- i. Pair ?brown leather ankle-length boots with zip along the medial side
- ii. Pair dark blue socks
- iii. Pair dark ?blue trousers
- iv. Pale blue short-sleeved shirt with orange buttons, one flapped breast pocket on each side of chest and dark blue trims along sleeve seam. Bears label "Paris Gentleman".

IDENTITY: AHMED DENTEH A.K.A. BRAIMAH KANKANI

Identified by Prison Officers led by Joseph Kofi Hormeku (No. 5737), Assistant Chief Officer, Ghana Prisons Service, Tamale.

MEANS OF IDENTIFICATION: Shoes

4. BODY 4

STATE OF BODY: Completely skeletonised body. Skull bones fragmented. Large amount of brown hair present.

CLOTHING:

- i. Pair white-to-cream coloured slippers with cross-hatched (trellis-like) plastic top
- ii. Pale brown trousers (material quite "heavy")
- iii. White short-sleeved shirt, double-pocketed, with "Yamaha" logo over left breast and back.

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IDENTITY: Kyeremeh Djan

Identified by Joseph Kofi Homeku (No. 5737), Assistant Chief Officer, Ghana Prisons Service, Tamale.

MEANS OF IDENTIFICATION: Trousers and “albino” hair.

5. BODY 5

STATE OF BODY: Completely skeletonised body. Completely shattered pelvic and vertebral bones (probably from multiple bullet impacts). Left tibia length 39.3 cm.

CLOTHING:

- i. Pair of “Deportins Yonkys” canvass shoes with white lace
- ii. Pair ankle-length sports socks with blue and yellow bands
- iii. Heavy (jute-like) brown trousers with interwoven black thread
- iv. Pair white sports shorts.

IDENTITY: GEORGE BADAME DOOG

Identified by Prison Officers led by Joseph Kofi Hormeku (No. 5737), Assistant Chief Officer, Ghana Prisons Service, Tamale.

MEANS OF IDENTIFICATION: Shattered bones – was sprayed in the abdomen with bullets according to the Prison Officers.

PROF. E.K. WIREDU

VOLUME 2**APPENDIX C****REPORT ON EXHUMATION OF THE REMAINS OF CERTAIN PERSONS AT TARKWA**

AUTHORITY REQUESTING FOR ORDER OF EXHUMATION: National Reconciliation Commission.

EXHUMATION

DATE: 17th May 2004

TIME: 10.00am.

UNDER DIRECTION OF: Professor Edwin Kwame Wiredu, Consultant Pathologist.

OTHER MEMBERS OF TEAM:

1. Mr. S. Ramaswamy, Forensic Anthropologist and Anatomist
2. Dr. Robert Kumoji, Senior Medical Officer
3. Dr. Henry Armah, Medical Officer.

SITE: Public Cemetery, Aboso near Tarkwa

GRAVES IDENTIFIED BY: Opanin Kwame Obeng, Sexton

IN THE PRESENCE OF:

1. Mr. Samuel Kwame Appiah (Investigating Officer, N. R. C)
2. Mr. E. L. Ampofo (Investigating Officer, N. R. C)
3. Inspector Tommy Thompson (Divisional Police Headquarters, Tarkwa)
4. Constable Alex Okyere (Divisional Police Headquarters, Tarkwa)
5. Constable Sam Ofosuhene (Divisional Police Headquarters, Tarkwa)
6. Constable Evans Ahiati (Divisional Police Headquarters, Tarkwa)
7. Nana Kyei Baafo (Chief of Aboso)
8. Opanin Thomas Ankomah (Elder of Aboso)
9. Opanin Alex Eghan (Linguist)
10. Three cemetery labourers

GRAVES: Two unmarked, earth mound graves were identified to the exhumation team. All bodies had been buried in wooden coffins all of which had completely disintegrated leaving the human remains embedded in soil, resulting in admixture of the remains.

Grave 1 was determined to contain two (2) bodies.

Grave 2 contained many admixture bones and the number of bodies could not be determined on site.

VOLUME 2**EXAMINATION OF BODIES**

DATE: 18th –21st May 2004

PROCEDURE:

The procedure adopted was to separate the bones from a particular grave, match paired bones to each bone other, determined sex and age and match to unpaired bones.

Using this process it was determined that:

Grave 1 contained two (2) bodies identified as those of a male adolescent and a tall male adult.

Grave 2 was determined to contain three (3) the bodies: of a female adult and two (2) male adults.

Without further information on the height and build of the deceased persons during life it was not possible to continue the process of identification beyond this.

In all cases, because of exposure, the bones were brittle and soft and injuries sustained before death could not be reliably distinguished from artefacts caused by handling and deterioration. However, in all cases there were extensive fracture of the skull, presumed to have occurred when the bodies were thrown down the mine shaft.

PROF. E. K. WIREDU

VOLUME 2**APPENDIX D****NON-JURISDICTIONAL**

The Commission found the under listed petition to be in whole, or in part, outside its jurisdiction.

Kosi Kedem 1956 plebiscite in trans-Volta Togoland.

Enoch Mate disbursement of an amount of ₵500 million paid by the Volta River Authority into the account of the Volta Resettlement Trust Fund on or about 31 March 1995.

James Jackie arrest and detention for three days by soldiers in 1996.

Abdallah Alhassan Madugu shot in the foot on 1 March 1994.

Zalia Mahama demolition of a wooden structure in 1994.

Safohen Kobina Esson claim to occupancy of the stool of Ekon (Queen Anne's Point), Cape Coast.

Ansah Ibrahim termination of contract to build a water treatment plant at Nkoranza.

Emmanuel Kusi Awiti proof of a will.

Eugene Kontor re **Augustine Owusu Frimpong** allegation that certain private individuals conspired to murder petitioner's brother, Frimpong.

Kenneth Yeboah claim against Paul Sagoe Sawmill Limited, a private company, for wrongful dismissal.

Brandford Asante calculation of entitlements on retirement from the Army in 1995.

Robert Kwame Charty complaint of torture and destruction of property by security personnel on 1 March 1993.

Allan Atta Buckman running down accident which occurred on 12th July 1993.

Albert Kwasi Addai demolition of a structure by the KMA in 1999.

Christiana Aryee re **Emmanuel Appiah** alleged killing of Appiah on 29th November 1998.

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Isaac Frimpong alleged assault by ACDR members and security personnel during a protest march on 13th February 1993.

Boateng Peprah alleged assault by thugs on demonstrators during a protest march (Kumepreko) on 11th May 1995 over the introduction of the Value Added Tax.

Ebenezer Kweku Andoh demolition of a house in 1997.

Rocky Yao Baah dismissal from the Ghana Navy in 1997 for examination malpractice.

Hutchison Carl Bartels an arrest which took place in December 1993.

Victor Kobina Andoh arrest and detention, seizure of property in 1997.

Eric Osei assault by Police officers resulting in the loss of an eye on 13th February 1994.

Vincent Avashiam assault by soldiers at Kwamoso, Eastern Region on 28th June 1998.

Gyasi Amoako arrest, imprisonment and dismissal from the Police Service in 1994.

Bennet Kudjo Gyedu assault by soldiers on members of a household at Asylum Down on 8th June 2000.

Joseph Smith Adomakoh Jnr. seizure of a house in 1999.

Nii Boye Odoi Quaye quantum of entitlements after retiring from the Public Service in 1997.

David Kwame Essel dismissal from the Prison's Service in 1996.

Vivian Adu Acheampong deprivation of property in 1996 and 1990.

Mahmud Karim sentence of death for murder imposed by a Public Tribunal in 1996.

Esi Hammond payment of allocation fee of ₵350,000 to AMA for a wall space at Ashiedu Keteke Central market on 3rd May 1995.

Larweh Therson-Coffie an employee of the Graphic Corporation, he was dismissed on 28th October 1993.

Nana Obrimpong Kanya II petition for restoration of the Paramountcy of the Benamse-Nchumuru Stool.

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Joseph Aryai Armah termination of employment by the National Savings & Credit Bank Limited, a private company with limited liability.

Prince Boateng termination of employment by Ghana Commercial Bank Limited, a private company.

Philip Kwame Anipaede a collision between a military vehicle and a private vehicle driven by petitioner's father resulting in the father's death.

Rose Dede Bodua re Humphrey Tettey Bodua dispute between Leticia Acquah and Rose's late husband, Bodua, as to enforcement of an oral agreement for the sale of a house.

Dan Zuttah petitioner wants a scholarship to Dartmouth College, USA which he claims was withdrawn in 1977, restored.

Esmir Kosi Honu payment of balance of end of service benefit by Ghana Textile Printing Company Limited.

Edward Otapah Boampong allegations of assault and murder committed by private individuals against petitioner and members of his family.

Cosmos Yaw Khra complaint that Konkomba settlers have trespassed onto Krachi and other lands.

James Harwerteh he was sleeping in the open inside his home during curfew hours when three policemen entered the house. He panicked and ran into the bush and sustained scratches on his body.

William Brew Hagan enforcement of a decision of CHRAJ that a confiscated estate house at Tema be deconfiscated and restored to petitioner.

Nana Serwaa Akyempim dispute as to proper person to succeed Nana Akwasi Adokwabo as Twafohene of Otumfuo the Asantehene.

Musah Mahama claim by a soldier for compensation for injuries sustained by him during a training exercise.

Alhassan Iddrissu Dulugu land dispute between petitioner's family and Choggu Naa.

Ama Otuwa recovery of a private debt.

Kwasi Nyarko trespass to land.

F. R. Asiedu claim for the value of goods supplied to members of the CDR.

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Henry Laryea Schandorf claim against the TDC for the recovery of his personal effects or their value.

Joseph Komla Kudjordji payment of a fine by a limited liability company.

Alex Eugene Appeah Danquah purported destoolment of a person as a chief.

Lord Sey dispute between petitioner and one Frank Eshun over the ownership of a TDC estate house.

Togbui Ashiakpor IV purported destoolment of a person as a chief.

Emmanuel Yaw Kissi rival claims of Timhire Limited and Contal Shipping Agencies to ownership of trucks and equipment sold to Subin Timbers Limited.

Henry Kofi Mattey claim by a person to be the Fiaga or Paramount Chief of Ho.

Nana Kwasi Bulumia Twum claim to be entitled to administer the estate of a deceased person.

Matthew Narh Tetteh claim of a person to be a chief.

Godfried Odame Kissi enforcement of orders made by CHRAJ.

Serwaa Yeboah Afari dispute among shareholders of a limited liability company.

Yaw Konadu claim against the KMA on a quantum meruit.

Yaw Barima refusal by the Ministry of Education to recommend petitioner's book for use in schools.

Budu Akrobire demolition of a kiosk put up at an unauthorized place.

Anthony Sackey claim for the return by the State of printing machines used in printing fake currency notes.

Alex Yao Tsetse leaving the country on one's own volition to live abroad.

Joseph Arthur Claim against Ashanti Goldfields Ltd.

Ben Kobina Sagoe Claim against Ashanti Goldfields Ltd

Minta Kundana Claim against Ashanti Goldfields Ltd

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Emmanuel Nyamekye-Osei a wholesale-keeper of the GNTC. He admitted to joining other employees to inflate the prices of goods to the detriment of the public. Even though his employers lost nothing, they were entitled to dismiss him. In any case, GNTC is not the government nor did it purport to be acting on behalf of the government.

John Frimpong Frimpong reported a vision he had seen of the second coming of Christ. He refused counseling which might have determined the state of his mind and the cause or causes of his condition. In the absence of evidence that his condition was brought on or otherwise induced by any act or acts constituting human rights violations, the Commission cannot be of any assistance to him.

Thomas Bonah complaint against a private company (Ashanti Goldfields Limited) for overtime allowance.

Samuel Charles Owusu-Akonnor termination of employment by Saltpond Ceramics Limited, a private company.

John Yeboah claim for unpaid salaries against Construction Pioneers, a private company.

Benny Ashun petitioner alleges that one Ofei sold a plot of land in Accra to him. While petitioner was in exile, he sent moneys to Ofei and an agent to whom he had granted a power of attorney to build a house on the land. He alleges that upon completion Ofei and the agent sold the land to a third party. It is best resolved in a court of law.

Benoni Kwaku Abaye claims to be owner of a piece of land at Biriwa. When he tried to assert his title to the land, the High Court, Cape Coast, found against him. He sought government intervention but this came to nothing. This is a dispute over land between private individuals. The courts are the proper forum.

Philip Yarose Navro in 1975, Navro and one Musah who were living in houses in Community 4, Tema decided to exchange them. The one for the other. Later Musah took action in the courts to claim back his property. However, he refused to give Navro's property back to him. In 1983, Navro took action in the courts to recover his property. He failed and now seeks assistance from the Commission. Enquiries made by the Commission have disclosed that the house Navro claims to be his is now in the name of one Benedicta Ampson.

Abdulai Feernando Mohamed confiscation of kiosk by Tamle Municipal Assembly in 1998.

Jacob Asamoah was assaulted by Commandos in 2000.

Kofi Yeboah lived in Libya, in 1998 he gave money to officials at the Ghanaian Embassy in Libya in 2000 he was informed that the money was missing.

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Anome Klidza re **Agbeko Kodzo Sedzedo** was shot by Policemen and died shortly afterwards in 2000.

Linus Koku Hodzi was shot in the hip by policemen in 1996.

Anani Alexander Ashinyo re **Kwashie Asinyo** was shot and killed by a Customs Officer by name Seidu Malik Tansobah.

James Moshie seizure of implements for brewing palm wine by officials of the Game and Wildlife Department in 1997.

Isaac Boadi BNI operative was dismissed in 1998.

Joseph Gyempeh Kanin demolition of his house in 1998.

Patricia Akua Kobi was injured by a stray bullet fired by some policemen in 1993.

Francis Amoako was dismissed from his job at the Sekyere East District Assembly in 2001.

Alex Kwame Kumah Shot by private individual in 1994.

Haruna Abukari lost property during Nanumba-Konkonba disturbances in 1994.

Joseph Yaw Amoah applied for a job in the Cocoa Services Division of the Ministry of Agriculture in 1965 and was not employed.

Issah Seidu complains of inadequate pension paid to him in 2000.

Abubakari Imoro Shishi conflict between two Moslem sects in 2002.

Joseph Kodzo Dzandu dismissed for absenting himself from work without permission.

Samuel Kwame Adovor refusal by military authorities to pay him money reward as informant.

Christian Samuel Odoom had his right eye damaged while on official duty in 1995.

James Adduah Addy was jailed for manslaughter by Public Tribunal.

Ebenezer Arkoh and five others had their contracts terminated in 1998.

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David Tongo was dismissed from Ashanti Goldfields Company (a limited liability company).

Kwaku Benony Abaye land dispute that has been decided by the Court of Appeal.

Samuel Kofi Odonkor involved in a motor accident and sustained serious injuries and was compensated by employers.

Edward Atengble had his name deleted from the payroll of State Construction Corporation in 1995.

Kennedy Noah Hlover dismissed for insubordination.

Victoria Mensa Majdub complains of pollution in her house since 1994.

Emeritus Prof. Samuel Nyarko wants monetary compensation for being sent to the psychiatrist hospital by his family.

Akwasi Bronya was shot by a private person.

Benjamin Boateng was enstooled as chief in 1994 and has faced opposition ever since.

Henry Kwasi Asimadu was dismissed for embezzlement even though he refunded the money.

Samuel Amponsah Fordwoo **re Ex WOI Fordwoo** was discharged from Ghana Army in 1979 but petitioner claims Ex WOI Fordwoo was on duty on the 4th of June 1979 and had his human rights violated.

Elvis Akpalu discharged from the Ghana Armed Forces for impregnating a sixteen-year-old girl in 2000.

Winfried Simplicity Agbegoe complains of the non-payment of some claims in 1996.

Togbe Asinyo land dispute pending in Ho High Court since 1965.

Mary Akpabli **re Dzifa Boso** was allegedly defiled by Dotse Ayikpa in or about 1998.

Thomas Oppong Asare was assaulted by macho men in 2000.

Adamu Mahama Adams private land dispute.

Gaddiel Hackman Otto demolishing of house by a Chief.

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Albert Adu-Gyamfi visa fraud between two private individuals.

Francis Ofori cocoa farmer had his seeds for planting washed away by rain.

Rockson Anthony Appiah proof of will in 1993.

Banahene Adu-Gyamfi was arrested and maltreated by police in 2000.

Yaw Kankam Boadu termination of appointment and paid inadequate compensation by Guinness Ghana Ltd (private company) in 1996.

Joe Coker went to London without genuine documentation was maltreated by British policemen and pressmen

Anthony Kwame Odei dispute over the distribution of family land.

Kofi Amponsah retrenched by Kumasi Brewery Ltd. in 1993.

Kwadwo Wireko had his machines seized in 1999.

Kwame Amankwah retrenched by Kumasi Brewery Ltd. in 1993.

Festus Asare-Danso retrenched by Kumasi Brewery Ltd. in 1993.

Matilda Darko retrenched by Kumasi Brewery Ltd. in 1993.

Peter Quansah retrenched by Kumasi Brewery Ltd. in 1993.

Raynolds Brew retrenched by Kumasi Brewery Ltd. in 1993.

Kwadow Grusi retrenched by Kumasi Brewery Ltd. in 1993.

Ebenezer Agyei Koranteng was not paid as polling agent for his services to the National Democratic Congress during the 1992 elections.

Felicia Odole gave her properties to a soldier by name Twumasi Ankrah for safe keeping before 1981. After the 1981 coup this soldier was declared wanted so he fled. She has been unable to trace these properties.

Nana Amponsah Antwi was invited by BNI for interrogation after some allegations had been made against him by a private citizen. He also had his house destroyed. Both events occurred in 1993.

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Thompson Mahama was inflicted with cutlass wounds in or about 1999 by private citizens.

Mintana Kundana employee of Ashanti Goldfields Company a limited liability Company. He retired in 1989 but was paid inadequate benefits, his Social Security has also not been paid since 1990.

Ben Kobina Sagoe employee of Ashanti Goldfields Company, a limited liability Company. In 1979 he was accused of stealing a piece of gold and was subsequently dismissed. He alleges that the right procedure was not followed.

Peter Kwaku Kyei employee of Ashanti Goldfields Company, a limited liability Company. In 1983 he was wrongly dismissed.

Solomon Kobina Asiedu employee of Ghana Broadcasting Corporation. He retired in 1993 but was paid inadequate retirement benefits.

Joseph Arthur employee of Ashanti Goldfields Company, a limited liability Company. He retired in 1989. He alleges that his retirement benefits were inadequate.

Albert Omane Okra a private citizen erected an illegal structure on his land in 1994.

Godwin Sefakor K. Tamakloe was dismissed from the Ghana Water and Sewage Corporation in 1994.

Hannah Asare was deprived of space she used to engage in her business in 1996.

Akwasi Bakye was assaulted by police during interrogation in 2000.

Mary Odoom suitability of her house for human habitation after a road was constructed close to it in or about 1997.

Akosua Tiwaah was injured during a quarrel with a private citizen in 1994.

Mohammed Muda was involved in an industrial accident in 1998 and has not received any insurance.

Hanson Owusu had goods he imported from Togo seized by officials of the Customs Excise and Preventive Service in 1998.

Samuel Godfred Boateng retired in 1995 and has not received his retirement benefits.

Godwin Sefakor Tamakole termination of contract of employment by GWSC in 1994.

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Kofi Amponsah retrenchment by GWSC in 1994.

Reynolds Brew retrenchment by GWSC in 1994.

Albert Adu Gyamfi victim of fraud committed by a private person.

Solomon Kobina Asiedu claim for SSNIT benefits.

Akwasi Boakye arrested on a criminal charge in 2000.

Joshua Kwabena Appiah claim by Border Guardsman for allowances for attending military tribunal to give evidence.

Edward Kwabla Degre Atsakpo demolition of a house in 1994.

Nana Amponsah Antwi destruction of property in February 1993.

Thompson Mahama claim for damages for assault committed on petitioner in 1999.

Albert Omane Okra claim for damages for trespass to land occurring in 1994.

Francis Amoako claim for salary for period January 2000 – March 2001 from a District Assembly.

Patricia Akua Kobi claim for damages for gunshot wounds suffered in August 1993.

Hannah Asare enforcement of promise made by Municipal Chief Executive in 1996 to allocate a store to her.

Akosua Tiwaa assaulted in January 1995.

Mahammed Muda claim for compensation for injuries suffered in 1998.

Hanson Owusu seizure of goods in 1996.

Samuel Godfred Boateng claim for pension from 1999.

Michael Anning-Adjei claim for retirement benefits from PBC. Retirement was in 1999.

Herman Kwabena Adjapong & 35 Others variation of judgment of a court.

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Veronica Baaba Smith enforcement of a customary gift of a house.

Edward Kwablah Degre Atsakpo wrongful dismissal by Shell (Ghana) Ltd.

Philip Kweku Anti trespass to land.

Thomas Birdie Nartey retrieval of funds held by Standard Chartered Bank Ltd.

Isaac Ofori Agyemang a Principal Executive Officer in the sub-District Administration at New Abirem was convicted of selling rice above the control price in 1983. He was sentenced to a term of imprisonment. He petitioned for a Presidential pardon and re-instatement.

Emmanuel Ocloo land dispute between private individuals.

Edward Nyarko return of a motor bicycle confiscated after his conviction for counterfeiting.

Joseph Sarpong short delivery of goods imported through Tema Harbour.

Joseph Adjei Otweima lawyer/client relationship.

Nana Yeboah Kodie III enforcement of arbitration award.

Alex Kwame Kumah shooting of petitioner at Banda Ahenkro in 1994 resulting in amputation of his hand.

Zalia Mahama destruction of building in Tamale in 1994.

Abubakar Imoro Shishi violent clashes between two Muslim sects in Damongo in 2002.

Jonathan Ernest Addae termination of employment by Standard Chartered Bank.

Joseph Yaw Amoah petitioner applied for a position with the CSD of the CMB in 1965 but was not employed. He has no cause of action.

Haruna Abukari destruction and loss of properties in 1994 during the Nanumba- Konkomba conflict.

Nana Otimakro Adu-Boateng claim for long service award from National Cultural Centre, Kumasi.

Kofi Boah Yeboah claim against Ghana Embassy for money had and received in 1998 to petitioner's use.

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Jacob Asamoah alleged assault by NDC thugs on petitioner at NPP office in Ho in 2000.

Edward Atengble termination of employment in 1995.

Samuel Kofi Donkor claim by a worker for medical expenses incurred in 1995.

Victoria Mansah Majdoub claim in nuisance against GPRTU arising in 1994.

Benjamin Okyere Boateng chieftaincy dispute and land dispute between members of a family.

Akwasi Bronga gun-shot wound sustained in political violence between CPP and UP supporters in 1958.

Kwabena Mensah murder for ritual purposes.

Gaddiel Hackman Otoo enforcement of promise to rebuild family house demolished on the order of a chief.

Thomas Oppong Asare alleged assault by NDC thugs on petitioner, a leper, for mobilizing lepers to vote for the NPP in 2000.

James Agyei Moshei seizure of property in 1997 for farming in a forest reserve.

Elisabeth Atta Mensah dispute as to title to property.

Kwadzo Atsakpo enforcement of a judgment of the High Court, Ho.

Benjamin Amoah Sefa termination of employment by UAG Ghana Ltd.

Isaac Kwarteng-Amaning termination of employment by Anhwiankwanta Oil Mill Ltd.

Abdullah Yakubu termination of employment by Ghana Firestone Rubber Co. Ltd.

Christian Sanniez trespass to land by 31st December Womens' Movement.

Ebenezer Martey chased out of Winneba by factions in chieftaincy dispute.

Isaac Boadu dismissed from the BNI in 1998.

Joseph Gyempeh Kanin destruction of building in 1998.

Kwadwo Wireko seizure of a Dormer Machine by Forestry Department in 1999.

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Elvis Akpalu dismissal from the Ghana Air Force in 2000.

Francis Ofori compensation for cocoa washed away in 1999.

Rockson Anthony Appiah proof of will of person who died in December, 1993.

Banahene Adu Gyamfi assault by police on petitioner in July, 2000.

Alexander Anani Ashinyo killing of petitioner's son, Kwashie Ashinyo by a custom officer in February, 1995.

Winfried Agbegoe claims against GES dating from 1996.

Linus Koku Hodzi shot by a policeman at Aflao in 1996.

Anome Klidza shooting a petitioner's son, Agbeko Sedzedo, at Aflao in 2000.

James Aleander Appiah removal from office as Managing Director of Abuakora Rural Bank Ltd on 8th January, 1993.

Issah Seidu an employee of Grains Development Board who retired in 1999 seeks re-computation of his gratuity and pension and claim for Workmen's compensation for accident occurring on 7th January, 1993.

Ebenezer Arkoo-Otoo claim for compensation for being declared redundant by the GPHA on 31st January, 1997.

Adamu Mahama Adams dispute over ownership of a plot of land at Dumkwa-on-Offin.

Gilbert Atariba Agunga claim for SSNIT pension.

Richard Akoi-Frempong claim for Long Service Award from Centre for National Culture, Kumasi.

Lloyd A. K. Quashie wrongful dismissal by Ashanti Goldfields Corporation.

Gemal Sam Abass claim against Ghana Telecom for medical treatment.

Hakim Asana Sarpong application for space in Kumasi for purposes of trading.

Kwaku Benony Abaye retrieval of copy of Ordinary Level Certificate.

Gerffrey Kwasi Appiagyei retrieval of copy of Ordinary Level Certificate.

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Richmond Agyeman-Duah destructing a building under construction in July 1993.

David Tongo claim against Ashanti Goldfields Corporation.

Samuel Adu killing of Kwame Duo, a UP activist, at Adansi Brofoyedru in 1956.

Naba Adongo Bingloro III dispute over ownership of a corn mill.

Abasah Nchor recovery of a debt from a soldier.

Chrisanthus Dery motor accident involving a private vehicle.

Thomas Azubire enforcement of an agreement for the sale of Yamaha Pumping Machine.

S/Sgt Michael Aryee wrongful dismissal by Tema Oil Refinery Ltd.

Noah Kodwo Ashey Antwi eviction of an officer from a Government owned bungalow to make way for another officer, claim for allowances as an officer in the Ghana Foreign Service.

Georgina Appiah recovery of land title documents from a lawyer and friend.

Kwame Kwarteng ejection from rented premises owned by TDC.

Larweh Theson-Cofie dismissed from employment with Graphic Corporation in Oct. 1993.

Philip Lutterodt trespass alleged to have been committed by Buckman, Commissioner of Police on land claimed by petitioner.

George Nartey summary dismissal by the Ghana Household Utilities Manufacturing Co.Ltd.

Richard Butt alleged breach of a contract of employment by the State in 1998.

Joseph Nii Ankrah termination of employment by Graphic Corporation in November 1993.

Charles Takyi Marshall injuries sustained on 4th May 1993 from accidental explosion of hand grenade.

Maria O’Sullivan-Djentu harassment, assault and destruction of property by state agents in 2000.

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Ruth Akua Gyamfouh Asante breach of promise of marriage.

John Kwame Letsey discharge from the Army on 16th September 1993.

Andrew Kissi Agyare enforcement of judgment for salary and other relief against Shell Ghana Ltd.

Isaac Aseba Alou discharge from the Army in November 1993.

Dora Amnuvuvor claim to be provided with accommodation by Korle Bu Hospital.

Akwasi Asamoah injuries sustained in pre-independence political violence.

Christiana Aryee killing of Emmanuel Aboa Appiah at the Castle, Osu in 1998.

Eliezer Gyau Bekoe failure by the cement dealer to supply 400 bags of cement paid for in 1979.

Emma Aba Garr claim for assistance in locating lost children.

Emmanuel Nyarkoh being trailed by evil spirits.

William Sackey claim for workmen's compensation for injury at the work-place.

Tufuhen Baidoe claim that Nkrumah hailed from Nkroful in Nzema.

Gambia Akuoko Claim for compensation for loss of employment as an official of the Young Pioneer Movement.

Felix Dio Ayekple inadequacy of gratuity paid by GNTC

Daniel Asante claim against Donkudzi Adzadi, a private individual, for damage to an outboard motor.

Anthony Nana Debrah a teacher stationed at Besease Anglican Primary School in Mpraeso District wants to be transferred to Nkawkaw.

Joseph Tetteh Narh claim for compensation for injuries received in a motor accident by the reckless driving of one Emmanuel Yaw Boateng, a private individual. Vehicle was self-owned and uninsured.

Anthony Yaw Gyasi claim against Bibiani Wood/Metal Limited.

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John Minah Appiah claim for pension by petitioner who retired in 1995.

Agnes Welbeck, wife of Nathaniel Welbeck, a Minister of State in the Nkrumah government petitioned for the recovery of an estate house she claimed Welbeck bought for her at Cape Coast. Agnes' claims are disputed by Elisabeth Atabrah, the administrator of Welbeck's estate. The matter went to court with Agnes as plaintiff and Elisabeth as defendant. Agnes concedes that her action was dismissed when her lawyer failed to turn up for the hearing. Since Elisabeth contends that late Welbeck bought the estate house for his maternal family the courts are the appropriate forum to resolve the issue

Kwame Ansu In 1988, Ansu's brother, Nana Twene Baafuor, Krontihene of Abesim, near Sunyani was tried and convicted of the murder of a woman. It was alleged that the murder was for ritual purpose. Orders made at the end of the trial included confiscations of certain properties which the petitioner, a brother, claimed were family properties.

This is not the proper forum for a determination of the issue whether the properties were self-acquired or family properties.

Victor Asare Korang, a Ghanaian resident in the United Kingdom, was arrested in Ghana and detained for several months in 1989/90 on suspicion of being involved in a plot to overthrow the government of the PNDC. On his release, he went back to the United

Kingdom, but returned to Ghana in January 1993. He attended the funeral of a family member on 7th May. After the wake keeping he went home to change his clothes and return to join the other family members to accompany the body to Adukrom, their hometown. He failed to show up at the appointed time and has not been seen since.

Margaret Adu Poku In the 1970's petitioner's husband, **Enoch**, acquired a piece of land at Achimota, Accra. They built a house on it. In 1987 one Akua Antoaduro and her husband also acquired an adjacent plot and built their house on it. There is now a dispute between the two families as to ownership of land lying between their plots. This dispute has been in the courts since 1988 and is still pending. The court is the proper body to adjudicate on the rival claims.

CHAPTER ONE

THE SECURITY SERVICES

1.0 INTRODUCTION

1.0.1 A requirement for every modern state is security, both internal and external, to enable it to maintain public order and protect it from external aggression. This is even more important for the new states that emerged from colonialism in the second half of the twentieth century. As with all such states, Ghana also inherited or established its own security services to serve its interests and to promote a sense of nationhood.

1.0.2 In the course of their existence, Security Services have been responsible for the perpetration of human rights abuses and violations. These events have occurred mainly in the course of their involvement in national politics.

1.0.3 The Commission examined the role, if any, played by the Security Services in human rights violations and abuses, during the period between 6th March ,1957 and 6th, January, 1993. In this chapter, the term “Security Services“ has been used to describe the following institutions:

- Ghana Armed Forces;
- Ghana Police Service;
- Ghana Prisons Service;
- The Bureau of National Investigations (BNI);
- The Border Guards (BG);
- President’s Own Guard Regiment (POGR0;
- Presidential Detail Department (PDD);
- The Army and Police Commandos;
- The para-military organisation, People’s Militia or Civil Defence Organisation (CDO).

1.0.4 In the main, however, references to “Security Services” mean the first two institutions. Other agencies now recognised as part of the Security Services namely, Fire Service, Customs Excise and Preventive Service (CEPS) and Ghana Immigration Service (GIS) are not included in this chapter because there was no evidence before the Commission of their involvement in human rights violations or abuses within the mandate period.

1.0.4 The term “Military Government” has been used loosely, to mean every government that is headed by a soldier, regardless of his rank or position in the Armed Forces. However, it is appreciated that in military terms a “Military

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Government” is one that has the Chief of Defence Staff (CDS) at the top, or at least, as a member of the ruling body.

1.1 HISTORICAL BACKGROUND OF THE SECURITY SERVICES**1.1.1 THE GHANA ARMED FORCES¹****1.1.1.1 THE GHANA ARMY**

1.1.1.1.1 The Ghana Army, as a standing army, is deemed to have its origins in the Gold Coast Constabulary (GCC), raised in 1874 with a nucleus of 350 men of the “Lagos (Glover’s) Hausas” after the *Sagrenti* War (1873-74). However, as far back as 1821, the then Governor of the Gold Coast, Sir Charles McCarthy had raised the Royal African Colonial Corps of Light Infantry (RACCLI) but this force was nearly annihilated in the Battle of Nsamankaw, during the Anglo-Asante War in 1824. The next attempt at raising a force was the formation of the Gold Coast Corps in 1852 but this force was disbanded in 1863 for its mutinous character. The Gold Coast Rifles, established in 1873 and officered by indigenes for the *Sagrenti* War was also disbanded in 1874 for no apparent reason. It however seems that the British preferred the “fighting qualities of the Hausa race” and hence gave birth to the GCC.

1.1.1.1.2 The GCC was re-organised in 1879 into an armed police with a strength of 975 men and was more thoroughly organised in 1886-87 after an Indian Infantry Regiment type Company with 16 British Officers, a European Sergeant Major, British NCOs and over 1,203 Africans recruited almost entirely from the Northern Territories comprising Mossi, Grunshie, Mamprusi and Frafra.

1.1.1.1.3 From 1st January, 1901, the GCC was redesignated as the Gold Coast Regiment (GCR) and amalgamated with others from the other West Coast Colonies to form the Royal West African Frontier Force (RWAFF) under the Command of Lord Frederick Lugard. The RWAFF was charged with maintaining internal security against warring tribes and defending colonial frontiers.

1.1.1.1.4 In 1923, the GCR was charged with the defence of the Gold Coast, the maintenance of order and any such duties as might from time to time be defined by the Governor. Thus the Governor could order the whole Regiment to be employed in the service of Her Majesty to defend the Dominion. This saw the GCR as part of the RWAFF in the Second World War.

1.1.1.1.5 At Independence, the GCR, which had now become the Ghana Regiment of Infantry, had to be equipped to meet the new socio-political context in which it found

¹ Festus Aboagye (Lt Col), *The Ghana Army A Concise Contemporary Guide To Its Centennial Regimental History, 1897-1999*, SEDCO Publishing Ltd., Accra, 1999, pp. 191-193.

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itself. There was the need to concentrate on the defence of the new nation and to meet the political aspirations of the Prime Minister, Dr. Kwame Nkrumah, in his liberation campaign across the continent. The Ghana Army was then composed of an Infantry Brigade under the Command of Brigadier D. H. Tadman. The Brigade consisted of 3 Infantry Battalions, a Recce Squadron (formerly Ghana Artillery), a Field Squadron (formerly Ghana Engineers), Ghana Signal Squadron, Ghana Army Supply and Transport Service, Ghana Army Educational Service, Ghana Army Ordinance Service, Ghana Army Medical Service, Ghana Army Electrical and Mechanical Engineers and the Ghana Army Pay Service.

1.1.1.1.6 The need for further restructuring to meet the changing political trends in Sub-Saharan Africa compelled the government to reorganise the Army in 1959. Consequently, the Ghana Navy and Ghana Air Force were formed from the ranks of existing troops. The expanded Ghana Regiment of Infantry became the 'Ghana Armed Forces' (GAF), made up of Ghana Army, Ghana Navy and Ghana Air Force, and given statutory backing by The Ghana Armed Forces Act, 1962, (Act 105).

1.1.1.1.7 The reorganisation also saw the establishment of the Military Academy and Training Schools (MATS), and the division of the Army into two Infantry Brigade Groups. In October, 1969, the ancillary services and units were grouped under the newly formed Support Services Brigade Group.

1.1.1.1.8 Major General A G V Paley served as the first General Officer Commanding (GOC) from 1957 to 1959 but his appointment covered only the Army. When Major General Alexander was appointed in 1959, he was designated Chief of Defence Staff (CDS) in view of the formation of the Navy and Air Force. The two newer Services had their own Commanders, though the CDS, Major General Alexander, was also the Commander of the Army. It was only in 1961, when the strength of the British team was reduced, that the Army had its own Commander, Brigadier Joseph Arthur Ankrah, separate from the CDS, Major General Stephen. J A Otu.

1.1.1.1.9 The primary roles of the Ghana Army can be defined as follows:

- (i) defending the territorial integrity of Ghana against external aggression;
- (ii) assisting the Police Service in the maintenance of public order; and
- (iii) providing relief services in times of emergency.

1.1.1.1.10 Apart from its primary functions, the Ghana Armed Forces have the additional responsibility of supporting the United Nations UNO), the African Union (AU), and the Economic Community of West African States (ECOWAS), in international and regional peacekeeping operations. These responsibilities have internationalised the outlook, requirements and expectations of the personnel of the GAF.

VOLUME 4 CHAPTER 1**1.1.1.2 THE GHANA NAVY²**

1.1.1.2.1 The Ghana Navy, composed of the Naval Headquarters and two Commands namely, the Eastern Naval Command (ENC) and the Western Naval Command (WNC), was raised in June, 1959, under the Command of the British Royal Naval Officers on secondment. The Royal Navy altered the nature of this relationship on 1st May, 1962, when it formed the Royal Navy Element of the British Joint Services Training Team. The first Chief of Naval Staff was Commodore D A Foreman, a retired British Naval Officer, who was granted Presidential Commission as a Ghana Naval Officer in that rank. The Navy began with a fleet of two HAM Class Sweepers, GNS YOGAGA and GNS AFADZATO from the British Government that were re-commissioned on 31st October, 1959. Rear Admiral David A. Hansen was transferred from the Ghana Army as the first Ghanaian Chief of Naval Staff (CNS).

1.1.1.2.2 Naval operations generally covered anti-smuggling, fishery protection, environmental protection, search and rescue mission on a routine basis.

1.1.1.3 THE GHANA AIR FORCE³

1.1.1.3.1 The Ghana Air Force was formed in May, 1959, under the Command of Air Commodore K. Jaswant-Singh of the Indian Air Force. An Israeli Training/Technical Support Team manned the training aircraft. Pakistan also provided Technical Flying Support services.

1.1.1.3.2 In 1961, a Canadian training team arrived in Ghana to strengthen the Flying Training School (FTS).

1.1.1.3.3 In 1963, Air Commodore J E S De-Graft Hayford was appointed the first Ghanaian Chief of Air Staff (CAS).

1.1.1.3.4 The Air Force trained its first batch of Ghanaian pilots at Ternhill (UK) in 1961 in the use of Hindustan and Piston Provost Aircraft. So were the first Ghanaian Instructors. Other training was undertaken in the Soviet Union and Czechoslovakia.

1.1.1.3.5 The last expatriate staff left the Air Force in 1970.

1.1.1.4 History of Training Institutions, Training and Recruitment

The history of training institutions in the Ghana Armed Forces began with the West Africa Command Training School (WACTS). The WACTS was established in 1940 and by 1943, had three schools under it, namely, the West Africa Command Jungle Battle School in Nigeria, the West Africa Command Clerks Training School in the Gold Coast and the West Africa Command School of Education in Sierra Leone.

1.1.1.4.2 In 1953, the Regular Officers Special Training School (ROSTS) was established to provide six months potential officer training for cadets from The

² See Aboagye, *supra*, pp.345-346.

³ See Aboagye, *op. cit supra*, pp.349-350.

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Gambia, the Gold Coast, Nigeria, and Sierra Leone before their further training overseas.

1.1.1.4.3 In 1956, the WACTS was re-designated the Royal West African Frontier Force Training School (RWAFFTS). From 1960 onwards the Military Academy and Training Schools (MATS) was established to provide training in Ghana.⁴

1.1.1.4.4 The ROSTS was closed down on 31st March, 1960. The GMA was then formed at the Whistler Barracks from the ROSTS on 1st April, 1960. Initially one could enter the school with Ordinary Level Certificate passes. From 1971, the minimum entry requirement was an Advanced Level Certificate pass. In 1984, the structure of cadet training was changed significantly. The length of training for Regular Officers was increased from 18 months (72 weeks) to 22 months (88 weeks) consisting of 26 weeks of tri-service Standard Military Course and 62 weeks of the Regular Career Course.

1.1.1.4.5 The Armed Forces Recruit Training Centre (AFRTC) was first designated as such on 10th July, 1960, having evolved from the Regimental Depot that was established in 1926. In 1960, the recruit intake was increased from 350 to 800 and the course duration was reduced from 35 weeks to 26 weeks for General Duty personnel, and from 24 weeks to 17 weeks for Tradesmen. Further reductions in the duration of the training were made but were subsequently reversed in 1963. The recruit training of 26 weeks consisted of physical training, map reading, drill, weapon training, field craft, and minor tactics. The training did not cover studies in citizenship and political education.

1.1.1.4.6 The Junior Leaders Company (JLC), popularly known as Boys Company, was under the AFRTC. The JLC was to train boys of 14years –16 years in military and academic courses. They were a potential source of Instructors, Non-Commissioned Officers (NCOs) and Technicians. Some eventually made it to the commissioned Officer grade. In 1969, the JLC became autonomous when the AFRTC was moved from Kumasi to Tamale.

1.1.1.4.7 Another military institution of interest is the Jungle Warfare School, established in 1964 at Achiase. It was intended to provide military training in jungle setting for both officers and other Ranks. In accordance with the foreign policy of the government of the First Republic, the school was also used to train African Freedom Fighters (AFF). This role was abolished in the wake of the 1966 coup d'état.

1.1.1.4.8 The Ghana Armed Forces Command and Staff College (GAFSC) was established at Teshie in 1976, with a Senior Division at Otu Barracks and the Junior Division at the Whistler Barracks. The Senior Division has been designed to train

⁴ The Schools under the MATS were increased from five to ten in 1985. Currently these are Schools under the MATS: the Ghana Military Academy (GMA), Army Combat Training School (ACTS), Physical Training School (PTS), Clerks Training School (CTS), Catering Training School (CATS), School of Education, Jungle Warfare School (JWS), Engineering Training School (ETS), Signal Training School (STS), Armed Forces Mechanical Transport School (AFMTS), Armed Forces Fire Service Training School (AFFSTS), School of Ordnance and Army Drill Duties (ADDS).

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officers for Senior Command and Staff appointments in GAF and other African Armed Forces.

1.1.1.4.9 British colonial policy attached a great deal of importance to training; hence the large number of training schools that were established, in the Gold Coast. Provision was also made for officers and other ranks to be trained abroad.

POST- INDEPENDENCE

1.2 ISSUES OF RECRUITMENT AND TRAINING

1.2.1 Recruitment

1.2.1.1 Recruitment was done centrally during the mandate period. In the colonial era, when this began, there was a consistent policy of informing communities of opportunities for recruitment of other ranks into the Armed Forces. However, over time, this policy was not always adhered to, with the result that only persons connected with military personnel heard of such opportunities. This in turn bred nepotism in recruitment as the phenomenon of “barracks boy” developed. The central recruitment at one location also presented difficulties for persons who either could not receive the information on the recruitment by reason of geographical disadvantage, or make the journey by reason of poverty. These developments created ethnic imbalance as some groups were over-represented and others under-represented. This distortion in the ethnic make-up of the lower ranks of the Armed Forces presented challenges of national inclusion and national stability.

1.2.1.2 The selection of candidates for commissioning into the Officer Corps was also governed by regulations inherited from the British Army. Candidates were obtained by visits to secondary schools by commissioned officers, and putting out advertisements in the press. The process involved the writing of entry examinations, after which successful candidates were vetted and then made to face a selection board, for further assessment for officer-quality. Successful candidates then had to go through Medical Examinations, before proceeding to training.

1.2.1.3 These rigorous steps involved in recruitment to ensure quality material for officer training, were not adhered to during some periods of the mandate period. Persons who ought not to have been considered because of their well-known character in their communities and previous educational institutions still got cleared to proceed to the next stage of the process. There were complaints that selection boards were not always fair, with the result that many people felt disadvantaged by reason of their ethnic or other backgrounds. This also meant that those who were well-connected, managed to overcome institutional hurdles.

1.2.1.4 A parallel system of accepting unofficial recommendations, developed with the “Africanisation” policy of the First Republic. Having originated for improper reasons, the system became open to cronyism, nepotism, etc with the resultant

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degeneration in standards and morale of the officer-corps, and distortion of loyalties within the junior ranks.

1.2.1.5 Governments seemed to have left matters pertaining to recruitment policies in the hands of the professionals within the services, as there was no conscious national policy to develop a national Armed Forces based on inclusiveness.

1.2.2 Training

1.2.2.1 During training, there was emphasis on normal military training, but nothing on political education, civic education, nor any exposure to International Conventions such as the Geneva Convention, and other United Nations Conventions on Humanitarian Law as well as the Law of War in general. The result of this lop-sided training was that soldiers did not have sufficient exposure to the kind of education that made them conscious of the human rights issues involved in their work.

1.2.2.2 There appeared to be a culture of bullying and abuse of the vulnerable, in Military Training Institutions. This culture of abuse developed attitudes that were transferred to the civilian population when the military became involved in civil life as a result of the coups d' état that took place in the country. The abuses that were perpetrated all over the country and within the entire mandate period, were so similar in kind and from that the inference is irresistible that they must have been developed at a common location, such as in a training institution, and imparted to all who passed through that institution.

1.2.2.3 During officer-training, character assessment was expected to continue so as to eliminate unsuitable persons from receiving a commission. However, this appears not to have been done on a consistent basis, leading to the commissioning of persons who had a low appreciation of what it took to be an officer in the GAF.

1.3. ISSUES OF DISCIPLINE AND SERVICE CONDITIONS**1.3.1 Discipline**

1.3.1.1 The back-bone of every Army is discipline. Therefore the Ghana Armed Forces was established with a well-defined body of rules to govern the conduct of its personnel. In order to maintain a high standard of discipline in time of war and peace, it was given a structure as well as procedures for handling disciplinary cases. It also developed a well-defined system of grievance procedures. The provisions were expected to bind all officers and other ranks, as well as civilian personnel. Appropriate punishments that could be imposed by the disciplinary board, were laid out in the regulations. The regulations were also clear on who was the appropriate disciplinary authority.

1.3.1.2 Military take-overs of political power, being in themselves, acts contrary to service discipline, created an atmosphere of lack of respect for service rules and regulations. The involvement of military personnel in civilian administration during periods of military rule, affected morale and bred indiscipline within the ranks. The collapse of the Command Structure in 1979, and its spill-over effect in 1981, also had

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import for the integrity of the institution. Even recruitment procedures were overlooked, with severe consequences for the maintenance of discipline.

1.3.1.3 Good Officer-man relationship can also be cited as a factor in maintaining discipline. The lack of respect for subordinates as human beings, rather than just fighting machines, became evident at particular points in time when the Officer-Corps was engaged in politics outside the barracks, and undermined the *esprit de corps* within GAF.

1.3.2 Promotions

1.3.2.1 The Armed Forces Regulations made pursuant to the Armed Forces Act, 1962 (Act 105) as amended, laid out elaborate procedures to be followed in the promotion of officers and Other Ranks of each arm of the Armed Forces. However, with Africanisation policy and the advent of coups d'état, the undue acceleration in promotion for some officers and coup plotters created an ambition in young officers for rapid promotions.⁵ This in turn bred some of the coup plots that took place during the mandate period.

1.3.3 Discharge And Release

1.3.3.1 The regulations also spelt out the rules governing discharges and releases from the Armed Forces. However, in some instances, these procedures were not followed.

1.3.4 Death And Injury In The Course Of Duty

1.3.4.1 The GAF have adequate provisions for death and injury that occurred on duty. However, the amounts payable have not been revalued for a long time thereby causing the sums payable to seem absurd. In addition, certain persons who were killed fighting to defend the Constitution were not treated as "loyal troops" deserving of the benefits, and these produced some of the complaints received by the Commission.

1.3.5 Resettlement And Rehabilitation

1.3.5.1 The nature of service in the Armed Forces requires strong and agile young people to fill the ranks. Consequently, the institution has to shed its personnel when they are no more able to fulfil the rigorous demands of life within the service. Infantry battalions constitute the major part of Ghana Armed Forces and embody the largest number of servicemen and women whose skills are mostly associated with weapons. The discharged or released personnel, therefore, tend to be in the prime of life and are consequently not marketable in civilian life. Such personnel have had to find jobs as security men, with the attendant loss in prestige and self-esteem. They have not been able to maintain their standard of living and have rapidly degenerated,

⁵ Simon Baynham, *The Military and Politics in Nkrumah's Ghana* Westview Press, Boulder & London, 1988, pp 245-247.

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sometimes lapsing into alcoholism. These persons have also been available for hiring as land-guards and have been active in the ethnic conflicts that have erupted in some parts of the country.

1.3.5.2 This situation poses a serious risk to the nation as reintegration becomes a problem for these servicemen and women. It thus becomes imperative that they be provided with skills, through resettlement programmes to make them employable in civilian life, following their release from active service.

1.4.0 GHANA POLICE SERVICE

1.4.1 Brief History

1.4.1.1 The Police Service of the Gold Coast was born in 1831 when Captain George MacLean, Governor of the Gold Coast, formed a body of 129 men to patrol the trade routes that linked Ashanti and the coastal states and also to protect the colonial merchants and officials in and around Castle.

1.4.1.2 In 1871, a training programme which was combat-oriented and based mainly on the use of firearms, conventional warfare and unarmed combat, was developed in response to the nature of their responsibilities on the trade-routes.

1.4.1.3 The police became a part of the colonial machinery used to suppress civil disorder, often resorting to the use of brute force. This earned them the local name “*buga-buga*” (literally, “beat, beat” in Hausa) and therefore they were never looked upon by the public as peace officers trained to protect them.

1.4.1.4 In 1873 an Ordinance⁶ was passed to formalise the operations of the force and to provide for “better” discipline and regulation of the police.

1.4.1.5 It is worthy of mention that the Commissioned Officers of the Police Force then were British, and the junior ranks were indigenes of the Gold Coast and other colonies in West Africa. The majority of the junior ranks were recruited from various parts of the Northern Territories, and from Northern Nigeria.

1.4.1.6 One of the most significant events involving the colonial Police was the confrontation with the demobilised servicemen. on 28th February 1948. Three ex-servicemen were shot and killed when the police under the command of Superintendent Imray opened fire on a peaceful march of ex-servicemen to present their petition to the Governor at the Christianborg Crossroads. In the aftermath of the shooting, the Gold Coast witnessed a spate of riots.

1.4.1.7 As the force grew and expanded, new units were formed. These included the Railways Unit, the Marine Police and the Criminal Investigation Department. In 1949 the Wireless Division was established due to the increasingly sensitive nature of materials being transmitted through the Post and Telecommunication (P & T) system

⁶ Police Force Ordinance, 1873.

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especially after the 1948 disturbances. In 1952, a specialised squad of twelve policewomen was formed to deal with cases of juvenile delinquency and offences committed by women.

A new unit known as the Police Reserve Unit was formed after the 1948 disturbances.

1.4.1.8 In 1951, a Colonel A E Young of the British Police was commissioned by the Colonial Administration to research into the Police Force and make recommendations for reorganising the Force and preparing it for Independence. His recommendations were duly submitted, but never fully implemented.

1.4.1.9 In direct response to subversion elements that posed a threat to the stability of the nation, another specialised unit, the Armoured Car Squadron (ACS) was formed in 1959 and equipped with Ferret Armoured Scout cars.

1.4.1.10 In 1959, the Police College was established to train Officer Cadets locally; hitherto officers were trained in the United Kingdom. The Prime Minister addressed the first graduation Parade on 4th September, 1959. At that ceremony, he charged them to give a new face to the Police Force thus:

There are colonial police forces which exist to enforce authority of a foreign power on a colonial people. In such forces this will be demonstrated by the fact that the Police will be peremptory and even brutal in their dealings with the inhabitants of the colony while they will be ingratiating and subservient to those in authority. In a free and independent country, the conduct of the Police must be the exact reverse of this. They must demonstrate to the people at large that the country is free and independent by behaving towards the ordinary man in the street with exactly the same politeness as they would behave towards those in superior positions.⁷

The first Ghanaian head of the Police Service, (then known as Commissioner of Police) was Erasmus RT Madjitey.

1.4.1.11 In 1965, the Police Service Act, 1965, (Act 284) was passed to regulate the institution. The Service Act was re-enacted as the Police Service Act, 1970 (Act 350). The statutory functions of the Police Service under the Police Service Act, 1970 (Act 350), are as follows:

1. prevention and detection of crime;
2. maintenance of law and order;
3. apprehension and prosecution of offenders;
4. protection life and property; and
5. enforcement of all laws and regulations with which it is directly charged.

It is against the backdrop of the performance of these statutory functions, that various of human rights violations and abuses were committed by or against police personnel.

⁷ Kwame Nkrumah, *I SPEAK OF FREEDOM* Panaf Books Ltd., London, 1971, p 181.

VOLUME 4 CHAPTER 1**STRUCTURE, TRAINING, PROMOTION AND DISCHARGE****1.4.2 Structure**

1.4.2.1 The structure of the service as spelt out in Act 350 is in the form of a pyramid with the Inspector-General of Police (IGP) at the top at the headquarters. At the base is the police post. The service is organised on a national basis with a unified command under the IGP who is responsible for the day-to-day supervision over the operations and administration of the Police Service, subject to the control of the Police Council.

1.4.2.2 The Police Service (Amendment) Regulations, 1974 (LI 880) provides for the posts and ranks in the service. They are divided into two main parts: the Superior Officers and the Subordinate Police Officers. The ranks from Assistant Superintendent to the Inspector-General of Police constitute the Superior Officers, while the ranks from Police Recruit to Chief Inspector constitute the subordinate ranks.

1.4.2.3 Structurally, the Police Service is also divided into:

- Uniform Branch
- Criminal Investigations Department (CID)

1.4.2.4 The CID is responsible for the conduct of all criminal investigations and the institution of criminal proceedings throughout the country.

1.4.3 Recruitment

1.4.3.1 A person was eligible to be recruited into the service, during the mandate period, if he or she was between 18 years and 25 years of age and not less than 5 feet 8 inches, and not less than 5 feet 4 inches in height for males and females respectively. The minimum academic qualification for the General Police was Middle School Leaving Certificate in the 1960s, and later raised to a minimum of five passes in the GCE 'O' Level Examination. There was also an Escort Class, made up largely of illiterate ex-servicemen.

1.4.3.2 The recruits are expected to be honest, and free of any criminal conviction. Although there was nominal vetting of the candidates at the recruitment stage, this was inadequate given the level of integrity required in the performance of the statutory functions of the police. Positive vetting is now employed to secure better information on the candidates.

1.4.3.3 Recruitment used to be carried out in Accra and Kumasi only, but this has now been extended to all regional capitals in Ghana.

1.4.4 Training

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1.4.4.1 As earlier stated, prior to 1959, superior police officers were trained in the United Kingdom, but subordinate police officers were locally-trained. Subsequently, the Ghanaian officers who took over from the British officers, did little to review and update the structure of the training schools and programmes left by the British. They made no conscious effort to implement the recommendations of Col Young, nor did they fashion out any programme to suit the tenets of policing in a democracy. Consequently, the training content did not take into account the culture of the newly-independent Ghana. Indeed, the Police Standing Orders were developed during the colonial administration and the last known edition,(ie the 5th edition) was published in 1979.

1.4.4.2 The National Police Academy and Training Schools (NAPATS) have served as the main training institution for policemen in Ghana. The other institution is the Police College where officer-cadets are trained to be commissioned officers. Entry into the college is through competitive examinations involving chief Inspectors and Inspectors who have spent a minimum of four years in the inspectorate position. There are no facilities for local training into senior Command and Staff positions within the Police Service, and although some officers are trained at the GAFSC, this presents difficulties for institutional identity and a confusion of purpose and function.

1.4.4.3 The basic police recruit training curriculum, rules and regulations and procedures inherited from the British remained without any significant change in form or content when Ghanaian officers took over. There were few changes in the curriculum without any emphasis on human rights training. Police officers are first and foremost citizens who must equally enjoy rights/freedoms such as human dignity, freedom of speech, right to life, non-discrimination, etc with other citizens. But the training and orientation of police officers have not seriously taken into account the rights/freedoms of individual officers. At the training schools, male recruits have their heads shaven completely and wear dresses that expose them to environmental hazards. They are trained to obey instructions from their seniors even though the oath of office taken by the recruit on enlistment binds him or her to faithfully obey lawful commands only. Classrooms, hostels and barracks were constructed in such manner that there is little room for enough space and ventilation. These places are always crammed, especially the hostels, to such an extent that some recruits sleep outside during the night to enjoy fresh air. Under these circumstances, recruits were exposed to health hazards like malaria and other diseases.

1.4.4.4 The dehumanising conditions under which recruits are trained, with little regard for their rights/liberties often ended in developing in them a mindset which is anti-human rights. Thus, as they enter the field as fresh constables with enormous police powers and authority, they have little regard for citizen's rights and liberties. Bullying in training institutions that nurtures a culture of intimidation, unconsciously inculcates in recruits a culture of abuse of power that is carried along after graduation into active service.

1.4.4.5 The infrastructure including accommodation, facilities and general conditions at training schools, which were developed in the 1930s, have deteriorated considerably, and have not seen significant improvement.

VOLUME 4 CHAPTER 1**CONDITIONS OF SERVICE****1.4.5 Promotions**

1.4.5.1 LI 880 of 1974, provided in regulation 7 for a Police Appointments and Promotions Advisory Board consisting of the Inspector-General, as the chairman, two commissioners of Police, three deputy commissioners of Police and one assistant commissioner. The Board has the function of advising on appointments and promotions of police officers from the ranks above police recruits up to and including the rank of assistant commissioner. The inclusion of the IGP on the Advisory Board creates a problem of over-concentration of power in one person's hands, as well as the incongruity of the IGP giving advice to himself on matters of promotion of junior ranks. The problem of the ninety Constables who were dismissed in 1987 for their refusal to write newly-re-instituted promotion examinations, may have been caused by difficulties inherent in the system of administering promotions within the service.

1.4.5.2 There are three main methods of promotion in the service namely: promotion by examination, promotion by seniority and special administrative promotion. Promotion under Act 350 shall be made according to merit and merit under the law is defined as "the quality of deserving praise, reward, etc." To qualify for promotion in respect of the first two methods, the candidate must be recommended by his region/ unit commander based upon proven integrity and good conduct, efficiency and hard work, and satisfying the required number of years in the present rank. In the case of the special administrative promotion, the candidates must be honest, loyal, skilful and efficient above average. They must also possess remarkable investigative and detective ability. Specific requirements are also given under the law for promotion into the various ranks. These rules were not always followed, with some consequences for depression of morale.

1.4.6 Discharge

1.4.6.1 A member of the police service is required to leave the service upon the attainment of the compulsory retiring age where the person holds a pensionable post. A person who is also in the Service on a limited engagement can also leave on the expiry of the period specified. However, contrary to these regulations, some police personnel were forcibly retired by the government, in complete disregard of the service regulations and without just cause. Such forcible retirements by the political authority undermined the ability of the police to be fair and impartial in the discharge of their official functions.

1.4.6.2 A person can also leave the service when he or she is transferred to serve in another public institution with his or her consent. Another instance of a discharge from the service is when one's post is abolished.

1.4.7 Death And Injury In The Course Of Duty

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1.4.7.1 Police personnel are covered by the provisions of the Workmen's Compensation Law, 1987 (PNDC L 187). However, it would appear that the nature of police duties and policing have changed since the service was established. Police Service now supply guns instead of mere batons, as crime-trends have undergone dramatic change on account of the proliferation of small arms. The service now owns armoured vehicles as well as other equipment that used to be the preserve of the Armed Forces, and also participates in international peace-keeping duties. These changes in operational trends have increased the risk of injury and death to personnel in the course of duty. Consequently, policies designed to ensure maximum commitment on the job should be aligned with those of the Armed Forces. The benefits to police personnel under the Workmen's Compensation Law must be reviewed to ensure that they reflect these changed trends in policing.

1.5 THE SPECIAL BRANCH AND THE RESERVE UNIT

1.5.1 The events of February, 1948, brought two issues to the fore: the lack of an effective intelligence system which could have anticipated the events, and the lack of a good rapid reaction capability in the Police Force. These institutional shortcomings, resulted in the taking of remedial action by the formation of two units: the Special Branch and the Reserve Unit.

1.5.2 The Special Branch was formed with the primary purpose of intelligence gathering and to effectively counter any moves to destabilise the colonial administration. The Reserve Unit was used to quell street protests and other demonstrations. However, in the early years of post-Independence Ghana, the Special Branch became a tool for fishing out persons who were perceived to be threats to the personal security of President Nkrumah. The Special Branch, together with the Presidential Detail Department (PDD) and the President's Own Guard Regiment (POGR), became the agencies responsible for the protection of the President.

1.5.3 The Special Branch existed as a part of the Police Service although it had quite a number of civilian employees. During the era of the Provisional National Defence Council (PNDC) it was re-named the Bureau of National Investigations (BNI).

1.5.4 Though initially set up to gather intelligence, the functions and roles of the Special Branch/BNI have been determined along the way by the various regimes, and they have used them for various security functions.

1.6 THE PRISONS SERVICE**1.6.1 Brief History**

1.6.1.1 The Prisons System started in about 1822 under Governor George Maclean. After the formation of the Gold Coast Constabulary in 1874, the need for a formalised system of prisons was felt and therefore it was carved out of the Gold

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Coast Constabulary as a separate department, though still attached to the police. The main infrastructure for incarceration were the forts and castles. As the prisons expanded the department was separated from the police in 1920. Later after Independence, the Ghana Prisons Department was renamed Ghana Prisons Service⁸ and handed over to its first Ghanaian head (then known as Director), CB Moses.

1.6.1.2 As a result of the history of political detentions, the service has acquired an unsavoury image and reputation in matters of human rights.⁹

1.6.1.3 The Prisons Service Decree, 1972 (NRCD 46) states the functions and duties of the service to include the following:

1. (1) It shall be the duty of the Prisons Service to ensure the safe custody and welfare of prisoners and whenever practicable to undertake the reformation and rehabilitation of prisoners. (2) Every prison officer shall perform such functions as are by law conferred upon a prison officer and shall obey all lawful orders and directions in respect of the execution of his office which he may receive from his superiors in the Prisons Service.
2. In performance of its duty the prisons Service shall ensure that-
 - (a) no person shall be subjected to-
 - (i) torture or inhuman or degrading punishment; or
 - (ii) any other condition that detracts or is likely to detract from his dignity and worth as a human being;
 - (b) a person who has not been convicted of a criminal offence if kept or confined in a prison, shall not be treated as a convicted person, and shall be kept away from convicted persons.¹⁰

1.6.1.4 The disciplinary procedures provided for under NRCD 46 and the Standing Orders of the Service, provided rules that governed the conduct of prison officers. These stipulated various prohibited acts which would impugn the image of the service, lead to the neglect of the officer's duties, or which would infringe the basic rights of prisoners.

1.6.1.5 These statutory regulations in respect of the performance of the duties were consistently and persistently violated, particularly, in respect of political detainees throughout the mandate period.

STRUCTURE, TRAINING, PROMOTION AND DISCHARGE

1.6.2. Structure

1.6.2.1 At its birth, the personnel of the Prisons Department was made up officers who were British, and subordinate ranks who were indigenes and mostly illiterates, or

⁸ Prisons Service Act, 1963 (Act 221).

⁹ See Report of the Commission Appointed To Enquire Into The Conditions Prevailing In The Ghana Prisons Services by the NLC; and accounts of other political detainees within the mandate period.

¹⁰ Sections 1 and 2, NRCD 46.

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at best holders of Middle School Leaving Certificate (MSLC). They were known as “Warders” or “Gaolers”

1.6.2.2 With the enactment of the NRCD 46, a well-defined structure was prescribed. The service was made up of the Director of Prisons, two or more Deputy Directors of Prisons and Prison Officers holding posts or ranks created under the Decree. The director was the Head of the Prisons and he could delegate his responsibilities to any other members of the service, as he deemed fit.

1.6.2.3 During the 1980s the Directors of Prisons were drawn from the military, rather than using persons who had been trained as prison officers. This affected morale as it reinforced notions of institutional inferiority and impeded career progression within the Prisons Service. In addition, the Military Officers, coming from a tradition with different perspectives on human rights, could not be expected to appreciate the difference between an ordinary prisoner and a prisoner-of-war and their concomitant rights.

1.6.3 Recruitment

1.6.3.1 The recruitment age for new ranks is between 18 years and 35 years and the candidates must possess a minimum qualification of four passes at the General Certificate of Education, Ordinary Level (GCE ‘O’ Level) or in Senior Secondary Certificate of Examination (SSCE). The subjects passed must include English Language for General Duty officers. For tradesmen, a MSLC or Basic Education Certificate Examination (BECE) and National Vocational Training Institute (NVTI) 1 and 2 qualifications are required.

1.6.3.2 A person who wishes to be appointed to the prisons service has to submit a formal application to the director, attend a recruitment selection interview, and be vetted. The vetting includes the checking of previous criminal record and for this purpose, finger prints are taken and verified by the Criminal Investigations Department of the Police Service.

1.6.3.3 Candidates for appointment into the senior ranks are obtained by advertisement in the press. Applicants are then subjected to the same checks on health, character and previous criminal record.

1.6.3.4 It would appear that, as in all the Security Services, the same ills of nepotism and cronyism have influenced recruitment, particularly in the lower ranks. This has had implications for discipline in the Service.

1.6.4 Training

1.6.4.1 The training of Prison Officers seems to emphasise secure custody of prisoners, to the neglect of appropriate mechanisms for reform and rehabilitation. In view of changed penal philosophies in modern times, the institutional philosophy of the Prisons Service must be reviewed.

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1.6.4.2 Modern prison officers need exposure to professional counselling so that they can have a positive influence on their charges as they are in daily contact with them. Consequently, the counselling component of the training should be seen as an integral part of the basic skills of the prison officers.

1.6.4.3 There are no facilities for training officers for the senior ranks. Therefore the same facilities are used for both Superior Officers and subordinate officers. On occasion, arrangements are made to train superior officers at the MATS. This training has serious implications for the person's appreciation of the institutional identity of the service, and the relevant human rights perspectives.

1.6.4.4 There is no evidence of a sustained policy on in-service Human Resource Development, given the calibre of personnel available for recruitment. Continuing Education has not been a feature of the service both on account of its history and the state of its facilities.

1.6.5 Promotions

1.6.5.1 Promotions in the service depend on good conduct and efficiency and in this regard, one's experience based on the length of service is a contributory factor. Long service alone is not the only determining factor for promotion. Promotion of an officer is also due to his strict and careful attention to duty. A member of the service cannot be promoted on his own application.

1.6.6 Discharge

1.6.6.1 Upon the attainment of the compulsory retiring age, a member of the service on a pensionable engagement is required to retire. A person is however free to resign from the service at any time. Retirement on health grounds is to be recommended by a medical officer.

1.6.6.2 Upon retirement or resignation an officer may be issued with a certificate of service, provided that he has done not less than two years in the service.

1.6.7 Death And Injury in the Course of Duty

1.6.7.1 Personnel of the Prisons Service are covered by the provisions of the Workmen's Compensation Law, 1987 (PNDC L 187). However, it would appear that in line with the changing nature of crime and criminals in Ghana, the performance of duties in prisons now entails more risk than used to be the case. The killing of a prison officer and injuring of another on duty at Nsawam Medium Security Prisons on 19th June, 1983, as well as the riot in the same prison in January, 1991, would seem to suggest that the nature of the duties has undergone some change. Although these particular events may have been attributable to the presence of a large number of ex-soldiers then in political detention, it is still true that the proliferation of small arms and the increase in armed robbery, and consequently armed robbery remandees and convicts, have implications for the safety of personnel. The benefits payable to

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prison officers under the Workmen's Compensation Law must be reviewed to ensure that they reflect these changed trends in the criminal population.

1.7 THE BORDER GUARDS SERVICE¹¹**1.7.1. Brief History**

1.7.1.1 It originated as the Preventive Service of the Customs and Excise Department in about 1949. The Preventive Service was disbanded in 1962 and its functions were transferred to the Police Administration because of institutional corruption. In 1964, it was detached from the Police Force, and placed under the direct control of the President as Department V of the National Security apparatus. One of the primary functions of the new Service was to maintain border security as well as facilitate the movement and operations of "freedom fighters".¹² After the 1966 coup, the NLC disbanded Department V and merged with the Police Force.

1.7.1.2 After the 1972 coup d'état, the Border Guards Service was established as the Fourth Service of the Ghana Armed Forces and Col. John A Kabore was appointed its first Commander. It was formed by personnel from the Police Service and Ghana Army. This Service was disbanded in 1984, on account of institutional problems, and its functions transferred to the newly re-organised Customs Excise and Preventive Service (CEPS).

1.7.1.3 When the Border Guards Service was established, its main functions were: to control and protect the borders of Ghana by checking smuggling; the suppression of currency trafficking; and the checking and arresting of undesirable persons trying to enter or leave the country.

1.7.2 PROBLEMS OF THE SERVICE

1.7.2.1 The Border Guards (BGs) were not provided with adequate accommodation and they and their families lived under most unsuitable conditions in the border towns and villages.

1.7.2.2 There were no employment opportunities at the border areas for the spouses and other relations of BGs, thus leaving them no option than joining in trade activities that involved seeking supplies from smugglers. Some BGs and their relations engaged in smuggling themselves, because in the period of 1978-84, there was a scarcity of essential goods, and consequently a thriving market for goods from the neighbouring countries developed. The state of the national economy and the hardships under which they lived and worked, compromised the ability of the BGs to check smuggling and currency trafficking and put them under constant suspicion of collusion with smugglers and even "dissidents". These problems thus opened them up to corruption

¹¹ See, Aboagye, *supra*, pp.221-223.

¹² *Ibid.*, p 222.

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and therefore made them a target of any official clamp-down on illegal activities at the borders.

1.7.2.3 The BGs, in the execution of their duties, used brutal methods against persons they suspected to be smugglers, even when the goods they were carrying were in such quantities as to be only for personal use. On occasion, they even confiscated goods that were covered by proper documentation, causing a lot of pain and hardship to families who depended upon the cross-border trade for their livelihood.

1.8. PRESIDENTIAL DETAIL DEPARTMENT (PDD)

1.8.1 The Presidential Detail Department (PDD) was formed by President Kwame Nkrumah to provide security for his own person, as well as the security of his household.

1.8.2 Initially, the PDD had two main components namely: bodyguards' section and counter-intelligence section. These bodyguards were largely made up of hand-picked personnel, mostly from the President's own ethnic group, Nzima, recruited mainly by the Head of the Unit, Ambrose Yankey, (Snr). This fact was to have serious consequences for the people of the area after his overthrow since many were killed or detained and then banned from holding public offices for ten years.

1.8.3 The bodyguards were given basic military training, physical fitness and hand-to-hand combat by mostly foreign specialists. They were comfortably housed; some within the premises of the Flagstaff House, the majority in residential flats directly opposite the Flagstaff House, and others in Kanda Estates in Accra, for easy mobilisation in times of crisis. These personal bodyguards of Kwame Nkrumah accompanied him on trips, mingled with crowds and frisked suspicious-looking individuals for weapons.

1.8.4 The counter-intelligence sub-unit consisted of Soviet-trained men whose responsibility was to check on the loyalty of all PDD members and to prevent the organisation from being penetrated by elements that were hostile to President Nkrumah.

1.8.5 Members of the PDD were also responsible for spying and reporting on the citizenry, and this resulted in many detentions:-

1.8.6 The PDD was totally loyal and answerable only to the President. They were also very well remunerated and enjoyed numerous privileges that the regular Army did not have. This development was to sow the seeds of hatred and resentment in the regular Army against the PDD.

1.9 THE PRESIDENT'S OWN GUARD REGIMENT (POGR)

1.9.1 In 1960, President Nkrumah caused the formation of a Guard Company made up of troops soldiers who had become unfit for operational duty. This was to be a ceremonial guard, performing guard duties at the Flagstaff House, and for visiting

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dignitaries. Three months after its formation, the Guard Company, as it was known, was re-named the Presidential Guard Regiment, and trained by foreign military experts. It was under the command of Lt Col David Gbon Zanlerigu.

1.9.2 Following the attempts on his life, President Nkrumah became convinced that he needed an even more powerful alternative security force. He therefore ordered the expansion, reinforcement and redesignation of the Presidential Guard Regiment as the President's Own Guard Regiment (POGR). Thus in 1963, the POGR came under the PDD. In 1965, the Regiment was officially severed from Command of the regular Armed Forces, thus making it a private army of the President. Lt Col Zanlerigu remained in command of the POGR. By 1966, the POGR could boast of 50 officers and 1,150 men, constituting two battalions. There were reports of further expansion of the POGR to between three and five battalions.

1.9.3 Consequently, the command structure and established norms of hierarchy of the regular Armed Forces were distorted. Lt Col Zanlerigu took orders directly from the Commander-in-Chief, President Nkrumah, and not from the Chief of Defence Staff (CDS).

1.9.4 The POGR was better equipped, better trained, better clothed and remunerated and consequently more motivated than the regular Armed Forces.¹³ This caused a lot of disaffection and deep hatred among the regular forces for the POGR. The fury and violence which was unleashed by the regular Army on the PDD, including the POGR, bore testimony to the resentment caused by years of neglect, deprivation and humiliation. The unit was re-integrated into the Army soon after the coup.

1.9.5 With such a force at his disposal, and the help of the traditional security institutions in some cases, Nkrumah was able to suppress his political opponents, and any person whom he perceived to be a threat. Even members of his own government and the party, who were perceived to be opposing him became victims of torture and abuse at the hands of his security network.

1.9.6 It is worth mentioning that the Security Services found their traditional role being usurped by the creation of these other security institutions. Consequently, officers and men of the traditional security services became peeved and dissatisfied hence, putting the security of the State at further risk. With suspicion, bitterness, rancour, the general economic decline and the dictatorial and authoritarian rule of the CPP Government, it came as little surprise when the first coup d'état was staged by the joint action of the Military and the Police on 24th February, 1966.

THE INVOLVEMENT OF THE SECURITY SERVICES IN POLITICS

1.10 Consequential Issues for all Security

¹³ A A Afrifa (Col) *The Ghana Coup 24th February 1966* FRANK CASS Co Ltd, London, 1966, p.100.

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1.10.1 The Security Services perverted their primary roles and functions as set down in the 1960, 1969 and 1979 Republican Constitution as well as their governing Rules and Regulations, by becoming involved in the politics of this country. This involvement contravened the code of ethics and the very essence of the institutions, and has had the result of disorganising the structures and culture of these services, as well as undermining their image and functioning capabilities. In addition to these problems, the exercise of unbridled power enabled them to exploit the citizenry and to perpetrate acts that constituted gross human rights violations and abuses against the populace in general, and even against some of their own service personnel in particular in pursuance of their personal ambitions and political goals.

1.10.2 The governing councils of the institutions are made up of such officials as to make them a part of the government. The number of political office-holders represented on those councils ensured that whenever there was a disruption in governance, the councils ceased to exist and the institutions suffered from the discontinuation of leadership.

1.10.3 The practice of dismissing Heads of Security Services upon assumption of power also militated against the interests of the institutions. With the exception of JWK Harlley who was an active participant in the plot to overthrow the First Republic, Raphael Kugblenu stands as the only IGP who survived an abrupt change of government and remained in office. The fact that every administration appointed its own IGP, undermined the capacity of IGPs to withstand political interference in the administration of the service as they were beholden to the government.

1.10.4 There is abundant evidence to show that the forcible and unauthorised interruptions by the security services in government have adversely affected the development of the nation. Citizens were traumatised by the total disregard for their human rights when they were brutalised by members of the security services. By the end of the rule of the military governments, they stood accused of perpetrating the same kinds of malfeasance in governance, as the governments they had overthrown.

1.10.5 THE GHANA ARMED FORCES (GAF)

1.10.5.1 The GAF, in association with the police, staged their first direct appearance on the political scene, by removing the elected civilian government on 24th February, 1966. There have been four other successful interruptions in the nation's history and these have been discussed in greater detail later in this report. Some of these incursions into politics by the Security Services, under the cloak of liberating the country from bad and corrupt governments, have stemmed from personal desires, other than the noble declarations by them at the time of seizure of power. The breakdown of Command and Discipline in the Services, occasioned by structural weaknesses in the services themselves and the involvement of military personnel in "civilian" affairs, enhanced the opportunities for adventurers.

1.10.5.2 The inability of the top brass of the GAF to act decisively on intelligence received from appropriate quarters, especially concerning the events of 31st

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December, 1981, is ample testimony of the contribution of poor leadership, indecisive command and professional incompetence, in undermining constitutional governments.

1.10.5.3 Whenever the adventurers struck the first blow, they were aided by commanders who showed disloyalty, indecision, incompetence, cowardice and compromise on those occasions.

1.10.5.4 The impact of the take-over on the institutional integrity of the GAF itself has been even more traumatic. As some military personnel were catapulted into positions of authority over the heads of their superiors in the institution, the Command Structure broke down. This contributed to undermine institutional integrity as the disciplinary ethics of the service were shattered. For example, in the wake of the 4th June mutiny, Senior Officers in Command positions were replaced with Junior officers, who lacked experience and command-expertise. In addition, Junior officers and other Ranks were placed in adjudicating positions, and in this capacity, presided over trials of their superior officers for supposed infractions of military and civilian rules. In other cases, though senior officers remained in Command, they were under the dictatorship of the other ranks, who threatened them with physical harm should their performance fall short of their demands. These developments were certainly contrary to Military Ethics and Discipline.

1.10.5.5 Military governments have also used the security institutions to further their various notions of what constitutes “state security.” These Governments politicised recruitment, career-development, promotions and retirements, of personnel in GAF.

1.10.5.6 Ethnocentrism And Nepotism In GAF

1.10.5.6.1 The policies of Military Governments also heightened issues of ethnocentrism in the GAF. For instance, morale and discipline in the Armed Forces was seriously affected by the arousal of inter-ethnic sensitivities when after the 1966 coup, several young men were conveyed by truckloads from a particular region, to the Armed Forces Recruit Training Centre in Kumasi and enlisted *en masse*.¹⁴ This was contrary to the laid down rules, regulations and procedures covering recruitments. Furthermore, this special intake of recruits was given only four (4) weeks of training instead of the mandatory twenty-six (26) weeks of training. Between 1982-84, following some coup attempts led by persons from Northern Ghana, soldiers from the North became the targets of harassment and even detention, by reason of the feeling that on account of their origins, their loyalty to the PNDC Regime had become suspect.

1.10.5.6.2 It is a fact that at some point in the history of the GAF, there was no regional balance within the institution. This has created some command and control problems as ethnic loyalties tended to interfere with work situations. Ethnocentrism has gained roots in the forces to the extent that at a point in time, one or two ethnic groups dominated the GAF, and this was unhealthy for the development of a sense of nationalism.

¹⁴ Memorandum to National Reconciliation Commission.

VOLUME 4 CHAPTER 1**1.10.5.6.3 “Adjutant Soldiers”**

Various units of the Army were given authority to recruit a few soldiers to make up numerical deficiency in the unit. The Unit Adjutant was in charge of this recruitment, hence the name Adjutant Soldiers. They were trained for only four weeks instead of twenty-six weeks, and were absorbed into the units. The recruits for this “Adjutant Soldiers” category turned out to be relatives and dependants of serving officers and men, and the nepotism in recruitment caused problems of discipline. Seniors within the unit could not control these new “well-connected” enlisted personnel.

1.10.6 POLICE SERVICE

1.10.6.1 Policing and other law-enforcement activities in a democratic society are important functions. The executive branch of government has the police as its major instrument for law enforcement. However, the purposes for which the political authorities employ the police determine whether they perform their duties professionally in accordance with the law, or whether they become a weapon to protect personal and/or partisan political interests.

1.10.6.2 The Police Service requires that each officer swear an oath of allegiance to the State, and to obey only lawful orders of the legally-constituted authority. The officer also swears to discharge the duties of his office according to law and this presupposes that the law and the State are supreme considerations in every Policeman’s action. This should have been sufficient safeguard against abuse of power and a check on excessive government/political interference. However, the history of the Police Service and evidence before the Commission bear ample testimony of the inability of the Police Service to maintain its institutional integrity.

1.10.6.3 There have been instances where transfers, dismissals, interdictions and promotions have emanated from the seat of government without any explanation. This phenomenon has also encouraged subordinate police officers to invite direct intervention of the Head of State in matters pertaining to the service, thus undermining service discipline.

1.11 PARTNERSHIP BETWEEN THE POLICE AND MILITARY

1.11.1 The Military and the Police by their professional ethics and statutory guidelines are not to engage in partisan politics. A look at their role and functions, which have been discussed earlier on, shows that partisan politics should have no place in the life of these two institutions. The Military and the Police have been partners on all the occasions when there has been an unconstitutional seizure of power. Sometimes the Police were more prominent in the planning stage than at others, but on all occasions they joined the fray on the side of the usurpers. Indeed, Police collaboration ensured the success of coups d’état by the arrests and detention of functionaries, as well as the subduing of possible civil disorder. These acts

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stabilised the new regime as the Police were on hand to offer Police Stations and their personnel.

1.11.2 The clearest indicator of the partnership between the Police and the Military in the history of Ghana was the coup d'état of the 24th February, 1966. Both the Police and the Military had suffered neglect and humiliation at the hands of the Nkrumah Administration. Both institutions had experienced dismissals in their top brass, with Madjitey, the former Head of the Police, in detention under the PDA. The existence of the President's Own Guard Regiment (POGR) put both institutions at a disadvantage and impelled the Police chiefs to team up with the Armed Forces, to overthrow the regime.

1.11.3 The team that hatched and executed the plan for the 24th February, 1966 coup comprised: John W K Harley, Commissioner of Police and Head of the Police Service, Anthony K. Deku, Commissioner of the Criminal Investigation Department, Col Emmanuel K. Kotoka, Commander 2 Brigade, Col Albert K Ocran, Commander 1 Brigade, Lt Col Alphonse Kattah, Lt Col David CK Amenu, Maj Victor C Coker-Appiah, Maj Lawrence Okai and Maj Akwasi A Afrifa, Capt Francis Kwashie.

1.11.4 The operation planned by this combined team was code-named *Operation Cold Chop*. Prior to his visit to Hanoi, President Nkrumah had ordered that troops should be battle-ready to move to Southern Rhodesia (now Zimbabwe) to dislodge the racist white regime. Col Kotoka therefore took advantage of this order and moved troops from Kumasi unchallenged because he stated that they were on a training mission to the Accra Plains. Police reports indicating unusually large movement of troops towards Accra were not acted upon by Harley and Deku because they were themselves part of the plot.

1.11.5 The operational headquarters of the coup was located at the Police Headquarters in Accra, and the resulting government, the National Liberation Council (NLC), was made up of Military and Police Officers.

1.11.6 The collaboration between the Police and the Military was again in evidence when in the wake of the 1972 coup, the police ensured the arrest and detention of functionaries of the overthrown government and party.

The relationship was raised to the level of partnership again, during the Supreme Military Council (SMC II) when the IGP was made a Member of the Council.

1.11.7 Evidence before the Commission indicates that the Limann Government's potential ability to mobilise resistance to the coup of 31st December, 1981, was thwarted by the failure of the IGP, Raphael Kugblenu, to make himself available at the critical time, to give command to the Police Armoured Vehicles then solely under his command, to respond to the emergency. The circumstances of his non-availability take on the colour of collaboration, when, contrary to the usual practice of Senior Commanders being relieved of their positions, he retained his post as the IGP when the coup succeeded and the PNDC came to power.

VOLUME 4 CHAPTER 1**1.12 MILITARY-CIVILIAN RELATIONS**

1.12.1 The somewhat hostile relationship between the Military and the civilian population during the mandate period was not always the case. There used to be respectful distance between the two segments of society until the involvement of the military in civilian political occupations put them in authority over civilians and gave rise to a hierarchical relationship. The hostility was engendered by the heavy-handed treatment they meted out to civilians when their assumed policing duties brought them into contact with the civilian population.

1.12.2 It appeared that when people were enlisted into the Military, they tended to forget that they came from the civilian population, and would eventually return to that population. Consequently, they tended to acquire some airs and believed themselves entitled to bully civilians. The feeling that they had a right to bully was born of the culture of impunity that developed as a result of the intra-institutional solidarity of the military, and the political power that they acquired over the civilian population. Furthermore, the breakdown of Command and Control in the Armed Forces, compounded their sense of invincibility as superior officers were often helpless to check their subordinates. It was thus commonly believed by the civilian population that on account of institutional solidarity, superior officers to whom cases of misconduct were reported, ended up being part of the cover-up, by not doing enough about the complaints to give justice and redress. This has resulted in a deep suspicion of, and hostility towards, the military by civilians.

1.12.3 The media and some social commentators by their actions and inactions sometimes encouraged would-be coup leaders to defy lawfully established governments. The media sometimes painted such gloomy pictures about the state of the economy and created the impression that nothing good could happen under a constitutional government, since such governments had to respect constitutional norms. These ideas prepared the ground in the public mind to receive military intervention, and the would-be coup-makers took advantage of the situation. The litany of complaints that coup-leaders usually recite to justify a coup, always came from complaints put out by the journalists.

1.12.4 During civilian regimes, the relationship between the military and civilians was one of respectful distance. Civilians appreciated the role of soldiers in the provision of emergency services in times of disaster, and in the assistance given to the police in combating crime. However, this relationship changed whenever the military seized power, because they became overbearing and showed a lack of compassion to civilians in distress.

1.12.5 Evidence before the Commission showed that during military regimes when essential commodities and utilities were in short supply, soldiers often harassed and killed civilians to gain access to those goods and services. They entered markets, and under the guise of enforcing price control, seized and sold goods at ridiculously low prices and kept the proceeds, ostensibly to pay into government chest. They seized money, vehicles and other properties from many civilians.

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1.12.6 Some officers were no exception to the lack of knowledge in human rights. As a result, during military coups or “revolutions” civilians and to some extent soldiers and officers who were suspected to have committed crimes, were tortured, mishandled and beaten to the extent that some victims died, or became disabled for life. Under the PNDC regime, the spate of unlawful arrests, extortion, torture, brutality, swoops, arrests, round-ups of people, irresponsible use of firearms and deadly force and other strong-arm tactics used by the military, increased. These acts occurred, ostensibly, in “defence of the revolution”, and have culminated in the negative image the GAF has in the eyes of civilians.

1.12.7. The result of all these events, has been that civilians have been so traumatised by the military that they tremble at the thought of having to visit a military camp, or deal with a soldier in uniform. All these account for the level of animosity in military-civilian relations.

1.13 POLICE – CIVILIAN RELATIONS

1.13.1 The history of the Police Service, shows that primarily, the Ghana Police Service was expected to be modelled on the British system, which encouraged, the principles of good policing, public co-operation and abhorred excessive use of physical force, and providing service in the interest of community welfare and existence. It is for this reason that the subordinate ranks were trained only in the use of truncheons, rifles and riot control equipment. Rifles were used mainly for special escorts, and for guarding sensitive installations, but even when on guard duty, the guard commander held the ammunition. Only the senior officers were trained in the use of side arms. In fact, Service Instruction No 97 spelt out in detail the circumstances under which a policeman could use firearms, as well as the procedure to be followed should such a situation arise.

1.13.2 None of the civilian and military regimes during the mandate period, made any serious attempt to provide mechanisms that would enable the service to exercise its functions in the society efficiently and honestly, while respecting individual dignity, rights and liberties. The basic police recruit training curriculum, rules and regulations and procedures inherited from the British remained without any significant change in form or content, especially as regards human rights education.

1.13.3 Despite the good model on which the service was based, it was originally not formed for the protection of citizens, but rather for the protection of the colonial administration and its economic and political interests. The heavy-handed reaction of the police to civil disorder, such as the 1948 riots, demonstrated the nature of the hostile relationship between the public and the police. Thus, rather than being trusted, the police was feared by the citizenry.

1.13.4 Under the civilian and military regimes from 1957-1992, the mode of arrest and detention by the police was considered the most common form of abuse of civil liberties. Arrests and detentions were used as a technique of intimidation. The police was also accused of taking bribes and misusing their powers to suppress the civilian population.

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1.13.5 The kinds of abuses, however, changed in nature during the Acheampong Regime, when the Police Service was turned into a “Force” once again, and provided with arms and ammunition, as well as armoured personnel carriers, for crowd control. The special rules about the use of firearms were not respected, with the result that the phrase “killed by a stray bullet” which hitherto was unknown, crept into police vocabulary.

1.13.6 Under the PNDC Regime, the police, like the military were involved in unlawful arrests, extortion, torture, brutality, round-ups of people and irresponsible and unnecessary use of firearms. All these factors have culminated in the negative image the Police Service has in the eyes of the civilian population.

HUMAN RIGHTS VIOLATIONS AND ABUSES AND THE SECURITY SERVICES DURING THE VARIOUS REGIMES

1.14 6TH MARCH, 1957 – 23RD FEBRUARY, 1966: CPP GOVERNMENT

1.14.1 A little over a year after Ghana attained Independence, the Prime Minister, Dr Nkrumah, introduced the Preventive Detention Bill in Parliament, and it was passed into law. The PDA gave power to the Prime Minister to detain anyone up to a period of five years, without trial. The Special Branch of Police Service was used to arrest and detain Dr Nkrumah’s political opponents, ostensibly, for security reasons. It was reported that the executive gave instructions to prison officers on the ill-treatment of specific detainees.

1.14.2 The Preventive Detention Act (PDA)

1.14.2.1 The PDA became law in July, 1958, and in November, 1958, the government announced the detention of forty-three persons, all members of the opposition United Party (UP). Towards the end of the year, other high-profile persons, R R Amponsah, (UP) Member of Parliament for Sekyere West, M K Apaloo, Member of Parliament for Anlo South and Ex-Capt. Benjamin Awhaitey, a military officer, all of whom had been implicated in a conspiracy to subvert the government, were detained. From 1959, many more persons became victims of the PDA, including Dr Joseph Boakye Danquah and Obetsebi Lampitey (both of whom died in detention later).

1.14.2.2 According to one of the officials of the security and intelligence services of the time:

during the emergency period much information was received by the police, but it was found out that undue delay would be caused if investigation into all that was completed before arrests were made, hence mass arrest and detention took place without detention orders

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being issued, and I believe, many of those taken in were forgotten by the police.¹⁵

Thus individual rights were sacrificed in the name of “state security.” The PDA not only caught opposition members in its snare, but also some members of the CPP Government. Prominent among whom was PKK Quaidoo, Member of Parliament for Aowin Amenfi.¹⁶

1.14.2.3 The conduct of the officers and men of the Ghana Prisons Service was called into question in the circumstances surrounding the deaths of Dr Danquah and Obetsebi Lamptey. The Nsawam Prison where Dr Danquah was incarcerated gave the cause of his death as a heart attack. Dr. Danquah’s health had rather deteriorated rapidly during his detention. He was kept in a small cell in the condemned block (then known as the Special Block) – a place meant for prisoners on death row – contrary to the regulations of the Prison Service. On the orders of President Nkrumah, he was to be fed on gari, salt and water.¹⁷ Dr. Danquah was in urgent need of medical attention and the Medical Officer had recommended that he should be moved to the Prison Hospital but he was kept in very deplorable conditions till he succumbed to death. When he protested on one occasion against his incarceration, he was cited for being rude to a prison officer and for that matter was chained as a punishment. It is significant to note that when on the death of Dr JB Danquah, a student of University of Ghana, LO Cantey, at formal dinner in Commonwealth Hall, led students to observe a minute’s silence in his memory, Cantey was arrested and detained under the PDA.¹⁸

1.14.2.4 Obetsebi Lamptey suffered a similar fate. He was detained a very sick man almost at the point of death. He was given some medical attention at the Korle-Bu Teaching Hospital where he was chained to his bed. Later he was sent home. He was, however, re-arrested in his sick state and sent to the Nsawam Prison on a stretcher and placed in the Prison Hospital. He died in prison.

1.14.2.5 These developments led to the people of Ghana becoming disenchanted with the Nkrumah regime and they began to fight back at the oppression and suppression of the exercise and enjoyment of their fundamental rights and freedoms. The attempts to de-stabilise the government could be seen in the series of bomb explosions that either killed or maimed people. These explosions resulted in the further tightening of security and the arrests and detention of more and more people.

1.14.3 The Assassination Attempts On The President And Implications For National Security

¹⁵ *Report of the Commission Appointed To Enquire Into The Conditions Prevailing In The Ghana Prisons Services*, supra, para 112, p.20.

¹⁶ *Political Parties and Democracy in Ghana’s Fourth Republic*, K A Ninsin and F. K. Drah, (eds) 1993, Woeli Publishing Services, Accra p79.

¹⁷ Report of Commission, supra, para 63, p12.

¹⁸ Mike Oquaye, “Youth, Politics and Society in Ghana” in *Civil Society in Ghana* F.K. Drah and M. Oquaye (eds) Accra, Friedrich Ebert Foundation, 1996; chapter 10, p163 at p181.

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1.14.3.1 Two incidents that constituted grave breaches of security are worthy of mention as they were attempts actually made on the life of President Nkrumah. The first was in August, 1962, at Kulungugu. The President had gone to meet with President Yameogo of Upper Volta (now Burkina Faso) to finalise a Customs Agreement between the two countries at Tenkudugu, a small frontier town, a few miles from Bawku. On his return journey, the President stopped at the village of Kulungugu to inspect a Guard of Honour mounted by school children. A hand grenade was thrown at President Nkrumah, which caused some deaths and many casualties. The President escaped death narrowly, but sustained injuries.¹⁹

1.14.3.2 The people of Kulungugu were punished for this incident. Some days after the explosion, all houses in the village were burnt to ashes by the police at dawn. All foodstuffs in barns and living rooms as well as farm animals were also burnt. Many of the villagers were arrested and detained at Bawku.

1.14.3.3 The second attempt occurred in 1964, when a police constable, Ametewee, on guard duty at the President's residence, the Flagstaff House in Accra, fired at the President, missing him and killing one of his bodyguards, Salifu Dagarti, in the process.

1.14.3.4 In the wake of the Kulungugu bombing, President Kwame Nkrumah dismissed and detained the head of the Police Service, E R T Madjitey as well as one of his two deputies, S D Amaning. J H Owusu-Sekyere, Head of CID and other Senior Police Officers were dismissed.

1.14.3.5 Thus civilians and members of the Security Services alike became victims of gross human rights violations. Between November, 1958, and 23rd February, 1966, hundreds of Ghanaians across the length and breadth of the country, suffered detention under the PDA. This in turn created fear, suspicion and insecurity among the citizenry.

1.14.4 Politicisation Of The Security Services

1.14.4.1 During President Nkrumah's government, efforts were made to politicise the Security Services. The government required them to be CPP card-bearers and the Senior Officers to undergo ideological training at the Kwame Nkrumah Ideological Institute at Winneba. This was resisted by the High Command of the GAF.

1.14.4.2 The politicisation of the security services by the CPP Government was evident in the way their independence was undermined. The military for instance, strongly resented the unceremonious retirement of Generals S J A Otu and JA Ankrah, then Chief of Defence Staff and Deputy respectively, from the GAF, and the Military considered the action unwarranted and unduly heavy-handed. The basis of the strong resentment was that the act constituted an undermining of their institutional integrity. According to Col Afrifa, the dismissal of the Generals was one of the major

¹⁹ See Tawia Adamafio, *By Nkrumah's Side: The Labour and the Wounds*, West Coast Publishing House, Accra in Association with Rex Collings, London, 1982, pp. 124-127.

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factors that led to the coup d'état.²⁰ This abrupt termination of their careers was a violation of the human rights of the two military chiefs.

1.14.5 Conclusion

1.14.5.1 President Nkrumah had the PDA passed in 1958, which gave him power to detain persons he and his party considered to be security risks. Under the PDA, hundreds of Ghanaians, mainly the political opponents of the CPP were detained under very inhuman conditions.

1.14.5.2 He was declared the Life President of the Republic of Ghana after the country had become a One-Party State. The suppression of the civil and political rights of the citizenry became a source of instability, and the deprivation of freedom of speech on account of the operation of the PDA, created unhappiness among the general populace.

1.14.5.3 President Nkrumah also initiated a policy of introducing partisan politics into every aspect of Ghanaian life, and required party-membership of every person employed by the Republic, including members of the Armed Forces. Heads of Security Services who appeared not to support these policies were retired or dismissed from their posts. As at 1965, it was impossible to remove the President from office by any constitutional means.

1.14.5.4 He established the PDD and POGR, who were primarily responsible for his security and protection. The existence of these two units, better resourced and therefore better motivated than their colleagues in the regular security services, created disaffection. This situation explained the extent of human rights violations and abuses to which they were subjected when the government was overthrown in February, 1966.

**1.15.0 24TH FEBRUARY, 1966 – 30TH SEPTEMBER, 1969:
NATIONAL LIBERATION COUNCIL (NLC) REGIME**

1.15.1 The Coup D'état Of 1966

1.15.1.1 At dawn on 24th February, 1966, a group of officers from the Police and the Army led by Col Emmanuel Kwasi Kotoka, Col Albert Kwesi Ocran and Maj Akwasi Amankwa Afrifa, staged a coup d'état that removed President Nkrumah from office, while the latter was on his way to Hanoi, Vietnam, on a peace mission. Thereafter a new government, the National Liberation Council (NLC) was formed, comprising the three aforementioned army officers, and a retired deputy head of the Armed Forces, Lt-General Joseph A. Ankrah as Chairman. The Police Chief, John W K Harley, was the Deputy Chairman, and three other senior Police officers, Anthony K. Deku, JEO Nunoo and Bawa A. Yakubu, all of the status of Commissioner of Police, were also

²⁰ Afrifa, supra, p.102.

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members of the NLC. Thus for the first time, in the history of the country, the security services became directly involved in the governance of Ghana.²¹

1.15.1.2 The NLC appointed “Commissioners” to head the various Ministries. The members of the NLC together with the Commissioners constituted the Executive Council. Unlike the CPP Government, the NLC did not create any special or extra security unit(s); they preserved the traditional security institutions. The assumption was that once the military and the police were in power, the potential threat of a coup by officers of these institutions was greatly minimised.

1.15.1.3 The NLC suspended the 1960 Republican Constitution, the President and the Parliamentarians were dismissed from office, and the CPP, the only political party at the time, was banned and membership of it prohibited. The original colours of red, gold, green, with the Black Star in the middle of the gold band of the Ghana Flag, that had been changed to the CPP colours by substituting the gold band with the white-band of the CPP in 1964,²² were restored.²³

1.15.1.4 The NLC passed the Protective Custody Decree, 1966 (NLCD 2) under which all Ministers, Parliamentarians, Regional Commissioners, District Commissioners and senior functionaries of the CPP were detained without trial. Party and Ghana Young Pioneers’ paraphernalia were banned. Books and publications, related Dr Nkrumah and scientific socialism, as well as communist propaganda materials were burnt. Public exhibition of effigies of Dr Nkrumah, as well as symbols of the CPP, were also prohibited. Persons found with these objects were molested by the security forces.

1.15.1.5 The members of the PDD became the targets for human rights abuse by the regular security services in a move to avenge the neglect the latter had suffered at the expense of the former under President Nkrumah. It is reported that they mounted the strongest resistance to the attacking forces on 24th February, 1966. According to Afrifa,

Our leading companies, the Radio Station Company and Flagstaff House ones, came under heavy machine-gun fire from the entrance of the Flagstaff House. A Russian made armoured car had perched itself there and was firing long bursts. Three of our troop-carrying vehicles were set on fire and a signal vehicle was completely destroyed although the driver escaped. We suffered our first casualties here...²⁴

Another account of the resistance that day is as follows:

²¹ “The Effect of Military Involvement in Politics on the Armed Forces,” Memorandum presented to the National Reconciliation Commission. The causes and effects of indiscipline and unprofessionalism in the security services is discussed in greater detail elsewhere in this chapter.

²² Constitution (Amendment) Act, 1964 (Act 224), section 7, amending article 7 of the 1960 Constitution.

²³ National Liberation Council Proclamation, as amended by National Liberation Council Decree, 1966 (NLCD 1).

²⁴ Afrifa, *supra*, p 34.

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The principal clash occurred at Flagstaff House, Nkrumah's residence, where pro-Nkrumah army personnel and security guards put up strong resistance against rebel troops. The defenders were finally overcome, and more than 20 persons were killed [among them reportedly 11 Russians].²⁵

1.15.1.6 Some members of the PDD were lined up and executed, after they had surrendered to the attacking forces. Others were detained under a new Protective Custody Decree²⁶, and their personal effects were looted from their residential quarters. Those who had travelled with Ex-president Nkrumah to Asia went with him to Guinea, Conakry and decided to remain in exile with him, some on account of their loyalty to Dr. Nkrumah, and others on account of stories they heard about the ill-treatment of PDD members in Ghana.

1.15.1.7 The rule of the NLC also saw the freezing of assets and bank accounts of CPP functionaries and CPP-related organisations.²⁷ The Auditor-General was mandated to audit the accounts of the CPP and CPP-related organisations,²⁸ and following his findings, the assets were confiscated to the state.²⁹

1.15.1.8 Commissions of Enquiry were established to probe the assets of CPP functionaries, and assets found to have been acquired by unlawful means were confiscated.

1.15.1.9 The NLC banned most of the leading members of the defunct CPP from contesting the 1969 elections.³⁰ They were also banned from holding public office for ten years. This was applied to members of the PDD after their release from prison.

1.15.1.10 A former senior security officer under the Nkrumah regime, Boye Moses, who had returned to Ghana from Guinea, was paraded through the streets of Accra in a cage, on his way to detention at the Ussher Fort Prison. *Daily Graphic*³¹ carried the story and stated that the crowds that had lined the streets shouted for his death and jeered at him calling him a monkey. He was subsequently detained.

1.15.1.11 The NLC displayed its intolerance for dissenting views on several occasions. For instance, between 1966 and 1969, the Trade Unions, expressing dissatisfaction with the low level of wages and other conditions of service, launched a series of strikes to demand better conditions. One of the most serious of these strikes

²⁵ Thomas A Howell and Jeffrey P Rajasooria (eds) *GHANA & NKUMAH*, Facts on File Inc., NY, NY, 1972, p113.

²⁶ National Liberation Council Proclamation, as amended by National Liberation Council Decree, 1966 (NLCD 37).

²⁷ National Liberation Council (Assets and Bank Accounts) Decree 1966 (NLCD 7).

²⁸ National Liberation Council (Auditor-General's functions Decree 1966 (NLCD 12).

²⁹ National Liberation Council Forfeiture of Assets Decree, 1966 (NLCD 23).

³⁰ F.K. Buah, *A History of Ghana of Ghana*, 1998, (London and Oxford: Macmillan Education Ltd.) p 198.

³¹ *Daily Graphic* Vol 5075 Tuesday, 24th January 1967.

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involved the mineworkers of at Prestea. Three of the striking workers were shot dead by the police during a confrontation.³²

1.15.1.12 The Massacre at Yendi

1.15.1.12.1 In November, 1968, the NLC supervised the enskinment of the Mion Lana as Ya Na Andani III. This move of the NLC was approved and supported by the District and Regional Administration, and by local units of the Army and Police.³³ The Abudulai family, however, protested against this enskinment to the NLC Government, and a committee under the chairmanship of Nene Azu Mate Kole, with Isaac Amissah-Aidoo (now Nana Obiri Yeboah) and Jato Kaleo as members, was appointed to investigate Yendi Skin Affairs. The terms of reference for the committee was for it to ascertain the customary procedure for the selection and installation of a Ya Na, and also to determine if Ya Na Andani had been properly selected and installed or not.³⁴ The committee was also to determine whether or not, if the said installation was unduly influenced by the presence of armed soldiers and policemen as well as the District Administrative Officers in the area.³⁵ While the Committee was at its work, the NLC Government concurrently gave Ya Na Andani de facto recognition. As a follow up to this action, representatives of the government paid a courtesy call on the Ya Na in early December, 1968, and he also received the salary of a Ya Na.³⁶ This move clearly prejudiced the outcome of the committee's investigations and won for the NLC some influence with the Ya Na.

1.15.1.12.2 The Mate Kole Committee completed its assignment on 8th August, 1969, and made findings and recommendations to the effect that the enskinment of Na Andani was a nullity, and that Mahamadu Abdulai, the eldest son of Na Abdulai III be enskinned as Ya Na, instead. Nearly one month later, on 4th September, 1969, the NLC announced its acceptance of the findings of the Committee. In the mean time, Na Andani had died on 12th March, 1969, while the committee was still sitting.

1.15.1.12.3 The Andani Family refused to accept the outcome of the Mate Kole Committee and about six hundred (600) of them proceeded to occupy the Ya-Na's palace, ostensibly to perform the final funeral rites of the late Na Andani, as a Ya Na. Between 5th and 8th September, 1969, the government ordered the surrender of all arms in Yendi, and on 8th September, the Regional Administrative Committee headed by Col Laryea, ordered the occupation group of the Andani Family to leave the Ya Na's palace immediately. By 8th September, 44 shot guns and other offensive weapons had been surrendered to the police.³⁷

1.15.1.12.4 On the morning of 9th September, 1969, the police, under the Command of Superintendent Alhassan, surrounded the palace. A great tragedy unfolded as the police, armed with live ammunition, proceeded to storm the palace when the

³² Ninsin and Drah, 1993, op cit, supra, p 2.

³³ Paul Ladouceur, "The Yendi Chieftaincy Dispute and Ghanaian Politics", *Canadian Journal of African Studies* VII (1972), 97-115, University of Sussex, Brighton, England.

³⁴ *Daily Graphic* vol. 5663 Friday, 13th December, 1968, p.1.

³⁵ *Local Government Bulletin* No 55, December 14 1968.

³⁶ Ladouceur, supra.

³⁷ Petition of Baba Issifu, representative of Andani Family to the Commission.

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occupation group refused to leave. There were many deaths and injuries, including women and children. The numbers of casualties were put variously as 23 dead and 41 injured³⁸ and 36 dead and forty-one injured.³⁹ 21 others were arrested and detained in prison for up to 21 days.

1.15.1.12.5 Coming at the tail end of the NLC's rule, and in the transition period between it and the civilian administration, the incident was not investigated. The government accepted the police report that the police contingent to the palace was attacked with cutlasses and other offensive weapons, hence the shooting. However, an independent Judicial Inquiry into the incident should have been ordered as the circumstances surrounding the killing and injuring of so many civilians by the police, should have been the subject of a Judicial Inquiry, and appropriate remedial measures taken by the government. The Progress Party (PP) government did not find it necessary to inquire into the incident either, even though there were calls in Parliament by the Opposition, for the government to open up the matter in order to provide the public with an independent account of the incident.

1.15.1.13 Effect Of The Coup On The Armed Forces

1.15.1.13.1 The Armed Forces had its fair share of the negative effects of the coup d'état. When commanders got involved in national politics, the demands of the Military institution were pushed to the background, leaving only a few experienced officers to run the units. This resulted in a breakdown of discipline and lowering of standards of professionalism in the GAF. According to Lt-Gen Ocran:

The Officer who tries to serve two masters by combining politics and military duties becomes at once a bad soldier and a bad politician... military supremacy over civil authorities ruins both the nation and the military.⁴⁰

1.15.1.13.2 The taking up of appointments in government by senior military officers sowed the seeds for future coups d'état as the taste for political office and the associated perquisites had been introduced to those officers. This had other consequences for the Military Institution as the further disruption of military life by future engagement in civil political life had been guaranteed.

1.15.2 The Abortive Coup D'état Of 1967

1.15.2.1 On 17th April, 1967, Lt Samuel Arthur led a group of soldiers of the Recce Regiment based at Ho, to attempt to overthrow the Government of the NLC. Lt Moses Yeboah and 2nd Lt Emmanuel Osei-Poku were active participants in the attempt.

1.15.2.2 They divided their troops, into three groups to attack the Flagstaff House, Osu Castle and the Broadcasting House. At the Flagstaff House, Lt Yeboah met

³⁸ *Evening Standard* Vol I No 160, Wednesday, 10th September, 1969, p.1.

³⁹ Petition of Baba Issifu, representative of Andani Family to the National Reconciliation Commission.

⁴⁰ Albert Ocran (Lt-Gen), *Politics of the Sword*, as quoted in Mike Oquaye, *Politics in Ghana 1972-1979*, TORNADO PUBLICATIONS, 1980, p80.

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resistance from Lt Gen Kotoka and in the process Lt Gen Kotoka and his personal Orderly, Sgt Osei Grunshie, were killed. Two other officers, Capt Cephas Y. Borkloe and Capt A. Avevor were also killed by the putschists. All of them were buried with full Military Honours. L/Cpl Emmanuel Aborbor of the Ho Regiment who also lost his life in the attempt, was buried without Honours.

1.15.2.3 Lt Gen Kotoka's body was later found in the area of the Accra International Airport. The NLC named the International Airport after him, and also established a Trust Fund named the Kotoka Trust, to provide for the families of the fallen loyal troops.

1.15.2.4 A six-man Military Tribunal tried and sentenced Lt Arthur and Lt Yeboah to death by firing squad, while 2nd Lt Osei-Poku was sentenced to 30 years imprisonment. The two condemned men were executed in public at 9.00 a.m. on 26th May, 1967, before a large crowd of about 20,000.

1.15.2.5 Three other officers were sentenced to prison terms. Five officers and about 200 other ranks were placed in protective custody. In all, ten Protective Custody Decrees were passed, that committed hundreds of people to detention, including those who were accused of jubilating upon hearing news of the coup, before it was foiled.

1.15.2.6 It is worth noting at this time that during the trial of the officers and men involved, the issue of what constitutes a lawful order came up when it became clear that they did not know that in following orders to attack the Castle and other installations of national importance, they were obeying unlawful orders.

1.15.3 The NLC Government handed over power to a civilian government, headed by Dr Kofi Abrefa Busia after the elections of 29th August, 1969. However, the precedent had been set and the soldiers' desire to engage in civil political office had been created, as well as a messianic sense of mission: that it was the duty of the military to rescue the country from poor governance of civilian politicians. The citizenry also shared this sense of mission, and would, in the years ahead, appeal to, and expect, the military to take charge of the government as and when there was disenchantment with the government. These and other factors led to the overthrow of the Second Republic and its first government, the PP government, led by Dr Busia, by Col Ignatius Kutu Acheampong, on 13th January, 1972.

**1.15 1ST OCTOBER, 1969 - 12TH JANUARY 1972:
SECOND REPUBLIC**

1.16.1 Aliens Compliance Order

1.16.1.1 The Progressive Party Government under Dr. Busia, was inaugurated on 1st October, 1969. This period coincided with the Nigerian Civil War, and there was an influx of refugees from Eastern Nigeria (then Biafra). Not long after the new government took office, pressure began to mount for firm action to be taken against the influx of aliens into the country on account of increased crime time in the country. The matter was discussed in Parliament and the government announced that it was

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going to enforce the provisions of the Aliens Act, 1963 (Act 160) and its accompanying Regulations in L.I. 265 as amended by LI 553. On 19th November, 1969, the government issued the following statement:

All aliens both African and non-African without residence permits should leave the country within 14 days – not later than December 2, 1969.⁴¹

1.16.1.2 The implementation of the Order caused a lot of human suffering as families which had resided in Ghana for more than three generations, and persons who had lost touch with their original homelands, were given only fourteen days to regularize their stay or leave the country. After the expiration of the period, the police began to arrest those who had not then left, and they were kept in the open, living in insanitary conditions around police stations.

1.16.1.3 Many were trapped under inhuman living conditions as they waited for inadequate or non-existent transportation to carry them home. There were many reports of Ghanaians attacking and molesting aliens to the extent that the government had to issue a warning to the public to desist from such acts. It even became necessary for police protection to be given to some aliens in Kumasi. Many were the heart-rending tales of suffering that were told and the sad spectacles that were seen during the implementation of this Order.

13TH JANUARY 1972 – 3RD JUNE 1979 - NRC/SMC I & II

1.17.1 The Establishment Of The NRC

1.17.1.1 On 13th January, 1972, the nation received news of yet another coup d'état led by Col Ignatius Kutu Acheampong, Commander of the First Infantry Brigade. A government, the National Redemption Council (NRC), was formed with Col Acheampong as Chairman and Head of State. It should be noted here that Col Acheampong had tasted political power once, as the Chairman of Western Region Committee of Administration under the NLC regime.

1.17.1.2 Members of the overthrown Progress Party (PP) became targets of human rights abuse. In line with the practice established by the NLC, the NRC called its action “a revolution”, and consequently suspended the 1969 Constitution; proscribed all political parties; and caused the detention of government and PP functionaries,⁴² thereby forcing some functionaries to go into exile in the neighbouring countries.⁴³ In May, 1972, 323 persons out of the large number that had been detained after the coup were freed from custody for the reason that they were not threats to state security.⁴⁴

⁴¹ *Daily Graphic*, Vol. 5952 Wednesday, November 19, 1969. p1.

⁴² *Ghanaian Times*, Vol. 44o5 Friday, 28th January, 1972, back page “PP Activists Are Back In Custody.”

⁴³ See *Daily Graphic*, Vol 6712 Saturday, 6th May. 1972, p 1.

⁴⁴ See *Daily Graphic*, Vol.6621 Tuesday, 18th January 1972, p 1, Banner headline.

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1.17.1.3 Most of the functionaries, including Dr Busia, were required to appear before commissions of enquiry to defend the acquisition of their personal assets. Most of those assets, including those acquired before coming into political office, were confiscated to the State. The NRC Government called the members of the defunct PP Government as “nation wreckers” and thereby justified the decision to confiscate what the “nation wreckers” owned. Dr Busia, who was outside the country at the time, had adverse findings made against him by the commission of enquiry, and his properties, including those of his nuclear and extended families, were confiscated to the State.

1.17.1.4 The NRC government was made up of a number of senior officers in the security services. However, the norms of military hierarchy were subverted by the fact that the prime conspirators, consisting of the newly-promoted Colonel, Acheampong, who became the Chairman and hence Head of State, Majors Kwame B Agbo, Anthony H. Selormey and Kwame Baah, constituted the core of the ruling body. This phenomenon of relatively junior Officers constituting the core of a ruling government, was bound to cause problems of discipline in the Armed Forces, as the CDS, Napoleon Y R. Ashley-Lassen was a Brigadier.

1.17.1.5 The NRC made a conscious effort to involve the rank and file of the security services in its political programmes. Junior officers joined in the implementation of the “Operation Feed Yourself” Programme which was a programme of the NRC to ensure that the country achieved self-sufficiency in food production. The Head of State himself urged the security services to get involved in what the government stood for. As the *Ghanaian Times* wrote under its banner headline: “Get Involved in Revolution”:

Col. I. K. Acheampong, Head of State and Chairman of the National Redemption Council, yesterday reminded members of the Armed Forces of their involvement in the revolution and urged them to continue to support the efforts of the government as they have admirably done.⁴⁵

1.17.1.6 A culture of detaining civilians in guardroom began, and military norms were infused into civilian life. Civilians were subjected to military drills when found to have misconducted themselves according to rules prescribed by the military rulers. Thus, late-comers to work, loiterers, and even commercial sex-workers were subjected to military drills as a form of “discipline.”

1.17.2 Price Control

1.17.2.1 The NRC launched a campaign to reduce prices of essential consumables, tagged “essential commodities, (or “essenco,”). This action led to the creation of artificial shortages of goods, as those who had them hid them, often, in order to sell them at prices higher than those set down on the Price Control List. Consequently, a new crime of “hoarding” was created, as people perceived to be keeping goods away

⁴⁵ *Ghanaian Times*, Vol. 4,402 Friday, 21st November, 1972, p1

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from the open market, were targeted.⁴⁶ Those believed to be selling goods above the stipulated prices were also covered by the new laws, and both groups were denoted as economic saboteurs. Economic sabotage became a serious crime against the State, and offenders were severely molested in swoops on markets by members of the security services, and their goods seized and sold off. Such swoops became “military exercises”, and the military expression “exercise” entered the Ghanaian civilian vocabulary. The *Ghanaian Times* reported on some of the early acts done during the campaign launched by the Acheampong Government: “The Army and the Police in a combined operation yesterday swooped on two Accra markets in an anti-profiteering and hoarding exercise.”⁴⁷

1.17.2.2 The state of the economy and social life were so run down, that a chit system for release of commodities from the factories and warehouses was developed. This was a mechanism for ensuring that only people with valid chits could obtain the commodities, so as to protect the price control system. The chit-system, however, got so corrupted that only persons with connections to highly-placed officials and managers of Commercial Houses could obtain such chits. These persons then turned round and re-sold the goods, or even the chits themselves, at many times the control price. The system, therefore, bred untold corruption, influence-peddling and moral decadence, with consequent hardship to the eventual consumer. *Kalabule*, the term for corruption and profiteering from selling goods above official prices became the order of the day, as briefcase-toting young men, and black hand-bag wielding young women claiming to be “businessmen and women” with no fixed business addresses appeared on the scene. The term “middleman” became synonymous with a person who was cheating both the producer and the consumer by buying at low prices and selling at extremely high prices, thereby making inordinately high profits. Many of the nation’s top academics and professionals left the country as economic refugees.

1.18 SMC (I)**1.18.1 Formation Of SMC**

1.18.1.1 On 7th October, 1975, the NRC was converted to a new body, the Supreme Military Council (SMC), composed of the CDS, the Service Commanders and the IGP. Col Acheampong, now General Acheampong, became its chairman and so remained the Head of State. The Majors who were the core members of the NRC were dropped from the membership of the new body. The restructuring was aimed at restoring the Military Command Hierarchy of the Armed Forces. Thus, the SMC became the closest to a “Military Government”, than any of the other governments before, or since.

1.18.2 Union Government (Unigov).

⁴⁶ The Price Control Decree, 1974 (NRCD 305) and Price Control (Amendment) Decree, 1978 (SMCD 146).

⁴⁷ 28th January, 1972, *supra*.

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1.18.2.1 The national economy continued to deteriorate, and civil society began to mount pressure on the government to return the government to civilian constitutional administration. In a bid to save his ailing government, and anxious to hold on to power, General Acheampong announced a new political concept, which he claimed was more in accord with Ghanaian cultural traditions, while respecting the prominence of the security services in governance. The concept, propounded in 1977, was known as Union Government (UNIGOV), and it was to be a no-party government with representation from the military, police and civilian population. UNIGOV met with widespread disapproval and the government set up committees nationwide to oversee the education on the concept. “Education”, however, became a euphemism for propaganda on the concept as no ideas contrary to the government-proposed ones were tolerated, and any opponents of the idea were subjected to molestation.

1.18.2.2 An attempt to organise a seminar on UNIGOV at the Accra Community Centre by the Association of Recognised Professional Bodies (ARPB) was brutally suppressed, with the speakers and audience being attacked and chased out of the premises by hired thugs. Consequently, in defiance of the ban on partisan politics, a number of persons opposed to UNIGOV, organised themselves into groups and mounted a concerted opposition. The largest of such groupings, the People’s Movement for Freedom and Justice (PMFJ), was formed in January 1978, with one of its leaders being Lt Gen Afrifa of the former NLC.

1.18.2.3 To counteract the upsurge of opposition to UNIGOV, Gen Acheampong had other groups organised, and they, together with the security agencies attacked members of PMFJ at their functions. The opposition groups linked up with the National Union of Ghana Students (NUGS) and students, particularly of the tertiary institutions, organised activities to unseat the government. Students in some secondary schools were attacked by this combination of forces.

1.18.2.4 The concept was put to a referendum on 30th March, 1978, and it was clear that the concept had not won popular support. The official regulations for the referendum provided that the ballots should be counted at the polling stations, but the SMC gave a counter directive on radio that the ballots should be taken to regional centres for counting. The Electoral Commissioner, Mr. Justice Isaac K. Abban, who opposed these acts of interference with the electoral process, had to flee for his life when armed members of the security services surrounded his office, in order to arrest him. He was promptly dismissed and went into hiding after declaring the first two results just before midnight of that day. The next day when the state-owned media announced the results, UNIGOV had been accepted by 54% in favour and 46% against. These results were loudly contested by members of the general public, and the government responded with widespread arrests and banning of opposition groups.⁴⁸ Some of the prominent members of the banned groups fled into exile in the neighbouring countries. The government then set up a Constitutional Commission to draft a Constitution for UNIGOV.⁴⁹

⁴⁸ Voluntary Associations (Prohibition) Decree, 1978 (SMCD 161).

⁴⁹ Constitutional Commission Decree, 1978 (SMCD 164).

VOLUME 4 CHAPTER 1**1.18.3 Government-Students Clashes**

1.18.3.1 There were clashes between students and security services on account of the opposition that was mounted by the students to the government. In May, 1976, students of University of Ghana went on demonstration against the government. Thereafter, security agents were assigned to the campus, and there were many intelligence operations by Military Intelligence on the campus, leading to a radicalisation of student-government relations. In May, 1977, students of the University of Ghana again went on demonstration against the government, and were attacked by the police, even though they offered no resistance. Many students were injured. The unrest spread to the other universities and consequently, all of them were closed. Students were sent home, thus diffusing the opposition to government from the student-front, into the general population.

1.18.3.2 On 13th January, 1978, students of University of Ghana went on demonstration and organised a mock burial of Gen Acheampong and the SMC. A confrontation occurred between the students and the police and following that, the students kidnapped a policeman on guard duty at a bank on campus. Even though the policeman was later released by the students, his rifle was not released. Consequently, the police moved in, ostensibly to look for the missing rifle and with heavy gear, armoured vehicles and teargas, stormed the campus, beating up staff and students alike, and injuring more than twenty of them. The universities in the country were consequently closed down, and the whole country appeared to be degenerating into chaos as the spate of violent attacks increased.

1.19 SMC II

1.19.1 Civil unrest continued, and was rampant. By June, 1978, it was clear that the SMC was doomed. On 5th July, 1978, after a plot had been hatched among his colleagues on the SMC, a small group of officers managed to isolate General Acheampong from his bodyguards and forced him to sign his own resignation letter. Lt-Gen Frederick William Kwasi Akuffo took over the chairmanship of the SMC, which popularly became known as the SMC II. Lt-Gen Akuffo made attempts to win popular support by releasing all those who had been detained in the wake of the UNIGOV referendum and extended an invitation to all political exiles to return home.

1.19.2 The SMC II was expected to bring Gen Acheampong, who was then in custody, to trial for his misrule, and the poor economic management that had brought the country to its knees. This expectation, however, was not met, despite calls from civil society groups for the proper thing to be done. The government then passed the Armed Forces (Miscellaneous Provisions) Decree, 1979 (SMCD 235), releasing Gen Acheampong from custody and stripping him of his military rank and his entitlements. He was also confined to Trabuom, his hometown in the Ashanti Region. Fresh powers of arrest were conferred on policemen as well as soldiers, that should “Mr” Acheampong leave his hometown, any soldier or policeman could arrest him and detain him for the purpose of returning him to Trabuom.

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1.19.3 The SMC II government expanded the membership of the Constitutional Commission and changed its mandate. It was now asked to draft a Constitution for an Interim National Government. This new body was, however, to use as one of its source material, the findings of the Ad Hoc Committee on UNIGOV.⁵⁰ This attracted criticism that the Interim National Government was UNIGOV in disguise and further agitation caused the government to change its mind and establish a proper Constituent Assembly to draft a Constitution for a return to civilian rule.⁵¹ The Decree also fixed 1st July, 1979, as the date for handing over to an elected government.

1.19.3 Currency Exchange

1.19.3.1 In March, 1979, the government suddenly closed the borders and demonetized Ghana's currency. Simultaneous with the decision to demonetise the currency and thus mop up the excess liquidity, was a decision that money already in the banks would not lose its value.

1.19.3.2 Upon the taking of this policy decision, the information leaked out to those who had links within the political hierarchy, and consequently, those who were privileged to receive prior information, quickly began to flood the banks with their private holdings. This flurry of activity among of those who had been forewarned of the demonetisation plan soon came to the attention of the government, as it threatened to derail the very objective for which the policy had been adopted. The government therefore passed a Decree,⁵² which provided for the halving of the value of any money paid into the bank within a particular period. The result of this Decree was that persons, who in the ordinary course of business paid money into their bank accounts, lost half the value.

1.19.3.3 The entire country was given three weeks within which to turn in all their currency holdings for issuance of fresh currency. This policy caused a great stampede and suffering. Those who could not lay hands on any of the new notes could not buy food as market women refused to accept the old notes. As everyone rushed to exchange the old cedis for the new before the deadline, there was a great rush to the banks, and personnel of the Security Services detailed to keep order, used whips and even live ammunition, to keep order in those long queues at the banks. A number of persons were killed or wounded by such security personnel.

1.19.3.4 At the end of the period of ultimatum, many people, particularly rural dwellers, had become impoverished overnight as all their private wealth caches had become useless paper. This policy, as well as the manner of its implementation, caused great anger against the government and senior military personnel, as it was believed that they and their relations had foreknowledge of the demonetisation and so had not gone through the suffering that the general population had gone through, in those terrible three weeks.

⁵⁰ Constitutional Commission (Amendment) (No.2) Decree, 1978 (SMCD 173).

⁵¹ Constituent Assembly (Commencement of Proceedings) Decree, 1978 (SMCD 209); Constituent Assembly (Amendment) Decree, 1979 (SMCD 220).

⁵² The Cedi (New Notes) Decree, 1979 (SMCD 226).

VOLUME 4 CHAPTER 1**1.20 Involvement Of The Armed Forces In Governance Under NRC/SMC /SMC I & II**

1.20.1 By government policy, many senior military officers were seconded to civilian organisations to work. The seconded officers soon acquired wealth, and properties that appeared to be beyond their legitimate incomes. Many of them also acquired private businesses, in contravention of ethics of Armed Forces. This involvement in civilian enterprises affected their standards of discipline, and the morale of those in barracks.

1.20.2 The general economic conditions in the country affected ordinary soldiers as they did the ordinary citizens. As they could not make ends meet on their official incomes, they also tried to find ways and means of supplementing their incomes, much to the neglect of their military duties. The ordinary soldiers believed that their plight had been caused by their officers who appeared not to be experiencing the same types of hardships on account of their newly-acquired wealth.

1.20.3 A lot of officers in the GAF became disgruntled that they did not get the opportunity to be seconded to civilian institutions like the others and there was a lot of disaffection. The disaffection became so strong that some of the personnel began to demand the return of their colleagues who had been “privileged” to serve in civilian institutions. Incidents of disrespect between officers and men were so rampant that loyalty was visibly questionable. Military personnel therefore adopted a lukewarm attitude towards their profession, as disillusionment set in. This practice of seconding senior military officers to civilian organisations, was cited as a source of envy and jealousy between the seconded officers and the officers and men in barracks.

1.20.4 The Other Ranks were also witnesses to the sudden opulence that came to their superior officers as soon as they took up positions in civilian organisations. These developments caused resentment in the military and general populace and built up anger against Senior Military Officers. The Other Ranks looked on, as “prosperity to the military” passed them by. Discipline thus suffered.

1.20.5 The Committee On The Problems Of Indiscipline In The Armed Forces

1.20.5.1 The standard of discipline got to such a low point that a committee known as “Committee on the Problems of Indiscipline in the Armed Forces”, was established. The committee reported on the conditions affecting discipline in the Armed Forces on 7th May, 1979, and listed the factors that generated indiscipline in the Armed Forces, among other things, as follows:⁵³

⁵³ See the Report of the Committee on the Problems of Indiscipline in the Armed Forces, dated 7th May, 1979.

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- Bad turnout
- Failure of officers and men to pay compliments
- Lateness and lack of sense of time to work and master parades
- Non-enforcement of service regulations and orders (stemming from favouritism, inter-service/unit/sub-unit rivalries, non-enforcement of charges by Military Police, non-punishment for misuse of military property, uniforms and insignia.)
- Low esprit de corps
- Loss of military bearing due to lack of supervision and education by seniors
- Fraternisation of officers with other ranks, resulting in gossip, backbiting and use of junior ranks as spies on officers.
- General maladministration
- Absence of leadership and good example
- Misbehaviour of troops on operations
- AWOL
- Lack of accommodation and transportation
- Low pay and allowances
- Presence of civilians in military barracks (often friends and relations of military personnel.)
- Troops not being afforded an opportunity to see their confidential reports.
- Manpower shortage
- Military involvement in civil administration
- Abuse of channels of communication
- Generally poor “officer-man” relationship
- Poor quality of rations
- Recruitment influenced by nepotism and tribalism
- Suspicions about the credibility of officers among junior ranks.
- Inadequate logistics for operational training
- Poor career planning for officers.
- Irregularities in promotion and appointment of officers and other ranks
- Poor medical care

1.20.5.2 The Committee also made findings to the effect that Gen Acheampong as Head of State, had set the wrong moral tone as his personal morals came in for severe criticism. The evidence before the Committee was that Gen Acheampong and his cohorts had been openly displaying opulence and a lifestyle of moral decadence, including buying VW Golf vehicles for the young girls with whom they consorted.

1.20.5.3 Other Senior Officers and their wives were accused of misusing the other ranks and military resources to further their own personal business interests, to the detriment of Military Discipline and code of ethics. The Committee therefore noted the effects of these factors on the Armed Forces.

1.20.6 These complaints were not to be taken lightly. Indeed, at this time, women who possessed VW Golf cars were subjected to obscene catcalls as the impression gained ground, even in the civilian population, that those vehicles were the product of their immoral associations with Senior Military Officers. These complaints of the

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soldiers were also borne of the belief that the Head of State was wasting the country's resources on his "young women" who kept him too busy for him to concentrate on issues of governance. These feelings of deprivation as well as envy, fuelled disaffection within the Security Services, and it was not by accident, that "Mr" Acheampong was asked to explain his immoral lifestyle at a press conference, two days before he was executed by firing squad.

1.21 The Police Service

1.21.1 The NRC and SMC I Regimes were the most favourable to the Police Service. However, the regimes' good treatment of the service was meant to prop it up as a countervailing force to any destabilisation elements. Indeed, but for the ineffective mobilisation of the Police Armoured Car Squadron, the history of events of 4th June, 1979 would have been different.

1.21.2 The government strengthened the Police Service. Almost all units within the service were re-equipped and an ambitious housing project was started countrywide for the service. The Armoured Car Squadron was re-equipped with state-of-the art MOWAG Armoured Cars fitted with remote controlled surface-to-air missiles, 20mm artillery guns as well as single and double-turret general purpose machine guns and tear-gas dispensers. The name was changed to "Force", and the aim was to make the whole service loyal to the regime in general, and Gen Acheampong in particular. Indeed the more the opposition to the Acheampong Regime grew, the more oppressive the service became in its relations with the public, and consequently hatred of the service also intensified.

1.21.3 The effect of these initiatives was that the whole service was further drawn into partisan politics and members felt obliged to protect the unpopular regime. The hand of the service was strengthened further by a criminal Procedure Code Amendment which gave the Attorney General authority to order the police to detain suspects for 28 days without bail.⁵⁴ As in colonial days, the service became an instrument of repression of the government.

1.22 The 15th May Attempted Coup D'état

1.22.1 On 15th May, 1979, a small group of soldiers under the leadership of one Flight Lieutenant Jerry John Rawlings, a young Air Force Officer, attempted to overthrow the SMC II government. The attempt was foiled, and the culprits were put before a Court-Martial for treason. when the trial opened, the prosecution opened its case by stating the motivation of the young Air Force Officer for what he attempted to do. In the prosecutor's address he stated:

Mr President, the first accused had for a long time felt disillusioned about the injustices in our society, more particularly under Acheampong Regime, and so when in July 1978 the SMC was reconstituted with the removal of Mr Acheampong as Head of State, Jerry John Rawlings thought things were going to be improved. When he realised that there were no improvements in the general

⁵⁴ NRCD 235, section 5.

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conditions of life he was struck with dismay, and lamented over what he termed the tarnished image of the Armed Forces. He regretted that at a time when the military government was due to hand over to a civil Government the Military Government had done practically nothing to improve the image of the Armed Forces.⁵⁵

The DPP further stated that Rawlings had said that the situation could be corrected only if Ghana went the “Ethiopian way” because “there was the need for bloodshed to clean up the country, and this should start from within the Armed Forces”.⁵⁶ The grievances of Flt Lt Rawlings, as stated by the DPP, so coincided with those of both the military and civilian population, that the young officer immediately won admiration for what he had attempted to do. The manner the trial began, put the government, rather than the soldiers involved, on trial. Flt Lt Rawlings won further admiration for bravery, when in an era that had become notable for officer-indifference towards the other Ranks, he declared “Leave my men alone”. This insistence that he alone was to be held responsible for what his men had done under his leadership, persuaded the general public of his sincerity and caring attitude towards the ordinary person of low social standing. This was the beginning of the creation of the “Rawlings mystique” that was to bedevil Ghana politics for succeeding decades.

1.23 Conclusion

1.22.1 The Government of the NRC/SMC just confirmed the precedent set in 1966, that the professional training of the security services was not one that prepared them to assume the reigns of government. The regime cannot be spared the guilt of being one that violated the rights of the citizens and even members of the security services themselves.

1.22.2 The seizure of political power and the human rights violations committed were a total deviation from the lawful duties and functions of the security services. In the end, the leaders were consumed by the culture of violence that their involvement in politics had nurtured in the nation.

1.23.0 4th JUNE, 1979 – 23rd SEPTEMBER, 1979: AFRC**1.23.1 The Establishment Of The AFRC**

1.23.1.1 On 4th June 1979, a coup d’état was staged, mostly by other ranks, following failed attempt on 15th May. Beginning as a mutiny in the Army, it developed into a full-blown coup d’état, and then into an uprising. Flt Lt Rawlings, who was in

⁵⁵ Oquaye, supra, p 133; also Barbara E Okeke, *4 June : A Revolution Betrayed* Ikenga Publishers, Enugu, 1982, p.38.

⁵⁶ Kweku G Folson, “Ideology, Revolution and Development – The Years of Jerry John Rawlings” in *GHANA Under PNDC Rule*, E Gyimah-Boadi (ed) CODESRIA BOOK SERIES, 1993, p.74 at p.75.

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custody at the offices of the Police Special Branch in Accra, was released by a group of junior ranks from custody and taken a short distance across the Ring Road to the Broadcasting House, where he announced the takeover of government. Although some amount of resistance was put up by forces loyal to the government, the mutineers could not be stopped.

1.23.1.2 The new government that was formed, reputedly in a classroom, was named the Armed Forces Revolutionary Council (AFRC), with Flt Lt Rawlings as the Chairman. The initial membership was added unto, two weeks later, and the full membership of the AFRC was as follows:

- Flt Lt J J Rawlings - Chairman
- Capt K Boakye Gyan - Official Spokesman
- Maj Mensah-Poku
- Maj Mensah Gbedemah
- Lt Cdr HC Apaloo
- Capt Kwabena Baah Achamfuor
- WO II Harry K Obeng
- S/Sgt Alex Adjei
- Cpl Owusu Boateng
- LAC John N Gatsiko
- L/Cpl Peter Tasiri
- L/Cpl Ansah Atiemo
- L/Cpl Sarkodee-Addo
- Cpl Sheikh Tetteh
- Pte Owusu Adu

Lt Cdr HC Apaloo died in a motor accident before the end of AFRC rule.

1.23.1.3 These members of the council, none of whom was above the field rank of Major when they staged the coup d'état, stated, at the time, that they did not have any political ambitions. Their leader, Flt Lt Rawlings, stated that:

I wish to avail myself of the opportunity to emphasise once again our resolve not to entrench ourselves in office; we are professional soldiers, and we want to return to the line.⁵⁷

Later historical events that unfolded tested the veracity of this assertion.

1.23.3 Initially it was thought that the coup was to unseat the SMC II government, and to deal with the Senior Military Officers, but events took a different turn when civilians became the targets also. The coup d'état and its aftermath was very bloody. Officers above the rank of Major or its equivalent in the other services, became the targets as well, and the initial proposal was for all of them to be killed without any trial as they were arrested, beaten and detained in guardrooms. Their personal effects were looted from their homes in the various military quarters.

⁵⁷ Radio Broadcast, 17th June, 1979.

VOLUME 4 CHAPTER 1**1.23.3 The “House-Cleaning” Exercise****1.23.3.1 The Execution Of The Senior Military Officers**

1.23.3.1.1 The AFRC dubbed its exercise “house-cleaning”. In the Military, they proceeded and to deal ruthlessly with the previous military rulers as well as those who had taken up civilian political appointments On Saturday, 16th June, 1979, “Mr” Acheampong and Maj-Gen E K Utuka, a former Commander of the Border Guards, were executed by firing squad. The execution in public of a former Head of State in this manner, was unprecedented and it was condemned in Ghana and abroad.

1.23.3.1.2 Again on Tuesday, 26th June 1979, two other former Heads of State Gen Akuffo and Lt Gen A A Afrifa, as well as three members of the SMC – Maj-Gen Robert E A Kotei, Air Vice-Marshal George Y Boakye, Rear Admiral Joy Amedume, and a former Commissioner for Foreign Affairs, Col Roger Felli, were executed by firing squad, at the Teshie Firing Range. As the Commission received evidence on these events, it became clear that these eight Senior Military Officers, were never tried. Consequently they were denied the opportunity to defend themselves before an impartial tribunal.

1.23.3.1.3 Protests against these executions and other blatant violations of human rights yielded positive results as the Chairman of the AFRC announced in a dawn broadcast that there would be no more executions.

1.23.3.2 III-Treatment of Senior Military Officers

1.23.3.2.1 The remaining Senior Officers, then still in guardrooms were put under the supervision of Other Ranks who shaved their heads, beat them and subjected them to many indignities. Those who had held political office were later put before the newly-established AFRC People’s Courts (dubbed “kangaroo courts”), and imprisoned after conviction.

1.23.3.4 The PIT

1.23.3.4.1 The trial processes at these “kangaroo courts” were preceded by appearance before the Pre-trial Interrogation Team (PIT) made up of Junior Officers - three Captains and a Flying Officer, Capt Sammy Michel as chairman, Capt Victor N Okai Koi , Capt Edmund Koda and Flying Officer Ebenezer Odoi. The PIT was supposed to compile information to serve as evidence for the prosecution, and the members did this, by unorthodox methods. Apart from the humiliation of appearing before Junior Officers, the Senior Officers were subjected to beatings, yelled at consistently, tortured with lighted cigarette-ends, had their ears used as ashtrays, received blinding and ear-splitting slaps from behind, and some were pricked with pins, and they were all subjected to sleep-deprivation. The panel subjected them to a barrage of questions that did not allow time, even for answers, and answers that were not considered truthful elicited further slapping from behind.

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1.23.3.4.2 The three Captains were later accused of corruption and put before their own body, the PIT, then under the chairmanship of Sqn Ldr Darko-Kumi. They were tried before the People's Court, convicted and sentenced to terms of imprisonment. Two of them, Capt Koda and Capt Okai-Koi later broke jail in November 1979, and escaped from Ghana.

1.23.3.5 The AFRC People's Courts

1.23.3.5.1 The AFRC People's Court was presided over by Sqn Ldr Evaristus K Dargbe and was made up of Junior Officers and Other Ranks. During the trials, the Senior Officers were subjected to beatings by Other Ranks, often their own former domestic assistants. They were subjected to various modes of torture and humiliation before panels that sat behind a screen. Conviction was swift, as some cases lasted only ten minutes, before ridiculously long prison sentences, were handed down. Their properties that had been seized, were then confiscated to the state.

1.23.3.5.2 The first three Senior Officers to be tried, were announced as having been given sentences of five years, eight years and fifteen years respectively. These sentences were later announced as being 50 years, 80 years and 95 years, allegedly because the original sentences announced had been misrepresented by typographical errors. Evidence before the Commission suggested that the changes were made by the Chairman of the AFRC, and not caused by typographical errors, because the sentences announced were considered infuriating by the other Ranks as they were too low. It was thus to assuage the anger of the Other Ranks who threatened to kill the remaining Senior Officers, that the sentences were reviewed upwards. This caused the sentences of those tried later to be hiked to levels as ridiculous as 105 years imprisonment for Col Amevero. The term "AFRC convict" was thus born.

1.23.3.6 The "House-cleaning" extended

1.23.3.6.1 The AFRC also extended the "house-cleaning" to other public civilian institutions. Many top officials were dismissed arbitrarily, and their assets confiscated to the state. These were persons who were believed to be corrupt, or who had been accused of abuse or misuse of their offices, and so they received the same treatment as the Senior Military Officers. Some of these were detained in military guardrooms and others in prisons, only to be told that they had been sentenced to various terms of imprisonment by the AFRC People's Courts.

1.23.3.6.2 In the general civilian population, businessmen and women suspected to be cronies of the earlier military regimes and consequently civilian collaborators of the Senior Military Officers, or just persons who appeared to be affluent or well-heeled, were attacked as being the cause of the nation's economic woes. Some of these were hauled off to prison, or put before the People's Courts that had been set up all over the country, and subjected to questioning which turned out to be a trial that ended them in prison. Many of these were subjected to such brutalities that they did not survive the ordeal, or could never recover their good health thereafter. At this time,

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being wealthy became a serious offence, for all wealth was criminalised and all wealthy or successful people became targets of military aggression and victimisation.

1.23.3.7 The Destruction Of Locations For Hoarding

1.23.3.7.1 The AFRC gave orders that premises on which hoarded goods had been found were to be demolished.⁵⁸ They adopted this policy, in order to compel people with hoarded goods, and landlords of traders to compel them to bring out their goods for sale. Many stores as well as private dwelling houses were consequently demolished in various parts of the country.

1.23.3.7.2 The AFRC ordered the destruction of Makola No1 Market in Accra., On 9th June, goods in the markets in Accra Central were seized and sold to the public at controlled prices. Later, in an effort to mount a major assault on “*Kalabule*” the Makola No 1 Market was demolished on 20th August, 1979. Goods worth millions of cedis at that time were destroyed and hundreds of traders lost all their stock and capital, and had nowhere else to trade. Evidence before the Commission, indicated that the soldiers looted the market, first on 4th June of some of its goods, then on 20th August, before bull-doing the structures. Civilians who attempted to enter the market or were found looting, were shot and killed.

1.23.4 The AFRC Loses Control

1.23.4.1 Discipline broke down completely as the Chain of Command was disrupted. Armed soldiers took the law into their own hands and ransacked shops and business premises. Shops containing expensive imported luxury items were looted and the goods seized or sold far below their value. Businessmen of Asian origin, particularly Lebanese, Syrians and Indians, were singled out for assault and harassment.

1.23.4.2 Impromptu road blocks were set up throughout Accra and other parts of the country. Civilians who were stopped at these roadblocks, and with rifles pushed into their faces, were asked: “Are you part of the problem or part of the solution?” Crude, humiliating, degrading, inhuman treatment and arbitrary torture were meted out to people believed to have committed various kinds of offences. These included, caning of people, especially traders (often after having been stripped virtually naked), detentions and dismissals from workplaces. The newspapers reported these incidents rather gleefully during this era. In short, the social class that was perceived to have wrecked the nation, ie those above 40 years of age, traders, Senior Military Officers, businessmen and women, were to be eliminated. Indeed, it was reported, and the Commission received evidence, that there was a list of 207 Senior Military Officers to be executed.⁵⁹

⁵⁸ *Ghanaian Times* vol. 6,692 Friday, 15th June, 1979, p.1. “All Hoarders’ houses go down...Firing Squad to Follow”.

⁵⁹ Testimony of Osahene Boakye Djan to the Commission; also Kevin Shillington, *Ghana and the Rawlings Factor*, MACMILLAN, London and Basingstoke, 1992, p.51.

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1.23.4.3 The military as an institution also suffered a great deal. This was an uprising that had been carried out by Junior Ranks. Most of the Senior Officers were removed from their positions and humiliated. They were replaced with junior officers. In this exercise, the Command Structure was severely damaged. This also heightened the state of indiscipline and insubordination among Junior Officers and Other Ranks. There was a total breakdown of law and order. Such chaotic situation created the platform for the violation of human rights. Arbitrary arrests, tortures, beatings, killings, abductions, detentions, threats, seizure of money and personal property and other forms of violence, became frequent events, as armed soldiers left barracks and roamed the streets

1.23.5 The Police

1.23.5.1 On 26th June, 1979, policemen, taking a cue from the military, arrested their superior officers, and chased some out of their stations. This mutiny was quickly brought under control, as the AFRC stepped in to arrest the situation. A committee of inquiry was set up under the chairmanship of Captain Karl Huppenbauer of the Ghana Army, with the following membership: DSP Kwabena Addo Attuah, Dr Kofi Ankomah, Kwamena Ahwoi, WO II Adjei Boadi and Cpl AM Sumaila.⁶⁰

1.23.5.2 This committee was tasked to investigate the disturbances, and it made recommendations which resulted in the dismissal of several police officers, including many senior officers. Many of these dismissed officers, complained that they had not even been invited to appear before the committee, and others, that the committee's findings were completely at variance with the evidence that was provided to it.

1.23.6 The Prisons Service

1.23.6.1 The junior ranks within the Prisons Service also mutinied, following on the heels of their colleagues in the Armed Forces and in the Police Service. The government set up a Committee of Enquiry under the chairmanship of Dr Kwame Frimpong of the Faculty of Law, University of Ghana. This committee presented its report in 1980, and a Government White Paper accepting the recommendations was published in August, 1980. This committee examined the grievances of the junior officers and made recommendations leading to the abolition of the Escort Class, ie the illiterate prison officers. The issue of delayed promotions was also tackled, to ensure that issues of career-progression would receive appropriate attention.

1.23.6.2 Prison conditions were also tackled, with the committee recommending that the pan-latrine system ought to be phased out and water closets provided. Only a few of the recommendations were implemented before the government was overthrown the following year.

1.23.7 The 1979 Elections

⁶⁰ Oquaye, *supra*, p.151.

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1.23.7.1 The electoral time-table had already been set, and political campaigns were in full swing when the 4th June mutiny occurred. The leaders of the political parties sought audience with the Chairman of the AFRC, who assured them that elections would be permitted to proceed as planned.

1.23.7.2 Parliamentary and Presidential elections took place on 18th June, but no clear winner emerged, and as the new Constitution provided for an Executive President, there had to be run-off elections. These elections were fixed for 9th July, 1979 between Dr Hilla Limann of the People's National Party (PNP) and Victor Owusu of the Popular Front Party (PFP). Dr. Limann emerged the winner, and arrangements were made for the handing over ceremony fixed for 24th September, 1979.

1.23.8 Split Within The AFRC

1.23.8.1 Soon after its establishment, the AFRC began to experience a power struggle between the Chairman, Flt Lt Rawling, and the Spokesman, Capt Kojo Boakye Djan. This power-struggle took on an ethnic dimension that came close to splitting the ruling body into two parts, even before the handing over date. It would seem that the AFRC, as an entity, would not have lasted had it clung to power for a further month. .

1.23.8.2 Evidence before the Commission indicates that the differences between the two leading personalities of the AFRC were also exacerbated by their adoption of opposing views to the issue of handing over power to the elected civilian government. These differences boiled over into a near shoot-out between the factions the day before the handing over ceremony, and bloodshed was averted, only by divine intervention.

1.23.9 In their avowed effort to do a “house-cleaning” exercise, the AFRC rather promoted indiscipline and violence in the Armed Forces. The result was the breakdown of command and control leading to national insecurity and instability. Their price control activities pushed the economy into chaos and our foreign trade partners placed embargos on our trading activities. Since that fateful period, the nation has been struggling to deal with the problems of national security that were unleashed by the event. Gross human rights violations were perpetrated by the regime and subsequently the members of the Armed Forces have used their weapons to terrorize civilians.

1.24 24TH SEPTEMBER, 1979 -- 30TH DECEMBER, 1981:**THIRD REPUBLIC****1.24.1 The Transition**

1.24.1.1 The Third Republic was then ushered in with the formal inauguration at the Parliament House in Accra, on the 24th September, 1979. At the handing over, Flt Lt Rawlings told President Limann that his government was on probation. President Limann was faced with the problem of what to do with the AFRC members because they were all in active service. A decision was taken to resettle them by sending them

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abroad to undertake academic studies and further training. The PNP Government therefore secured a loan of one million dollars (US \$ 1,000,000) from an Italian, Chiavelli, ostensibly to resettle the members of the AFRC and their associates. Evidence before the Commission showed that some AFRC members took their share, whilst others did not. In the event, some went abroad, and some remained in Ghana.

1.24.1.2 Flt Lt Rawlings opted to go back into the Air Force. This decision had serious implications for Command and Control. For instance, soldiers still looked upon him as “Chairman”, and the “Office of Chairman of AFRC” continued to operate, with the former Chairman continuing to take on the resolution of welfare problems of soldiers. This was clearly an untenable state of affairs and injurious to national security, and something had to be done.

1.24.2 The Limann Government And National Security

1.24.2.1 On 27th November, 1979, Flt Lt Rawlings was retired from the Armed Forces by the government. This caused a lot of ill-feeling in him towards the Limann Government.

1.24.2.2 The leadership of the Security Services at the time, had been appointed by, and worked with, the AFRC, and so this presented difficulties for the new administration as their loyalty to the new government could not be guaranteed. To make matters worse, the CDS, Brig Joseph Nunoo-Mensah and the Army Commander, Brig Arnold Quainoo were not on cordial terms, and this presented further problems for national security.⁶¹ At the end of November, 1979, the heads of the Security Services were retired by the government. These were: Brig Nunoo-Mensah, Brig Arnold Quainoo, CO Lamptey, the IGP and Kofi B Quantson, Director of Special Branch. Other military personnel who had participated actively in the AFRC were also retired.

1.24.2.3 The Director of Military Intelligence, Col Prince Twumasi-Ankrah left Ghana to become a Defence Attaché in India and the Army Commander, Brig. Israel K Amuah, went abroad on course, and did not return. All these incidents affected the stability of the government and security of the State.

1.24.2.4 The government was accused of harassing Flt Lt Rawlings (Rtd) and Capt Kojo Tsikata (Rtd), as the latter had by 1981, been put under overt surveillance, by Military Intelligence. Indeed Capt Tsikata took action in court, and won against the Military Intelligence when they crashed his car.

1.24.2.5 There were many security reports on the apparently subversive activities of Flt Lt Rawlings (Rtd), but the government could not authorise firmer action against him despite the obvious threat that he posed to the security of the State. On at least one occasion, he was interrogated on a report, but he was released, contrary to the expectations of members of the security forces.

⁶¹ Eboe Hutchful, “Reconstructing Civil-Military Relations And The Collapse Of Democracy In Ghana”, 1979-81 *African Affairs* (1997) Vol 96, pp 535-560 at p. 539.

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1.24.2.6 There were many other coup plots then brewing, and it seemed as if there was a new one every month. Clearly the Military, particularly the Junior Officers and Ranks, had got restive, since they had tasted the spoils of office, but for too brief a period.

1.24.3 Factors Facilitating The Coup D'état Of 31st December, 1981

1.24.3.1 Certain factors facilitated the success of the coup d'état. The working relationship between the Minister of Defence, Honourable Riley Poku and the CDS, Air Vice-Marshal Odaatey Barnor was poor, and it was a major factor for gross inaction on the part of both the government and the military commanders to prevent the 31st December, 1981 coup d'état. The following graphic account of the poor working relations between the government and security chiefs is given by one author in these words:

In April 1981, Lt. Col. Odjidja, the Director of the Military Intelligence (DMI), addressed a report⁴⁹ to the Minister of Presidential Affairs, the Coordinator of National Security, warning of danger posed by the escalating conflicts between the Minister and his military chief. In this report the DMI blamed the Minister for these conflicts, citing his 'School masterish' attitude, a reference to Riley Poku's profession as school master, and poor human relations with both his senior commanders and the Deputy Minister. The DMI made a long list of charges against the Minister, including undue interference in the day-to-day administration of the armed forces, disregard for the chain of command, disrespect for the CDS, and senior commanders, and interference with command appointments and alleged that service commanders and senior military and civilian officers in the Ministry were unhappy with the Minister... In an interview on 24th July 1995 with John Nabila the then National Security Coordinator, he expressed the view that 'such disagreements at the core of power were progressively to turn a conflict between the officers and ranks into a conflict between the Minister and the CDS. In turn, this compromised the ability of both the government and the military high command to respond to the looming threat from below.'⁶²

1.24.3.2 Evidence before the Commission indicates that Command and Control Structures had completely broken down, and part of the vacuum created had been filled with armed factions and groups, each wielding considerable power. This situation created an environment of distrust, even within the High Command echelon, to the extent that the CDS could not entrust his senior Commanders and Staff Officers with tasks that in normal times would be handled by them.

1.24.3.3 The Officer Corps had also been gripped with the fear of Other Ranks to the extent that officers could not exercise their normal leadership roles over their men and women for fear of incurring their displeasure and subsequent retribution which

⁶² Hutchful, *supra*, p. 550

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was always violent and humiliating. This aspect of fear was one of the tangible spill-over effects from the 4th June, 1979 mutiny.

1.24.3.4 It is on record that the coup d'état began with just ten men with the number swelling to about thirty-three by the end of the operation.⁶³ It is, however, noteworthy that the only unit to react in defence of the government was 2nd Infantry Battalion stationed in Takoradi. The Commanding Officer, Lt Col Samuel K. Ofosu-Appiah had earlier on been keeping his Brigade Commander, Col Michael Abana regularly briefed about the involvement of some of his men in this plot to overthrow the government. On 23rd December, 1981, he had these thirteen men arrested and with the help of the Air Force Station Commander in Takoradi, Wing Commander Albert Nkansah, flew them to Accra from where they were sent to the Nsawam Medium Prisons for detention.

1.24.3.5 On Thursday, 31st December, at about 8.30 a.m. when Lt Col Ofosu-Appiah received instructions in a radio conference with the 1 Brigade Commander, Col Michael Abana, to despatch two Calgustav anti-tank weapons to him, he immediately sensed that there was a serious trouble in Accra and instead of complying with the Commander's instructions, he decided to move his unit down to Accra.

1.24.3.6 Unfortunately, he had transportation capacity to move only a little over half a company strong of four officers and sixty seven men. With limited manpower, firepower and Fighting vehicles, the defence offered by Lt Col Ofosu-Appiah and his troops from 2Bn could only be minimal. Some of the 2Bn soldiers were ambushed near the Military hospital and many casualties were sustained. Lt Col Ofosu-Appiah, having failed in his mission fled into exile, as did those soldiers who had betrayed the plot to the authorities at 2BN. Lt Col Ofosu-Appiah, must be commended for his initiative, courage and leadership, and the Officers and men of 2Bn for their bravery, loyalty and their effort to defend the Constitution.

1.24.4 Conclusion

President Limann assumed office at a very difficult time, and his efforts to return security and stability to the country, were undermined by his own party, and the effect of differences between his Minister of Defence and his CDS. Rampant coup plots stretched the resources of the Security Services, and the inability of the Intelligence institutions to react effectively to Intelligence Reports about imminent coups, especially the 31st December coup d'état, made the overthrow of the government inevitable.

**1.25 31ST DECEMBER, 1981-6TH JANUARY, 1993:
PROVISIONAL NATIONAL DEFENCE COUNCIL (PNDC)**

1.25.1 The PNDC

⁶³ Matthew Adabuga's public hearing before the Commission.

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1.25.1.1 The “constitutional peace” of the 3rd Republic was shattered when a group of ten serving and ex-military personnel, all junior ranks, led by Flt Lt Rawlings (Rtd) seized power again on the 31st December, 1981, 27 months into the term of the Limann Administration.

1.25.1.2 The Commanding Officer of Recce Regiment, Maj Patrick Omane Collison, was shot and killed when attempting to reach an armoured vehicle in order to respond to the emergency. Two Military Intelligence (MI) NCOs, S/Sgt Seidu Azaah and S/Sgt Awudu were also shot and killed, although they were unarmed. Maj Dasana Nantogmah was also picked up from his office, a few days into the new regime and murdered in his uniform in the guardroom at the Air Force Base.

1.25.1.3 So many were the killings in the guardroom of Air Force Base, Accra, that it quickly gained the nickname of “Slaughter House”.

1.25.1.4 In the usual manner of seizures of power, the 1979 Third Republic Constitution was suspended, the members of the government were dismissed; Parliament was dissolved; and all political parties were banned. Members of Parliament of the PNP, the party leadership and other functionaries were ordered to report to the nearest Police station. For the first time, Members of Parliament of the minority parties were also ordered to report themselves, and they were all subsequently detained. The President and his Ministers were also arrested and detained for being criminals and running a government that was “the most disgraceful government in the history of the country”. Some of these persons were thereby forced to go into exile in the neighbouring countries.

1.25.2 The Military Intelligence

1.25.2.1 The MI Directorate became a target for punishment on account of the unit’s surveillance and other intelligence activities against the coup plotters. MI personnel were arrested, brutalised and detained in prisons, some for upwards of five years. Even those who were on UNIFIL duties in Lebanon at the time, were arrested at the Airport on their return from operations; those on retirement before the coup d’état occurred, were also arrested and subjected to severe torture and detention. Some went into hiding in the country, and others fled into exile in the neighbouring countries. The directorate was eventually disbanded, and most of the members were either dismissed or released from service with retrospective effect from 31st December, 1981.

1.25.3 The PNDC Begins To Rule

1.25.3.1 The Provisional National Defence Council (PNDC) was formed with Flt Lt Jerry John Rawlings as the Chairman. Flt Lt Rawlings did not rely on the military alone for the administration of the country but also on civilians. This is evident from the composition of the PNDC established on 2nd January, 1982, which consisted of four soldiers and three civilians:

- Brig Nunoo-Mensah (retired CDS of AFRC era),
- WO I Joseph Adjei Boadi (Co-ordinator of GAF Defence Committees),

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- Sgt Daniel Alolga Akata-Pore (then a student of University of Cape Coast and a member of MONAS)
- Chris B Atim (former NUGS Leader and General Secretary of June Fourth Movement),
- Joachim Amartey-Kwei, (dismissed worker and former divisional secretary of ICU at GIHOC)
- Rev Fr Dr Vincent K Damoah (a Catholic Priest, who had been suspended from the priestly ministry by the Catholic Church). The Ministry of Defence was placed under the PNDC Secretariat, and civilians were appointed for the other Ministries, and designated “Secretaries”.

The names of the first Secretaries were:

- B B D Asamoah, Secretary to the PNDC
- Dr Obed Yao Asamoah, Secretary for Foreign Affairs
- John Agyekum Kufuor, Secretary for Local Government
- Miss Ama Atta Aidoo, Secretary for Education
- KB Asante, Secretary for Trade
- Appiah Korang, Secretary for Fuel and Power
- Johnny Hansen, Secretary for the Interior;
- G E K Aikins, Secretary for Justice and Attorney-General
- Professor Bortei-Doku, Secretary for Agriculture
- Ato Austin, Secretary for Information
- Alhaji Iddrisu Mahama, Secretary for Transport and Communication;
- Asiedu Yirenkyi, Secretary for Culture and Tourism;
- Zaya Yeebo, Secretary for Youth and Sports
- Kwaku Ankomah, Secretary for Rural Development and Cooperatives
- Professor Mawuse Dake, Secretary for Works and Housing;
- Dr Kaku Kyiamah, Secretary for Industries, Science and Technology.⁶⁴

They were appointed on Thursday, 21st January, 1982 and assumed duty on Tuesday, 25th January, 1982.

1.25.3.2 There was no Secretary for Finance and Economic Planning but an Economic Review committee was established. Two prominent members of the Committee were: Dr Joseph LS Abbey, a former Economic Advisor to the NRC, SMC I & Commissioner for Finance in SMCII and advisor to AFRC governments; and Dr Kwesi Botchwey, a Senior Lecturer in Law at the Faculty of Law, University of Ghana, and of leftist ideological inclination.

1.25.3.3 Apart from the PNDC and the Secretaries there were other organisations that assisted the government, all of which called themselves “progressive left wing organisations”. These were: the June Fourth Movement (JFM), the People’s Revolutionary League of Ghana (PRLG), the New Democratic Movement (NDM), the Africa Youth Command (AYC), the Movement for Peace and Democracy (MOPAD), and the Kwame Nkrumah Revolutionary Guards (KNRG).

⁶⁴ *Daily Graphic* Vol 9711, Friday, 22nd January 1982.

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1.25.3.4 Others who were mobilised to support the PNDC were: the students of the universities, the rank and file of the Armed Forces, the workers, the rural wage labourers and the urban unemployed, and radical intellectuals, especially of the University of Ghana and University Cape Coast. The urban elite, the bourgeoisie, the professional elite, the technocrats and the traditional rulers on the whole stood aloof.⁶⁵ They would not associate themselves with Flt Lt Rawlings and his colleagues, because the rhetoric of the “Holy War” and later the “revolution” had a class bias, which favoured the “masses” and intimidated and alienated the “bourgeoisie”.

1.25.3.5 There is credible evidence that there was an attempt to introduce ideological indoctrination into the barracks. A leaflet titled the “Revolutionary Catechism” made the rounds of military installations. This leaflet contained some dangerous ideas based probably upon Nihilist doctrines favoured by Vladimir Lenin of the Union of Soviet Socialist Republics, and is reproduced *in extenso* at the end of this chapter.

1.25.4. Targeting The Well-to-do

1.25.4.1 The PNDC polarised the Ghanaian society into “Citizens” and “People”. The “Citizens” were those who were relatively well-off, and the “People”, those were in the working classes, the very junior officers and the unemployed. Many “Citizens”, presumed to be corrupt, were put before National Investigations Committee (NIC) and Citizens Vetting Committee (CVC) to explain their wealth or to explain how they came by the more than 50,000 cedis in their bank accounts. Soldiers were positioned behind such persons undergoing interrogation, and administered slaps, beatings and military drills, often under orders from civilian panellists.

1.25.4.2 The “People” on the other hand, were organised into Workers’ or People’s Defence Committees (PDCs/WDCs) at the work-place and residential communities respectively. These organisations with manifestly political functions, were formed in the Security Services as well. The Armed Forces Defence Committees, Police Defence Committees and Prisons Defence Committees were formed in contravention of service regulations on participation in such organisations by serving personnel. At one point the AFDC insisted that promotions of Senior Officers were to be brought to them for approval. The operations of these organisations were bound to undermine discipline within the Security Services.

1.25.4.3 The WDCs/PDCs operated the “People’s Shops” in residential areas, and at the work-places, they collected essential commodities from distribution centres for allocation to their co-workers. Many who received goods at control prices turned round and sold some of their allocation at *Kalabule* prices to market women. However, on the swoops at the markets for price control checks, some of the women traders, who may have obtained their supplies from allocations to members of Security Services, were among those who fell victim to the molestation, flogging and other acts of humiliation and degrading treatment that were meted out to such traders.

⁶⁵ See, Shillington, *supra*, p.89; also, A A Boahen, *The Ghanaian Sphinx: Reflections on the Contemporary History of Ghana, 1972-1987* Ghana Academy of Arts and Sciences, Accra, 1989, p43.

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1.25.4.4 NCOs were seconded to public institutions and designated PNDC Liaison Officers. These persons were accused of high-handed behaviour in the institutions to which they were attached, as they appeared to have more authority over the retention of jobs in the organisation, than the chief executives.

1.25.4.5 Some of the soldiers ill-treated and harassed civilians, seizing goods at the markets and shops and even at road barriers, and impounding travellers' goods at the airports, harbours and other points of entry. Some of them, on their own initiative, seized private cars, ostensibly for "operations", and crashed them or returned them in an unserviceable state only fit to be disposed of as scrap. Some entered homes, especially those of Lebanese and Syrians to extort monies from them, or to search and seize personal goods of persons they had targeted.⁶⁶ Killings were rampant and mostly carried out by trigger-happy men, sometimes in uniform. All these acts were carried out in the name of the revolution.⁶⁷

1.25.4.6 The February, 1982 Incident In Kumasi

1.25.4.6.1 In early February, 1982, the city of Kumasi witnessed the vicious attacks on, and burning of homes of members of "The Lord is My Shepherd Church", led by Odiyifo Asare. The members of this Church had beaten up and caused the death of an Army Medical officer, Maj Joe Darko who had attacked them while they were at worship on Sunday, 7th February, 1982. A policewoman, Cpl Joanna Essien, a member of the Church, who was alleged to have disarmed the Officer and whose jaw had been grazed by a bullet when the gun went off, became a target. The soldiers chased her to the Okomfo-Anokye Teaching Hospital where she had undergone surgery and was receiving blood transfusion. She was shot dead in her bed, and the doctor who performed the surgery on her had to escape from the hospital and out of Kumasi in his theatre-gown. He later left the country. Other patients on the ward, frightened by what had taken place, fled from the hospital.

1.25.4.6.2 Kumasi was put under siege as soldiers set up road blocks on all exit points out of Kumasi and put down all passengers of vehicles leaving the city. Members of the church who had been arrested, were positioned at the barriers to identify their church members who were attempting to escape from Kumasi. Those so identified were arrested, taken to the office of 2 Brigade and 4Bn, detained and subjected to torture. At 4Bn, S/Sgt Nyamekye, a serving soldier and member of the church, was executed under a tree, and his blood spattered all over the ground. Later, seven male members of the church who had been arrested, were made to sit in the blood, subjected to horrendous torture and threatened with execution if the Odiyifo were not found by a certain day. They were rescued by WO I Adjei Boadi, member of the PNDC, who sent them to Kumasi Central Prisons to be detained for their own safety, and in order that they might be given medical attention. They were released three weeks later, when the fury of the soldiers had abated.

1.25.4.6.3 Odiyifo Asare, who had gone into hiding, surrendered to the police on 9th February to stop the terror that had been unleashed on his church members. He was

⁶⁶ Boahen, supra, p. 44.

⁶⁷ Shillington, supra, p.89.

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handed over to the soldiers, who paraded him through the streets of Kumasi, killed him at Kejetia and burnt his body. All his property, including his cars, were burnt, and so were houses whose tenants were members of the church. People in the central business district of Kumasi had to walk with their hands raised high up as a sign of surrender, for a number of days.

1.25.5 The ARPB Publishes List Of Dead

1.25.5.1 At the end of July, 1982, the Association of Recognised Professional Bodies (ARPB) published a list of over 200 names of persons who had been murdered by soldiers since 31st December, 1981, and in which no prosecution had taken place or seemed likely to take place.⁶⁸ This list did not include those murdered by soldiers and pushed into a disused shaft, Mfantse Mine shaft, at the “ABA Mines” at Aboso, near Tarkwa, nor did it include many others in other parts in the country. There is no indication that apart from a few instances, any action was ever taken to punish the perpetrators.

1.25.6 Burning Of Tamale Market

1.25.6.1 On the afternoon of Friday, 5th February, 1982, an Information Service Department van made an official announcement at the Tamale Central Market, that all traders were to leave the market by 6 p.m., and not return until Monday morning. Those who delayed leaving the market were molested and chased out. At dawn on Monday, 8th February, 1982, the market was set on fire by soldiers. Soldiers positioned themselves at the gates, firing indiscriminately, and thereby preventing the traders from entering the market to salvage their goods. A few traders whose stalls had not yet been reached by the flames requested the soldiers to permit them to retrieve some of their goods. In response to these requests, the soldiers poured petrol on, and fired into the sections not yet touched by the fire, thereby setting them ablaze. A mad man who attempted to pick up a piece of yam that had been roasted by the fire was shot dead, as was also a little school boy who was caught by a stray bullet as he watched the event from a distance. There was evidence before the Commission that some of the stalls had been looted before the burning. The market took a couple of days to burn to ashes, whilst the traders lamented their loss. Everything in the market, money, goods, sewing machines, bicycles, etc were all completely burnt.

1.25.6.2 Traders and businessmen and women lost their capital, and many families became impoverished overnight. It was a great loss for Tamale in particular, and the Northern Region in general.

1.25.6.3 Evidence before the Commission clearly showed that the Fire Service Department did not make any effort to put out the fire while the market was burning. Later, they held a Departmental Inquiry into the incident and concluded, in the face of overwhelming evidence, that the cause of the fire was unknown.

1.25.7 Commandos

⁶⁸ Ibid. p 90.

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1.25.7.1 The PNDC established two Commando Units, the Military and Police Commandos. In order to form the Military Commando Unit, some of the young men who had been recruited, originally to join the regular Armed Forces in 1983, were selected and given special training and appointed into the Public Service by the Public Services Commission. They were sent to Cuba for their initial training, which covered many military disciplines such as sniping and counter-insurgency tactics. On their return from Cuba, they were given further training at Asutsuare. Maj Courage Quashigah, Capt George Pattington and Capt Larry Gbevlo-Lartey were some of the officers from the regular Army who helped to establish the 64 Infantry Regiment, also called the Commando Unit. Some of the Commandos were stationed at the Castle, others at Cantonments, and also at Asutsuare. These were formed into three Companies namely: Alpha, Bravo and Charlie.

1.25.7.2 By virtue of their training, ideological orientation and better motivation, they considered themselves superior to soldiers in the regular Army. They were very well equipped and very well paid, and operated under the office of the Co-ordinator of National Security.

1.25.7.3 The Police Commandos were under the Command of one RSM Jack Bebli, a policeman who had left the Police Force before 31st December, 1981. On the official level, he reported to the Police Headquarters' Schedule Officer in charge of Operations through the Commander of the Armoured Car Squadron (ACS). Operationally, he could also report directly to the Commanding Officer of the 64 Infantry Regt. However, unofficially he reported directly to the Castle. All the personnel undertook regular training and were trained in the use of weapons such as, AK-47 assault rifles, rocket launchers, machine guns, hand grenades and other sophisticated equipment. The instructors were drawn from the Cuban Military, supported by Maj Quashigah, and Capt Pattington, and food ration was supplied by the regular Armed Forces. The Unit operated from a refurbished garage in the Cantonments Police Barracks in Accra. They worked in close collaboration with the Military Commandos as both units were formed primarily to provide personal security and protection for Flt Lt Rawlings.

1.25.7.4 There was a very uneasy and uncomfortable relationship between the Commandos and the other servicemen. The Commandos were, however, generally dreaded by the civilian population. There were complaints of killings, torture, intimidation, harassment and meddling in civil matters such as land disputes made against them.

1.25.7.5 The BNI cells were places of detention and interrogation of a host of persons who were detained on suspicion of plotting to overthrow the government. The Commando Units were allowed access to BNI cells from where, masked, they removed detainees at midnight, blindfolded them and subjected them to gross methods of torture at various locations in Accra and Asutsuare. Some detainees died as a result of the torture. However, no accurate records of these persons were kept by the BNI, thus contributing to the number of persons now unaccounted for, and therefore listed as "disappeareds".

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1.25.7.6 The Commandos were untouchable as they seemed to have had complete protection from the government, to do whatever they did. The following account given by one Kyereme Djan, a former student of the then University of Science and Technology, at his trial for attempting to overthrow the PNDC illustrates the power that these extra security services wielded:

I was arrested in the early hours of 30th October, 1985 at Community 11, Tema in our house. When I was arrested, I was taken to Police Headquarters on the Ring Road in Accra. I was kept in cells at the Police Headquarters. I was called to the counter around 8:00pm or thereabout and one Jack Bebli asked the counter man to release me to him and four other soldiers all holding guns. When the counter policeman refused on the grounds that I was detained on the instructions of the IGP and that I could only be released on his instructions, Jack got angry and said, “fuck the IGP! If you don’t want what will happen to this chap to happen to you then just release the chap.” The counter policeman then released me to them.⁶⁹

1.25.7.7 The Deputy Director of BNI at the time, Peter Nanfuri, complained to the Public Tribunal trying Kyereme Djan and others for subversion that the Commandos were so powerful that he was powerless to restrain them from torturing suspects in the custody of the BNI.⁷⁰

1.25.7.8 The presence of the Police Commando Unit heightened indiscipline in the Service. Control over weapons was difficult as the group was also armed. As service logistics and other resources continued to diminish, the Commando Unit appeared not to be under any resource-constraints.

1.25.8 The Murder Of The Judges And Retired Army Officer

1.25.8.1 Perhaps one of the biggest human rights tragedies ever to have hit Ghana, was the kidnapping and murder of three High Court Judges, and a retired Army Officer, Mrs Justice Cecilia Koranteng-Addow, Mr. Justice Kwadwo Agyei Agyepong, Mr Justice Fred Poku Sarkodee and Maj Sam Acquah, the Group Personnel Manager of the Ghana Industrial Holding Corporation (GIHOC). They were abducted during curfew hours of 30th June, 1982 from their homes, driven to the military range at Bundase in the eastern Accra Plains, about fifty kilometres from Accra. They were found to have been murdered by L/Cpl S K Amedeka, L/Cpl Michael Senyah, Johnny Dzandu and “Tonny” Tekpor, who also attempted to burn the bodies to conceal the crime. They would have been successful, but for the timely intervention of a rain storm, that prevented the bodies from being burnt beyond recognition.

1.25.8.2 The nation stood silent in shock and grief, and the world was stunned by what had happened in Ghana. The PNDC denied complicity even though one of the persons implicated in the abduction and murder, Amartey-Kwei, was a member of the

⁶⁹ See George Agyekum *The Treason Trial of 1986*. Justice Trust Publications, Cantonments, 2001, Accra, p.162.

⁷⁰ Ibid.

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PNDC. In addition, Capt Kojo Tsikata, the Head of National Security and Security Advisor to the PNDC, four soldiers and two ex-soldiers were also found to have been involved in the conspiracy to kidnap and kill the victims. The Special Investigation Board (SIB) under the chairmanship of a former Chief Justice, Mr. Justice Samuel Azu Crabbe enquired into the incident.

1.25.8.3 The SIB's work was supported by the investigations of the Police Investigating Team, originally headed by Deputy Commissioner of Police (CID) Daniel K Nzeh, but later taken over by his deputy, Chief Superintendent Jacob Jabuni Yidana, who did a splendid piece of investigation to unearth the culprits. The other members of the original team were:

Tetteh Ahinakwa	Assistant Commissioner of Police
P Agboba	Deputy Superintendent of Police
Edmund Ohene-Asah	Deputy Superintendent of Police
Kwabena Gyamfi	Assistant Superintendent of Police
William Oduro	Assistant Superintendent of Police
JF Tordimah,	Detective Chief Inspector
Samuel Adu-Darko	Detective Inspector
Akoto Bamfo	Detective Corporal; and
MA Musah	Detective Corporal.

1.25.8.4 Some of these officers left the team before it began its work, or before the investigation had travelled any distance. Of those left, Yidana, as well as almost all the members of the team, paid a price for their efficient conduct of the investigations and display of professionalism. Some wound up in prison, and others in exile. As the then Head of BNI, Kofi B. Quantson has stated in confirmation of the claims of threats and harassment meted out to the members of the Police Investigations team, the police officers

were in danger, not because they were traitors. They were in danger because in the performance of their professional duties they had become targets for persecution and probably elimination... I recall the pathetic case of Mr. Dan Nzeh, then head of CID... He had to flee the country to the UK... Dan died in exile... And I was certainly sorry for the way my friend Yidana was persecuted.⁷¹

1.25.8.5 Chief Superintendent Yidana was actually arrested, prosecuted and convicted for harbouring a fugitive from justice, Lt Ken Korah, even before the Final Report of the SIB was issued. Although there was evidence before the Public Tribunal that Yidana had not been staying in the house, and none that he even knew of the man's presence in his house for one night, he was still convicted. He, his wife, Victoria, two of his friends Yahaya Seidu and Alhaji Mumuni Baba, who just chanced by the house and gave a lift to Lt Korah upon request, were tried for the offence and convicted. Fortunately for Mrs Yidana, she had by then fled into exile. Yidana was sentenced to eight years' imprisonment, but contrary to prison regulations, he served eight calendar years, thereby being deprived of the automatic one-third remission of

⁷¹ KB Quantson, *Ghana: NATIONAL SECURITY...The Dilemma*, NAPASVILLE VENTURES, A 2003, p.183.

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sentence enjoyed by every prisoner in Ghana. ASP William Oduro, fled from prison during the jail break of 19th June, 1983 while in detention for alleged subversive activities. Both these officers insist that the charges against them were false. Others, such as Nzeh and Ohene-Asah, fled into exile after being dismissed for no stated cause, and Detective Corporal Musah was briefly detained, handed a Letter of Transfer to Kumasi, and made to leave Accra the same day.

1.25.8.6 On the available evidence, these police officers suffered a great deal for the competent manner in which they performed the work assigned to them. They deserve the nation's commendation and recognition for not retreating when it became obvious that they would be confronting persons within the highest echelons of power, and in the face of massive official intimidation and harassment. As Quantson has again stated:

To be asked to investigate murders of the nature committed under circumstances that suggested high-level political involvement in near chaotic revolutionary conditions, is to be asked to sign and execute your own death warrant... All those involved in those dangerous investigations deserve national honours.⁷²

1.25.8.7 A question that requires reflection is this: If Joachim Amartey-Kwei was the only high-ranking member of the PNDC involved in the murders, then who was behind all the harassment that members of the team suffered after he was detained, and even many years after he was executed?

1.25.9 Destabilisation Attempts.

1.25.9.1 There was considerable opposition to the PNDC Regime, as evidenced by the large number of coup plots and coup attempts. There were as many as seven of them between March, 1982, and June, 1983. The PNDC dealt ruthlessly with persons accused of involvement in these incidents. Almost all persons alleged to be involved were executed after being tried, sometimes in camera, at the Public Tribunals. These incidents cost Ghana a great deal in men, equipment and materials. In addition, a lot of arms and ammunition found their way into unauthorised hands. For instance, in March, 1982, one of those coups attempts resulted in the shelling of Gondar Barracks, and the resultant exposure of a large cache of arms and ammunition newly-imported into the country. This created a free-for-all scramble for the guns.

1.25.9.2 On one of those coup-attempt situations, a Calgustav bomb landed in a private house at Teshie, causing many deaths and severe injuries to the occupants of the house. The military stopped the police from investigating the matter, but there is no evidence that there was ever a formal investigation into the event after collecting the pots and pans of one of the victims for further examinations.

1.25.9.3 The 19th June, 1983 Coup Attempt And Its Aftermath.

⁷² Quantson, *supra*, p 180.

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1.25.9.3.1 On 19th June, 1983, there was a major attempt to topple the PNDC Government. This was perhaps the most daring and most serious attempt to overthrow the PNDC. This began with a jail-break at Ussher Fort, James Fort and, eventually, Nsawam Prisons. Most of the soldiers in detention were released, and many fled the country. Those who were re-arrested because they were returning to custody at James Fort Prison, were executed right in front of the prison gates. At Nsawam Prison, a prison officer was killed and one was injured, whilst one MI soldier was shot by the intruders.

1.25.9.3.2 In the course of the foiling of the attempt, the PNDC caused an announcement to be made that anyone found in track suit was to be shot on sight. This created a serious panic because it was a Sunday morning, when many young men were out jogging, or playing various sports, and some, in track suits. There were a number of killings that day in consequence of these instructions.

1.25.9.3.3 Following the suppression of the attempt, the government announced the commencement of an operation to flush out the dissidents, code-named ‘Operation Search and Destroy’. A number of people were killed as a result of the activities of the Operation Squad. Indeed, one was executed in broad daylight near the Adabraka Traffic lights at Farrar Avenue. On another occasion, two MI detainees who had escaped from prison on 19th June, and three or four civilians who had been arrested with them at the border with Cote D’Ivoire, were taken to the Border Guard Headquarters in Accra, and detained in the guardroom. While in detention several days later, and without the authority of the Commander of the Border Guards, Brig Albert Tehn-Addy, they were visited by WO I Adjei Boadi, who, in the name of ‘Operation Search and Destroy’, executed the unarmed men who had just finished their meal.

1.25.9.3.4 There were trials *in absentia* of the 19th June coup plotters at the Public Tribunals, and some of them were sentenced to death *in absentia*.

1.25.10 The February, 1985 Assassination Attempt In Kumasi

In February, 1985, the Asantehene, Otumfuo Opoku Ware II, celebrated the Golden Jubilee of the restoration of the Asante Confederacy, in Kumasi. The main event was a durbar at the Kumasi Sports Stadium, which was to be addressed by the Head of State, Flt Lt Rawlings. Later, it transpired that a plot had been hatched to assassinate the Head of State at that function. The Military authorities received information on the plot and moved swiftly to arrest the culprits. A private house in which one of the dissidents was suspected to be hiding was ransacked and then dynamited. Many young soldiers were allegedly involved in the plot and it led to the subsequent arrest and torture of the suspects, one of whom, Cpl Anthony Yeboah, is still listed as having disappeared while in custody. Those who survived the excruciating tortures administered to extract information, remained in detention in prison until 1992.

1.25.11 Killings at Air Force Station, Accra

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1.25.11.1 On 23rd March, 1984, dissidents led by L/Cpl Alidu Giwa entered Ghana from La Cote D'Ivoire to overthrow the government. They were arrested and sent to the 3Bn at Sunyani. The process of arrest involved a shoot-out, and so some of them had been wounded. A team of Commandos were sent from Accra to airlift them from Sunyani to Accra. From Togo, another group that had infiltrated the country by boat in order to link up with the Côte D'Ivoire group, was discovered in the Ningo area, and arrested by the local PDCs. The two groups were taken to the Air Force Station on Saturday, 24th March, 1984. Some had been wounded, and one was on a stretcher, but they were all in chains. After a brief interrogation, they were executed one after the other, by firing squad.

1.25.11.2 The interrogations and executions were video-taped by Riad Hozaifeh at the instance of the Chairman of the PNDC. The following Monday, it was reported in the newspapers that three 'dissidents', who had already been sentenced to death *in absentia* by the Public Tribunals, had been executed, and that some others had been killed in a shoot-out with the security services. It would seem, however, that about seven persons were executed at the Air Force Station that day, and not all of them had had death sentences imposed on them *in absentia*.

1.25.12 Premature Releases From GAF

1.25.12.1 There were several instances of retirement of officers and discharge of men and women from service which did not follow the approved procedures for release. Officers were not served with the notification for "Intended Release" which gave them the right to respond to, and accept the reasons for their release, and other ranks were summarily discharged without having the opportunity of being interviewed by their Commanding Officers, who would have informed them of the reasons for their discharge.

1.25.13 Abuse Of Service Regulations

1.25.13.1 Soon after the PNDC came to power, an announcement went out that all dismissed personnel of the security services should report to their old units for re-engagement. Many of those who responded to the call were persons who had been dismissed for gross misconduct or serious offences. For instance, L/Cpl Samuel Amedeka, the leader of the gang that murdered the Judges, had previously been dismissed from the Army for rape. These unsavoury characters went back into the Armed Forces, got back their military uniforms, and were provided with arms and ammunition. Some of them immediately proceeded to settle scores with those they held responsible for their original dismissals. These "returnee soldiers" were also not restored to the pay rolls immediately, leaving them with a great temptation to use their new-found power to secure a means of livelihood – and many used their weapons to commit crimes against the general populace. It took some time before they were screened, and then formally re-engaged.

1.25.13.2 Various security and para-military agencies set up their own detention centres and created their own adjudicating systems. These institutions operated as if they were a law unto themselves, and for all practical purposes, were above the law.

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1.25.13.3 Service personnel suffered some of the worst forms of abuse. For the military, provision was made for the establishment of Military Tribunals with power to sentence to death, without legal assistance, without legal presence on the panel and without right of appeal.⁷³ The jurisdiction of these tribunals covered civilians, serving and retired personnel, as well as deserters from the GAF. Any soldier who fell foul of the law ran the risk of receiving a less than equal measure of justice from his own institution.

1.25.13.4 There was rampant use of detentions for service personnel. Whenever allegations of coup plotting were made, service personnel implicated were immediately arrested, tortured and detained. Sometimes they were not even allowed to inform any one of their mishap, with the result that for some of them, no one knew why or where they had been detained, and on their release, they discovered that the Armed Forces Records Office had not even been made aware of their absence from their units. Some of those arrested were not even interrogated, before being sent to prison, for as long eight years, in some cases. Many of such service personnel were informed that within a few days of their detention, all their personal belongings had been stolen. Contrary to Armed Forces Regulations, there was no publication covering such detention. For some of them, it took about two years before an Executive Instrument was made, to give retrospective effect to the detention.

1.25.14 Dismissals In The Police Service

1.25.14.1 The invitation that went out that all dismissed personnel of the security services should report to their old units for re-engagement, also affected the police. Many of those who responded to the call were persons who had been dismissed for gross misconduct, or serious offences. For instance, RSM Jack Bebli, the leader of the Police Commandos, had left the Police Service years earlier, but returned when the PNDC came to power. These unsavoury characters got back into uniform, and acquired political power, as well as arms and ammunition. Some of them immediately proceeded to settle scores with those they held responsible for their original dismissals. These “returnees” posed a disciplinary problem as many could not be controlled by the Service Hierarchy because their source of power and their loyalties, lay outside the service.

1.25.14.1 In the Police Service, some of the worst forms of victimisation and arbitrary dismissals occurred during this time. In 1988, the Police Service (Amendment) Law, 1988 (PNDCL 194A) was enacted. Made on 18th March, 1988, and gazetted on 29th December, 1989, this Law, composed of two sections only, provided that the PNDC had power to dismiss and remove officers from the Service, and ousted the jurisdiction of the courts in case of such action against any officer. A number of senior and junior officers were victimised by this law since they were unable to challenge the bases of their removal or dismissal from office.

1.25.15 Prison Service

⁷³ Special Military Tribunal (Amendment) Law, 1984 (PNDCL 77); Special Military Tribunal (Amendment) (No.2) Law, 1984 (PNDCL 100).

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1.25.15.1 Most of the abuses suffered by prisoners and detainees in prison were perpetrated by Prison Officers. Contrary to Prisons Service Regulations and Standing Orders, Prison Officers maltreated the detainees physically, or subjected them to very poor diet, very bright lighting and insanitary facilities in the cells. The use of leg-irons and “monkey-chains”, on prisoners, often without just cause violated the rights of the prisoners.

1.25.15.2 Prisons Regulations have always had clear orders regarding death by hanging. Therefore, in the wake of the amendment to the Criminal Procedure Code which made it possible for persons sentenced to death to be hanged or to be executed by firing squad, and which made it unnecessary for the location of the execution to be stated by the sentencing judge, the ground rules for executions were completely changed. Death by firing squad was not part of the training of prison officers, and so they were undertaken by the police or the military. Without prior knowledge of where the execution would take place, the Prison Officers could not make the necessary preparations for proper burial, leaving them with unclear orders as to how to dispose of the remains of those so executed. It was therefore inevitable that those executed by firing squad, could not be accorded the decorous burial forms and rites prescribed under the regulations.

1.25.15.3 Evidence the Commission found, upon conducting exhumations, was that several bodies were placed in unmarked graves, or lumped together, wrapped only in woollen blankets and wearing everyday apparel, including footwear, wristwatches, etc without any coffins. This constituted a violation of the executed persons’ right to dignity in death.

1.25.16 The People’s Militia

1.25.16.1 The organization of People’s Militias was one of the concepts pushed by the revolutionaries in order to serve as a counterpoint to the dominance of the military over weapons of violence. They were thus a manifestation of the PNDC leadership’s concept of the “democratization of violence” – a notion that when everyone was able to wield arms then the military’s monopoly over the use of violence would be broken, and their capacity to bully civilians undermined. These militias were recruited from the ranks of ordinary people who wished to volunteer for such activities.

1.25.16.2 Persons from various parts of the country underwent training in shooting at Military installations⁷⁴ and then were assigned various tasks. Those at the borders helped to check smuggling, whilst those at the harbour checked Port Security and non-payment of appropriate customs dues. Military personnel in active service were assigned to take charge of the Militias. For instance, S/Sgt Tornyeviadzi and WO I Kwabena N Nkwantabisa were in charge of the Volta Region People’s Militia and the Tema Harbour Militia respectively. In 1984, Pond and Sea Fishermen were given military training to counter any invasion by sea, and to combat smuggling by sea. The

⁷⁴ *Ghanaian Times*, vol 8089 Tuesday, 3rd January, 1984, back page.

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training, carried out by soldiers of Field Engineers led by Maj A.A. Donkor and WO I Andreas Tetteh, was code-named “Operation Shoot To Kill”.⁷⁵

1.25.16.3 On account of the nature of their tasks and the fact that it was a volunteer organization, it attracted mainly persons who were not otherwise gainfully employed. They wielded great power and were fully armed, although they were not paid a salary. The result of such combination of factors was a group of persons trained in the handling of weapons, provided with weapons and with responsibility, but receiving no official income.

1.25.16.4 Many of the abuses and fatal shooting incidents perpetrated by the militiamen stemmed from these operational factors. Indeed, in October, 1988, Militias attacked a village, Agortime-Afegame, in the Volta Region, ostensibly to check smuggling, and caused over 200 hundred of the villagers to take refuge in Togo. These refugees had to be hosted by the Togolese Government in a Refugee Camp in Togo.

1.25.16.5 The Militias were later reorganised and put under proper Command under Col Alex Antwi and then Brig Tehn-Addy, and re-named The Civil Defence Organisation (CDO).

1.25.17 Abuse Of Custodial Facilities

1.25.17.1 The rules regarding the use of custodial facilities at police stations were completely disregarded, leading to the many illegal detentions by service personnel that occurred. Soldiers had unrestricted use of police cells and were not required by anyone to indicate the reason for which a suspect had been arrested. They also expected the police to hold whoever had been taken into the cells until they themselves returned for them. This led to detentions in police cells, often for no just cause, for an indeterminate length of time

1.25.17.2 In the various prison establishments, prison officials, in flagrant disregard of service regulations, accepted persons into their custody without any warrants. Such conduct resulted in persons remaining in the prisons, only because the soldiers who took them there had forgotten to go back to secure their release.

1.26 Events Of 1992

1.26.1 After considerable pressure from international and national quarters, the PNDC decided to return the country to constitutional rule. The Constitution was drawn up and promulgated in 1992. Presidential and Parliamentary elections were slated for November and December, 1992, respectively.

1.26.2 Many of the detained service personnel were released from detention in April, 1992. Some had been in detention for so long that they had lost all family and become destitute. Many left Ghana to go into exile in the neighbouring countries.

⁷⁵ *Ghanaian Times*, vol 8104 Friday, 20th January, 1984, p.1.

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1.26.3 During the electioneering campaign, there was great tension. Soldiers were deployed in Kumasi to keep order, but it was generally felt that they had been deployed to intimidate the electorate. After the end of the Presidential Elections, the Chairman of the PNDC, who had retired from the GAF in obedience to the dictates of the Constitution, and had been nominated as the Presidential Candidate of three political parties which had formed an alliance – the Progressive Alliance - was declared the winner. Some of the opposing parties decided to boycott the Parliamentary Elections, citing electoral irregularities. Some activists of opposing parties in Kumasi, in particular, were arrested to be sent to Accra. One of them, Nana Yaw Boakye, an ex-serviceman refused to permit his arrest and held the military to a two-day gun battle. He later surrendered, but not before a number of people had been injured by stray bullets and one had been killed. All the arrested persons were transported to Accra by helicopter, and detained for two weeks in BNI cells. They were later released without charge.

1.26.4 On 6th January, 1993, a number of senior Police Officers were dismissed or retired prematurely. Some of these persons insist that their vigilance during the electioneering campaign caused the abrupt termination of their careers.

1.26 INTELLIGENCE FABRICATION IN GHANA'S SECURITY SYSTEM

1.27.1 Information received and acted upon by intelligence-gathering organisations of the Security Services in the country was sometimes defective, or even fabricated. Such fabricated information led to the arrest, detention and maltreatment of people on whom such false reports had been made. The maltreatment of these people was sometimes brutal, resulting in serious injuries and, in some cases, deaths. As expressed by a former Head of Intelligence Services:

Over the years so much incalculable harm has been done to so many people because of false reports that have been made against them. Some of the victims suffered unduly long periods of detention. Some suffered physical and mental brutalities. Some lost their lives. Some had disrupted marriages. Some completely lost their means of livelihood because of the processes they had to endure in the security system. Worse still some got devastated by the stigma that they had come to security notice. The stigma stuck to some of them stubbornly and unshakeably forever... Really of all the people who have created problems for security over the years, the most dastardly are those who come peddling damaging fabricated reports. Without exception fabricators and peddlers spring into action the moment any government assumes office.⁷⁶

1.27.2 It would thus seem that some members of the civilian population were the ones who, knowing the inadequate investigative resources of the Security agencies and consequently what suffering would be unleashed on their victims, used the Agencies

⁷⁶ K B Quantson, *GHANA: PEACE AND STABILITY Chapters From The Intelligence Sector*. NAPASCOM LTD Accra, 2000 pp.107-108.

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for their own purposes, thereby bearing moral responsibility for the abuses perpetrated against others.

1.28 CONCLUSION

1.28.1 The PNDC came to power after announcing what they called a “Holy War”, it proceeded to re-organise and re-order Ghanaian society. The PNDC preached left-wing philosophies and established bodies, called “revolutionary organs”. These organs polarized society, and created enmity between the unemployed, and working class persons on the one part, and middle-class and the well-to-do citizens, on the other.

1.28.2 The Junior Ranks of the military were again in power, and without effective disciplinary control, they took the law into their own hands, harassed and brutalised the populace. They subjected the citizenry to gross human rights abuses that had a damaging impact on life in the country. The revolutionary organs existed within the Security Services too, and this affected Command and Control, as well as loyalty to the Republic

1.28.3 The PNDC established new security units: the Military Commando Unit, the Police Commando Unit and People’s Militia or Civil Defence Organisation. The two former units were primarily for the security and protection of the Chairman of the PNDC, and the latter was a para-military organisation. These Commandos and Militiamen were also very brutal in their dealings with civilians. The Militias were responsible for some of the major upheavals that occurred, particularly in the Border areas as they were charged with the responsibility of checking smuggling and dissident activity.

1.28.4 The atrocities unleashed on the Ghanaian population in the early part of the PNDC era, were matched only by what took place in the 112 days of the AFRC. Evidence before the Commission indicated that a document circulated in the barracks, especially among Junior Officers and Other Ranks, called “Revolutionary Catechism” that extolled Nihilist ideas. These ideas could very well have spurred soldiers on to persecute and eliminate where necessary, “enemies of the revolution”. The impact that these ideas might have had on the attitudes and behaviour of some of the soldiers during the hey-day of the “revolution”, makes it necessary for sections of it to be quoted in full:

“THE REVOLUTIONARY CATECHISM*The Duties of a Revolutionary towards Himself.*

1. The revolutionary is a doomed man. He has no personal interests, no business affairs, no emotions, no attachments, no property and no name. Everything in him is wholly absorbed in the single thought and the single passion for revolution.

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2. The revolutionary knows that in the very depths of his being, not only in words but also in deeds, he has broken all the bonds which tie him to the social order and the civilized world with all its laws, moralities, and customs and with all its generally accepted conventions. He is their implacable enemy and if he continues to live with them it is only in order to destroy them more speedily.
3. The revolutionary despises all doctrines and refuses to accept the mundane sciences, leaving them for future generations. He knows only one science: the science of destruction. For this reason, but only for this reason, he will study mechanics, physics, chemistry and perhaps medicine. But all day and all night he studies the vital science of human beings, their characteristics and circumstances and all the phenomena of the present social order. The object is perpetually the same: the surest and quickest way of destroying the whole filthy order.
4. The revolutionary despises public opinion. He despises and hates the existing social morality in all its manifestations. For him, morality is everything which contributes to the triumph of the revolution. Immoral and criminal is everything that stands in its way.
5. The revolutionary is a dedicated man, merciless towards the State and towards the educated classes; and he can expect no mercy from them. Between him and them there exists, declared or concealed, a relentless and irreconcilable war to the death. He must accustom himself to torture.
6. Tyrannical towards himself, he must be tyrannical towards others. All the gentle and enervating sentiments of kinship, love, friendship, gratitude and even honour must be suppressed in him and give place to the cold and single-minded passion for revolution. For him there exists only one pleasure, one consolation, one reward, one satisfaction - the success of the revolution. Night and day he must have but one thought, one aim - merciless destruction. Striving cold-bloodedly and indefatigably towards this end, he must be prepared to destroy himself and to destroy with his own hands everything that stands in the path of the revolution...

The Relations of the Revolutionary towards his Comrades

7. The revolutionary can have no friendship or attachment except for those who have proved by their actions that they, like him, are dedicated to revolution. The degree of friendship, devotion and obligation towards such a comrade is determined solely by the degree of his usefulness to the cause of total revolutionary destruction...

The relations of the Revolutionary towards Society.

8. ... The revolutionary enters the world of the state, of the privileged classes, of the so- called civilization, and he lives in this world only for the purpose of

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bringing about its speedy and total destruction. He is not a revolutionary if he has any sympathy for this world. *He should not hesitate to destroy any position, any place, or any man in this world.* He must hate everyone and everything in it with an equal hatred. All the worse for him if he has any relations with parents, friends or lovers, *he is no longer a revolutionary if he is swayed by these relationships.*

(The italics in original.)

9. Aiming at implacable revolution, the revolutionary may and frequently must live within society while pretending to be completely different from what he really is, for he must penetrate everywhere, into all the higher and middle classes, into the houses of commerce, the churches, and the palaces of the aristocracy, and into the worlds of the bureaucracy and literature and the military, and also into the Third Division and the Winter Palace of the Tsar.
10. This filthy social order can be split up into several categories. The first category comprises those who must be condemned to death without delay. Comrades should compile a list of those to be condemned according to the relative gravity of their crimes; and the executions should be carried out according to the prepared order.
11. When a list of those who are condemned is made and the order of execution is prepared, no private sense of outrage should be considered, nor is it necessary to pay attention to the hatred provoked by these people among the comrades or the people. Hatred and a sense of outrage may even be useful in so far as they incite the masses to revolt. It is necessary to be guided only by the relative usefulness of these executions for the sake of the revolution. Above all, those who are especially inimical to the revolutionary organization must be destroyed; their violent and sudden deaths will produce the utmost panic in the government, depriving it of its will to action by removing its cleverest and most energetic supporters.
12. The second group comprises those who will be spared for the time being in order that, by a series of monstrous acts, they may drive the people into inevitable revolt.
13. The third category consists of a great many brutes in high positions distinguished neither by their cleverness nor their energy, while enjoying riches, influence, power and high positions by virtue of their rank. These must be exploited in every possible way. They must be implicated and embroiled in our affairs. Their duty secrets must be ferreted out and they must be transformed into slaves. Their power, influence and connections, their wealth and their energy will form an inexhaustible treasure and a precious help in all our undertakings.
14. The fourth category comprises ambitious officeholders and liberals of various shades of opinion. The revolutionary must pretend to collaborate with them, blindly following them while at the same time prying out their secrets until

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they're completely in his power. They must be so compromised that there is no way out for them, and then they can be used to create disorder in the state.

15. The fifth category consists of those doctrinaires, conspirators and revolutionists who cut a great figure on paper or in their cliques. They must be constantly driven on to make compromising declarations; as a result, the majority of them will be destroyed, while a minority will become genuine revolutionaries.
16. The sixth category is especially important women. They can be divided into three main groups. First those frivolous, thoughtless, vapid women whom we shall ... to use the third and fourth categories of men. Second women who are ardent, capable, devoted but who do not belong to ... because they have not yet achieved a passionless and austere revolutionary understanding: these must be used like the men of the fifth category. Finally there are women who are completely on our side- i.e. those who are wholly dedicated and who have accepted our programme in its entirety. We should regard these women as the most valuable of our treasure; without their help we would never succeed.

The Attitude of Society towards the People

17. The society has no aim other than the complete liberation and happiness of the masses - i.e. of the people who live by manual labour. Convinced that their emancipation and the achievement of this happiness can only come about as a result of an all-destroying popular revolt, the Society will use all its resources and energy towards increasing and intensifying the evils, and miseries of the people until at last their patience is exhausted and they are driven to a general uprising.
18. By a revolution the Society does not mean an orderly revolt according to the classic western model - a revolt which always stops short of attacking the rights of property and the traditional social systems of so-called civilization and morality. Until now such a revolution has always limited itself to the overthrow of one political form in order to replace it with another, thereby attempting to bring about a so-called revolutionary state. The only form of revolution beneficial to the people is one which destroys the entire state to the roots and exterminates all the state traditions, institutions and classes in Russia.
19. With this end in view, the Society therefore refuses to impose any new organization from above. Any future organization will doubtless work its way through the movement and life of the people. but this is a matter for future generations to decide. Our task is terrible, total, universal and merciless destruction.
20. Therefore drawing closer to the people, we must above all make common cause with those elements of the masses which, since the foundation of the state of Muscovy, have never ceased to protest not only in words but in deeds,

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against everything directly or indirectly connected with the state: against the nobility, the bureaucracy, the clergy, the traders and the parasitic kulaks. We must unite with the adventurous tribes of brigands, who are the only genuine revolutionaries of Russia.

21. To weld the people into one single unconquerable and all destructive force - this is our aim, our conspiracy and our task.

Such is the *Revolutionary Catechism* which was to have important consequences for the world, since it was read by Lenin and profoundly influenced him. Like Nechayev, Lenin was concerned more with destruction - terrible, total, universal and merciless destruction - than with the creation of a new world; and like Nechayev, too, he was determined that all the powers of the state should fall to the industrial workers led by a handful of dedicated revolutionaries, and that all the other classes should be abolished. The *Revolutionary Catechism* would be restated in the arid terms of Marxist philosophy, but in all its essentials it would remain the guiding principle of Lenin's political activity. One of the characters of Dostoyevsky's novel *The Possessed* is made to say "To level the hills is a good idea." Nechayev showed succinctly, clearly and almost without emotion how the levelling process could be carried out. Lenin carried it out..."

VOLUME 4 CHAPTER 2**CHAPTER TWO****THE LEGAL PROFESSION (INCLUDING THE JUDICIARY)****2.0 INTRODUCTION**

2.0.1 Lawyers in the Gold Coast were in the forefront of the struggle for Independence, and dominated the first political party that initiated the movement for Independence. Consequently, members of the profession, either as Judges, or Lawyers, continued to play significant roles in national development after Independence was attained. Did these roles have a positive impact on the development of a culture of respect for human rights, or did they make a negative contribution? Did individual members of the Bench and Bar suffer any personal consequences for playing their part in national development? Could they have done more with the opportunities they were presented with during the mandate period? It was to respond to these pertinent issues that the Commission, in fulfilment of its mandate, investigated the role the Bench and the Bar may have played, either in the perpetration of human rights violations, the development of a culture of lack of respect for human rights, or in the development of a culture of resistance to violations of human rights.

2.0.2 This Chapter also documents the contribution that the introduction of a new system of adjudication, as well as new investigative bodies made to the enjoyment or otherwise of human rights by the citizenry. Since these bodies operated outside the generally-accepted norms of judicial and quasi-judicial inquiry, the issue of whether these well-established norms serve a purpose, is brought into focus. This Chapter also recounts some violations and abuses that members of the two groups of the Legal Profession suffered, either individually or collectively, in the course of pursuing their profession. It also sheds some light on Bench-Bar relations and what impact this has made on the nation's post-Independence history.

2.0.3 The events discussed herein, are set down in chronological order and under the political periods during which they took place. Part I is on the Judiciary, and Part II on the Legal Profession as represented by lawyers in general, and the Ghana Bar Association (GBA) in particular.

VOLUME 4 CHAPTER 2**PART I: THE JUDICIARY****6TH MARCH, 1957 -- 23RD FEBRUARY, 1966:
CONVENTION PEOPLE'S PARTY
(CPP) GOVERNMENT****2.0 THE PREVENTIVE DETENTION ACT (PDA) OF 1958**

2.1 On Monday 14th July, 1958, the Prime Minister, Dr. Kwame Nkrumah, moved the motion for the Second Reading of the Preventive Detention Bill whose First Reading had taken place that same morning. This Bill sought to empower the Government to detain any person for five years, without a right of appeal to the courts, for conduct prejudicial to the defence and security of Ghana and its foreign relations.

2.2 The need for the Bill was presented to Parliament as follows:

1. Ghana had acquired the reputation of being in the forefront of the movement for the independence of the African continent, and there were many forces in the world who would like to see her fail, and could resort to subversion to re-colonise the country;¹
2. Ghana could not afford to ignore events around her, as there were real security threats in a newly-independent country, which threats were beginning to materialise in Ghana;² and
3. The concern of the government about the gangsterism, brigandage, and hooliganism that had become rampant in the country.

2.3 The Bill

2.3.1 The Bill made provision for detention up to five years. In addition, the detainee was to be given the grounds of detention in detail within five days of detention. Opportunity was given to the detainee to appeal against the Detention Order, however, the forum for such appeal was the Cabinet, and not the Courts.

¹ *Parliamentary Debates*, Vol. II No. 10 14th July National Assembly Official Report, Government Printing Department, Accra p 409.

² There was an allegation of a coup plot in 1958 involving two members of Parliament, RR Amponsah and Modesto Apaloo and Major Awhaitey, an Army Officer. Subsequently Major Awhaitey was court-martialled for his role in the affair, and dismissed from the Army. All three of them were detained until February, 1966.

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2.3.2 Essentially, the PDA gave the Prime Minister the power to order the detention of any citizen of Ghana, if satisfied that the order is necessary to prevent him or her from acting in a manner prejudicial to the defence of Ghana or the relations of Ghana with other countries or the security of the state.³ It provided that within five days of a person's detention, he or she must be informed of the grounds on which he or she is being detained and given an opportunity of making representation in writing to the President.⁴

2.3.3 The provisions dealing with the period of detention may be summarised as follows:

- a. the order may specify a period of detention not exceeding five years,
- b. if the person in question evades arrest and fails to comply with a notice requiring him to report to the Police, his period of detention would be doubled,
- c. the prisoner may be released before his period of detention has expired, subject to recall if he does not obey stipulated conditions as to the notification of his movements,
- d. the Prime Minister may at any time revoke the order or vary the specified period of detention, and
- e. except as provided for in (b) above, the prisoner cannot be detained for more than five years, and for this purpose released, subject to recall. After final release no further preventive detention order can be made against the same person except on grounds of activities carried on after the previous order was made.⁵

2.3.4 It is worth noting that the Act expressly provided for its expiration after five years that is 18th July, 1963. Provision was however made for it to be extended for a further three years by a resolution of the National Assembly. All existing detentions however lapsed with all persons so detained entitled to their immediate release when the Act expired.⁶

2.3.5 Therefore, PDA was legislation that:

- a. deprived all its victims of their freedom for up to five years in the first instance;
- b. gave the government wide discretionary and arbitrary powers;
- c. deprived its victims of their rights to seek the protection of the courts against arbitrary Executive action;
- d. gave the government the power to target political opponents (as previously noted);
- e. created the opportunity for officials of all categories to cause the imprisonment of their personal adversaries;

³ F.A.R.Bennion, *The Constitutional Law of Ghana*, Bulterworth, London ,1962 p 221.

⁴ Preventive Detention Act, 1958 (No. 17), Sec.2.

⁵ Ibid, Sections. 3, 4 and Bennion, supra, p. 221.

⁶ Preventive Detention Act, 1958 (No 17), Sec. 5.

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- f. thus, the Cabinet became, at one and the same time, judge and accuser and usurped the judicial power.

Originally, the Bill was aimed at political crimes only.⁷

2.4 Reaction To The Bill In Parliament

2.4.1 The Opposition put up a gallant fight in Parliament against the passage of the Bill. The United Party (UP) Member for Gonja East, J. A. Braimah, argued that while he was in no way against punishing a person for committing a crime, the Bill was unnecessary, because there was already adequate provision made for the situations envisaged by the Bill in the existing Criminal Code. Besides, the Bill departed from the normal practice in English Law, in that under the Preventive Detention Bill “it will no longer be the obligation of the prosecution to prove that crime has actually been committed by the person accused.”⁸ Further, the Bill would give full rein to the malicious persons who loved to fabricate stories in order to get their enemies into trouble, whilst denying every citizen the freedom of expression. In prophetic tones, he stated that members of the government were

... suffering from a fear-mania and it is this malady that has caused them to come to this House to ask for such arbitrary, powers. .. The Bill is going to make slaves of all of us in the land of our birth. It is a threat to the liberties of all citizens of this country, including even the ministers and party members of the Convention People’s Party.... With these powers in the hands of the Prime Minister, he holds everyone in this country to ransom. The Bill denies to every citizen, I repeat every citizen, of Ghana the freedom of expression. It seeks to deny the people of Ghana the right to criticize the Government; it will deny the people of this country the freedom to meet even at street corners to discuss the events of the day; it will deny the people the right to complain when they are hurt; we are being denied the right to remonstrate publicly against the abuses of power in the strongest terms. And above all, it seeks to deny to this country the freedom of the press.⁹

2.4.2 The UP Member for Sekyere West, R. R. Amponsah, in his contribution to the debate warned that the government was “misusing parliamentary institutions in order to set up a one-party dictatorship in this country.”¹⁰

2.4.3 On his part the CPP Member for Sefwi Wiawso, W.K. Aduhene, spoke in favour of the Bill. He was effusive in his support of the Bill and no one was left in doubt that the

⁷ Geoffrey Bing, *Reap The Whirlwind An Account of Kwame Nkrumah’s Ghana from 1950-1966* MACGIBBON & KEE, London, 1968, pp.244-248.

⁸ *Parliamentary Debates*, vol. 11, No. 10, National Assembly Official Report, Government Printing Department, Accra, pp.415.

⁹ Ibid. p 417-423.

¹⁰ Ibid. p.425.

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Majority believed that the Bill was being enacted to deal with the Opposition. He uttered the following ominous words:

If I were the Prime Minister, I would order people who plan violence to be lined up for the Government Police to shoot them. The Prime Minister is very lenient and the Opposition must be grateful to such a man. If I were the Prime Minister, I would order that such people be killed. The Opposition Members who are wicked but come here and pretend to be innocent men ... This Bill ... is not enough for the Opposition Members. What I would have the Minister do is to train special warders to handle these wicked prisoners. They must not be treated as political prisoners. They are wicked men and they should be treated as such. I am therefore appealing to the Minister to train special warders to keep such prisoners. These people should not be given special diet. ... I want to appeal to the Minister not to deal leniently with those who will be arrested. I have been warned by the people of my constituency that I should not come back to Sefwi Wiawso if I did not support this Bill.¹¹

2.4.4 Despite the gallant fight and wise counsel of the Members of Opposition who urged the Majority to look beyond their enemies and to see the threat that the Bill posed to the liberty of every Ghanaian, the Bill successfully went through Parliament and received the assent of the Governor-General on 18th July, 1958. Thus it was that one of the most momentous pieces of legislation affecting the human rights of the citizenry took four days from its First Reading to its receipt of the Governor-General's assent. Its enactment began a long tale of sad events.

2.5 Implementation

2.5.1 In November, 1958, 43 persons, most of whom were members of the UP and originally of the *Ga Shifimo Kpee*, were arrested and detained.¹² In December of the same year, R. R. Amponsah and M. K. Apaloo, the UP Member of Parliament for Anlo South, were detained on grounds of complicity in the alleged "army plot" to overthrow the Government. The arrest and detention of opposition elements continued, and by the middle of 1960, the ranks of the Opposition Members had been decimated. Of the 32 Members, 3 were in detention, 1 had gone into exile, 12 had crossed over to the Government side and only 16 were left.¹³

2.5.2 1960 saw a large number of detentions. It is said that between July and December, 1960 alone, 174 persons were detained.¹⁴ Other estimates put the figure as 255 persons¹⁵.

¹¹ *Parliamentary Debates*, vol. 11 National Assembly Official Report, Government Printing Department, Accra pp448-450,

¹² The *Ga Shifimo Kpee* was a movement which protested against the poor housing conditions in Accra and the influx of non-Gas into Accra.

¹³ Albert Adu Boahen, *Ghana: Evolution and Change in the nineteenth and twentieth centuries*, Sankofa Educational Publishers, Accra, 2000 p.195

¹⁴ *Ibid.*, p.212.

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2.5.3 On 3rd October, 1961, some 50 persons, mostly of the Railway Workers' Union and their supporters as well as leading opponents of Nkrumah, such as Joe Appiah, Deputy

Leader of the Opposition, and Dr J. B. Danquah, the doyen of Ghana politics, were detained. The number included the market women who had provided food free of charge to the striking workers.

2.5.4 On 23rd December, 1961, 118 persons were detained.

2.5.5 The prediction made by the Opposition during the passage of the PDA Bill began to come true when in August, 1962, two Cabinet Ministers, Ebenezer Ako Adjei, one-time confidant of Nkrumah and Minister of Foreign Affairs, and Tawiah Adamafio, the second most powerful person in the country at the time, were arrested and detained in connection with the assassination attempt on the President at Kulungungu.

2.5.6 It is said that the official records of those actually admitted into prisons up to 1963, indicate that about 318 persons were detained between 1958 and 1960;¹⁶ 311 in 1961; 254 in 1962; and 586 in 1963.¹⁷ These figures do not include those held in police cells, detention camps and other places. Some people estimate that at the time of the coup d'état of 1966, there were some 3000 detainees.¹⁸ Supporters of the CPP dispute these figures and Geoffrey Bing, one-time Attorney-General and Nkrumah's special advisor, claims that there were 788 at the time of the coup d'état in 1966.¹⁹ Indeed Bing maintained that the government of National Liberation Council (NLC) added some detained criminals to the numbers in order to swell them for purposes of political mischief. Although there is no possibility of independent confirmation of the figures, all these persons were citizens who had been detained without trial. Indeed, the absence of accurate records is itself indicative of the haphazard manner in which the detentions were done.

2.6 Application Of The Law

2.6.1 The manner of application of the law was definitely arbitrary. Several people were detained without any proper documentation on them, so that at the time of the coup of 1966, it was not even known precisely who was in detention. There are cases of families having to draw the attention of the Government of the NLC by petition to the fact that a citizen was in detention. A case in point is Ebow Fynn of Cape Coast, who was held in preventive detention for some time without any documentation, and was released only because Mrs. Margaret Pobee, his sister, took a chance and petitioned the Government.

¹⁵ Bing, op. cit. supra, p. 271.

¹⁶ Bing, supra, pp.271-272.

¹⁷ Boahen, op. cit supra, p.212.

¹⁸ John S Pobee, *Kwame Nkrumah and the Church in Ghana 1949-1966*, Asempa Publishers, Accra, 1988.

¹⁹ Bing, pp. 271-272; *Annual Report on the Treatment of Offenders* 1962 Accra (1965) p.15.

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2.6.2 Although the Act was aimed at political crimes, it was soon extended to cover gangsterism, brigandage and hooliganism, and both groups (political opponents and people engaged in acts of social vices) were in equal danger of detention under the Act. In a late rationalisation, Dr. Nkrumah broadcast to the nation on 15th September, 1960, on the subject in these words:

Gangsterism, brigandage, and hooliganism are now becoming quite commonplace among some of our young people. Although our courts of justice are quite capable of dealing with all manner of criminals, I consider that this new crime wave is of such gravity that it calls for some very stern measures to be taken to crush and stamp it out.²⁰

In consequence of its wide reach, the PDA made it possible to detain an assortment of strange bedfellows: common criminals (brigands and hooligans); avowed opposition party members like Dr J B Danquah, E Obetsebi-Lampsey, S G Antor (MP for Kpando North), Joe Appiah (MP for Atwima Amansie), Victor Owusu (MP for Agona-Kwabere), J Kwesi Lampsey, a teacher at Fijai Secondary School and a part-time politician; P K K Quaidoo, himself a member of CPP, who had earned the displeasure of the Government by his bold stand against the shrine of President Nkrumah;²¹ as well as the pro-CPP ringleaders of the 1961 strike at Sekondi-Takoradi.

2.6.3 Clearly, a law which was so extensive and placed arbitrary and autocratic powers in the hands of state officials without the opportunity for judicial review was a dangerous piece of legislation. No wonder it was eventually misused and abused.. “Power corrupts; but absolute power corrupts absolutely,” and so the operation of this law also silenced the opposition. As Members of Parliament representing the opposition were detained, multiparty democracy died in the country as no one dared espouse views other than those approved of by the CPP.

2.6.4 Dr Danquah represented many of those detainees as legal counsel and made applications for habeas corpus at the Courts. However these efforts came to nothing. It was said the court had no right to hear the cases. There was a definite feeling that the detentions were carried out as a show of strength and in a spirit of vindictiveness, rather than with intent to preserve law and order. In the end, Dr Danquah himself suffered the same fate as those whose rights he sought to defend.

²⁰ See *Evening News*, 16th September, 1960. p.1.

²¹ In a move to deify Dr. Kwame Nkrumah his birthplace was turned into a shrine. This was done with State funds, and after a debate in Parliament on a Private Member’s Motion on 24th May, 1961, by J.A. Kinnah, the CPP Member of Parliament for Eastern Nzimah. There were some protests from within the CPP. A classical example was from the CPP Member of Parliament for Amenfi Aowin, P.K.K Quaidoo. He advised caution during the debate, insisting that such an honour should be left till after the death of President Nkrumah. “Why do we not give posterity the chance to give him greater honour than we are doing today?” he queried. In fact, as a result of his opposition to various issues, he acknowledged that he had already been labelled by some CPP members as a “Catholic slave and hypocrite”. See Debate of 24th May, 1961, in *Parliamentary Debates*, First Series, 18th May - 23rd June, 1961 (vol. 23) National Assembly Official Report, Government Printing Department, Accra, 1961 pp.877-891.

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2.6.5 In the prisons, political detainees were subjected to severe ill-treatment and torture. Though the prisoners blamed their ill-treatment on the Government, as it seemed as if the warders (prison officers) had been given special instructions to ill-treat them, some of the mistreatment was from the zeal and initiative of prison officers themselves. Some detainees were not sent to prisons, but were in police cells, where they went for months

without a bath. As a result of these hardships, many died in prison and many came out of prison in poor health, and never recovered their good health. For instance, E Obetsebi-Lampsey died in prison on 29th January, 1963, and Dr. J B Danquah died on 4th February 1965, in prison, after thirteen months of a second term of preventive detention, whilst Prof. J. C. de Graft Johnson, upon release, was weak and infirm.²²

2.7 PDA Re-enacted

2.7.1 In June, 1962, and November, 1963, the Act of 1958 was amended to empower the continued detention for a further five years.²³ For many of the detainees, it was traumatic for them to be informed, a few days before their expected date of release, that their detention had been renewed for a further period of five years. Many were heart-broken, and the feeling that they would never leave the prison alive contributed to their giving up hope, and going to an early grave. The Preventive Detention Act, as amended, was later re-enacted in 1964.²⁴ The International Commission of Jurists commented on the law thus,

It is impossible to see respect for human rights and the rule of law when a man may be detained for ten years without ever being accused of any crime, let alone being tried and convicted.²⁵

3.0 Conclusion Drawn From Decisions Involving The PDA

3.1 The implementation of the PDA resulted in a number of habeas corpus applications before the courts. One discernible thread that run through the position that the judiciary adopted in considering the habeas corpus applications of the time was the unwillingness of the Courts to hold the Executive accountable. It appeared that the judges were unwilling to question the propriety or otherwise of the decision by the Prime Minister to detain a person. According to the courts, the power of the Head of State to detain a person “*if satisfied that he or she is acting in a manner prejudicial to the defence of Ghana or the relations of Ghana with other countries or the security of the state*” was

²² *Report of the Commission Appointed To Enquire Into The Conditions Prevailing In The Ghana Prisons Services* “J.B Danquah : Detention and Death in Nsawam Prisons”, Extract from Evidence of witnesses at the Commission of Enquiry, Government of Ghana, Accra (1967); E. Obetsebi-Lampsey: Detention and Death in Nsawam Prisons, Extract from Evidence of witnesses at the Commission of Enquiry into Ghana Prisons, Accra (1967).

²³ Preventive Detention (Amendment) Act, 1962 (Act 132); Preventive Detention (Amendment) Act, 1963 (Act 199).

²⁴ Preventive Detention Act, 1964 (Act 240).

²⁵ See Bulletin of ICJ No. 18, March, 1964, p.10; See Pobee, *supra*, p.158.

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one they could not scrutinise. In the words of the court in *Re Akoto*²⁶, the court could only question the legality of the Order, not the truth of the facts therein contained. It thus meant that, in the eyes of the court, if the statutory requirements were adhered to, then the court was not interested in whether the facts alleged by the Prime Minister were true or not.

3.2 The courts appeared to have come out with conflicting views on specific issues. For instance, on whether the Habeas Corpus Act of 1816 was a statute of general application, the court had divergent views. While the court in *Re Akoto* held that it was, the court in *Re Dumoga*²⁷ held that it was not. This difference of opinion had significant importance for the applicants as it determined whether or not the court could enquire into the truth of the allegations upon which a particular detention order was based. Whilst the Court in *Re Akoto* held that, under the Habeas Corpus Act of 1816, the court was required to inquire into the truth of the grounds stated upon which the Governor-General had become satisfied that the order was necessary to prevent the appellants from acting in a manner that was prejudicial to the security of the state, the court in *Re Dumoga* held a contrary view. It stated that the Habeas Corpus Act, 1816 did not apply in Ghana and therefore the applicants were not entitled to the truth about the charges or grounds of their arrest and detention as stated in the detention order. Further, that it was not the duty of the Court to question the exercise of a discretionary power vested in an executive officer to arrest and detain persons, provided the officer had acted in good faith. The point therefore was that the right to a formal trial before imprisonment, which was a right derived from the Magna Carta and applicable to all former British subjects, as well as the Universal Declaration of Human Rights of 1948, were held not to be available to accused persons in independent Ghana.

3.3 The view of the judges in these habeas corpus cases that they had no power to examine executive actions diminished the role of the judiciary in the protection of the rights of the individual. The courts are expected to be the bastion of the individual's rights and liberties. It must be the place where a citizen who alleges his rights have been violated would run to, to have them restored, if what he alleges is true. The judiciary appeared to have been intimidated into giving up their role.

3.4 There is clear evidence that judges such as Chief Justice Arku Korsah, Justices Akiwumi, Simpson and van Lare, did little to discourage the Executive from violating the human rights of the citizens.

3.5 The detainees had this to say in a letter to the Prime Minister of Great Britain

...The Supreme Court of Ghana has bound us hand and foot and gagged us and then delivered us and the people of Ghana to the tender mercies of Kwame Nkrumah and his associates... This is so, because the Ghana Preventive Detention Act empowers the President solely in his discretion, to deprive any subject of his or [her] liberty virtually for life;

²⁶ [1961] GLR (Part II) 523.

²⁷ [1961] 1 GLR 44.

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the Ghana Courts have held that the discretion is absolute; the President in the exercise of this

discretion is not answerable to Parliament, or any court or tribunal; the person detained is denied the elementary, natural justice of facing his accusers or putting his case; there is no provision or protection

whatsoever against the indiscriminate abuse of the powers conferred by the Act.²⁸

3.6 In a Report by the International Commission of Jurist (ICJ), the ICJ made the following observations:

If the *Akoto* and *Vanderpuye* [two of the detainees] cases are typically illustrative, the specific details filed on the ground of detention appear inadequate. Because of the narrow subjective interpretation of the words “if satisfied”, the courts have precluded themselves from investigating the ground of the President’s satisfaction. Judicial review, therefore, does not seem to have provided in Ghana a strong safeguard for the liberty of the subject.²⁹

4.0 Executive Domination Of The Judiciary**4.1 The Chief Justice As Acting Governor-General**

4.1.1. Sir Arku Korsah, the first Ghanaian to occupy the position of Chief Justice of Ghana, was appointed in 1950. Between May and November, 1957,³⁰ while he was Chief Justice, he acted as Governor-General of Ghana. In this capacity he signed the Preventive Detention Act (PDA). As Acting Governor-General, it lay in his power theoretically, to refuse to assent to the Bill, however, how practical this option was, is open to question. He could have refused “in Her Majesty’s name”.³¹ In fact, as it was rumoured that the Governor-General, Lord Listowell himself had timed his absence from the country to avoid having to sign the Bill into law.³²

4.1.2 The above illustration was not the only act of inconsistency that he committed as Governor-General. As Governor-General, he also signed the Instrument that made Krobo Edusei a Minister, even though he had chaired a Commission of Inquiry that had made findings to the effect that Krobo Edusei was unworthy of public office.³³ These acts of inconsistency fuelled a wide public perception that he was a supporter of the ruling CPP,

²⁸ Letter to Rt Hon Harold Wilson, 20th February, 1965.

²⁹ ICJ Report cited in Pobee, *supra*.

³⁰ T.O. Elias, *The British Commonwealth The development of its laws and Constitution. Ghana and Sierra Leone*, George W. Keeton, (ed) Stevens and Sons, London, 1962, p.49.

³¹ Bennion, *supra*.

³² T. Peter Omari, *KWAME NKRUMAH The Anatomy of an African Dictatorship* Sankofa Educational Publishers, Accra, 2000, p.73.

³³ Bennion, *supra*, p.28.

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contrary to the dictates of the high office of Governor-General and as representative of Her Majesty the Queen of England. This, no doubt, created the impression that the Judiciary was “in league” with the Executive, since he was the head of the Judiciary as Chief Justice, and also Head of State whenever he acted as Governor-General.

4.2 The President’s Power To Dismiss Judges

4.2.1 An amendment to the original Republican Constitution of 1960, bestowed the power to dismiss the Chief Justice on the President. This was a major step on the road to uncontrolled use of executive power as it gave the Executive the power and opportunity to interfere in, and even control, the work of the judiciary.

4.2.2 After his fall from power, President Nkrumah was criticised for the high-handed manner in which, and the reason for which the power was exercised in 1963. However, the real problem was not so much the use of the power, as the granting of that power in the first place. The President must take some of the blame for this unfortunate provision, as it is clear that he desired, and worked for that amendment. Indeed, as far back as 1960 when the Republican Constitution was being drafted, the wide powers granted to the would-be President became a subject for concern, but criticism of the over-concentration of power in the hands of one person was swiftly squashed. Tawia Adamafio, then an insider, maintains that the ideas captured in the Republican Constitution, and even the wording of some of its provisions, were those of Dr. Nkrumah, as he went over each draft provision meticulously.³⁴

4.2.3 These facts notwithstanding, Parliament must also take its share of the blame for providing the opportunity for high-handed executive behaviour towards the Judiciary. It is true that a CPP Member of Parliament had been detained under the PDA for opposing a Motion in Parliament, but it is also certain that the President could not have detained the entire Parliament if they had been more mindful of their responsibility to the public and to the State, and not approved such an amendment that made the Chief Justice susceptible to executive manipulation.

4.3 Judges’ Privileges Attacked

4.3.1 On or about the 1st of July, 1960, when some judges were taking their oath of office under the new Constitution, they were instructed by the Executive to do this without their wigs. This had always been part of the attire of judges in Commonwealth countries, and the fact that the judges had to comply already indicated the power of an overbearing executive.

³⁴ Tawia Adamafio, *By Nkrumah’s Side. The Labour and the Wounds*_ West Coast Publishing House, Accra, in association with Rex Collings, London, 1982 p.47.

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4.3.2 The traditional title of “Honourable” accorded to judges was also dropped. The title was felt to be the preserve of Members of Parliament and therefore its use by the judiciary was perceived to be an encroachment on the territory of politicians. Indeed Mr. Justice Sarkodee Adoo is on record as saying, “we have been dishonoured”, as the judges

felt that the taking away of the title by the Executive, was a symbolic shearing away of their honour.³⁵

4.3.3 The domination by the Executive was further demonstrated by the use of financial controls to whittle down the privileges that members of the Bench enjoyed. The judiciary became a “tolerated poor relation” of the Executive.³⁶

5.0 Executive Interference In The Work Of The Judiciary

The Executive interfered in the work of the Judiciary by various means. From using executive power to subvert the implementation of courts’ decisions, through using the power to annul decisions, to dismissing and retiring judges.

5.1 Use Of Executive Power To Thwart Court Decisions

5.1.1 Soon after Independence, the government began to issue deportation orders against persons alleged to be aliens on grounds that their presence was “not conducive to public good”. The deportees challenged the deportation orders in an action against the then Prime Minister, the Commissioner of Police, and the Attorney-General (Geoffrey Bing). The High Court presided over by Mr. Justice Smith, granted an interim injunction to restrain the Government from carrying out the deportations, pending the establishment of their dual nationality as alleged by them. The two deportees were represented by Christopher Shawcross, of Nottingham. Shawcross had been brought into the country in connection with contempt proceedings brought against Ian Colvin, then correspondent for the *Daily Telegraph* of London.³⁷

5.1.2 During an adjournment of the deportation case, Shawcross took a holiday outside Ghana. While he was away, the then Minister of the Interior, Krobo Edusei, denied him a re-entry permit. The reason he gave was that Shawcross was meddling in the political affairs of Ghana because of statements he had made in court. The Minister of the Interior also questioned the propriety of a foreign lawyer who had been given permission to appear before a Ghanaian court for a particular case, making himself available to be consulted in another case altogether.

5.1.3 Not only was Shawcross prevented from coming into the country to do the deportation case, but even before the case was concluded, they forcibly deported the subject of the proceedings from the country on 20th October, 1957, a day before notice of

³⁵ Memorandum to the National Reconciliation Commission.

³⁶ Supra.

³⁷ This account is based essentially on Pobee, *Kwame Nkrumah and the Church in Ghana 1949-1966*. supra.

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the proceedings was to be served on them. The reason given by Bing for the pre-emptory act of deportation was the need to avoid more violence.³⁸

5.1.4 Consequent upon this pre-emptory deportation, the Minister of the Interior and the Commissioner of Police were found to be in contempt of the Court. However, the government, in a bid to free the two officials from the legal consequences of their actions,

caused to be placed before Parliament, a Bill of Indemnity. The Parliament, dominated by the CPP, also convened in an emergency session and passed into law, the Act of Indemnity covering the conduct of the two officials on 24th December, 1957. Thus, when the Court resumed the hearing after an adjournment, Mr. Justice Smith of the Supreme Court commented thus:

Whatever excuse they may have had for their action, they were found in law, to be in contempt. The Courts derive their powers from the Constitution and we are under oath to administer these powers according to law. Parliament in this country has not passed any law providing that the Minister or a civil servant cannot be in contempt for any act done. No one stands above the law.³⁹

5.1.5 These acts, not only demonstrated the government's lack of respect, and Parliament's contempt, for the courts, but also undermined the authority of the courts. They also demonstrated the inability of the courts to offer protection to the citizenry in the face of executive high-handedness.

5.1.6 There were a number of other cases on deportations that went before the courts.⁴⁰ The courts appeared to have interpreted the law to the letter without taking into consideration the spirit of the laws. The results of such interpretation were unfortunate, since the content of the legislation left a lot to be desired in the light of human rights principles. For instance, under the provisions of the Deportation Act, it was possible for an alien to be deported with his dependents. This was obviously unfair, especially when these dependents were above the age of majority. This power to deport was so wide as to be open to abuse. Such strict interpretation therefore enabled the Government to deport people who were its political opponents on grounds that they were aliens, although they insisted that they were Ghanaians.⁴¹ Indeed Bennion states that some of the deportees

³⁸ Pobe , *supra*, p.162.

³⁹ *The Times*, 24th December 1957.

⁴⁰ See cases such as *Balogun & Ors v. Minister of Interior* [1959] GLR 452; *Ogunwumi v. The State* [1965] GLR 400.

⁴¹ Almost all the governments that pre-date the Fourth Republican Constitution, engaged in a number of deportations. Most of the deportations were carried out under The Aliens Act, 1963 (Act 160). Other statutes were: Aliens Ordinance, No. 20 as amended, Cap 49, 2 *Laws of the Gold Coast* 223 (1951), Immigrant British Subjects Deportation Ordinance, No. 26 of 1945, as amended, Cap 50, 2 *Laws of the Gold Coast* 227 (1951); The Deportation Act, 1957, No. 14 of 1957; The Deportation (Indemnity) Act, 1958, No. 47 of 1958; Aliens Act, 1963 (Act 160); Ghana Nationality Decree, 1967 (NLCD 191); Ghana Nationality Act, 1971 (Act 361); Ghana Nationality (Amendment) Decree, 1972 (NRCD 134);

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were, in fact, Ghanaian.⁴² The courts were also consistent in the views they held about their powerlessness in the face of executive high-handedness.

5.2 The Dismissal And Subsequent Retirement Of Chief Justice Sir Arku Korsah And His Panel

5.2.1 In 1963, there was a treason trial involving Robert B. Otchere Tawia Adamafio, Ako Adjei and Horatius H. Cofie-Crabbe and others for plotting to assassinate the President, thereby overthrowing the government. The Supreme Court, presided over by Sir Arku Korsah, acquitted the accused persons.

5.2.2 The reactions to the verdict caused some alarm. On the political front, the Attorney-General, Batholomew Kwaw Swanzy, exhibited the displeasure of the Executive by holding a press conference at which he attacked the Judges for the decision. This was an unusual step to take as by this act, the Attorney-General, the titular head of the Bar, had moved the case from the courts to the bar of public opinion. Not surprisingly, there was a protest march to the Supreme Court Buildings by members of the public made up largely of “members of Workers Brigade, Market Women’s Organizations, Young Pioneers, Cooperative[sic] Societies, the Trades Union Congress and high-ranking CPP officials.”⁴³

5.2.3 Newspapers also took the matter up, and launched a blistering attack on the panel of judges that tried the case, accusing them of bias because they had links with the opposition, and further ridiculing the Chief Justice for having sold his honour for “foreign tributes and knighthoods”.⁴⁴

5.2.4 Two days after the decision was handed down, i.e. on 11th December, 1963, President Nkrumah dismissed Sir Arku Korsah as Chief Justice and declared the decision of the Supreme Court null and void. As the procedure for the removal of a Supreme Court Judge from office was much more complex,⁴⁵ he was technically still a Supreme Court Judge, but his position had become untenable, and he left the Bench.⁴⁶

5.2.5 The President issued an Executive Instrument, the Special Criminal Division Instrument, 1963 (E.I. 161) to declare the decision of the court null and void.

P.N.D.C.(Establishment) Proclamation (Supplementary and Consequential Provisions) Law, 1982 (PNDCL 42).

⁴² Bennion *supra*, p. 203.

⁴³ Omari, *supra*, p.98.

⁴⁴ *Ibid.*, p. 99.

⁴⁵ Bennion, *The Constitutional Law of Ghana*, *supra*, p.174.

⁴⁶ *supra* p. 27.

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5.2.6 Mr Justice van Lare who was about to be seconded to the East African Common Services as President of the Court of Appeal for East Africa, had his secondment withdrawn by the government, and he was refused permission to leave the country and take up his appointment. Mr. Justice Akufo-Addo also “retired” from the Bench.⁴⁷

5.2.7 It must be emphasised that the act of dismissing the Chief Justice by the President was not in any way illegal, as the President had power under the Constitution, to dismiss the Chief Justice.⁴⁸ However, it was also disappointing that the judge who was appointed

as Chief Justice in place of the dismissed, Mr. Justice Julius Sarkodee Adoo, found nothing wrong with accepting the appointment under those circumstances.

5.2.8 Sir Arku Korsah’s own forced retirement also amounted to a violation of his human rights. The rights of the Judiciary as an institution were also violated, as this act attacked the integrity of the institution and also undermined the sense of security of tenure that judges should have in order to discharge their duties without fear or favour.

5.3 The Special Criminal Court

5.3.1 The reaction to the verdict did not end with the dismissal of the Chief Justice and the nullification of the decision. The Criminal Procedure Code was amended and provision made for the establishment of a Special Criminal Court that re-tried the case.⁴⁹ This Special Criminal Court was to be composed of the Chief Justice or a Judge of the Superior Court appointed by the Chief Justice in consultation with the President, and a twelve-member jury.⁵⁰

5.3.2 This reaction violated not only the rule against ‘Double Jeopardy’, but also constituted ‘forum-shopping’ of the worst kind. The result of these moves by the Executive was to prejudice the rights of the accused persons to a fair trial. As could be expected, the Special Criminal Court found the accused persons guilty of treason on 8th February, 1965.

5.4 Conclusion

This chain of events demonstrated the point that the Judiciary either was unwilling or unable to protect itself. The criticism has often been made of Mr. Justice Sarkodee Adoo that being fully aware of the reason why his predecessor was dismissed he should have declined to accept this appointment, since it would be impossible to be faithful to the judicial oath to administer justice “without fear or favour”. Such a public stand would also have affirmed the principle that the Judiciary was unwilling to entertain any interference by the Executive in its work.

⁴⁷ Omari, *supra*, p.98.

⁴⁸ See Article 44 (3) of the Constitution of Ghana, 1960.

⁴⁹ Criminal Procedure (Amendment) Act, 1964 (Act 238).

⁵⁰ Act 238, section 1(2).

VOLUME 4 CHAPTER 2**24TH FEBRUARY, 1966 – 30TH SEPTEMBER, 1969:
NATIONAL LIBERATION COUNCIL (NLC)****6.0 Judgment Nullified By Decree**

6.1 The NLC promptly passed a decree declaring the decision of the Special Criminal Court in the *Otchere* case null and void.⁵¹

6.2 Judges And Commissions Of Enquiry

6.2.1 Upon the overthrow of the CPP government, judicial Commissions of Enquiry were established to probe the functionaries of that administration. The findings of these Commissions led to the confiscation of properties of functionaries against whom adverse findings had been made. Although these Commissions were judicial Enquiries, the political atmosphere in which they were held accounted for the severity of some of the recommendations pertaining to confiscations.

7.0 Dismissal Of Judges

7.1 After the 1966 coup d' état, a number of High Court and Circuit Court Judges as well as Magistrates who were regarded by the NLC as political appointees of the CPP, or who were perceived to be corrupt, were dismissed without recourse to due process.⁵² This was done with the full support of the Bar.

8.0 Attempts To Restore Dignity Of The Judiciary

8.1 A new Chief Justice, Mr. Justice Edward Akufo-Addo, was appointed by the NLC. At the time of his appointment, there was an urgent need to restore the morale of the Judiciary, restore respect for judges and improve public confidence in the administration of justice. He succeeded in a large measure in doing this by jealously protecting the independence of the Judiciary. Chief Justice Akufo-Addo would boldly confront the government whenever the independence of the Judiciary was in issue, and prevail.

8.2 The Chief Justice sought to enforce discipline in the legal profession and gave directives to Judges to enforce the rules regarding legal practice. He was sued by members of the Bar, but he stood firm and won the day.⁵³ Although the directive was never really enforced, his ability to remain steadfast in this confrontation with the Bar over the judges' authority in the courtroom, improved the morale of judges and the prestige of the Bench.

⁵¹ Criminal Procedure (Special Criminal Division) (Abolition) Decree, 1966 (NLCD 43).

⁵² Kenneth Agyemang Attafuah, *Public Tribunals in Rawlings Ghana (1982-1992): A Study in the Political Economy of Revolutionary Ghana* (unpublished) Ph.D. Thesis.

⁵³ *Akufo-Addo v. Quashie Idun* [1968] GLR 667.

VOLUME 4 CHAPTER 2**1ST OCTOBER, 1969 – 12TH JANUARY, 1972:
THE SECOND REPUBLIC PROGRESS PARTY
(PP) GOVERNMENT****9.0 The Sallah Case And Executive Reaction**

9.1 In 1970, 568 senior public servants were dismissed by the government of the Progress Party (PP) led by Dr. Kofi Abrefa Busia. This was done based upon the government's interpretation of the Transitional Provisions to the 1969 Constitution. The

PP government accused the affected persons of lacking foresight, being corrupt and inefficient, but no systems were put in place to establish their guilt or otherwise before effecting the dismissals.

9.2 E.K. Sallah, one of the affected senior public servants, challenged his dismissal in the High Court, ⁵⁴claiming that on the true interpretation of section 9(1) of the Transitional Provisions, his office was not included in those prescribed by the said provisions. He won the case against the government.

9.3 Disappointed by this decision, the Prime Minister, Dr. Busia, addressed the nation that evening after the judgment. Essentially his speech sought to re-argue parts of the case, which had been argued in court without success. Thus, whilst in one breath he affirmed his government's and Party's commitment to an independent judiciary, he appeared to be unwilling to see the Judiciary's stand in the light of an independent and bold judiciary, but rather as evidence of the Judiciary "playing politics" and declared himself ready to take them on. The Prime Minister stated expressly that he did not have any problem with a citizen aggrieved by its decisions not to re-appoint him or her seeking redress before the courts, but that they would achieve nothing by such recourse to the courts because,

No court can enforce any decision that seeks to compel the government to employ or re-employ anyone. That would be a futile exercise. I wish to make that perfectly clear.... I cannot be tempted to dismiss any judge. I shall neither honour nor deify anyone with martyrdom, but I will say this, that the judiciary is not going to hold or exercise any supervisory powers not given to it by the Constitution.

9.4 The angry response of the government evoked images of the past when the CPP government exhibited intolerance towards the courts. The government's aggressive posture surprised many who regarded the PP government as one that respected the

⁵⁴ S.O. Gyandoh & P. Griffiths, *A Sourcebook of Constitutional Law*, vol. 2 Mimeograph, Faculty of Law, University of Ghana, Legon p. 487.

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independence of the judiciary and the rule of law, and the arrogance inherent in this “No court” pronouncement severely dented the image of the government.

**13TH JANUARY, 1972 – 3RD JUNE, 1979:
NATIONAL REDEMPTION COUNCIL (NRC)/
SUPREME MILITARY COUNCIL (SMC) I & II**

10.0 Dismissal Of Judges

10.1 With the overthrow of the PP government, a new military government, National Redemption Council (NRC) was established under the chairmanship of then Colonel

Ignatius K. Acheampong. the Supreme Court was abolished. Three judges, Chief Justice Edmund Lanquaye Bannerman, Justices Koi Larbi and J.B. Siriboe were dismissed and deprived of all their terminal employment benefits. The case of Justice Siriboe was pathetic, as he had been on the Bench for a considerable number of years.

10.2 A new Chief Justice, Mr. Justice Samuel Azu Crabbe, was appointed. However, he was removed by the Supreme Military Council government by the Judicial Service (Amendment) Decree, 1977 (SMCD 101), following agitation by the Bar and the passing of a vote of ‘No Confidence’ in his administration. The next most senior Superior Court Judge, Mr. Justice Fred K. Apaloo, was appointed to the office of Chief Justice.

10.3 The abrogation of the 1969 Constitution affected the operation of the Human Rights provisions enshrined in Article 15. In 1975, the SMC enacted an amendment to the Criminal Procedure Code, 1960, which had the effect of rendering admissible in a trial, a statement which had been obtained in breach of the right of an accused person to consult a lawyer of his choice.⁵⁵ This curtailment of the rights of an accused person was challenged in *Tinieye v. Republic*⁵⁶ at the High Court, Bolgatanga. Of the courts’ role in the protection of human rights, Mr. Justice J.N.K. Taylor, echoing views reminiscent of the *Re Akoto* days of the First Republic, stated the following:

If a legislative body is engaged in oppressive legislation it is of no concern of the courts. Any judge who finds it abhorrent to give effect to legislation which he considers obnoxious had his remedy by resigning. The remedy of the people is to change the legislative body; but as long as the body is the institution in which the legislative powers of the state have come to rest, then its Decrees Acts or enactments are entitled to be given full legal force by the courts.⁵⁷

⁵⁵ Criminal Procedure Code (Amendment) Decree, 1975 (SMCD 3).

⁵⁶ [1980] G.L.R. 565.

⁵⁷ Ibid, p.583.

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10.4 These views had the effect of shifting the forum for the protection of human rights from the courts to the people themselves, as a basis for the exercise of their powers of sovereignty. This was somewhat disingenuous, since judges knew fully well that in theory and practice, a coup d'état has the effect of suspending the power of the people to control their rulers. In thus pushing these matters from the judicial arena to the political arena, the judges showed clearly that they did not see their institution as the bastion for the protection of the rights of the citizenry, as the tradition of the common law prescribed. Instead, they merely stood aside when called upon to intervene between the citizen and the state because it was "no concern of the courts". This attitude had ramifications for the citizenry at large, and eventually the judiciary itself, as those who stood up for the rights of the citizenry cut the image of opponents of the government, with serious consequences a few years later.

11.0 The Military Tribunal

11.1 The NRC passed a decree that established Military Tribunals to try certain offences denoted as 'Subversion'. Under the Subversion Decree, 1972 (NRCD 90), the specified offences were triable by the Military Tribunal. This Military Tribunal had power not only to try civilians, but also to impose death sentences. There was no right of appeal. However, the Military Tribunal was subject to the supervisory jurisdiction of the High Court. Consequently, when some nine persons were convicted by the Military Tribunal, for conspiring to commit subversion, two of them challenged the jurisdiction of the Military Tribunal and invoked the supervisory jurisdiction of the courts. The High Court ruled against the applicants, and so they filed an appeal against the decision on 23rd July, 1973. On 24th July, 1973, the NRC passed the Subversion (Amendment) (No.2) Decree, 1973 (NRCD 191), amending the original Decree. This amendment ousted the jurisdiction of the courts to exercise supervision over the Military Tribunal.⁵⁸

**4TH JUNE, 1979 – 23RD SEPTEMBER, 1979:
ARMED FORCES REVOLUTIONARY COUNCIL (AFRC)**

12.0 The People's Courts

12.1 During the AFRC regime, tribunals named People's Courts were established to deal with crimes such as hoarding, profiteering, trade malpractices and economic sabotage. These People's Courts sat in secret with "judges" behind screens. There was no legal right of representation and no right of appeal. There were no formal procedures and they had authority to sentence an accused person to any form of penalty or any length of imprisonment. The trials were conducted under torture, and often lasted a few minutes only.

⁵⁸ *Republic v. Military Tribunal Ex parte Ofosu-Amaah* [1976] 2 GLR 5, CA.

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12.2 Some persons were not tried at all, or were given what was described as “a purported trial” and yet they were sentenced to long terms of imprisonment without the possibility of judicial review.

24TH SEPTEMBER, 1979 – 1981: THIRD REPUBLIC PEOPLE’S NATIONAL PARTY (PNP) GOVERNMENT⁵⁹

13.1 Under the Third Republican Constitution of 1979, the Supreme Court was restored.

13.2 The government of Dr. Hilla Limann of the People’s National Party (PNP), sought to remove the sitting Chief Justice, Mr. Justice Fred K. Apaloo, from the office of Chief

Justice. This was not surprising as it had become the pattern for every government since 1963 to appoint its own preferred candidate to that office. A constitutional challenge was successfully mounted by a citizen, Tuffour, against the government. The Supreme Court ruled that the government had no power to remove the sitting Chief Justice, and the government accepted the decision.

13.2 Establishment Of The AFRC Special Court

13.2.1 Before the AFRC handed over power to the Limann administration, arrangements were made to continue the work of delivering “revolutionary justice”. The Special Tribunal (also referred to as the AFRC Special Court) under the chairmanship of Mr. Justice Isaac K Abban a High Court Judge, was established to review the decisions of the People’s Courts and to enforce those that had not been enforced.

13.2.2 This Special Tribunal sat at the State House in Accra, and received petitions from affected persons. It was composed of a three-member panel made up of Justice Abban, William Adumoah-Bossman, former President of the Ghana Bar Association and Sqn Ldr Frank Darko-Kumi of the Ghana Air Force.

13.2.3 Cases before it were presented by a Special Prosecutor, J E K Appiah, of the Attorney-General’s Department. Subsequently he was accused of accepting bribes for the purpose of influencing the panel and affecting the outcome of petitions before the Special Tribunal. He was convicted and sentenced to a term of imprisonment.

13.2.4 This scandal rocked the Special Tribunal, and undermined its moral authority. Not long thereafter, it its activities, and ceased to exist.

13.3 AFRC Convicts And The Courts

⁵⁹ “Government” is used for consistency in this Report. However, the Third Republic was an Executive Presidency on the American model, and so the technically accurate expression is “Limann Administration”.

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13.3.1 Soon after the return to Constitutional rule, many of those convicted by the ‘People’s Courts’ petitioned the High Court and challenged the bases of their conviction. In October, 1979, three of these persons alleged that they were arrested and detained by soldiers and later transferred to the Nsawam Medium Security Prison and were never tried. They further alleged that it was on the radio that they first heard that they had been sentenced to various terms of imprisonment. During the hearing of these cases the State raised an objection that the Court (by virtue of AFRC D 23) had no jurisdiction to hear the matter since AFRC D 23 had ousted the jurisdiction of the courts. The Judge, Mr Justice K.E Amua-Sekyi, citing the fact that there was no evidence that the applicants had ever been tried, overruled this objection and granted the applicants bail.

13.3.2 News that an Accra High Court had granted bail to some of those who were convicted by the People’s Court of the AFRC, received mixed reaction. While those who

had some reservations about the legality of the decisions arrived at by the People’s courts hailed the development, those who supported the decisions of the People’s Courts expressed some reservations, and even considered the effort to review wrong in law, in

the light of the Transitional Provisions of the 1979 Constitution. This was the first time the regular courts had been called upon to examine the decisions or purported decisions, of the People’s Courts.

13.3.3 Some leftist organisations that had sprung up just before the return to constitutional rule to “protect the gains of the revolution”, organised a demonstration to the Castle to protest the re-opening of the AFRC cases by the regular courts.

13.3.4 The Attorney-General, Joe Reindorf, held a press conference condemning the decision of the High Court. The state filed an appeal against the decision and within a short space of time, the Court of Appeal had been convened and the appeals heard.⁶⁰ On 21st November, 1979, the Court of Appeal made up of Mrs Justice Annie Jiagge, Mr. Justice E.N.P Sowah and Mr. Justice P.E.N.K. Archer upheld the appeal and revoked the bail on the grounds that the matters pertaining to the AFRC courts involved the interpretation of the 1979 Constitution, and therefore should have been remitted to the Supreme Court for interpretation. In an unusual manner, the Court of Appeal stated that the order to revoke bail applied to two other appeals (No. 169 and No. 170) then pending before it, as well. The applicants were therefore remanded in custody, but by this time, they had fled the country.

13.3.5 Applications for habeas corpus continued to be filed by the ‘AFRC Convicts’ and the courts continued to handle them even though the State continued to re-state its objection. The judges were in a dilemma as the cases involved the gross violation of the human rights of the applicants. For instance, in the case of *The Republic v. Director of*

⁶⁰ *The Republic v. Director of Prisons, Ex parte Nti* [1980] GLR 527.

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*Prisons and Another; Ex parte Shackleford*⁶¹, Mrs. Justice Cecilia Koranteng-Addow granted another habeas corpus application involving a conviction by the “AFRC Special Court”.

13.3.6 *The Republic v. Director of Prisons and Another; Ex parte Shackleford* was one of the cases that best exemplified the dilemma of the judges. The facts were as follows: on 8th June, 1979, (four days after the 4th June coup d'état) the applicant, a businessman, heard on the radio that he was to report to the Air Force Station, Burma Camp, Accra. He was detained for about two months. During the hearing of a habeas corpus application, the State sought to justify the detention on the grounds that the applicant had been received into prison custody by virtue of a warrant of commitment, numbered AFRC 83 and dated 8th June, 1979, issued by the dissolved Special Courts; further, that the applicant had been tried, convicted and sentenced to a three-year term of imprisonment for the offence of selling above control price. By an affidavit deposed on behalf of the applicant, the applicant alleged that he had never been tried, and that the warrant of

commitment dated the 8th of June was forged because the Special Court was not in existence before the 8th of June. The applicant further deposed that it was on the 23rd of October, 1979, that he was informed by the record officer at the Ussher Fort prison that he had been convicted to a three-year term of imprisonment.

13.3.7 During the proceedings, the evidence disclosed that the warrant of commitment was signed by a person whose real name could not be identified. However, the State raised objections to the effect that not only could the court not look beyond the warrant of commitment to determine its genuineness, but that it had no jurisdiction to even entertain the application. The court overruled the objection, stating that the Constitution had been promulgated for the good governance of the State and for the assurance of the fundamental human rights of the citizens. Consequently, this same Constitution, could not rob the citizens of those very rights. Mrs Justice Koranteng-Addow stated that, “the matter in debate is a question involving the liberty of a subject of this country, the right to personal freedom of a citizen of this country”.⁶² The court also ruled that the genuineness of the warrant of commitment was important in determining whether the writ of habeas corpus would issue, as the court could not question the rightness or wrongness of the conviction by virtue of AFRC 3 and section 15(2) of the Transitional Provisions of the Constitution. However where there was a dispute about the authenticity of the warrant and the applicant gave credible evidence that it was practically impossible for him to have been tried, there was no justification for a detention and the writ could issue.

13.3.8 It is clear that the Judge was actually seeking to enforce the letter and spirit of the Transitional Provisions, but in the view of some, the doors of the courts were not to be opened at all, when AFRC convicts came knocking. This was untenable in a democracy, and the burden of resolving the contradiction that came to rest on the Judiciary became

⁶¹ *The Republic v. Director of Prisons and Another; Ex parte Shackleford* [1980] GLR 554.

⁶² *Ibid*, at p.565.

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the reason for the enmity, which the judges who sought to properly examine the issues involved, incurred.

31ST DECEMBER, 1982 – 6TH JANUARY, 1993
PROVISIONAL NATIONAL DEFENCE COUNCIL (PNDC)

14.0 Attacks On The Judiciary

14.1 The Third Republic was overthrown in a coup d'état on 31st December, 1981, and the PNDC was established as the government of the country. One of the first institutions to be attacked by the government-controlled press was the Judicial System.

14.2 At various public fora, the courts were accused of being corrupt, lazy and biased in favour of the rich. Slogans such as “One law for the rich and one law for the poor”, “Justice delayed is Justice denied”, became the common catch-phrases. The courts were

perceived as the enemy of the common man as they perverted justice by being hard on poor people and being soft on the rich. The slow processes of the courts also came in for criticism as being the cause of delays in doing justice to the poor. The courts were further criticised as being “reactionary” and addicted to foreign forms of procedure.

14.3 An atmosphere of hostility to the courts was engendered with the tacit approval of the government and government functionaries, by the persistent negative publicity in the public media.

15.0 The Murder Of The Three High Court Judges And Retired Military Officer

15.1 One event that shook the foundations of the judiciary was the murder of the three High Court Judges and Retired Military Officer. On 1st July, 1982, Ghanaians received the news that three sitting High Court judges and a retired Army Officer, Mr. Justice Fred Poku Sarkodie; Mrs. Justice Cecilia Koranteng-Addow; Mr. Justice Kwadwo Agyei Agyepong and Major Sam Acquah (Rtd.), had been abducted from their homes on the night of 30th June, 1982. This was in an official statement issued by the PNDC government. The statement further warned the kidnappers to free their victims immediately or face the full rigours of the law. The whole nation waited in anxiety to know what had befallen these eminent citizens.

15.2 On Saturday, 3rd July, 1982, Chief Justice Apaloo led a delegation to the Chairman of the PNDC to request that action be taken to locate the missing judges. The Chairman promised to do his best in this regard. The Judiciary was worried because this was an unexpected development even though the institution had been subjected to a great deal of verbal attacks since the new regime seized power. It represented a novel challenge to the Judiciary as judges had never been attacked in their person for unpopular decisions.

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15.3 On Sunday, the 4th July, 1982, the Chairman of the PNDC, Flt Lt Rawlings, in a special nation-wide broadcast on radio and television, announced that he had been informed only the previous day, that four corpses had been discovered on the ‘Accra Plains’, and that investigations had revealed that these were the bodies of the missing persons. The Chairman declared, “We condemn these acts from the depths of our hearts”. He gave the assurance that every effort was being made by a special high-powered investigation team to trace the criminals, whoever they were, and whatever their motives. The Chairman went on further to describe those who did the abduction as “enemies of the Revolution.”⁶³

15.4 The news of the murder of the four eminent citizens was received with shock. Unfolding events showed later that the bodies of the Judges and Army Officer, were, in

fact, found at the Bundase Military Range, and not anywhere else on the Accra Plains.⁶⁴ Suspicion immediately fell on the government.

15.5 There was widespread condemnation of the crime. The government came under pressure from both local and international sources, for an independent judicial inquiry into the murders. On 5th July, 1982, Staff of the Judicial Service held a peaceful demonstration in protest against the killings,⁶⁵ and the Law Students Union (LSU) of the University of Ghana also demanded an independent judicial inquiry into the murders. The African Bar Association (ABA) on 16th July, 1982, sent a delegation led by its Secretary-General, the Hon. Debo Akande, to meet with the Head of State on the issue. The Association requested the Government to institute an independent public judicial inquiry to track down the culprits and pay compensation to the families of the murdered judges and military officer.⁶⁶

15.6 The Establishment Of The Special Investigation Board (SIB)

15.6.1 Consequent upon the pressure mounted on the government, the government set up a Committee, chaired by the Secretary for the Interior, Johnny Hansen, to investigate the killings. This committee was promptly rejected by the public since the government itself was under suspicion. Eventually the government set up the Special Investigation Board (SIB) to investigate the kidnapping and killing of the four eminent persons⁶⁷.

15.6.2 The SIB was under the chairmanship of Mr. Justice Samuel Azu Crabbe, a former Chief Justice, and had the following members:

⁶³ Jacob Jabuni Yidana, *Who killed the Judges?* Bismi Enterprise (Printing and Publishing) Accra, 2002, p. 231.

⁶⁴ See post-mortem reports of SIB Report exhibits D, E, F and G. pp. 74-77.

⁶⁵ Yidana, *supra* p.232.

⁶⁶ Yidana, p.233.

⁶⁷ Special Investigation Board (Kidnapping and Killing of Specified Persons) Law, 1982 (PNDCL 15), section 3(1).

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- Rt. Rev. Prof. N K Dzobo - representative of Christian Council and Catholic Secretariat;
- C E Quist - representative of Ghana Bar Association;
- J O Amui - representative of Attorney-General's Office and Secretary to the Board;
- T O Lindsay - PNDC nominee.

15.6.3 The Board produced, first an interim report, which was published at a press conference by the Attorney-General. The Final Report was presented to the Attorney-General on 30th March, 1983. After waiting for a while without any sign that the Final Report was going to be published, civil society groups began to complain and accuse the Attorney-General of a cover-up. The Ghana Bar Association insisted that the public was “entitled to know the whole of the findings of the Special Investigations Board as contained in both parts of the report in order to form a correct judgment, and not restricted by the Attorney-General to just a part as published in the Interim Report.”⁶⁸

15.7.0 Findings And Recommendations Of The SIB

15.7.1 The Final Report was a detailed report on the facts surrounding the murders. The team of police investigators did thorough detective work, thus leading to a successful investigation by the SIB. At the end of the investigations, the SIB recommended that the following persons be prosecuted for conspiracy to commit murder and murder.⁶⁹

- Joachim Amartey Kwei – Member of the PNDC.
- L/Cpl S.K. Amedeka – Military Guard at Broadcasting House and the Liaison Officer between Military Personnel at Broadcasting House and Gondar Barracks, the Headquarters of the PNDC.
- L/Cpl Michael Komla Senyah - Field Engineers Regiment and Military Guard at Broadcasting House.
- Ransford Johnny Dzandu - ex-soldier of the Medium Mortar Regiment, Ho.
- Evans Hekli “Tonny” Tekpor - ex-soldier of 1BN of Infantry, Tema, and 2 Brigade, Kumasi.
- L/Cpl Mamah Nsurowuo – a soldier of the PNDC Information Centre.
- L/Cpl Victor Gomeleshio – a soldier of the PNDC Secretariat (Operations).
- L/Cpl Gordon Kwowu – a soldier at the PNDC Information Centre.
- Sgt Alolga Akata-Pore - Member of the PNDC.
- Capt Kojo Tsikata (Rtd) – PNDC Special Advisor and Head of National Security.

15.7.2 On the motive for killing these judges, the SIB had this to say,

... one fact which is common in the case of the judges is that each of them, after the AFRC had handed over, had adjudicated in a case involving AFRC convicts. Notwithstanding the provisions of Article

⁶⁸ Ghana Bar Association, Statement on SIB Report, Accra, 22nd April, 1983.

⁶⁹ Comments on the Special Investigation Board Report issued by the Attorney- General G.E.K. Aikins (PNDC Secretary for Justice and Attorney-General), 17th May, 1983, para 17.

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15(2) and (3) of the 1979 Constitution..., each judge after considering the legal issues raised on an application for an order of Habeas Corpus, had ordered the release of the applicant from custody.⁷⁰...it ought to be mentioned that the kidnapping and murder took place a little over six months after the Court cases, and it had been argued that the release of the AFRC convicts had nothing to do with the murders.⁷¹... but the fact still remains that only the judges in Accra who had ordered the release of “AFRC convicts” were specially picked on and killed on 30th June, 1982. That the release of the AFRC convicts was the prime motive for the Judges murder is plainly confirmed by Amartey Kwei’s statement of the 23rd November 1982, which he repeated on oath before the Board⁷²... even the way in which their houses were searched for by the kidnappers is evidence that that these were specifically selected to be executed...⁷³

The SIB concluded that the

...perpetration of these crimes must have been motivated by the dissatisfaction felt by some people at their judgments in which they freed persons convicted and sentenced to long terms of imprisonment by a tribunal specifically established by the Armed Forces Revolutionary Council (AFRC). The atrocities could have been committed only by fanatical supporters of the Armed Forces Revolutionary Council.⁷⁴

16.0 Attorney-General’s Comments on SIB Report

16.1 The Attorney-General, G. E. K. Aikins, published his Comments on the Report. He, in the exercise of his discretion to initiate prosecutions as Attorney-General decided that there was sufficient evidence to prosecute only the following:

- Joachim Amartey Kwei
- L/Cpl Michael Komla Senyah
- L/Cpl Samuel Kwaku Amedeka
- Ransford Johnny Dzandu
- Evans Hekli “Tonny” Tekpor.

He declined to initiate criminal prosecutions, citing insufficient evidence, against the following:

- L/Cpl Gordon Kwowu
- L/Cpl Nsurowuo
- L/Cpl. Gomeleshio
- Sgt Alolga Akata-Pore and

⁷⁰ Final Report of the Special Investigation Board (Kidnapping and Killing of Specified Persons) para. 313.

⁷¹ *Ibid*, para. 314.

⁷² *Ibid* para. 315.

⁷³ *Ibid* para. 316.

⁷⁴ *Ibid* para. 318.

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- Capt Kojo Tsikata (Rtd)⁷⁵

16.2 The Attorney-General further decided that the forum for the trial should be the Public Tribunal instead of the High Court. Consequently, the case was referred to the Public Tribunal by the PNDC.

16.3 The import of the decision to try the suspects at the Public Tribunal was three-fold:

- (1) they were denied a trial by jury;
- (2) they were denied a right of appeal since there was no right of appeal at the Public Tribunals under the Public Tribunals Law, 1982 (PNDCL 24); and
- (3) they could not obtain legal counsel for their defence since the Ghana Bar Association had announced a boycott of the Public Tribunals on account of its opposition to the lack of procedural fairness of the rules of the Public Tribunals.

Thus the accused persons were tried and convicted on a capital charge, without benefit of legal counsel and without a right of appeal.

17.0 Press Attacks On SIB During Sitting**17.1 Attacks On The Integrity Of SIB**

17.1.1 During and after the sitting of the SIB, the Chairman, Mr. Justice Azu Crabbe, came under a sustained attack in the media – particularly in the *Ghanaian Times*. In a series of editorials titled *The Drag of Vested Interests*, published between 4th January, 1983 and 29th March, 1983, the newspaper mounted a vicious campaign against the SIB in general and its Chairman in particular. It alleged that selected materials from the SIB were circulating widely in the circles of Ghanaians in political exile and that enemies of the revolution in Togo, Britain and Holland were openly saying they would “use the Board by hook or by crook to topple the Government of the PNDC.”⁷⁶ For these alleged activities of the *émigrés* community, the SIB was held blameable.

17.1.2 The SIB was also accused by the *Ghanaian Times* of setting up its own Technical Investigative Team, made up of persons who were active in persecuting Flt Lt Rawlings and his associates during the Limann regime, and that this new team was different from the one announced by the government under the chairmanship of the Secretary for the Interior, Johnny Hansen. This information to the public was incorrect, as the investigative team which worked with the SIB, was set up by the Criminal Investigations Department of the Police before the SIB itself began its work. It was also untrue that there were two teams investigating the event, since the one under the chairmanship of Johnny Hansen though announced, was never, in fact, set up.⁷⁷

⁷⁵ *supra*

⁷⁶ *Ghanaian Times*, vol. 7784 Friday 4th February, 1983, p.2

⁷⁷ SIB Report, paras 34-38.

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17.1.3 The newspaper further alleged that the in camera proceedings of the SIB were circulating among the ranks of enemies of the revolution abroad, and therefore demanded that the proceedings be made available for publication in the local press to enable Ghanaians at home to read them too. The newspaper also expressed the belief “that an inquiry will reveal all the machinations, plots and manoeuvres that have taken place behind the scenes – that is, behind the public image of the Board.”⁷⁸ By these allegations, the newspaper sought to cast doubt on the integrity of the members of the SIB whilst fixing on them a political agenda to assist the enemies of the government to unseat it.

17.1.4 The editorial also repeated an allegation made to the SIB by Capt Tsikata that at a meeting of the PNDC, Sgt Alolga Akata-Pore had complained that an unnamed judge had told him that attempts were being made to frame him up at the SIB, thus pitching him against his colleagues on the PNDC. Not only did such an allegation suggest that some judges were in league with the SIB, but that through those persons, information to potential witnesses was being leaked, for malicious purposes. Why any member of the judiciary would have an interest in causing disaffection within the PNDC was not

indicated, but it was clearly an attempt to create a perception that the judiciary was in league with the enemies of the government to cause mischief.

17.1.5 In another editorial in the series, the newspaper accused the SIB, first of changing its procedures midstream to allow for public confrontations between witnesses, and then of adopting a legally-indefensible procedure when it allowed L/Cpl Amedeka to be present during the time Capt Kojo Tsikata appeared before it to cross-examine Amartey-Kwei.⁷⁹

17.1.6 In a further editorial in the series, the newspaper appeared to have joined the defence team of Capt Tsikata when it accused the SIB of arbitrariness in the “manner in which the board decided to bring out the allegations against the Special Adviser to the PNDC in public contrary to the procedure which it had followed up to that point”.⁸⁰ It also raised issues pertaining to some evidence before the SIB that it did not consider credible. The newspaper also alleged that, unknown to some of the members of the SIB, copies of a document purporting to be the Draft Report were circulating among some Western Embassies and that the Political Officer of the Embassy of the United States of America had told some journalists that the report would soon be released. This editorial thus sought, not only to sow disaffection within the membership of the SIB but also to suggest that some members were in league with the Americans to discredit the government. As the newspaper put it, the

Special Investigation Board must carefully, critically, and seriously look at its own processes and connections and consider how the selective

⁷⁸ Editorial of 4th January, 1983, supra.

⁷⁹ *Ghanaian Times* vol. 7,790, Wednesday, 12th January, 1983.

⁸⁰ *Ghanaian Times*, vol. 7,855 Tuesday, 29th March, 1983 p.2.

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leaks from it have occurred, especially when the interests of foreign powers are also brought in.⁸¹

17.1.7 Even more disturbing was a reproduction of a handwritten letter purporting to have emanated from one of the suspects in the murder investigations, Johnny Dzandu, in which he alleged that he and others had been offered safe sanctuary if he and others could escape from prison and make it to the American Embassy.⁸² This letter was supposed to expose the agenda of “vested interests” in the work of the SIB and consequently why the SIB would become their willing tool. Coming on the same day as an announcement that the report had been presented to the Attorney-General,⁸³ it was difficult to resist the inference of mischief-making that underlay the persistent and consistent newspaper attacks.

17.1.8 The *Ghanaian Times* also reported the proceedings in a manner calculated to cast doubt on the eventual conclusions of the SIB. These hostile media reports as well as other acts of official harassment, led to an attempt by the Chairman of the SIB to resign on 4th

January, 1983. Although he was prevailed upon to rescind the decision, it was clear that the Chairman was unhappy about the war waged on him by the national media, then all state-owned.

17.1.9 The *Ghanaian Times* published the comments of the Attorney-General on the SIB Report before announcing its intention to publish the Report itself the next day, thereby giving primacy to the Comments rather than the Report.⁸⁴

17.1.10 Indeed, soon after the Final Report was presented, Capt Tsikata and Mr. Justice Azu Crabbe engaged in exchanges in the media over his supposed connection with the American CIA. This constituted a big assault on the image of the Chairman as a former Chief Justice as well as his reputation, since his accuser was the chief of National Security himself.

17.2 Effect Of The Murders On The Entire Judiciary

17.3.1 The traumatic effects of the coordinated attacks and the singular tragedy of the murders on the judiciary will take a long time to be overcome. Many members of the Bench and Bar during interviews by this Commission were emphatic that:

- (1) some judges who felt threatened as rumours persisted of the existence of a list of persons to be assassinated fled the country, and some of those already outside the country did not return;
- (2) some cases were never heard because the judges feared for their lives;

⁸¹ Ibid.

⁸² Ibid., p.3.

⁸³ Ibid., p.1.

⁸⁴ *Ghanaian Times* vol. 7,909 Thursday, 2nd June 1983.

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- (3) cases pending before the murdered judges suffered delay as they had to be heard afresh;
- (4) it generated fear among members of the Bench who remained;
- (5) most judges were unwilling to make such far-reaching decisions as might endanger their lives; and
- (6) the event is still a source of fear among members of the judiciary, even to those who were not then on the Bench.

17.3 The GBA's commemorative events of the murder were studiously avoided by most members of the judiciary, including the Chief Justices of the time, for fear of incurring the wrath of the government. On those commemoration days, courts sat as usual and lawyers who wished to attend the event assumed the risk of incurring costs for their absence in court.

18.0 Other Attacks On The Judiciary**18.1 Press Attacks On The Judiciary**

18.1.1 The attacks on the judiciary did not end with the murders. On 14th March, 1983, the Chief Justice, Mr Justice F.K. Apaloo and Mr Justice J.N.K. Taylor of the Supreme Court attended the Law Week of the Law Students' Union at the Faculty of Law, and

gave presentations at which they expressed views that were critical of the PNDC. Mr Justice F.K. Apaloo, delivering the Keynote Address, expressed the view that the assumption of judicial powers by the PNDC was "dangerous and unprecedented" in the annals of Ghana's legal history. During a subsequent symposium, Mr. Justice Taylor criticised the human rights record of the AFRC and the victimisation of so-called *kalabule* people for the woes of the time. These views of the two Judges, were reported from the angle of comments made by Tsatsu Tsikata in his own presentation at the same symposium, which were critical of the judiciary in general, and the judges in question in particular. Under the headline "Self-contradictions of Judiciary Exposed", the newspaper presented their judicial history in an unflattering light, thereby presenting the Judges' criticisms as hypocritical and anti-PNDC.⁸⁵

18.1.2 The views of Tsatsu Tsikata were re-echoed as the basis for another vitriolic editorial from the *Ghanaian Times* the next day titled "Judicial Politics". The editorial criticised the Keynote Address of the Chief Justice, for lacking appropriate criticisms of the judiciary and the "colonial" legal system, whilst failing to appreciate the need for a new judicial system which would be better understood by the ordinary citizen. Mr Justice Taylor's presentation elicited condemnation of judges as the ones who abused the rights of citizens by sitting as Judge-Advocates on Military Tribunals from which there was no right of appeal; who sat on Commissions of Enquiry that made adverse findings confiscating properties; and who adopted such a narrow view of law that they gave interpretations that were contrary to the aspirations of the people. Reference was made to

⁸⁵ *Ghanaian Times*, 7.845 Thursday, 17th March, 1983 pp.1 &3.

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views expressed by those same judges during the NLC and SMC periods respectively, which admitted the supremacy of military rulers over the judiciary and complained about their motives for their seemingly different views during the era of the PNDC. The newspaper concluded with the view that

pronouncements of distinguished judges only show that they are out of step with the objectives of the people's revolution... that the PNDC should have power to set them right if they should be adopting such attitudes of opposition to the revolution in their judgments.⁸⁶

If ever anything was calculated to dampen judicial criticism of developments on the legal scene, then this was a good example.

18.2.0 Attack On The Supreme Court Buildings

18.2.1 The attacks did not remain only verbal. On Tuesday, 21st June, 1983, a mob attacked the Supreme Court buildings after a workers' demonstration. The courtrooms and chambers of judges were locked up and the keys taken away by the Central WDC.⁸⁷ Judges had to flee for their lives and courts situated in the Supreme Court Buildings did

not function for a few days. The WDCs also declared the Chief Justice, who had expressed views critical of the Public Tribunals, dismissed from office.

18.2.2 There was no criticism of the workers' action from any official, except an announcement in the newspapers that the Chief Justice was still in office.⁸⁸

19.0 Threats To Judicial Independence**19.1 Summary Dismissal Of Judges By PNDC**

19.1.1 The PNDC Establishment Proclamation (Amendment) Law, 1982 (PNDCCL 42) provided for the removal of judges as follows:

any judge or judicial officer who was unable to perform the functions of his or her office by reason of infirmity of body or mind or who hampers the effective and efficient discharge of the functions of the Judiciary by his or her conduct, or who in any other way abuses his or her office, misbehaves or brings the judiciary function into disrepute shall be removed from office by the Council (PNDC)”,⁸⁹

⁸⁶ *Ghanaian Times*, 7.846 Friday, 18th March, 1983 p.2.

⁸⁷ *Ghanaian Times* vol. 7,927 Thursday, 23rd June, 1983.

⁸⁸ See, Mike Oquaye, “Law, Justice and the Revolution” in *Ghana Under PNDC Rule* (E.Gyimah-Boadi, ed) CODESRIA BOOK SERIES, 1993 p.158; also Paul Nugent, *Big Men, Small Boys and Politics in Ghana. Power, Ideology and the Burden of History*, 1982-1984 Asempa Publishers, Christian Council of Ghana, Accra, 1996, p.120.

⁸⁹ PNDCCL 42 section 22(1).

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However, section 22(2) of PNDCL 42 stated expressly that

No such removal from office shall be effected unless upon becoming aware of the judge, the Chief Justice has in consultation with the Judicial Council and the approval of the Council, instituted an inquiry composed of such persons not exceeding five, as are likely to arrive at an independent and objective conclusion, to investigate the matter and make appropriate recommendations to the Council.

Section 22 (3) further stated that “no removal of a judge from office may be effective without the person being given a fair hearing.”

19.1.2 However, when in 1986, the PNDC sought to remove judges without respecting these procedures, the PNDC repealed these provisions⁹⁰ and summarily dismissed seventeen Judges and one Magistrate. At the same time it promoted other judges to the Superior Courts, thereby disabling the judiciary from complaining of victimisation and criticising the modalities adopted for the dismissals.

19.1.3 On Friday, 4th April, 1986, the *People’s Daily Graphic* in its lead story, captioned, “Review in Judicial Service” stated that the PNDC in consultation with the Chief Justice

had undertaken a review of judicial appointments. Some judges had been promoted, new judges appointed and a significant number of serving judges had been dismissed.

19.1.4 It is also interesting to note that the *People’s Daily Graphic* of 4th April, 1986, stated expressly that the PNDC took this decision in consultation with the Chief Justice. If indeed there was proper consultation, then the implication was that the Chief Justice, the highest judicial officer of the land, took part in perpetrating gross human rights violations against some of his own colleagues. Whatever the circumstance, there is no doubt that what took place was an attack on the judiciary by the Executive.

19.1.5 These 18 persons had their careers terminated without recourse to the laid down procedure as set out by the PNDC in its Establishment Proclamation as amended by PNDCL 42, for the removal of judges. The PNDC, in its decision, failed to honour the time-honoured principle of Natural Justice as these judges were denied a hearing. The government of the day took a unilateral decision and deprived these judges of their right to work and to earn income. In addition to this, the allegations of misconduct was so serious, that they should not have been removed from office without being given a chance to clear their names. They thus lost their careers as well as their reputations.

19.1.6 Some time after these dismissals had been effected, the old procedures were restored by a re-enactment of a new section 22 to replace the repealed provisions under

⁹⁰ Provisional National Defence Council (Establishment) Proclamation (Supplementary and Consequential Provisions) (Amendment) Law, 1986 (PNDC L. 145).

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PNDCL 42.⁹¹ This showed the Executive's lack of respect for law as well as the rule of law. Since laws are supposed to guarantee a measure of certainty and predictability as well as orderliness in the conduct of national affairs, shuffling law on the chessboard whenever it becomes inconvenient is wrong. Thus, where a government desiring a particular outcome that the existing law would not permit, could achieve it merely by removing the particular law, doing whatever it considered necessary to do and then re-enacting the law, the essence of law would have been undermined.

19.1.7 Effect Of The Dismissals On The Judiciary

As a result of these dismissals by the Executive, judges lost confidence in their security of tenure since the Judicial Council had been abolished. Things did not improve with the restoration of the Judicial Council, for the new provision provided that the PNDC could dismiss or remove from office, any Judge, or judicial officer, if it was satisfied that it was in the public interest so to do.⁹² The import of the new provisions was regrettable, since it made the retention of a judicial appointment, subject to the whims and caprices of the Executive. In thus undermining the security of tenure of judges and magistrates, a necessary condition for the proper discharge of the judicial function, was undermined.

19.2.0 Inducement To The Judiciary

⁹¹ Provisional National Defence Council (Establishment) Proclamation (Supplementary and Consequential Provisions) (Amendment) Law, 1988 (PNDC L. 228).

⁹² Section 22(3) of PNDCL42 as amended by PNDCL228.

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19.2.1 In 1986, the Chief Justice, Mr. Justice E.N.P. Sowah, reached the compulsory retiring age. In accordance with the traditions of the Judiciary, he should have retired and been replaced by the next most senior Judge. However, this did not happen. Instead, a Law was passed⁹³ giving members of the Judiciary who had reached the compulsory retiring age the opportunity to continue in service, with the written approval of the PNDC. The length of time one could continue in service was however to be determined by the PNDC. The making of this Law, obviously for the benefit of those of whom the PNDC approved, saw the PNDC extending the appointment of Mr. Justice Sowah and retaining him as Chief Justice. This move was severely criticised by both the Bench and Bar as it created the likelihood that other judges, who wished to be permitted to continue in service upon reaching the retiring age, would lose their ability to be independent.⁹⁴ The fears of the GBA were also shared by the African Bar Association and the International Commission of Jurists at an International Seminar on “The Independence of the Judiciary and Legal Profession.”⁹⁵

19.2.2 Another act that was seen as an attack on judicial independence was the recall of Mr. Justice Archer from retirement to become Chief Justice in 1991. This move was seen as an attempt to control the judiciary, as the new Chief Justice was unlikely to be able to perform his duties without recourse to the interests of the Executive that had done him the favour of recalling him from retirement to the high office of Chief Justice. The Bar protested against this and there were many in the legal profession who viewed these developments with great misgivings.

20.0 The Establishment Of New Judicial And Quasi-Judicial Investigative Bodies.

20.1.0 Among the first legislative acts of the PNDC were the promulgation of two laws: the Citizens Vetting Committee Law, 1982 (PNDCL 1), and the National Investigations Committee Law, 1982 (PNDCL 2). In addition, it established the Public Tribunals by enacting the Public Tribunals Law, 1982 (PNDCL 24), and later replacing it with the Public Tribunals Law, 1984 (PNDCL 78). These new bodies were supposed to clean up the corruption in public office, as well as other acts of malfeasance within the nation, which the existing judicial and investigative agencies had been unable to deal with on account of their own corruption and inefficiency.

20.1.1 The stated functions of the two investigative bodies indicated that their targets would be the well-to-do in society, and they made every effort to ensure that anyone who

⁹³ Judiciary (Retiring Ages) Law, 1986 (PNDCL. 161).

⁹⁴ Address of President of GBA, Peter Ala Adjetey to the Annual General Conference, Accra, 28th September, 1987.

⁹⁵ The Conference took place in Banjul, The Gambia, 6th-10th April, 1987.

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appeared to be affluent would be called upon to account for the wealth, and also to prove that the appropriate taxes had been paid on the declared incomes. There were many complaints about their procedures and decisions as they imposed on persons who appeared before them, huge fines and tax penalties that were to be paid within very short periods of time. These bodies were therefore the main agencies responsible for many of the confiscations of property that occurred, and they helped in no small measure to make “citizens” feel harassed and hunted in their own country.

20.1.2 The essence of the Public Tribunals was captured by the *Ghanaian Times* on the first anniversary of their operations as follows:

The old legal system ... has been structured to protect corrupt politicians against being exposed and punished for taking advantage of their political positions to amass illegal wealth, oppress the mass of the people, or sell their nation to foreign exploiters and their local accomplices. The system has made it impossible for the mass of the people to have any real power to check bad government.

But the revolution brought the Public Tribunal and this has made it possible to mete out judgment [sic] to even the class of people who before the normal courts would have been too powerful or too superior to be punished. Moreover, the tribunal has made it possible for the common people, too, to sit in judgment against high-placed crooks and criminals.⁹⁶

20.2.0 The Citizens Vetting Committee (CVC)

20.2.1 The Citizens Vetting Committee Law, 1982 (PNDC Law 1), as amended by the Citizens Vetting Committee (Amendment) Law, 1982 (PNDC Law 18), set up a body to investigate persons whose “lifestyle and expenditures substantially exceed[ed] their known and declared incomes”⁹⁷, and who possessed credit balances in excess of certain specified sums at the banks.⁹⁸ This body could apply to the PNDC to order the detention of anyone it was investigating, or interrogating.⁹⁹ After investigations, it could order the confiscation of any property it was not satisfied had been acquired by the person’s lawful income.

20.2.2 The CVC was not subject to the courts or to any other body, except the PNDC, in the performance of its duties. By an ouster clause, the PNDC ousted the jurisdiction of the courts as follows:

⁹⁶ *Ghanaian Times*, vol 8,048 Thursday, 11th November, 1983, editorial, p.2.

⁹⁷ Section 4(i) PNDC Law 1.

⁹⁸ Section 4(ii) PNDC Law 1.

⁹⁹ Section 6(1), PNDC Law 1.

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It shall not be lawful for any court to entertain any action or proceedings whatsoever for the purpose of questioning any decision, finding, order, or proceeding of the Committee...and for the removal of doubt it shall not be lawful for any court to entertain any application for an order or writ in the nature of habeas corpus, mandamus, prohibition or quo warranto and declaration in respect of any decision, finding, order or proceedings of the Committee.¹⁰⁰

With such wide-ranging powers and no oversight of any other body, the CVCs were accountable to none but those who established them.

20.2.3 In 1982, the CVC began to investigate all owners of bank accounts that were in excess of fifty thousand cedis (c50,000.00). For this purpose the CVC was given access to all bank accounts in the country. Those persons who were summoned to appear before the CVC to explain the source of their wealth, found that the body had all the information on their private financial transactions already supplied by their respective banks. Those who appeared to owe on taxes, either because they had failed to pay their taxes at all, or had under-declared their incomes to the Department of Income Tax, were asked to pay whatever was assessed to be due, as well as penalties thereon, into PNDC Account No.48. In some instances, the persons were re-assessed and asked to pay the new tax-rate, even though they had already paid what was due. Such persons risked having their properties being confiscated if they defaulted in payment. The snag, however, was that the sums of money imposed were often huge, and the usual time-limit within which payment was to be made was forty-eight hours. The combination of size of the amount, as well as the unreasonable time schedules for payment, made it almost impossible for the persons concerned to honour the terms of the payment. For instance, evidence before the Commission, indicated that some persons were required to raise the equivalent of \$2 million (two million dollars) within forty-eight hours, or risk having their properties confiscated. It was largely on account of these unreasonable conditions that many persons had their properties confiscated to the State.

20.2.4 In addition to the pecuniary penalties the CVC could impose, it could make other orders as well. It could

(d) recommend to the appropriate authority for the dismissal, removal or retirement from the Public Service of a public officer investigated by it for any misconduct or negligence in the performance of his official functions;

(e) recommend to the appropriate professional body to take disciplinary proceedings against any member of that professional body for any professional misconduct or negligence;¹⁰¹

¹⁰⁰ Section 11 PNDC Law 1.

¹⁰¹ Citizens Vetting Committee (Amendment) Law, 1982 (PNDCL 18), amending Para 7 of Citizens Vetting Committee Law, 1982 (PNDCL 1).

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With such wide powers and no possibility of review by any institution, except the PNDC, the CVC was a law unto itself, and in a position to end the professional career or source of livelihood of anyone against whom it believed such action was justified.

20.2.5 The CVC could also “vet in absentia” in specified circumstances, such as where a person was outside Ghana or had been given reasonable notice to appear before the Committee to be vetted, but had failed to respond, or had failed to return to continue vetting that had begun¹⁰².

20.2.6 Some persons who appeared before the CVC in places outside Accra, complained of ill-treatment whilst undergoing interrogation. Evidence before the Commission, also established that even when these persons were found not to owe on taxes, they were forced to give up some of their money because they were “too rich” and the “government needed money”. They were escorted at gun-point to their banks and made to withdraw cash for making such payments. However, no receipts issued in these cases.

20.3 National Investigations Committee (NIC)

20.3.1 The NIC was established under National Investigations Committee Law, 1982 (PNDCL 2), to conduct investigations into the following:

- (a) Allegations of corruption, dishonesty, or abuse of office for private profit against any person or group of persons who held high office of State or any public office in Ghana, or may be shown to have acted in collaboration with any such person holding high office of State or any public office in respect of any of the foregoing acts;
- (b) Allegations of breaches by any group of persons of mandatory provisions of any of Ghana’s Constitutions;
- (c) allegations of breaches of statutes or laws whereby damage was caused to the national interest;
- (d) Any person who may have willfully and corruptly acted in such a manner as to cause financial loss or damage to the State or who may have directly or indirectly acquired financial or material gain fraudulently or improperly or illegally to the detriment of the State;
- (e) Any other acts or omissions which may be shown to be detrimental to the economy of Ghana or to the welfare of the sovereign people of Ghana or in any other way to the national interest.¹⁰³

For the purpose of doing its work, the NIC could apply to the PNDC to order the detention of any person, or the freezing of the bank accounts of any person it considered

¹⁰² Citizens Vetting Committee (Amendment) Law, 1982 (PNDCL 18), enacting a new para 9A of Citizens Vetting Committee Law, 1982 (PNDCL 1).

¹⁰³ Section 3 of PNDC Law 2.

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necessary and the PNDC could act as it thought fit.¹⁰⁴ The NIC could refer a person it had interrogated to stand trial at the Public Tribunals.

20.3.2 The NIC had Regional branches which had interesting acronyms, such as ASHRIC (Ashanti) ERIC (Eastern) URIC (Upper Region), etc. It was usually chaired by a lawyer. As with the CVC, the NIC enjoyed wide powers as it was not subject to any control or supervision by the courts whose jurisdiction had been ousted, or by any other body, except the PNDC.

21.0 The Public Tribunals

21.1 The intention to establish public tribunals in Ghana by the PNDC was first publicly articulated by Flt. Lt. Rawlings in a national Television and Radio Broadcast on 5th January, 1982.¹⁰⁵ In his address, the Chairman of the PNDC declared that public tribunals would be established to try those who had committed crimes against the people, in a manner different from the regular courts. He explained that the Tribunals would conduct investigations and trials, and that the trials would be held in public, and would “not be fettered in their procedures by technical rules, which in the past have perverted the course of justice and enabled criminals to go free.”¹⁰⁶ The Tribunals would co-exist with the regular courts, though they would remain parallel systems. He also gave the following caution:

Let each respect the boundaries of the other, and there will be peaceful co-existence. But even though each will be acting within its own confines, we believe that ultimately it is for the people to decide the correctness or otherwise of the judgments of the two systems. This is one way in which the dispensation of justice itself will be democratized.¹⁰⁷

21.3 The official justification for establishing the Public Tribunals system was that the regular courts were corrupt, and their work was characterized by undue delays. They were also accused of being prejudiced against the poor, because they sentenced the poor to prison for small infractions, while rich criminals escaped punishment because they could hire the best legal services available. In those days, “One law for the rich” and “One law for the poor” and “Justice delayed, is justice denied” were some of the most popular catch-phrases for the “revolutionaries”. Its inaugural sitting was on 15th September, 1982, and initially it sat only in Accra.

¹⁰⁴ Section 4(1) of PNDC Law 2.

¹⁰⁵ Attafuah, *supra*.

¹⁰⁶ *Daily Graphic* vol. 9695 Wednesday 6th January, 1982 p.1

¹⁰⁷ *Ibid*.

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21.4 The jurisdiction of the Public Tribunals was limited to criminal matters only, and they were not obliged to observe the regular rules of Evidence and Criminal Procedure. The Tribunals were also discouraged from using “technical rules of procedure (or what was referred to pejoratively as “technicalities”).¹⁰⁸ This caused the GBA to express the view that

it is disturbingly prejudicial for Public Tribunals to decide in advance without any attempt at definition that technicalities will not be tolerated... an accused person is entitled to avail himself of any rule of law or procedure which operates to his benefit.¹⁰⁹

21.5 The minimum sentence of imprisonment was three years, and they could be given jurisdiction over any matter that the PNDC determined. Their sentences were subject to approval by the PNDC. Soon after it began sitting in Accra, the PNDC exercised its power of review of sentences in fourteen cases. Although there were no particulars published of the cases involved, the sentences were either confirmed, reduced or increased, according to the pleasure of the PNDC.¹¹⁰

21.6 In the early days of the Public Tribunals, cases were swiftly dealt with, and the sentences severe in the extreme. The speed with which prominent persons were tried and imprisoned also gave the public the assurance that the law was, indeed no respecter of persons. This approach to criminal justice seemed to satisfy the public that no longer would criminals escape just punishment, and the system was hailed as a panacea to the deficiencies of the regular courts.

21.7 During the first two years of the life of the Public Tribunals, the Public Tribunals Law, 1982 (PNDC 24), there was no right of appeal because there was no appellate body provided to perform that function. The absence of an appellate system constituted a gross violation of the rights of those who were tried and sentenced.

21.8 In the early years of the Public Tribunals there were strange practices that had implications for justice. In October, 1982, the public was informed that those who attended Tribunal sittings “can give suggestions, advice and any form of assistance they may have to help its proceedings”.¹¹¹ This was given practical application when in December, 1982, members of the public present at the trial of a person convicted of gold smuggling were invited to prescribe a sentence which in their opinion would serve as a deterrent to other gold smugglers. Sixteen persons voted:

¹⁰⁸ H.J.A.N. Mensa-Bonsu, “The Public Tribunal System And the Human Rights Regime” in *The Judicial System And The Protection Of Human Rights In Ghana* E.K.Quashigah, (ed) Human Rights Study Centre, Faculty of Law, University of Ghana, Legon and Konrad-Adenauer Foundation Of Germany, Accra, 1994.

¹⁰⁹ GBA Annual General Conference, Statement on Public Tribunals, 13th January, 1984.

¹¹⁰ *Ghanaian Times* vol. 7712 Saturday, 9th October, 1982, p.1.

¹¹¹ *Ghanaian Times* vol. 7,721 Wednesday, 20th October, 1982.

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five suggested he be given 10-15 years imprisonment; six suggested that he be fined heavily and his two cars

confiscated; and five suggested he be fined and freed. Significantly, the Tribunal did not act on any of these suggestions when it sentenced him to 17 years imprisonment.¹¹²

21.9 The Ghana Bar Association refused to appear before the Tribunals. Even though a group of lawyers decided to defy the ban of the GBA and practise law before the Tribunals, most accused persons could not secure the services of legal counsel for their defence.

21.10 The International Commission of Jurists (ICJ) sent a delegation to discuss the deficiencies in the system.¹¹³ In 1984, a new law to govern the operations of the Public Tribunals, the Public Tribunals Law, 1984 (PNDCL78), was promulgated. This Law made provision for the setting up of an Appeals Board.

21.11 Originally, a petition appeal had to be lodged within thirty days of the making of the Order,¹¹⁴ but as the case loads increased and the Public Tribunals were afflicted by delays, the law was amended to make the time limit “7 days from the date of receipt of a copy of the decision or order...”¹¹⁵ This change notwithstanding, some persons never had the opportunity to file their appeals as the written judgment or order was either never produced, or could not be traced, by the Tribunal.

21.12 The Public Tribunals were allowed to try persons in absentia, provided they had tried to contact the accused person by putting information about the charges in the public domain through the media.¹¹⁶ Evidence before the Commission suggested that occasions did arise when Prosecutors secured convictions, by misrepresenting facts about accused persons who were available to stand trial, but who had not been informed of charges pending against them. The result of such wrongdoing on the part of prosecutors, was that

some persons were sent to prison on the strength of sentences imposed in absentia, without an opportunity to defend themselves.

21.13 One of the abiding difficulties of the Public Tribunals System was the fact that it operated as a parallel system of justice for the trial of crimes. It thus had concurrent

¹¹² *Daily Graphic* vol 9977, Saturday, 4th December, 1982. The accused in the case, J. K Ampah collapsed and died when his pace-maker failed, in the course of testifying on this event in his petition before the Commission on 5th June 2003.

¹¹³ C. Flinterman, “Human Rights in Ghana” *S.I.M.Special* No.4 International Commission of Jurists and Netherlands Commission on Human Rights, 1985

¹¹⁴ PNDCL78, para 19(4).

¹¹⁵ Public Tribunals (Amendment) Law, 1985 (PNDCL 108) re-enacting para 3 of PNDCL78.

¹¹⁶ PNDCL 24, para10(1); PNDCL 78, para 14.

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jurisdiction with the regular courts to try certain offences, but no regulations were developed to prescribe when a particular case could be put before the Tribunal, rather than before the courts. As it became clear that the quality of justice available at the Public Tribunals was not as fair to the accused as in the regular courts, potential accused persons

began to desire prosecution before the regular courts. This gap in the law soon became the source of corruption, as those who fell foul of the law had every incentive to attempt to influence the decision-making process so that they would be put before the regular courts, rather than the Public Tribunals for trial. The GBA called upon the government to bring the problem to an end as soon as possible.¹¹⁷

22.0 Political Interference In The Work Of The Public Tribunals

22.1 The Public Tribunals were subject to the control of the PNDC by the simple expedient of requiring their judgments to be subject to confirmation by the PNDC.¹¹⁸ In addition to this, the PNDC could refer any matter not already specified to be tried by it. It was also a fact that the penalty for certain offences were to be prescribed by the PNDC, but since this would happen only after someone was to be tried for one of those particular offences, a fundamental principle of the rule of law in respect of justice in criminal trials was violated.

22.2 There were also credible allegations that pressure was sometimes brought to bear upon the Tribunals to produce convictions of particular persons, since panel members could be removed on grounds of “counter-revolutionary activity”.¹¹⁹ Executive manipulation was certainly prejudicial to the right of an accused to a fair trial.

22.3 In 1984, the independence of the Public Tribunals was put to the test when a young man, Nii Amu Addy, said to be the cousin of the Chairman of the PNDC, shot and killed a man. He was tried for murder at the Public Tribunals and was subsequently acquitted and discharged on the spurious ground that the shooting was accidental.¹²⁰ The Chairman of the PNDC, believed that the basis of his acquittal was absurd and so ordered his re-arrest.¹²¹ The State subsequently appealed against the acquittal and Nii Amu Addy was consequently put before another panel and re-tried, in complete disregard of the rule against double jeopardy. Predictably a verdict of ‘guilty of murder’ was handed down and a sentence of ‘death by firing squad’ imposed on him. When passing sentence, the Chairman of the Tribunal stated that in view of the mitigating factors the PNDC could, when the verdict came before the Council for confirmation, commute the death sentence to life imprisonment.¹²² The young man was later reported to have been executed by firing squad on, or about, 29th September, 1984.¹²³ One wonders why the “mitigating

¹¹⁷ Address of President of GBA (1987) *supra*.

¹¹⁸ PNDCL 24, para 7(22).

¹¹⁹ PNDC Law 78, Para. 10(5).

¹²⁰ *Ghanaian Times*, vol. 8,278 Saturday, 11th August, 1984, p.2.

¹²¹ *Ghanaian Times*, vol. 8,279 Monday, 13th August, 1984, p.3.

¹²² *Ghanaian Times*, Vol. 8,308 Friday, 14th September, 1984, pp.1&.3.

¹²³ *Ghanaian Times*, vol. 8,322 Monday, 1st October, 1984, p.1.

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factors” were considered sufficient for mitigation of sentence by the Chairman, when it was not sufficient for reducing the offence from murder to manslaughter.

22.4 There was also another occasion involving reckless driving that caused a road accident and injury to a student, and was dealt with much too leniently in the opinion of the Chairman of the PNDC. The case was also ordered to be re-tried, and this was done. Although the outcome was not as serious for the driver involved as in the Addy case, both occasions constituted a gross violation of the rights of the accused persons, and did nothing but harm to the image of the Public Tribunals.¹²⁴

23.0 End of Public Tribunals

23.1 In 1991, the Committee of Experts who made proposals for the drafting of the 1992 Constitution recommended that the Public Tribunals ought not to be retained because their very existence as a separate and parallel system of justice meant that citizens similarly placed were being subjected to different standards of justice.¹²⁵

23.2 The 1992 Constitution abolished the Public Tribunals as they existed, and gave them six months within which to complete their part-heard cases. Appeals pending before them were transferred to the Court of Appeal.

24.0 Special Military Tribunal

24.1 In 1982, the PNDC passed a law establishing Special Military Tribunals to try service personnel who were molesting members of the public.¹²⁶ The Special Military Tribunal as provided for under the Law, was to be presided over by a panel of five or seven persons, made up of Officers and Other Ranks, and they could impose fines of up to two thousand cedis (the equivalent of about \$800 at the time). However, in 1984, the law was amended to give it jurisdiction to try civilians and persons who had retired or deserted from the Armed Forces, as if they were service personnel or in active service respectively.¹²⁷ The offences triable by the Tribunal were also amended to cover any act that

- (a) incites or assists or procures any person to invade Ghana with armed force or unlawfully subjects any part of Ghana to attack by land, sea or air or assist in the preparation of any such invasion or attack;
- (b) prepares or endeavours in any manner to overthrow the Government or to usurp any powers of the Government;

¹²⁴ See “Damning Indictment” *West Africa magazine*, 30th March – 5th April, 1992.

¹²⁵ *Report of Committee of Experts on Proposals for a Draft Constitution of Ghana* Ghana Publishing Corporation, Tema, 1991, p.124, para. 266-267.

¹²⁶ Special Military Tribunals Law, 1982 (PNDCL.19).

¹²⁷ para 1(1) and para. 2.

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- (c) knows of the commission of any of the above acts but does not report it to the Provisional National Defence Council...”

The Special Military Tribunal could also conduct trials in absentia and in respect of the offences listed above, the trials could be held in camera.¹²⁸ There was no right of appeal.

24.2 The panel that could preside was also amended to make it possible for the Commander-in-Chief to prescribe a panel of three: the Unit Commander, one Officer and one Other Rank.¹²⁹ The penalties that could be awarded were also dramatically enhanced. From a tribunal whose highest penalty was dismissal with disgrace from the Armed Forces, the Special Military Tribunal was given power to impose death by firing squad.¹³⁰

24.3 All these changes were to take retrospective effect from 21st July, 1982. These amendments to the original Law were obviously intended to legitimise acts that had been done prior to their enactment. This raises issues of justice when a law attempts to regularise acts done by a judicial body, after it has unlawfully imposed a sentence, extending even to the death penalty that has been carried out.

25.0 The Price Control Tribunal

25.1 The Price Control Tribunal was established to deal with traders who had been caught selling goods above control price. Task Forces were formed to enforce control prices. This body also sent some people to prison, and supervised the brutalisation of some traders. Its functions became redundant when the government’s economic policies changed and price controls were abandoned.

¹²⁸ Para. 3A and para 4(7) of Special Military Tribunals Law, 1982 (PNDCL 19), as amended by Special Military Tribunal (Amendment) Law, 1984 (PNDC L. 77).

¹²⁹ Para. 3(3) of Special Military Tribunals Law, 1982 (PNDCL 19), as amended by Special Military Tribunal (Amendment) (No.2) Law, 1984 (PNDC L. 100).

¹³⁰ Para. 2(1) of Special Military Tribunals Law, 1982 (PNDCL 19), as amended by Special Military Tribunal (Amendment) Law, 1984 (PNDC L. 77).

VOLUME 4 CHAPTER 2**PART II: THE LEGAL PROFESSION****26.0 Introduction**

26.1 The Legal Profession, has during its existence, found itself called upon to protect the fundamental human rights of the citizens, or, at least, to prevent state-sponsored human rights violations. This has been the norm, particularly during periods of non-constitutional governments, because:

- (1) often it was lawyers who understood new legislation and the threats they posed to the enjoyment of fundamental human rights; and
- (2) lawyers represented an influential group of persons who did not depend on the government for a living. They were therefore able to confront the government on pertinent issues without risk to their economic survival.

Through the medium of Press Statements and Resolutions adopted at the Annual Conferences of the GBA, lawyers brought their influence to bear upon issues of national governance, including the human rights of the citizenry.

26.2 The role lawyers were called upon to play was not without cost to the individual lawyers concerned. Many such lawyers bore the brunt of the displeasure of the Executive as they suffered detention for their activism.

26.3 Lawyers have also suffered ill-treatment whenever they have been associated with the causes that they defended.

26.4 Individual members of the legal profession have also been at the forefront in designing and implementing repressive measures against the citizenry. Consequently, they have also been responsible for some of the human rights violations that were perpetrated during the mandate period.

**6TH MARCH, 1957 – 23RD FEBRUARY, 1966:
CPP GOVERNMENT**

27.0 The Bar On The Preventive Detention Act, 1958 (PDA)

27.1 In January, 1959, the GBA criticised the high-handed behaviour of the executive after subjecting certain events in the country to critical examination after the Minister for Information, Kofi Baako, was reported to have threatened that he would lock up any lawyer who misbehaved. The GBA issued a statement criticising the government for

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doing acts that had brought the Judiciary into conflict with the Executive. The statement said,

The Association solemnly and humbly declares that neither this threat nor any other threats will deter it from pursuing as a body, or encouraging its members to pursue as individuals, the duty to uphold law and defend the interest of any citizen insofar as those interests are not illegal.¹³¹

The statement went further to affirm that the courts of law exist as much to implement the acts of the Executive as to uphold the rights of the individual. The statement therefore concluded that “the upholding of rights cannot be subordinate to political expediency, for therein lies the rule of tyranny and not the rule of law.”¹³² By this statement, the GBA was, in fact, blaming the government acting in such a manner as to be brought into conflict with the Judiciary.

27.2 Soon after the first detentions under the PDA were effected, Dr. Joseph Boakye Danquah, a prominent lawyer and later, President of the GBA, began to fight through the courts for the PDA to be repealed because of its repressive nature. He took various habeas corpus applications to the courts, culminating in the decision in *Re Akoto* when the courts ruled that it was not the proper forum for the enforcement of the Declarations on Human Rights that the President of Ghana had been required to make before the National Assembly, under the Republican Constitution.

27.3 Eventually, Dr. Danquah had to make the supreme sacrifice in the course of his fight against oppression, dictatorship and the denial of fundamental human rights when he and Koi Larbi, another lawyer, most associated with the defence of detainees and deportees, were themselves detained. Their detention made it impossible for detainees to secure legal counsel.

27.4 During Dr. Danquah’s spirited campaign against the PDA, other members of the Ghana Bar Association were ominously silent on these matters, although they put up a ferocious resistance to Nkrumah’s attempt to divest lawyers of their wigs and gowns as relics of a colonial anachronism. Indeed, some members of the Legal Profession considered his persistent civil rights campaigns as quixotic and divorced from reality. Some thought that he was more of a philosopher than a lawyer.¹³³

¹³¹ Omari, *supra*, p.57.

¹³² Ibid.

¹³³ S.K.B. Asante,., *Reflections on the Constitution, Law and Development*, The J. B. Danquah Memorial Lectures, March 2002 Series 35, Ghana Academy of Arts and Sciences, Accra. 2002.

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27.5 Between 1963 and 1966, the government made efforts to get the GBA to elect officers more favourable to its cause. The response of the lawyers was to cease to hold formal meetings.¹³⁴

24TH FEBRUARY, 1966 – 30TH SEPTEMBER, 1969: NLC**28.1 NLC Laws Against CPP Functionaries**

28.1.1 Immediately after the overthrow of the CPP government, the NLC began to enact Decrees that were aimed solely at CPP government officials, CPP functionaries and activists on account of the widely held belief that they had amassed wealth at the expense of the state. These Decrees ranged from the re-institution of detention for CPP functionaries and members ostensibly for their own protection – “Protective Custody”, through the banning of the CPP and its wings, such as the Ghana Young Pioneers (GYP) and the vesting of their properties in the State, to the institution of Commissions of Inquiry to investigate the assets of leading members of government and other office-holders of the CPP. The GBA, having itself faced near-extinction under the CPP government, did not protest these laws. Indeed the President of the GBA at the time, Victor Owusu, became the Attorney-General and had direct responsibility for the drafting of these laws.

28.2 In January, 1967, certain persons were accused of plotting to overthrow the NLC. They were made up of one young Army Officer, and three civilians. They were all tried by Military Tribunal and sentenced to various terms of imprisonment. This marked the first occasion when civilians were tried by a Military Tribunal. No one protested this fact, and it subsequently paved the way for the trial of other civilians by Military Tribunals later on.

28.3 There was an abortive coup on 17th April, 1967, in which Lt-Gen E.K. Kotoka was killed. Many persons from all over the country, numbering about 1,000, were arrested under ten Protective Custody Decrees enacted within a period of one month. They were detained for periods up to 18 months, for “jubilating” over the coup attempt.¹³⁵ The coup attempt was widely condemned, though no one condemned the detention of the hapless citizens, mostly former members of the banned CPP, whose offence was to have shown

¹³⁴ Robin Luckham, “Imperialism, Law and Structural Dependence The Ghana Legal Profession” in *Lawyers in the Third World: Comparative and Developmental Perspectives Studies of Law in Social Change and Development* 3, C.J. Dias, R. Luckham D.O. Lynch, J.C.N. Paul (eds) Scandinavian Institute of African Studies, Uppsala and International Center for Law in Development, New York, 1981 pp. 90 - 122, at p.115.

¹³⁵ National Liberation Council (Protective Custody) (Consolidated) (Amendment (No.7) Decree, 1967 (NLCD164); National Liberation Council (Protective Custody) (Consolidated) (Amendment (No.8) Decree, 1967 (NLCD167); National Liberation Council (Protective Custody) (Consolidated) (Amendment (No.9) Decree, 1967 (NLCD172); and National Liberation Council (Protective Custody) (Consolidated) (Amendment (No.10) Decree, 1967 (NLCD179).

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feelings of approval when the event occurred, or who were merely suspected to harbour sympathies for the coup-makers, on account of their attachment to the CPP.

28.4 The 1969 Constitution, whose drafting was influenced largely by lawyers, carried the disqualification of CPP functionaries that had been legislated by the NLC, into the Constitution as its article 71. The Constitution also carried Transitional Provisions which

gave the government power to appoint persons into the Public Services or offices established by the NLC. It was these provisions that eventually produced the dismissal of 568 Civil and Public Servants by the PP Government, known as “Apollo 568”.

**1ST OCTOBER, 1969 – 12TH JANUARY, 1972:
P P GOVERNMENT**

29.0 Lawyers In the Second Republic

29.1 Lawyers were very prominent in the Progress Party, and supported the acts of the government. Their voices were not heard on the mode of implementation of the Aliens Compliance Order, nor on the “Apollo 568” case.

**13TH JANUARY, 1972 – 3RD JUNE, 1979:
NRC/SMC I & II**

30.0 Resistance To Military Rule

30.1 The GBA also resisted the phenomenon of military rule in Ghana and insisted at all times that the military had no role to play in politics and consequently, that the overthrow of democratically-elected governments is illegitimate. It was inexcusable (in the opinion of the GBA), where there was a democratic Constitution which gave the citizens a right to change their government.

30.2 The GBA resisted attempts to introduce pseudo-democratic regimes in this country such as was attempted by Gen Acheampong in his proposals for a Union Government. It is said of members of the GBA that,

They became strong critics of military rule and military justice, including the redefinition of several existing offences and designation of several new ones as ‘subversion’, the establishment of military tribunals to try them and the conferral of powers of arrest and search on military personnel. They were...virtually the only body of organized public opinion that was able to voice such criticisms in public.¹³⁶

¹³⁶ Luckham, *supra*, p.98.

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30.3 During 1977 to 1978, the GBA played a pivotal role in bringing into being the Association of Recognised Professional Bodies (ARPB) that did a lot to bring down the government of Gen Acheampong. For the resistance of the GBA to the political adventurism of Acheampong, many of its members were detained by the government.

4TH JUNE, 1979 – 23RD SEPTEMBER, 1979: AFRC**31.0 GBA And AFRC**

31.1 The GBA was generally not in evidence, as many of its members were part of the class of citizen targeted by AFRC policies. This regime also saw the active participation of many lawyers in the AFRC and the drafting of draconian legislation. Indeed, W Adumoah-Bossman, then President of the GBA joined the AFRC and became associated with the abuses perpetrated by or under it. He also became a member of a panel of the AFRC Special Tribunal that was established to continue the “revolutionary justice” begun under the regime. It was largely on account of his participation in the AFRC, that he was voted out of office later that year.

**24TH SEPTEMBER, 1979 – 30TH DECEMBER, 1981:
THIRD REPUBLIC****32.0 The GBA**

32.1 At its Annual Conference at Cape Coast in 1981, the GBA criticized the government for harassing certain personalities by putting them under “aggressive surveillance” and urged the government to desist from such acts.¹³⁷

31ST DECEMBER, 1981 – 6TH JANUARY, 1993: PNDC**33.0 The Relationship Between The PNDC And The GBA**

33.1 The relationship between the government and the GBA was one of bitter contest. Beginning from January, 1982, when the GBA called upon the newly-established PNDC government to hand over power to a National Government,¹³⁸ the relationship remained

¹³⁷ Resolution of the GBA on the Liberty of Citizens of Ghana, 13th January, 1984. The Resolution of 1984 recalled the 1981 resolution and regretted that the persons who were the subject of that protest had themselves become a part of a state machinery that was perpetrating worse forms of the abuses and violations that they suffered.

¹³⁸ *Daily Graphic*, vol. 9707 Monday, 18th January, 1982, p.4.

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adversarial right to the end of the PNDC rule. Every year, the GBA adopted resolutions at the Annual Conferences, which called upon the PNDC to make arrangements to hand over power to a democratically-elected government so that the citizenry could enjoy their civil and political rights.¹³⁹ The resolution also called upon the PNDC to either bring all political detainees to trial or release them, and end all arbitrary arrests and detentions. This period was notable for the massive pressure that was brought to bear upon lawyers in general, and the GBA in particular. The 1985 resolution also saw the GBA re-

affirming its attachment to the wig and gown, and insisting that lawyers should appear in court fully robed in order to recover their loss of self-esteem.

33.2 The General Resolutions of the Annual General Conference of the GBA in January, 1984, criticized the PNDC for its

“continued official control of the press and other news media ... which effectively prevents the free dissemination of information, views and opinion different from those of the Government should be removed forthwith to facilitate free expression of opinion, exchange of views and information between the citizens and the Government.”¹⁴⁰

The resolution also called upon the PNDC Government to lift the curfew that had been in place since 31st December, 1981.

33.3 In March, 1985, the GBA protested the starving of the judicial system of funds and material resources, and the consequent deterioration of facilities and services in the regular courts; the “abject squalor, degradation and dehumanizing conditions in most prisons, police cells and other places of confinement”; and the “inadequate clothing of many indigent prisoners and others in detention.”¹⁴¹ The resolution also announced the establishment of a Human Rights Fund to support the families of persons detained without trial.

34.0 The GBA And The Public Tribunals

34.1.1 The GBA announced its opposition to the setting up of the Public Tribunals by the Government of the PNDC. At its Annual Conference in September, 1982, members of the GBA adopted a resolution to boycott the Public Tribunals. The objection to the Tribunals was on account of both the form and substance of the new system. The tenor of the objections were as follows:

¹³⁹ Resolutions passed at the 1984/85 Annual General Conference, 6th December, 1985.

¹⁴⁰ Resolution dated 13th January, 1984.

¹⁴¹ Resolutions passed at the Continuation Meeting of the 1983/84 Annual General Conference, 15th March, 1985.

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- (1) As regards the form of the Tribunals, the GBA was of the view that the prescription of a panel made up of one lawyer and two or more lay persons with unrestricted powers had many pitfalls judging by the difficulties with the existing jury system.
- (2) The GBA thought it inappropriate, that the votes of the lay and professionally-trained panel-members should have equal weight when decisions were to be taken on the fate of an accused. (This was because it was possible for the two or more lay members to reach a decision that was wrong in law, but that would be the determinant of the fate of the accused persons).
- (3) In addition to this, the lawyers on the panels were mostly very junior, and it was unlikely that they had the requisite experience to handle the responsibility of running the system effectively.
- (4) The Tribunals were not subject to the supervisory or appellate jurisdiction of the Superior Court
- (5) There was no right of appeal.¹⁴² The GBA thus declared itself unwilling to support this wrong procedure in law and was not prepared to condone such illegality by appearing before the Tribunals.

34.1.2 As a result of these objections, the members of the GBA refused to put their services at the disposal of people accused and charged before these tribunals. Defending the decision, J.K. Agyemang, then President of the GBA, stated to the Commission, that the grounds for the boycott were, and are still sound.¹⁴³

34.2 The Effect Of The Boycott

34.2.1 The decision to boycott the Tribunals resulted in many accused persons being charged and tried without legal counsel. For instance, the accused persons in the case of the murder of the three High Court Judges and retired Army Officer were put before the Public Tribunal per a decision of the PNDC Government instead of the High Court. Under the Public Tribunals Law, 1982 (PNDC L 24), murder was not one of the offences triable by the Public Tribunal, and so a special authorisation was required to confer jurisdiction on it, to try the offence of murder. This special authorisation was duly obtained. According to the then Attorney-General, this special authorisation was signed by the Chairman of the PNDC on 8th June, 1983.

34.2.2 This decision made it impossible for the accused persons to secure the services of legal counsel, even though the accused persons appealed to the tribunal to assist them in contacting counsel of their choice. Eventually the Tribunal proceeded to try the accused persons without the benefit of legal counsel as the Tribunal maintained that it would not keep adjourning simply because the accused claimed they could not engage the services of a lawyer.

¹⁴² Resolution of GBA Annual Conference, Statement on Public Tribunals, 13th January, 1984

¹⁴³ Memorandum to the National Reconciliation Commission.

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34.2.3 The trial for a capital offence without the benefit of counsel constituted a serious violation of the time-honoured principle that an accused person has a right to legal representation of his or her choice.¹⁴⁴ Arguably, the decision of the GBA to boycott the proceedings at the Tribunals contributed to the violation of the rights of these accused persons.

35.0 The Gepi-Atee Commission

35.1 The Government set up a Commission of Inquiry into Insurance Malpractices, under the chairmanship of Gepi-Atee.¹⁴⁵ This Gepi-Atee Commission found many malpractices in the Insurance industry, and a number of lawyers were consequently prosecuted convicted and imprisoned for insurance fraud.

36.0 Attacks On Lawyers And The Legal Profession

36.1 Following the announcement of the GBA's decision to boycott the Public Tribunals, placard-bearing demonstrators, some of whom were supposed to be secondary school students, protested the boycott as "anti-revolutionary". The Law Chambers of prominent lawyers were vandalised by these demonstrators, and the documents in them torn up or taken away.

36.2 Government functionaries criticized the GBA, and the press described lawyers with very unflattering epithets. Despite these attacks, the President of the GBA, Enoch D. Kom, defiantly declared "No one can shut us up."¹⁴⁶ Senior lawyers were put before the CVC and ridiculed in the newspapers for not having paid their taxes.

36.3 In 1983, the GBA called upon the government to hand over power to a civilian government. Lawyers were subjected to press attacks and their integrity called into question. They were even called "tax-dodgers" by the Force Commander of the Ghana Armed Forces. Soon after the Annual Conference of the GBA in 1985, lawyers were accused of not paying their taxes, and described as "the worst tax dodgers". Twenty-six Kumasi-based legal practitioners were invited to appear before the Office of Revenue Commissioners, to account for taxes they had paid for the preceding five years. Newspaper publications of the details of lawyers and their indebtedness to tax authorities appeared in the government-controlled press.¹⁴⁷

¹⁴⁴ George Agyekum, *The Judges' Murder Trial of 1983*, Justice Trust Publications, Accra, 1999, p.23.

¹⁴⁵ *Ghanaian Times* vol. 7,701 Monday, 27th September, 1982 p.1.

¹⁴⁶ *Ghanaian Times* vol. 7,698 Thursday, 23rd September, 1982 p.4.

¹⁴⁷ *Ghanaian Times* vol. 8,634 Monday 7th October, 1985, pp.1&3.

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36.4 Some lawyers, who had appeared as counsel for AFRC convicts before the courts, fled the country in 1982. Those already outside, did not return. Still others fled the country, when a systematic campaign of harassment was begun against lawyers. Some of those who remained were arrested, brutalized and detained in military guardrooms to be investigated. It was a very difficult period for lawyers.

34.5 Lawyers were attacked in the media for charging excessive fees, and at least one lawyer was prosecuted for dishonestly acquiring property, after an investigation by the

NIC, because he charged professional fees that were deemed to be “inordinately high.” Even though the General Legal Council brought to the attention of the NIC, that such matters involved issues of professional discipline which was its statutory remit, the case was still treated as a criminal case for which he was imprisoned.

36.6 The GBA consistently criticized the detention law, Protective Custody Law, 1982 (PNDCL 4), and Habeas Corpus (Amendment) Law, 1985 (PNDCL 91), until they

ceased to exist upon the operation of the 1992 Constitution. These two laws were described as pernicious because PNDCL4 gave the government power to detain any person whenever the PNDC was satisfied that it was in the interest of national security so to do, and PNDCL91 prohibited the court from enquiring into the grounds for the detention respectively. At every opportunity, the GBA repeated its call for a repeal of those laws.

36.7 An attempt was made to dismember the GBA by attacking the monopoly that it had enjoyed as the sole body for the organization of lawyers in Ghana. Thomas Nuako Ward-Brew, a lawyer with leftist ideological political leanings and pro-government sympathies, successfully challenged, by legal action, the monopoly enjoyed by the GBA over the organization of lawyers into an association. He subsequently announced the formation of a rival association, the Bar Association of Ghana (BAG). It is uncertain whether the BAG actually took off, or whether it had any other members apart from the founder.

36.8 Another Association was formed, known as Ghana Association of Democratic Lawyers (GADL) with George Agyekum and Kwaku Gyan as Chairman and General Secretary respectively. These gentlemen were, incidentally, also officials of the Public Tribunals system. Although named as an association of lawyers, it also had a number of non-lawyers as members, and one of its objects was to dedicate itself to the promotion of human rights. Under the auspices of the GADL, a British Lawyer, Lord Guildford, came into the country to give a series of lectures, urging Ghanaian lawyers to free their minds

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from slavery, and accept the Public Tribunals because that system was better than what the country had inherited from Britain.¹⁴⁸

36.9 As a number of lawyers continued to defy the boycott resolution, the GBA sought to institute disciplinary action against them. It wrote to those lawyers threatening them with disciplinary action. The lawyers involved, challenged the standing of the GBA, to attempt to impose disciplinary action on its members who were merely obeying the laws of the land. This action generated great controversy within the GBA, and it came to be at its

most vulnerable at this time, as some of its own members were in open revolt, and were fighting the association through the newspapers.¹⁴⁹

37.0 Murder Of The Three High Court Judges And Retired Military Officers

37.1. In 1982, the GBA was instrumental in the organisation of the burial arrangements of the murdered Judges and the Army Officer, as well as piling pressure on the government to institute a Judicial Inquiry into the event. Thereafter, the GBA Secretary, Robert Kocuvie Tay, complained of being threatened with arrest and detention from some highly-placed officials.

37.2 In 1986, the GBA decided to honour the memory of the three High Court Judges murdered in the line of duty. It decided to institute the 'Martyrs' Day' programme that was to consist of a memorial service and lectures.¹⁵⁰ In 1988, the first service was held in Accra, during which the events of 30th June, 1982, were recounted under the title, "Lest We Forget". This determination of the GBA not to let the event be forgotten, brought it into conflict with the government on a number of occasions.

37.3 In 1989, Peter Ala-Adjetey, Nutifafa Kuenyehia and Eugene Akoto-Bamfo, the President, Secretary and Treasurer respectively of the GBA, were arrested and detained a few days to the Martyrs' Day Lectures that were to be held under the theme, "Rule of Law". The Lectures had to be called off. The officers were detained for about two weeks, during which they were subjected to ill-treatment and then released without charge. There was also a public demonstration organised against the GBA.¹⁵¹

37.4 In the same year of 1989, the GBA suffered great embarrassment when the 6th Biennial Conference of the African Bar Association (ABA), of which it was the host, was banned by the PNDC, two days before the opening of the function. Under the theme, "Human Rights In Africa", the Conference was expecting delegates from all over Africa. By the time of the ban, some of the delegates had already arrived in Ghana. Despite the best efforts of the GBA, the government would not relent and the GBA incurred a lot of

¹⁴⁸ *Ghanaian Times* vol. 7,975 Thursday, 18th August, 1983 p.1.

¹⁴⁹ *Daily Graphic* vol. 10668 Saturday, 2nd March, 1985 pp1&3.

¹⁵⁰ Address of Acting President F.K. Mensah to Annual General Conference of the GBA, in Kumasi on 9th January, 1990.

¹⁵¹ Oquaye, *supra*, p.171.

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cost in making arrangements to cancel the international meeting, two days before it was due to open.¹⁵²

37.5 The GBA was subjected to heavy criticism in the media, with the accusation that it wanted to use the ABA Conference to destabilise the PNDC. Official denials to the media from the President, Peter Ala Adjetey, were never published. Perhaps, a discussion on human rights by the ABA, to whom an unfulfilled promise had been given in 1982 that the families of the murdered Judges would be compensated, made the government uneasy.

38.0 Lawyers' Protests Continue

38.1 In 1984, the GBA adopted a resolution calling upon the PNDC to lift the curfew, which had then been in place for two years, contending that it was an unjustified restriction on freedom of movement of persons in Ghana.¹⁵³

38.2 The PNDC responded to the criticisms spear-headed by the GBA and amended the Public Tribunals' Law to provide for an appellate system, but this did not soften the stance of the GBA, as many of the problems it complained about earlier still persisted.

38.3 Some individual lawyers, such as Ray Kakrabah-Quarshie, offered free legal services to detainees and other persons suffering human rights abuses under the PNDC.

38.4 In 1987, the GBA initiated discussions on various human rights issues with the Attorney-General and Secretary for Justice on issues of the administration of Justice. It also held discussions with the Acting Secretary for the Interior and the Acting Director of Ghana Prisons Service. At these discussions, the GBA complained about the number of police checkpoints and barriers in the country, that affected the citizens' right to freely move about; the illegal activities of members of the Civil Defence Organisation (CDO) and the need to contain their revolutionary zeal; the appalling state of facilities in the country's prisons; and the need to set up a Parole Board.¹⁵⁴

39.0 The GBA And The Return To Civilian Rule

39.1 In 1991, the GBA announced its decision to boycott the proceedings of the Consultative Assembly that had been established to debate proposals for a new Constitution in preparation for a return to constitutional rule. The GBA disapproved the proposed membership of the Assembly, because it was given only one representation on the body, whilst groups that could not be expected to know much about constitution-making, had an equal number, or even more representation. There was also an over-

¹⁵² Address of Ag. President (1990), *supra*.

¹⁵³ Resolution of GBA adopted on 13th January, 1984, at Annual General Conference in Accra.

¹⁵⁴ Address of President of GBA, P.A.Adjetey, to the Annual Conference of GBA, Takoradi, 4th October, 1988.

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representation of appointees of the government, and this, the GBA found to be unacceptable. The membership of 260, as announced, included representation from identifiable bodies, a sample of which is the following:

Ghana Association of Writers 1; Butchers Association 1; Ghana Bar Association 1; Drinking Bar Operators Association 1; Inland Canoe Fishermen 1; Canoe Fishermen Association 1; Co-operative Distillers 1; Civil Servants Association 2; National House of Chiefs 10; Ghana Registered Nurses Association 1; Market Women 3; Committees for the Defence of the Revolution 10; Ghana Chamber of Commerce 1; National Council on Women and Development 10.

39.2 The GBA's position was represented as evidence of its scorn of the working classes, and it was denounced for its elitism. The Consultative Assembly, therefore, proceeded without the official participation of GBA, although many lawyers found their way to the Assembly as representatives of organisations that had representation.

39.3 In 1992, the GBA organised a Press Conference, addressed by its President, Anthony K. Mmieh, to protest the insertion of Immunity Provisions in the Transitional Provisions to the 1992 Constitution. According to the GBA, the PNDC regime was seeking to escape the standards of accountability which it purported to lay down for others. The GBA believed that the Provisions were tantamount to legislating impunity.

40.0 THE LEGAL PROFESSION AND MILITARY REGIMES

40.1 Military regimes have also benefited from the support of the GBA, especially, when they were believed to have ended a rule of tyranny. This support ended up making the Association and the particular lawyers complicit in the human rights violations that were perpetrated under that regime. For instance, in 1966, Victor Owusu, then President of the GBA was drafted into its fold by the NLC, and he became its Attorney-General. He thus became complicit in the human rights violations such as the enactment and implementation of the Protective Custody law; the banning of the CPP; the banning of CPP activists and functionaries from offices in the Public Service, the detention of those accused of jubiling upon the killing of Lt Gen E.K. Kotoka in 1967, etc. In 1972, E.N.Moore, then President of the GBA joined in with the NRC and became its Attorney-General and in 1979, W. Adumoah-Bossman, then President of the GBA joined the AFRC, as a legal advisor.

40.2 During military regimes, lawyers who shared the philosophy of the coup-makers, were always on hand to help draft legal instruments to legitimise the seizure of power. They also played a very major role in the formulation of "revolutionary" legislation. They analysed laws and advised the military governments on laws that could be enacted *ex post facto* to "legitimise" their otherwise illegal actions. It was lawyers who drafted the Proclamations and Decrees of the military regimes; the tightly-worded ouster clauses; the incapacitation of the courts from doing justice; as well as the indemnity clauses in the Constitutions of the Second, Third, and Fourth Republics.

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40.3 Some lawyers helped to install dictatorships by the powers that were conferred on the leader of the ruling body. For instance, provisions PNDC Proclamation such as the following, open the gate to the exercise of untrammelled power by one person:

23(1) The exercise of any function vested in the Council by any enactment may if not signified by all the members of the Council, be signified under the hand of the Chairman or any other member of the Council authorized in that behalf by the Council.

23(3) Any document purporting to be signed by all the members of the Council or by the Chairman of the Council in the exercise of any

functions conferred on the Council by any enactment or purporting to be signed by a person in pursuance of any function conferred on him by virtue of this proclamation or under any enactment shall be prima-facie evidence of the due making thereof.¹⁵⁵

To make matters worse, the following provision was made:

Any document purporting to have been printed or published by the Government Printer and purporting to be a Law of the Council (including this Proclamation) duly made in accordance with the provisions of this Proclamation shall be prima facie evidence of the due making thereof.¹⁵⁶

40.4 The net effect of these provisions was to create a situation in which action could be taken by the Chairman by himself in the name of the PNDC, and all the members would be deemed to have approved of it. It could also cover a situation in which a Law would emanate from the Government Printer and it would be deemed to have emanated from the PNDC, even if it did not. Clearly, the provision was not meant to benefit any unauthorized action by the Government Printer, but to eliminate the possibility of anyone, members of the PNDC inclusive, challenging the legitimacy of any Law published by the Government Printer, as a Law made by the PNDC. Being “prima facie evidence of the due making thereof”, anyone challenging the legitimacy of the pedigree of the Law would then have the burden of leading evidence to establish that the Law was not made in accordance with the Proclamation. This was a recipe for the unilateral exercise of power, that could be designed only by persons who had a good appreciation of legal technicalities.

40.5 Others helped the military governments to perpetuate their rule, by designing legislation that criminalized criticism and deprived the citizenry of the possibility of redress in the courts.¹⁵⁷ Lawyers were responsible for drafting the draconian Decrees of the military governments, as none of those leaders had any training in law.

¹⁵⁵ Provisional National Defence Council, (Establishment) Proclamation Law, 1981.

¹⁵⁶ Provisional National Defence Council, (Establishment) Proclamation Law, 1981, as amended by Provisional National Defence Council, (Establishment) (Amendment) Proclamation Law, 1984, para. 8. This amendment was made on 3rd April, 1984.

¹⁵⁷ The various decrees on Prohibition of rumours passed by the NLC, NRC and SMC are typical examples.

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40.6 As a result of the strategic position that the Legal Profession occupied, attempts were made by the various governments to influence the Legal Profession through the GBA by sponsoring candidates whom it (government) believed would support its cause. However, as Peter Ala Adjetey, one time President of the GBA,¹⁵⁸ stated

The Ghana Bar Association has fought fiercely to maintain its independence from party political control whether it be from the left, right, or centre. Whenever the members have felt that any attempt was being made by any government of this country to control the leadership

of the Ghana Bar Association by sponsoring candidates for the national presidency of the Association, the members have risen to the challenge and successfully resisted any such attempt.

40.6 There are instances where some military regimes established quasi-judicial or other bodies that could exercise judicial power, without a right of appeal. The legislative purpose or intent of these bodies was to perpetrate human rights violations against perceived political opponents. Members of these bodies were in most cases, lawyers of considerable experience at the Bar. In spite of the knowledge that the members of the Legal Profession had about human rights principles and the need to uphold them at all times, they accepted these positions in the name of “service to the nation,” thereby selling their conscience and services in order to help some self-seeking politicians and military adventurists to perpetuate human rights violations.¹⁵⁹

41.0 CONCLUSION

41.1 The Bench in its decisions played a significant role in the development of a culture of human rights violations in the history of this country. Individual members of the Judiciary had their rights abused, and the Judiciary was unable to protect itself from Executive interference with its work. This was seen in the instances in which when some judges were dismissed for no tangible reason and without adherence to due process, other judges accepted new appointments with no hesitation, to replace the dismissed judges. In the case of the interpretation of human rights-related legislation such as the Preventive Detention Act, judges have consistently adopted a narrow positivist approach that supported the position of the Executive and deprived the citizenry of their human rights. This failure to hold the balance between the individual and the State, and undue deference to the Executive for reasons of self-preservation, resulted in widespread and unchecked violations of human rights of the citizenry, and produced some of the most terrible instances of the impact of an unrestrained use of Executive power, on the lives of ordinary people.

¹⁵⁸ Adjetey Peter Ala, “The Role of the Ghana Bar Association in Ghana’s Democratic Process” Speech delivered at the Annual General Conference of the GBA (1989).

¹⁵⁹ see NRCD 231.

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41.2 Some judges were also bold in their decisions thus upholding the principles of human rights. There was also overwhelming evidence that the Executive did interfere in the work of the Judiciary and this appears to have influenced the role played by the Judiciary in their inability to uphold the rights of the individual.

41.3 The GBA also played a significant role in upholding the human rights of the citizenry by speaking against violations. At the same time, individual members of the Bar accepted appointments by military regimes and assisted them to draft Decrees to support the usurpation of power. Some of these Decrees clearly violated the human rights of the citizenry, and others became the means by which human rights were denied to some citizens. Lawyers were the ones who ensured that the courts would be deprived of power to review the actions of military rulers that violated the rights of the citizenry.

41.4 Some lawyers were also martyred for the cause of the protection of the human rights of the citizenry. At great cost to themselves, some took on unpopular causes for indigent clients *pro bono*, and their contribution must be appropriately acknowledged.

41.5 The establishment of an alternative judicial system, the Public Tribunals and other investigative bodies, contributed significantly to the violations and abuses perpetrated in the name of the legal system.

CHAPTER THREE

THE MEDIA AND HUMAN RIGHTS IN GHANA

3.0 INTRODUCTION

3.0.1 It is commonly said in reference to media performance that a country gets the type of media it deserves. With particular reference to the media in Ghana, one often hears it said that they notoriously change with the times. In other words, the Ghanaian media have the tendency to respond as quickly to the political and ideological coloration of different governments, as the political environment changes.¹

3.0.2 The propensity to adapt and bend to the will of governments underpins media complicity in some of the human rights violations and abuses that have taken place under various regimes in Ghana. Experience shows that the first action of most military juntas is to take over media organisations, because they see the media as perfect tools to propagate the political and ideological objectives of their new regime. Thus as an institution, the media have played a legitimacy role in helping various Ghanaian administrations perpetuate their rule, however unpopular.² George Agyekum, who chaired the National Public Tribunals from 1984-1993, underscores this point when he notes:

Even though the avowed aim of the adventurer is to stifle media and free speech generally, incidentally the media is exploited to hype popular support either knowingly or unknowingly. It is used to create fertile conditions to justify the action. Media sensationalism or excessive publicity to coup prone characters or events has always been a contributory factor. Media practitioners have argued defending excessive publicity or sensationalism that to do otherwise would not safeguard the reporting of uncensored information from the public. But the real factor is the commercial objectives of private media in the face of competition and the rising cost of media production, a survival instinct. In all this it should be borne in mind that the coup maker does not tolerate free speech or democratic instincts. In fact the facts and figures have shown

¹ See J.C. Merrill, *Global Journalism: A Survey of the World's Mass Media* New York, NY, Longman, 1983, W. Hachten, *Muffled Drums: The News Media in Africa*. Ames, IA, Iowa State University Press, 1971. J. Smith, "The Press and Elite Values in Ghana, 1962-1970," *Journalism Quarterly*, (Winter), no. 49, 1972, pp.670-683; O Stokke, (ed.), *Reporting Africa*, New York: Africana 1971; Y. Twumasi, "The Newspaper Press and Political Leadership in Developing Nations: The Case of Ghana, 1964 to 1978," *Gazette*, (26) No.1, 1980, p.7; K. Boafo, "Ghana Press Under the PNDC: Performance under Confinement," *Gazette*, (35), No.2, 1985, pp.73-82; C. Asante, *The Press in Ghana: Problems and Prospects*. Lanham, New York, London: University Press of America, 1996.

² Asante, *supra*.

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that coup makers have managed to use free speech and democratic culture and environment to strike and replace with fear, terror and intimidation of the populace...³

This assertion is quite clearly supported in the contents of the Ghanaian press during periods of unconstitutional rule, as well as from anecdotal evidence from media practitioners.

3.0.3 The sources of information for this report were: newspapers of the mandate period, memoranda from media practitioners, focus group discussions with journalists, published literature and other secondary sources. These have been helpful in illuminating the various ways in which media were complicit in, or resisted human rights abuses and repression throughout much of Ghana's post independence history.

3.0.4 It is important to note that generally, during the periods of unconstitutional rule in Ghana, there was little room or tolerance for private media, particularly when newspaper licensing laws were promulgated and enforced. Even during periods of constitutional rule, the Press did not operate as independent entities. State-owned dailies, the *Daily Graphic*, which was acquired by the State under the CPP government in 1964, and the *Ghanaian Times*, established by Dr. Kwame Nkrumah in 1958, as well as the state-owned Ghana Broadcasting Corporation (GBC) were the principal vehicles through which successive governments prosecuted their agenda, propagated their messages and coalesced public support for their regimes.

3.0.5 The history of radio and television as state-owned monopolies provides a critical background to understanding the peculiar role every government of Ghana exacted from GBC employees. Indeed, until the Ghana Broadcasting Corporation Decree, 1968 (NLCD 226), was passed to turn the Ghana Broadcasting Service into a public corporation in 1968, the Civil Service Act governed the GBC. Accordingly, the men and women who worked at the GBC as journalists perceived themselves as civil servants, serving the government of the day. It was not until 1996, three years after the restoration of democratic governance under the Fourth Republic, that the airwaves were liberalized, allowing for private participation in radio and television broadcast in Ghana. This state of affairs meant that it was largely, but not exclusively, government-controlled GBC and their press counterparts which were complicit and/or resistant to the illegitimate actions of unconstitutional governments.

3.0.6 This report examines print and broadcast media from 6th March, 1957 to 6th January, 1993. It is arranged in chronological order under sub-headings denoting the various governments: the CPP administration, the National Liberation Council (NLC), the Second Republic, the National Redemption Council (NRC) and its related regimes of the Supreme Military Councils (SMC) I and II, the Armed Forces Revolutionary Council (AFRC), the Third Republic and the Provisional National Defence Council (PNDC).

³ George Agyekum, *The Treason Trial of 1986: Torture and Revolutionary Justice*. Accra: Justice Trust Publication, 2001, p.17.

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3.0.7 The discussion of the media under the post-independence government of Dr. Nkrumah and the CPP is significant, particularly for a proper understanding and appreciation of the pattern of coercion, co-optation and resistance to government that has characterized the entire history of the media during the mandate period. As noted by a former employee of GBC, there were “stressful conditions imposed on the people who worked at the GBC from the First Republic to the end of the PNDC regime.”⁴ According to him, harassment, intimidation and interference in the work of professional broadcasters have been common violations of human rights by both military and civilian governments in Ghana.

3.1 16TH MARCH, 1957 -- 23RD FEBRUARY, 1966: THE CONVENTION PEOPLE’S PARTY (CPP) GOVERNMENT

3.1.1 The history of media repression, co-optation and resistance began with the colonial authorities. This precedent was crystallized during the regime of the CPP and became an established pattern by successive regimes throughout the country’s history. The first press laws to be introduced in the country were by the British colonial government. The Book and Newspaper Registration Ordinance was passed in 1887, requiring newspaper editors to send returns of their circulation as well as the title of their newspapers, the location of their offices, printers, and publishers to the Colonial Secretary. Printers were expected to print their names and addresses on the first and last pages of the newspaper. In 1893 the Newspaper Registration Ordinance established a register of newspaper proprietors in order to help the authorities identify offending publishers.⁵ The British also passed the Criminal Code (Amendment) Ordinance in 1934, to curb the “unruly” behaviour and attitude of the Ghanaian nationalist press toward the colonial government. The Criminal Libel law and other draconian press laws from the colonial period, remained on the books and were used against errant journalists from time to time.

3.1.2 The CPP Government turned Ghana into a one-party state, and the state-owned media into its mouthpiece. The government pursued an unfriendly media policy, where the media in Ghana were made to see themselves as an arm of government, even to the extent of taking direct instructions from ministers of state and the presidency. Ainslie observed that during the CPP regime “the official conception of the role of the press was a ‘revolutionary’ one with journalists on the Guinea Press papers seeing themselves as political activists committed to the building of a new society.”⁶ Dr. Nkrumah himself sums up his media policy as follows:

Just as in the capitalist countries the press represents and carries out the purpose of capitalism, so in revolutionary Africa, our revolutionary Press must present and carry forward our revolutionary purpose.⁷

⁴ Memorandum to the National Reconciliation Commission.

⁵ Fred Omu, *Press and Politics in Nigeria 1880-1937*, Longman, London, 1978.

⁶ R. Ainsley *The Press in Africa: Communications Past and Present*. Victor Gollancz Ltd., London, 1966, p. 61.

⁷ K. Nkrumah, *The African Journalist* Dar-es-Salem, Tanzania, 1965.

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3.1.3 In that vein, on the inauguration of television broadcasting in Ghana, Nkrumah urged the new service to “reflect and promote the highest national and social ideals of our ideology and society.”⁸ Asante aptly sums up Nkrumah’s media policy as “developmental dictatorship.”⁹ Nkrumah enforced tough censorship on the media and enacted several repressive laws in addition to what he had inherited, including the infamous Preventive Detention Act (PDA) of 1958, to stifle dissent and crash political opponents. Among other things, the PDA was designed to suppress and discourage open criticism of government policies and decisions. The privately-owned *Ashanti Pioneer* had several run-ins with the government until it was ultimately banned under new powers granted the government by a pre-publication censorship law of August, 1960. Before it was banned, a government-appointed censor was installed at the offices of the newspaper to vet any material before its publication.

3.1.4 In 1962, individual dispatches of foreign correspondents were subjected to prior censorship under the Press Correspondents’ Instrument.¹⁰ Additionally, in June, 1963, Nkrumah passed the Newspaper Licensing Act, which required “newspaper editors and publishers to obtain license, renewable annually, from the government of the day before they could begin publication.”¹¹ The new law gave President Nkrumah additional powers to control and muzzle the press, particularly the private ones.

3.1.5 Nkrumah supervised a constitutional government under which the media was completely state-controlled, where a culture of fanaticism reigned, and where the imprisonment of Ghanaian journalists or deportation of foreign journalists were not uncommon. As an example of interference and control in the editorial work of journalists at the GBC during the First Republic, the Ministry of Information or the Office of the President also sometimes exercised direct editorial control at the GBC. For example, it would often give written instructions, determining the use of the titles of the President, as well as the type of prominence to be accorded it during newscasts. Thus, shortly after 1st July, 1960, the Ministry of Information ordered the GBC newsroom to use the title, “Osagyefo Dr. Kwame Nkrumah, President of the Republic of Ghana”, in all subsequent news bulletins. It further directed that the one o’clock and the six o’clock news bulletins be submitted for vetting at the President’s office.

3.1.6 News was censored, and to this end, certain people, sometimes with no knowledge of news production, were employed to censor news. An instance of this practice was the posting to the GBC, of Kodwo Addison (later to be appointed Director of the Kwame Nkrumah Ideological Institute), as a censor in 1961, under the guise of a “news consultant.”

3.1.7 News censoring sometimes involved falsification of facts, such as the reported massacre of 11 Belgian civilians by Congolese civilians during the Congo crisis in the

⁸ Kwame Nkrumah, as quoted in the *Daily Graphic*, vol. 4616 Monday, 2nd August, 1965, p.5.

⁹ Asante *supra*.

¹⁰ See William B. Harvey *Law and Social Change in Ghana* Princeton University Press, New Jersey, 1966, p. 319.

¹¹ See Twumasi, *supra*, p. 17.

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1960s.¹² Publication of such false news had implications for the credibility of the media organisations.

3.1.8 A more insidious form of control was the planting of spies among GBC workers. The example is given of one Sgt Sedziafa, an official driver assigned to the newsroom of the GBC, who also doubled as an informant between 1960 and 1963.

3.1.9 During the CPP administration, it was not uncommon for the GBC to engage in personal vendetta, often against perceived political opponents. In the period following the failed Kulungugu bomb attempt on the life of Nkrumah, a former broadcaster, Alex “Chappie” Hutton-Mills, was engaged to write and present news commentaries that attacked Tawia Adamafio, who had been accused of complicity.¹³

3.1.10 Occasionally, broadcasters were victimised for their perceived political beliefs through arbitrary transfers. Such was the case of Eric Adjorlolo, then Head of News and Current Affairs, who, in 1963, was removed to the newly created position of “Head of Common Services.”

3.1.11 So hostile was government to dissenting voices that few private newspapers survived. Those that did, such as the *Pioneer*, came under severe government censorship and harassment.

3.2 24TH FEBRUARY, 1966 - 30TH SEPTEMBER, THE NATIONAL LIBERATION COUNCIL (NLC)

3.2.1 The first coup d’état in Ghana occurred on 24th February, 1966, and was prosecuted by a police cum military junta, who constituted themselves into the National Liberation Council (NLC). The media legacy of the NLC, which overthrew Nkrumah and ruled Ghana until 30th September, 1969, is best described as mixed.

3.2.2 One of the first acts of the NLC regime was to imprison (place under “protective custody”) editors of the state-owned newspapers and CPP publications. The Guinea Press, set up by Nkrumah shortly after Independence, published the *Ghanaian Times*, the *Evening News*, as well as the *Daily Gazette*, the *Sunday Punch* and the *Spark*, which were ideological journals of the CPP. The arrests sent a powerful message to journalists across the country and set the stage for compliance.

3.2.3 Media Support

3.2.3.1 Until 24th February, 1966, there was what has been referred to as a “cipipification” of newspapers. Immediately following the coup, however, not only were all CPP journals discontinued, overnight newspapers were “published as supporters of the

¹² Memorandum to National Reconciliation Commission.

¹³ Memorandum to the National Reconciliation Commission.

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new Government”.¹⁴ The *Evening News*, President Nkrumah’s own newspaper joined the chorus of supporters of the new regime. Thus, on 25th February, 1966, a day after the coup, banner headlines began to confer legitimacy on the new government, to delegitimise the old, and to garner public support for the NLC.

3.2.3.2 “Army Takes Over Government In Ghana,” proclaimed the *Daily Graphic*¹⁵, “Kwame’s myth is broken.” The editorial for that day was titled “the voice of the people” and noted:

Yesterday, the armed forces and the police took over the government of Ghana and dismissed Kwame Nkrumah as the President and dissolved Parliament...in putting into effect this bold decision, the members of the NLC have said that ‘this act has been necessitated by the political and economic situation in the country. The concentration of power in the hands of one man, has led to the abuse of individual rights and liberties. Power has been exercised by the former president capriciously.’¹⁶

3.2.3.3 Under the sub-heading “Full support,” the editorial went on to pledge its support for the new regime and urged all Ghanaians to do the same:

A commentator of Radio Ghana has said that one had only to walk in the streets of Accra yesterday to see clearly by the expression on people’s faces that this bold revolutionary act has the full support of the man in the street...We of the *Daily Graphic* therefore heartily enjoin all Ghanaians to support the new leaders in their difficult but courageous task of leading the nation to the bright future that it so dearly deserves ...
17

Subsequent issues of the paper dealt with the release of those detained during Kwame Nkrumah’s term of office, probes into the activities of former ministers of government and the goodwill shown by all Ghanaians to the regime and their “glorious revolution.”

3.2.3.4 Pre-empting any moves by the military/police junta, national newspapers appointed new editors. The appointments of new editors for the *Daily Graphic* and the *Ghanaian Times*, according to Asante,¹⁸ made it possible for the NLC to use the national newspapers as the “champions of the government cause.” Without much prompting editors and journalists began to practice self-censorship to avoid government reprisals. A mid-level journalist at the time recalls that after the coup soldiers continued to visit newsrooms from time to time. For instance, the journalist, Festus Addae, who had been commissioned into the military as a Major to head the Public Relations Department of the NLC, was a frequent visitor to the studios.¹⁹ These visits were read as being intended to ensure cooperation from journalists.

¹⁴ R. Ainslie, op. cit. supra.

¹⁵ *Daily Graphic*, vol. 4993 Friday, 25th February, 1966, p.1.

¹⁶ *Ibid*

¹⁷ *Ibid*.

¹⁸ Asante, op. cit. supra, p.39.

¹⁹ Memorandum to the National Reconciliation Commission.

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3.2.3.5 Government officials, former CPP officials and other authority were often quoted on the rationale behind the coup. “Our Coup Was The World’s Finest” was the headline in the Wednesday, 4th May, 1966, issue of the *Ghanaian Times*, in which it was noted:

The glorious February 24 coup in Ghana was necessitated by the political and economic misadministration of the old regime, Mr. M. A. Ribeiro, Ghana [sic] ambassador in the US, has said in Washington.

The Ambassador, who was addressing the Washington Branch of the Ghana Students Association, was quoted as saying, “there had been no finer coup anywhere in the world than the one that toppled Kwame Nkrumah”.

3.2.3.6 An opinion piece by Cobbina Kessie, a lawyer and former Ambassador to the Republic of Liberia, To the People’s Republic of China and to the United Arab Emirates under the CPP administration, had this to say about the NLC regime:

No sane Ghanaian can condemn the coup d’état of February 24, 1966, not at least from the political point of view...the members of the NLC need not be apologetic for what they have done, they did it in the interest of the country.²⁰

3.2.3.7 One front-page lead article in the *Daily Graphic*, with the headline “Coups: A Good Lesson For Future Politicians”,²¹ quoted Brig Akwasi A. Afrifa as saying, “Ghana’s timely coup on February 24 1966 will serve as a good lesson to future political leaders in the country...” The front-page lead article in the same issue of the paper told of the seizure of the property of eleven ex-ministers of state. The paper’s editorial supported the seizure and said:

This operation should be an eye opener for all Ghanaians that henceforth, those charged with the trusteeship of public funds must exercise extreme caution as to how they use such funds ...today, these misguided gapping sycophants know that they must be accountable for their gapping sycophancy. Today, they know that they cannot steal public funds with impunity. Others should learn from the costly lesson.²²

The “architects” of the coup were referred to as heroes and “gallant men” in the article and the writer proposed that the NLC should continue in office for the time being, performing the duties of executive head while civilian ministers must be appointed to work under the council.

3.2.3.8 The *Ghanaian Times* was equally effusive in its support. “The Press Will Now Be Free-NLC,”²³ screamed the headline of an article in the paper, which had previously been

²⁰ *Daily Graphic*, vol. 5119 Thursday, 13th April, 1967.

²¹ *Ibid.*

²² *Ibid.*

²³ *Ghanaian Times*, vol. 4,807, Monday, 14th March, 1966.

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the chief mouthpiece of the Nkrumah Government. In that article, Lt-Gen Joseph A. Ankrah, Chairman of the NLC, was reported as saying “the press would be expected to express any political opinion, to criticize freely, provided they did it constructively and responsibly.” The Chairman also said that it was the intention of the Council to help the press of Ghana, to help raise standards of journalism in the country.

3.2.3.9 Like the *Daily Graphic*, the *Ghanaian Times* was at pains to portray the regime as having massive support from the public. In an article with the headline: “Support For The NLC Is Real”, the paper reported that A. B. B. Kofi, Ghana’s new Ambassador to the US, addressed a crowded press conference to explain the regimes’ press policies to the American people. According to the Ambassador, the tremendous support for the regime was “a genuine expression of joy by the people who have been freed from bondage and ushered into a new world of freedom.”²⁴ “Nkrumah Regime Toppled By Public Opinion” was the headline of another article in which it was reported that J. M. Kporvie, Chairman of the Northern Regional Committee of Administration, said that public opinion toppled Nkrumah. He was speaking to the chiefs and people of East Gonja and appealed to them to stand by the NLC to build a better Ghana.²⁵

3.2.3.10 Some articles were particularly damning of the former regime. One such article carried in the *Ghanaian Times*, and written by Mabel Dove, a former CPP Parliamentarian, described the coup as a healing tonic. Dove, who had once edited Nkrumah’s *Evening News*, sought to vilify, demystify and de-legitimise the CPP government by chronicling a list of wrongdoing:

The coup of February 24, 1966 has destroyed tyranny in Ghana but it cannot change the mental attitude of Ghanaians over night. Let Ghanaians examine themselves critically and find out the reason for the sufferings inflicted on them before deliverance came.

If we are true to ourselves, we can say frankly that we failed to stem the downward march of the deposed tyrant (Kwame Nkrumah) and his henchmen because we, too wanted to enjoy some of the fruits of their rascality. Many bowed the knee to corrupt politicians because they wanted promotions, position of special responsibility or to be included on delegations or scholarships awarded to their friends and relatives.

Others became touts for certain Ministers and some gave presents of hard cash to see the “big men,” thus men and women threw away “righteousness which exalted a nation” and became the slaves of evil men.

Ghanaians bowed the knee and fawned on men and women who had political power, and even government departments feared to ask those political aristocrats to pay their bills.

²⁴ *Ghanaian Times*, vol 2,629 Thursday, 25th August, 1966, p.5.

²⁵ *Ghanaian Times*, vol 2,614 Monday, 8th August, 1966, p.3.

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Naturally, those of no influence, the hardworking men and women had to carry the burden of the politicians and their accomplices on their shoulders; and so the smiles and laughter of Ghanaians fled and workers went about their daily work with unsmiling faces.

Kwame Nkrumah, his gang, and his followers, taught people that the best type of citizen in the community was the man who lives in luxurious surroundings, owned long expensive cars, whose palaces or flats so furnished that the visitor feared to walk on the soft carpet or sit on the comfortable chair.

Those were the Nkrumaist socialists, the consciencists [Nkrumah advocated the idea of consciencism. With its socialist underpinnings the consciencism philosophy promoted an end of exploitation, end of class divisions, and a planned egalitarian development and social justice.] Whose consciences were safely kept by their master, the despot, in the tunnel under Flagstaff House.

Today, awakening Ghanaians know that the tyrant and his followers are not the best type of people in the community. Their greed, cruelty, cowardice and callous indifference to pain and suffering show them to be what they really are – ignoble despicable contemptible, men and women totally unfit for public service. Their sole motive in pushing themselves into political power was gain and profit.

Now stripped of their masks of office and reduced to their own natural size what a poor specimen of manhood and womanhood, they are a disgrace to Ghana, no wonder they connived with their master the arch-criminal to kill the man who, through his research, named them Ghanaians [J.B. Danquah conducted lengthy research to establish that the main Gold Coast ethnic groups were descendants of ancient Ghana, the medieval empire which flourished between the 9th and 13th centuries. Though inaccurate it influenced the change of the name to Ghana]. Ingratitude, thy name is disbanded C.P.P.

A coup had to take place. Everyone felt it coming only the criminals were in complete darkness, but the signs were everywhere.

Now that this coup is here no Ghanaians should allow himself to be corrupted by relatives or friends so that he deliberately deceives members of the National Liberation Council and afterwards confess that he was afraid of his life.

VIGILANCE

The normal adult who is matured enough to live in an independent sovereign state, knows that he has to live with danger. Those who wish to stand in the hall of Freedom and Justice have to be ever vigilant, for in Ghana today we are at WAR against the moral diseases of the deposed Nkrumah and his evil gang and the exhilarating tonic of courage,

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patriotism dedication and self-sacrifice which we have imbibed from the glorious revolution of February 24, 1966.²⁶

3.2.3.11 Like the state press, private newspapers were equally supportive of the coup and the personalities involved. An editorial in the February 1967 issue of *The Standard*, a publication of the Catholic Church, described the coup as an act of God:

Indeed, we cannot let slip this glorious opportunity without singing praise to the armed forces and the police...who displayed extraordinary gallantry during the coup. To them, we say 'blessed are the peacemakers for they shall be called the sons of God. Matt. 5:7.

Similarly *The Standard* noted that:

The declaration of the NLC that it does not seek political power, is proof of its undiluted honesty to put the nation back on the right track of restoration. God has heard our prayers, he has liberated us."²⁷

In a June 1968 article, the paper termed the era under the NLC as a "new era", the "rebirth of Ghana"²⁸

3.2.3.12 Like *The Standard*, the *Christian Messenger* also described the coup-makers as "gallant men who led the revolution".²⁹ Generally, however, *The Standard* was more reticent than the *Christian Messenger* was. While the *Christian Messenger* was consistent in heaping praise upon the regime, *The Standard* sometimes offered criticisms.

3.2.4 The Abortive Coup Of 1967

3.2.4.1 The press was particularly supportive of the government immediately after the unsuccessful coup attempt on 17th April, 1967, during which Lt-Gen Kotoka, a member of the NLC had been killed. The *Daily Graphic* was very condemnatory of the coup attempt, noting:

Those who felt that the glorious revolution of February 24 1966 had taken their bread out of their mouths would do anything to come back into positions of power where they could continue to lord it over humble Ghanaians... The failure of the attempted coup also teaches some lessons. The jubilation with which Ghanaians not only in Accra, but also throughout the country greeted the failure of the coup is clear testimony, if any is still needed, of the country wide support which the NLC enjoys³⁰.

²⁶ *The Ghanaian Times* vol. 2,516 Friday, 15th April, 1966, p.5.

²⁷ *The Standard*, March 6, 1966.

²⁸ *The Standard*, June, 1968.

²⁹ *The Standard*, March, 1968.

³⁰ *Daily Graphic*, vol. 5146 Tuesday, 18th April, 1967.

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3.2.4.2 From 19th April, 1967, the *Daily Graphic* gave elaborate coverage to the late Lt-Gen Kotoka. There were pictures and articles, poetry and tributes of his valour. Pictures also featured various bodies, throughout the country mourning him. The *Graphic* covered in great detail donations to the Kotoka Fund, which had been set up, and the trial of nine soldiers who had led the abortive coup d'état.

3.2.4.3 The *Ghanaian Times* went overboard. For example, it reported on its front-page that two army officers Lt Samuel B. Arthur and Lt Moses Yeboah, had been sentenced to death by firing squad for attempting to subvert the regime, and were to be executed by firing squad “*IN PUBLIC*” at the Teshie Firing Range. With the banner headline “THE END OF THE TRAITORS” the paper pictorially and graphically showed where the executions took place, how the executions took place and the masses that waited patiently and climbed electric poles to see the executions of the two Army Officers.³¹

The *Ghanaian Times* editorial titled “Death Without Glory” noted:

There has been country wide demand that those who were responsible for the treasonable act should be made to suffer the same fate which they had schemed for the violent and speedy liquidation of our leaders...”
“We have had numerous correspondence from all sections of the society, imploring the NLC to stop acting like a doctor who, having diagnosed a desperate disease which can only be cured by applying equally desperate remedies, perfunctorily put the patient to bed with one consoling tablet”³²

3.2.4.4 The newspaper called for a thorough investigation to fish out

those who prompted and promised the three conspirators and assassins. The country is of the opinion that there were vested political interests behind the insurrection. The country therefore demands that the NLC should go all out and ferret out from their conspiratorial liars those members and bring them out into the open and make them dance to the music, which they have themselves chosen.³³

3.2.4.5 The NLC government started an investigation into the circumstances surrounding the 17th April 1967 insurrection and all those connected with it were to be brought to trial and punished severely. The *Ghanaian Times*’ insistent editorials spurred on the regime, commending it for initiating the investigations and urged it to “go the whole hog and do a lot of purges and pruning.”³⁴

3.2.4.6 The government subsequently placed about 500 persons, including journalists, in protective custody,³⁵ under the ten Protective Custody Decrees, the NLC enacted in 1967 alone. The paper duly published the names of all the people affected in the same issue

³¹ *Ghanaian Times*, vol. 2,846, Tuesday, 9th May, 1967; *Ghanaian Times*, vol.2,847, Wednesday, 10th May, 1967.

³² *Ghanaian Times*, 10th May, 1967, supra.

³³ Ibid.

³⁴ *Ghanaian Times*, vol. 2,850, Saturday, 13th May, 1967.

³⁵ *Ghanaian Times*, vol 2,856, Saturday, 20th May, 1967.

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and in subsequent ones.³⁶ The reason for putting all the 489 into protective custody was explained in a front-page banner article with the headline “Attempt To Overthrow The Government: NCOs Will Be Tried Soon...”³⁷ The paper reported Lt-Gen Ankrah as saying”

The people concerned have shown by their conduct that true freedom meant very little to them, when, on hearing the news of the so-called dismissal of members of the NLC they started jubilating...their provocative attitude incensed and angered thousands of individuals in the communities in which these people lived and plans were hatched by the freedom loving citizens...to attack these individuals and kill them if necessary...the government therefore had to act quickly to foil these plans and therefore place them into protective custody”³⁸

While Lt-Gen J.A. Ankrah, Chairman of the NLC, emphasised that the press “could serve as an effective watchdog of a newly regained liberty” when questioned on why some journalists had been detained, the General said that their arrest had nothing to do with their work as journalists and that investigations were going on in their case. This appeared to have satisfied journalists and nothing more was said on the arrest of their colleagues.

3.2.4.7 The editorial commenting on that issue reiterated the same points, in previous editorials. The regime was once again commended for bringing to book collaborators of the 17th April insurrection:

There has been persistent clamour from all parts of the country that the accomplices of the murderers should be brought to trial. The chairman’s announcement, should therefore not only reassure the nation, that the culprits will be brought to book, but also that action will be swift and thorough³⁹

3.2.4.8 The Tuesday, 30th May, 1967 issue of the paper reported that three persons, an Army Officer and two civilians, Lt Augustus Owusu-Gyimah, Sampson Sasu Baffour-Awuah and John Osei Poku had been sentenced to death by firing squad for an earlier plot to overthrow the regime between November, 1966 and January, 1967. A fourth person, who was a student of Konongo Odumasi Secondary School, Kofi Owusu, was sentenced to 25years imprisonment. They had been charged with six counts of conspiracy to commit subversion and subversion. No one asked any questions as to why their arrest and trial had not been made public earlier, nor why civilians were being tried by a Military Tribunal

³⁶ *Ghanaian Times*, vol. 2,857, Monday, 22nd May, 1967.

³⁷ *Ghanaian Times*, vol 2,862 Saturday, 27th May, 1967.

³⁸ *Ibid.*

³⁹ *Ibid.*

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3.2.4.9 The regime continued to “ferret out” collaborators in the 17th April abortive coup, and the state press continued in its unquestioned support for the regime’s actions. By the National Liberation Council (Protective Custody) (Consolidated) (Amendment) (No 9) Decree, 1967(NLCD 172), Army Officers were placed in protective custody. The press reported that no reasons had been given, yet typically they did not press for any either.⁴⁰ Far from condemning the detentions without trial, the *Ghanaian Times* maintained in its editorial in the same issue that the Army in its view had to be “purged and purged drastically.”

3.2.5 Discussions On Return To Constitutional Rule

3.2.5.1 The year 1968 was a year of intense political discussions on the form of governance appropriate for the country. The tone appeared to have been set at the end of the previous year, when the *Daily Graphic* reported that at the launch of the press week at the Ghana Institute of Journalism, Brig Afrifa, member of the NLC responsible for Finance, had said that the country had reached a stage where the press and the people of Ghana must start thinking seriously about a return to civilian rule. “Our revolution has lost its momentum. This I believe as a soldier is an indication that our military regime must come to an end. I do not suppose that we can bluff our way through,” Brig Afrifa was quoted to have said.⁴¹ The article stated that Brig Afrifa claimed he did not share the view of some Ghanaians that the military regime should remain in power for as long as possible because Ghanaians could not tolerate a parliamentary government.

3.2.5.2 In a move that was undoubtedly aimed at pleasing government, however, the *Ghanaian Times* urged the NLC in an editorial to “avoid rushing”⁴² into civilian rule. In a sequel to this editorial, the paper wrote a six part editorial captioned “Return to Civil Rule.”⁴³ that purported to discuss the pros and cons of the return to civilian rule. The paper, however, was only seeking to push the idea that whilst the NLC was anxious to return the country to civilian rule, it was rather the citizenry that wanted the military government to remain in power. Among other arguments, the paper was of the view that the regime had the wishes of the people for a return to civilian rule at heart, and that the delay in giving a firm date was not because the regime wanted to perpetuate itself, for “after all...if they collectively refused to approve a return to civil rule, they would be within their legal and constitutional right to do so.” The paper added that coups d’état or revolutions establish in a country a new order of things entirely dependent on the “whims and caprices” of the regime, thus Ghanaians were fortunate to have a regime, which, although having limitless power and authority, exercises it, judiciously and prudently. According to the editorial, a return to civilian rule was no magic panacea for curing all the problems of the country. The *Ghanaian Times* therefore suggested a delay in the return to civil rule, proposing that April, 1970, or even later, would be a feasible date for the regime to handover power

⁴⁰ *Ghanaian Times*, vol 2,866 Thursday, 1st June, 1967.

⁴¹ *Daily Graphic*, vol 5308 Tuesday 24th October, 1967, p.1.

⁴² *Ghanaian Times* vol. 2,950 Thursday, 7th September, 1967, p.6.

⁴³ See *Ghanaian Times*, vol. 2,291 Wednesday, 25th October, 1967; *Ghanaian Times*, vol. 2,292 Thursday, 26th October, 1967, *Ghanaian Times*, vol. 2,293 Friday, 27th October, 1967, *Ghanaian Times*, vol. 2,294 Saturday, 28th October, 1967, *Ghanaian Times*, vol. 2,295 Monday, 30th October, 1967, and *Ghanaian Times*, vol. 2,296 Tuesday, 31st October, 1967.

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because “it would not be fair for the NLC to start a revolution and not carry it to its logical conclusion” and that the regime’s restoration programme for the country was not complete for it to hand over power. Another interesting point made by the paper was that the trial of former members of the Nkrumah Government could be continued after the installation of a another government, but it was better for a national non-political party government like the NLC, which had done much of the work, to bring it to its conclusion.

3.2.5.3 The *Ghanaian Times* also put forward a strong suggestion that the “post coup civilian government in its first constitutional act must legislate to grant appropriate pensions to the military regime for its ‘historic services’ to the nation in its hour of need.” In all the six editorials there was a play on the word “civil,” with the focus being that the most essential thing was a “civil government” not necessarily a civilian government, and not an “uncivil civilian government.”⁴⁴

3.2.5.4 To buttress its view that Ghanaians preferred to live under the NLC for a longer period of time, the newspaper published a letter with the caption “*Times Praised*” that extolled the paper for its editorials on “Return To Civil Rule”. The writer stated that he had changed the name of the *Ghanaian Times* to the “*Ghanaian Hope*” since it had always been the hope of Ghanaians to have a truly free paper, such as the *Times* to educate them on national issues.⁴⁵ It is unlikely that the paper did not receive any letters expressing opposition to the views put forth in the editorials. In other editorials the paper captured and magnified what most government officials seemed to be hammering on.⁴⁶ For the regime, a return to civilian rule was only possible when “an acceptable constitution, drawn up which will be approved by the people through a referendum” was complete. In the words of the *Ghanaian Times*, “until and unless there is cumulative evidence to the effect, it would be rash and foolhardy for the country to be catapulted into civilian government per se.”⁴⁷

3.2.5.5 Even during the elections that were eventually held in August, 1969, the *Ghanaian Times* half-heartedly joined in the public education, but insistently cautioned Ghanaians to use their votes well.⁴⁸

3.2.5.6 Similarly supportive of the “delay the return to civilian rule” view point was the *Christian Messenger* which urged Ghanaians to go slowly and be wary of the proposed return to civilian rule:

From that morning of the glorious revolution in February 1966, people of this nation have lived in freedom and have known what freedom means... And now that the ban on political activities is lifted, what are

⁴⁴ Ibid.

⁴⁵ *Ghanaian Times* vol. 2,304 Thursday, 9th November, 1967.

⁴⁶ “Before a return to civil rule” *Ghanaian Times* Vol. 3,024 Saturday, 2nd December, 1967, p 6; “Civil rule must come gradually- Editor, “ Vol. 3,025 Monday, 4th December, 1967, p.3.

⁴⁷ *Ghanaian Times* Vol. 2,307 Monday, 13th November, 1967.

⁴⁸ *Ghanaian Times*, Vol 3,663 Friday, 29th August, 1969.

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politicians going to do? What have they to offer us? Countrymen, fellow Ghanaians, let's go slowly this time. Once bitten, twice shy.

3.2.5.7 Such articles raised the question of the commitment of the press to democratic ideals. While civil society was calling for the return to civilian rule,⁴⁹ the *Ghanaian Times*, was echoing on its pages the reservations of the government of the day. Clearly, as demonstrated in the cited examples, the media lent legitimacy to the regime of the NLC and to its human rights violations through their reportage. In their editorial columns, they rationalised the actions of the government, no matter how questionable, and offered very little criticism of, and resistance to, the regime.

3.2.6 Government Support For The Media

3.2.6.1 Some researchers have characterised the media as governed largely by libertarian principles during the NLC period, even if expected to be faithful watchdogs, guarding the newly instituted status quo jealously.⁵⁰ Lt-Gen. Ankrah, was quoted as saying that “the Ghanaian Press will now be free to express any political opinion and make criticisms – provided they do it constructively and responsibly.”⁵¹ It was a position that was endorsed by the press. An editorial on the speech in the *Christian Messenger* noted:

After so many years of ideological parroting, when journalist had to look over their shoulders before they dared to suggest something original, this announcement by Lt. Gen. Ankrah ushers in a new spring of professional journalism in Ghana. It is certain that the NLC by this democratic move has ensured the co-operation and gratitude of all those for whom responsible and constructive journalism has become a way of life.

3.2.6.2 The *Ghanaian Times* expressed its views on what it believed to be the role of the Ghanaian press when, writing under the caption “Role of the Press”, it proclaimed the press as a “vital adjunct of the public service”, and so encouraged the regime to “take the Press into their confidence”. It also affirmed the press’ role as a watchdog, but its understanding of this was to portray both the press and the government as being on the same side, in the task of national reconstruction. It therefore pleaded with all Ghanaians for co-operation “in this great task of nation-building to come together in the spirit of understanding, tolerance and co-operation to enable the press to get the news without the suspicion and hedging, and sometimes open antagonism which has hitherto characterized relations between those organisations (i.e. the public service) and the press.”⁵²

3.2.6.3 On its part, the *Daily Graphic* quoted Brig Afrifa as saying that the NLC had endeavoured to restore in the country the high ideals of press freedom because it knew that “a free press is a pre-requisite for building of a truly democratic society” to which

⁴⁹ See for example *Ghanaian Times*, vol. 2,303 Wednesday, 8th November, 1967.

⁵⁰ Asante, supra, p. 42.

⁵¹ *The Standard*, 13th March, 1966.

⁵² *Ghanaian Times*, vol. 2,896 Thursday, 6th July, 1967, p.1.

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Ghanaians were entitled.⁵³ The newspaper failed to point out that respect for press freedom was not limited to tolerating views that accorded with one's own. Certainly the banning of the CPP and its symbols was a clear indication that no one could have extolled the virtues of the CPP without incurring the wrath of the political establishment.

3.2.6.4 The government sought to offer support to the media, ironically, by curtailing the rights of citizens who believed their reputations had been unjustly soiled by the media. In May, 1966, a law was promulgated, effectively protecting the regime, the State Publishing Corporation and eight newspapers.⁵⁴ The newspapers were: the *Daily Graphic*, the *Ghanaian Times*, the *Evening News*, the *Weekly Spectator*, the *Sunday Punch*, the *Daily Gazette*, the *Spark*, and *L'Etincelle*. The Decree further stipulated that no one could sue the owners, publishers, or editors of the government-owned newspapers for defamation without the authorization of the Attorney-General, an appointee of the NLC government.⁵⁵ This particular legislation paradoxically was the government's direct response to a lawsuit brought by Nkrumah's former Minister of Finance, Komla A. Gbedemah during the NLC rule. He was demanding an apology from the state-owned press for libellous publications at the time of his removal as Finance Minister by Nkrumah. The Decree revoked any action pending in court against the national media, and consequently, all actions for defamation pending against the owners, publishers, or editors of the newspapers ceased.

3.2.6.5 On the positive side, the NLC can be credited for revoking the ban on several foreign correspondents and individuals, and lifting Nkrumah's censorship on outgoing press messages. On Monday, 15th August, 1966, the *Ghanaian Times* carried a front-page story that the NLC had lifted a ban imposed by the CPP government on twelve (12) foreign journalists against their re-entry into Ghana. These included Ian Colvin of the *Daily Telegraph* of London, who challenged the ban and was deported while the case was pending in court. Some of the others were: Richard Beeston and John Bulluck, also of the London *Daily Telegraph*, Gunter F. Crabbe, Collin Legum, Dr. George F. Weber, Joseph Wilson, Terrence Spencer, Arthur Helliwell and R. S. Burns. The NLC had earlier, in April, 1966, revoked Nkrumah's ban and allowed Christopher Shawcross, a British lawyer to re-enter Ghana. Shawcross successfully defended Sam Arthur, a former editor of the *Ashanti Pioneer* on contempt charges. On 1st September, 1966, the NLC outlawed a censorship order placed on outgoing press messages, as well as the ban against foreign correspondents from operating in the country. This move allowed for the re-publication of banned papers or the establishment of new ones, for example, the *Ashanti Pioneer*, banned under Nkrumah, resumed publication. The *Echo*, the *Legon Observer* and the *Western Tribune*, started as new publications under the NLC.

⁵³ *Daily Graphic*, 24th October, 1967, supra.

⁵⁴ National Liberation Council (Defamation by CPP Newspapers) Decree, 1966 (NLCD 50) as amended by the National Liberation Council (Defamation by CPP Newspapers) (Amendment) Decree, 1966 (NLCD 51).

⁵⁵ Newspaper Decree, 1966 (NLCD 107); K. Anokwa and O. Aborampah, "The Mass Media, Political Attitudes and Behaviour in Ghana," *Gazette*, (37) No.3, pp.39-154 at p. 148.

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3.2.6.6 To the credit again of the NLC, the military regime on 11th January, 1968, established the Ghana Press Council, a professional body of peers designed to protect the public against the media, as well as to protect press freedom. The Press Council was supposed to be an independent body that would champion the cause of a free press in the country. Commenting on the setting up of the Press Council, the first in Ghana, the *Ghanaian Times* noted that it marked an effort on a national scale to regulate judiciously and properly the relations between the press and other mass media on the one hand, and the people and the government on the other. According to the editorial, the government and the Commissioner for Information, K. G. Osei Bonsu, deserve the nation's thanks for their foresight and liberalism, which helped to bring the Press Council into existence.⁵⁶ The Commissioner's speech delivered at the inauguration and carried in both the *Daily Graphic* and *Ghanaian Times* stressed that the Press Council was free from governmental direction and control.⁵⁷

3.2.6.7 In 1968, the government passed the Ghana Broadcasting Corporation Decree, 1968, which defined the mandate of the electronic media.⁵⁸

3.2.6.8 In 1968, a Constituent Assembly was set up to frame an appropriate Constitution for the country. At the same time Ghanaian journalists started to demand better conditions of service. At a function organised by the Ghana Institute of Journalism (GIJ), a panel of journalists called on the regime to look into the service conditions of journalists⁵⁹ before a return to civilian rule. The *Ghanaian Times* reported that a delegation of journalists was to meet Lt-Gen Afrifa to discuss the rejection by the Assembly of a motion seeking to establish a Press Trust. There was also a call by one O. B. Amankwah for a clause guaranteeing the inviolability of press freedom to be inserted in the Constitution.⁶⁰ Lt-Gen Afrifa on his part called for a draft instrument to be prepared jointly by the Press Council and the Ghana Journalists Association (GJA) on the Press Trust. According to him, the government was seriously considering the Press Trust to take over the running of the government-owned press.

3.2.7 Media Intimidation

3.2.7.1 The accommodating attitude sometimes displayed to the press was, contradicted by actions that undermined the liberal credential the regime had been credited with. It has already been noted that editors of state media and CPP journals were arrested immediately following the coup. The intimidating nature of the arrests was recalled by one of the journalists of the time.⁶¹ According to this source, soldiers besieged the premises of the Graphic Corporation for days on end in an attempt to arrest the editors of the *Sunday Mirror* and the *Daily Graphic*, withdrawing only after the editors reported themselves to the police and were placed in protective custody.

⁵⁶ *Ghanaian Times*, vol. 3,056 Thursday, 11th January, 1968, p.6.

⁵⁷ Ibid.

⁵⁸ NLCD 226.

⁵⁹ *Ghanaian Times*, vol 5664 Saturday, 14th December, 1968, p1.

⁶⁰ *Ghanaian Times*, vol. 3,613, Wednesday, 2nd July, 1969.

⁶¹ Memorandum to the National Reconciliation Commission.

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3.2.7.2 Nowhere was the NLC regime's self-proclaimed liberal policy more severely contradicted than when in October, 1966, the regime passed the Prohibition of Rumours Decree, 1966 (NLC D 92), aimed at checking freedom of expression and preventing the media from being critical of the government. This legislation made it a crime to air any statement, even if true, that might cause "disaffection" against the NLC, the Police or the Armed Forces. In yet another move to control freedom of expression, the government passed the National Liberation Council (Proclamation) (Amendment) (No.2) Decree, 1966 (NLCD 104), that made it punishable if anyone:

with intent to bring the National Liberation Council into hatred, ridicule or contempt publishes any defamatory or insulting matter whether by writing, print, word of mouth or in any other manner whatsoever concerning the National Liberation Council.

3.2.7.3 The NLC insisted that these Decrees were not really aimed at the media but at preventing the dissemination of defamatory pamphlets in the country. In the same year, the regime passed also the Criminal Code (Amendment) Decree, which stated that a person taken into custody without a warrant could be held in custody for a period of not more than 28 days without bail, with the consent of the Attorney-General.⁶² This law evoked sharp criticism from the Ghana Bar Association, as it created the possibility of one month's detention for any offence, including the publication of information that turned out to be false.

3.2.7.4 In spite of the passage of these hostile press decrees, the NLC regime still enjoyed the goodwill of both the state-owned and private press such as the *Christian Messenger* and the *The Standard*. An editorial on the passage of the Prohibition of Rumours Decree in the *Standard*, for example, noted:

We sense the reluctance which the NLC must have felt in publishing this decree. With recent statements about freedom of the press, and the value of sound criticism fresh in our minds, we can hardly believe this measure is meant to hamper freedom of thought or expression.

The paper urged the government to be less mysterious and more efficient in communicating its purposes to the governed.

3.2.7.5 By the middle of 1967, friction was developing between the regime and media. The Chairman of the NLC was not only critical of the media but also warned the media on their anti-government critical posture. The *Daily Graphic* of 27th May, 1967, reported Lt-Gen Ankrah as having "criticised the Ghanaian press and warned that if the press did not refrain from cheap sensationalism and over-dramatising trivial events, then "one who pays the piper will have to call the tune." True to the prediction of the Chairman of the NLC, journalists began to be victimised. For instance, in May, 1967, Rans Vigah of the

⁶² *Ghanaian Times*, vol. 2,664 Wednesday, 5th October, 1966, p.6.

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Evening News was indicted for breaking the law against rumour mongering, when he reported an alleged arms theft involving soldiers in Ghana Army uniform. Another journalist, Atto-Mensah, received a three-year prison sentence for defaming the Chairman of the NLC when he prepared two articles for typing, in which he referred to the Chairman as “a military cum political renegade”.⁶³

3.2.7.6 Many instances of harassment of journalists recounted by journalists of the time, also served to undermine claims by the NLC that its policies towards the press were liberal, and that it was committed to press independence and press freedom. According to one account, Journalist Ponsford Peregrino-Peters, a journalist found himself in trouble with the regime after reporting a story that the United States of America had delivered food and arms to the government. Peregrino-Peters, along with his editor, Oscar Tsetse, was arrested and put into a military guardroom for several weeks. Another example of media intolerance and intimidation, along with heroism and resistance, is well documented in press histories. On 14th December, 1967, the NLC caused the dismissal of four editors, three of whom worked for the state-owned press: John Dumoga (*Daily Graphic*), Moses Danquah (*Ghanaian Times*), Henry Thompson (*Evening News*) and an editor of the *Ashanti Pioneer*. Their crime was criticising the Abbot Laboratory (a U.S. pharmaceutical company) Agreement with the NLC regime. A new editor for the *Daily Graphic*, Cameron Duodu, was appointed to replace the dismissed editor, by the NLC. He was also later to be dismissed, ironically, by the civilian Progress Party Government, for criticising Dr. Busia’s policy of “dialogue with South Africa”.

3.2.7.7 The dismissal of the four editors prompted a rare, heroic act of resistance to the NLC military regime from the Commissioner of Information, K. G. Osei-Bonsu. On 13th January, 1968 Osei-Bonsu resigned his ministerial position, protesting that the NLC’s decision “was irregular and impolitic...it jeopardizes the freedom of the press to which the NLC had irrevocably committed itself.”⁶⁴

3.2.7.8 In another unfortunate incident, on 8th January, 1968, the editor of *the Legon Observer*, Yaw Twumasi, and 28 university lecturers were charged with contempt before an Accra High Court for publishing an article in the 8th December, 1967 issue headlined “Justice Delayed is Justice Denied.” The article criticised the court for delays in hearing cases.⁶⁵ In reporting on the case on its front pages, the *Ghanaian Times* explained that according to Victor Owusu, the Attorney-General, the offending article was prejudicial to a case in which Henry Kojo Djaba, Chairman of the Ghana Agricultural Machinery Company during the Nkrumah regime and two others, had appealed against their conviction and sentence pending before the Appeals Court.⁶⁶ Twumasi and his colleagues pleaded guilty and apologised to the court for publishing the article, but were still given hefty fines. The court also asked them to publish their apology in the *Legon Observer* and in all the local dailies.

⁶³ Atto-Mensah v. The Republic [1967] GLR 562.

⁶⁴ W. A. Hachten, *Muffled Drums: The News Media in Africa*, Ames, IA: Iowa State University Press, 1971. As quoted in Asante, supra, p. 47.

⁶⁵ *Republic v. Liberty Press Ltd and Others* [1968] GLR 123.

⁶⁶ *Ghanaian Times* vol. 3,054, Tuesday, 9th January, 1968.

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3.2.7.9 The *Ghanaian Times* again reported a case in which a columnist of the *Pioneer* was likely to face charges for contempt of a commission. According to the article, the Attorney-General was contemplating taking legal action against the columnist for a series of articles in the paper under the caption “Ahafo Lands Commission- Is It Necessary?” According to the report, the articles in the *Pioneer* were prejudicial to the Commission and the issue it was dealing with.⁶⁷

3.2.7.10 Another peculiar media victimisation occurred on 2nd May, 1969, and involved the deportation of a controversial character, Francis Nzeribe (of London-based Jeafan Limited).⁶⁸ He it was, who in 1968, had published a self-conducted study that accused Ghanaian journalists of receiving “drinks” (bribery) as a condition for publishing newsworthy items in the press, a report he later disclaimed.⁶⁹ The same Nzeribe in 1969, had solicited money from foreign companies in Ghana for the purpose of conducting research on Lt-Gen Ankrah’s chances of becoming a civilian president. Nzeribe’s deportation by the NLC was related to his complicity in the scandal that forced the resignation of Lt-Gen Ankrah on 3rd April, 1969.

3.2.7.11 The NLC’s hostility was not only against the Ghanaian media but extended to the foreign media as well. In November, 1966, for example, despite having just revoked Nkrumah’s ban on certain foreign journalists, the correspondent of the Democratic Republic of Germany News Agency (AND), Karl Heinz, was deported by the NLC for engaging in acts inimical to the security of Ghana. In June, 1967, the regime also deported three Eastern Bloc correspondents “for committing slanderous propaganda activity against the government and people of Ghana...”. They were Alexei Kazansev (of the Novosti news agency), Valintin Korovikov (of the *Pravda* newspaper) and Jiri Pravda (of CETEKA, Czechoslovak News Agency). These incidents, no doubt contributed to the docility of the press

3.2.7.12 On 29th February, 1968, *The Pioneer* published an article by Attakora Mensah Gyima entitled “Topics Of The Moment: Border Guards Scandal”, in which the author levelled charges of corruption, as well as collusion with smugglers, against the Border Guards, then a branch of the Police. He was prosecuted for intentional libel and seditious libel, and convicted. His appeal against his conviction was upheld in respect of the charge of seditious libel, though the one for intentional libel was dismissed.⁷⁰ Ironically, the Unit was reorganised a few years later, for reasons that were substantially the same as the allegations of corruption made by the journalist. It appeared that by their involvement in the coup d’état, the Police had acquired protection from being subjected to scrutiny and criticism.

3.2.7.13 The press was also not exempt from the probes of the various Commissions of Inquiry that were established by the NLC. The Guinea Press, then owned by Dr.

⁶⁷ *Ghanaian Times*, Thursday, 11th January, 1968, supra.

⁶⁸ *Ghanaian Times*, vol. 3,562 Saturday, 3rd May, 1969, p.1.

⁶⁹ *The Pioneer*, Editorial, 4th November, 1968.

⁷⁰ *Mensah Gyima v. The Republic* [1971] 2 GLR 147.

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Nkrumah, was probed. T D Baffoe, the former editor of the *Ghanaian Times*, and a CPP functionary, was summoned to appear before the Sowah Assets Commission to declare his assets. Testifying before the Commission, Baffoe claimed that under the previous regime, editorials castigating some Ghanaian professionals had emanated from the Flagstaff House,⁷¹ the seat of government, an assertion that would continue to be made about editorials of state-owned papers during other periods of unconstitutional rule, notably the regime of the PNDC.

3.2.8 Media Resistance

3.2.8.1 There were instances where the media were able to assert their independence and to write articles that were considered critical of the regime. For instance, on 1st August, 1967, the *Daily Graphic* carried an editorial with the heading “Clear Confusion” in which the paper criticised the office of the Director of Public Relations of the Ghana Armed Forces on the role the office was to play vis-à-vis the Ghana press in matters relating to the publication of news items. The editorial described how after being invited by the Public Relations Directorate to cover the trial of the non-commissioned officers (in the 17th April abortive coup) and after publishing their reports, the Directorate complained that the story should not have been published without previous clearance from the Armed Forces. According to the paper, the press were invited again to cover the proceedings but were told not to take notes and only a brief summary of the proceedings was given to be published. The *Daily Graphic* argued, “it should be pointed out to the office of the directorate of the Public Relations of the Ghana Armed Forces that such confusion and disguised attempt to muzzle the press will not be tolerated.”⁷²

3.2.8.2 The President of the Military Tribunal, felt compelled to comment on the paper’s editorial, explaining that the press was not prevented from taking notes but to submit notes to the Public Relations Directorate before publishing it. An article with the headline “Press Opinions Not Government Views” also quoted a statement from the Ministry of External Affairs which said that editorial opinions appearing in local daily papers were not necessarily the views of the Ghana Government. The statement rejected any suggestions that the press was subject editorially to government control. According to the statement, the attention of the government had been drawn to an editorial of the 24th July, 1967, issue of the *Daily Graphic*, concerning the extradition case of Moise Tshombe (former Congolese Premier), which had been interpreted in certain quarters as representing the official position of the government, on the assumption that the *Daily Graphic* is a government controlled newspaper. The statement said that the government wished to correct any such impression insisting.⁷³

The government of Ghana has declared repeatedly by its
commitment to uphold the independence and freedom of the press

⁷¹ See *Ghanaian Times*, vol. 2,897 Friday, 7th July, 1967, p.1; “Editorials on Judges came from the Flagstaff House.”

⁷² *Daily Graphic*, vol. 5236 Thursday, 1st August, 1967, p.6.

⁷³ *Daily Graphic*, vol. 5238 Thursday, 3rd August, 1967, p.1.

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in Ghana as one of the essential articles of faith upon which it will strive to reconstruct the free society of the new Ghana. In consonance with this policy, the government rejects any suggestions that the press is subject editorially to its official control. It will be appreciated that the climate of liberation, which prevails, now in Ghana provides room for the unimpeded public expression of various kinds of views to which the government of Ghana may not necessarily subscribe.⁷⁴

3.2.8.3 Subsequently the *Daily Graphic* was again moved to protest what it considered attempts at curbing press freedoms during press week. In an editorial titled “We Will Not Be Gagged,” the paper noted:

We sincerely sympathise with the views expressed by Mr. K. S. Essah, Chairman for the Committee appointed by the NLC to enquire into the supply and distribution of free text books to schools by the State Publishing Corporation and his pleas that news items should not be published on the text book supply situation until February when his Committee shall have submitted its reports to the government. We are however sorry that we cannot oblige him because what Mr. Essah is demanding is censorship of the press, pure and simple. This request cannot be granted because we do not think any body has a right to censor the press without due process of law.⁷⁵

3.2.8.4 The *Daily Graphic* was also able to criticise the regime in some editorials, articles and opinion pieces, particularly on the agreement with Abbot Laboratory of USA. In an article in the 11th November, 1968, issue, the government stated that it had no apologies to make for the agreements it negotiated with Abbot Laboratory. The *Daily Graphic*’s pressure on the regime for giving the company a monopoly and other concessions in the pharmaceutical industry, however, whipped up public interest and debate, leading to the decision of the National Finance Board headed by Mr. Justice Samuel E. Azu Crabbe to examine the agreement.

3.2.8.5 Similar non-government papers such as *The Standard*, voiced mild protest on some occasions. In October, 1966, when the regime passed the Prohibition of Rumours Decree, for example, *The Standard* termed it a “sad necessity”, and said the government had to be less mysterious and more efficient in its communication policy.⁷⁶ On 25th November, 1966, when the NLC passed another decree indemnifying the state-owned media against lawsuits, again the editorial in *The Standard* was quite critical:

We would like to know more about this decree. Consequently, we feel this decree needs reconsideration. Freedom of the press must certainly be safeguarded. Newspapers thrive best in a society that allows access and free publicity to all news and opinions...⁷⁷

⁷⁴ Ibid.

⁷⁵ *Daily Graphic*, vol. 5322 Thursday, 9th November, 1967, p.1.

⁷⁶ *The Standard*, 16th October, 1966.

⁷⁷ *The Standard*, 4th December, 1966.

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3.2.8.6 In 1969, as the nation prepared for a return to civilian rule, and as the ban on party politics was lifted, *The Standard* devoted its editorials to issues relating to party politics and activities of the Constituent Assembly, assessing in an editorial that the NLC regime had shown some lapses in foreign relations, and in how it handled certain riots at Yendi and the Obuasi Goldfields.⁷⁸

3.3 1ST OCTOBER, 1969 -- 12TH JANUARY, 1972: THE SECOND REPUBLIC THE PROGRESS PARTY (PP) GOVERNMENT

3.3.1 Government – Media Relationship

3.3.1.1 The PP Administration under Dr Kofi Abrefa Busia was tolerant of the press. For some observers, the press in Ghana was freest under this administration, than at any time in the history of the media since Independence. Even so, there were occasional run-ins with the government.

3.3.1.2 In 1970, Dr Busia's Administration repealed the Newspaper-Licensing Act, promulgated under President Nkrumah's administration. The act required publishers to obtain licences renewable every year from the Nkrumah Government.

3.3.1.3 The repeal of the law, enabled the establishment of several new newspapers, such as the *Spokesman*, which was an opposition paper to the Busia administration, the *Palava Tribune* and the *Voice of the People*.

3.3.2 Media Support

3.3.2.1 Asante notes that the Busia Administration was least concerned with controlling the media. The Administration pursued a libertarian press policy where anybody could publicly vent their opinions save for obscenities, etc.

3.3.3 Media Intimidation

3.3.3.1 Even with his liberal attitude, Dr. Busia along the way got frustrated with the media. In the latter part of 1970, he dismissed Cameron Duodu, the Editor of the *Daily Graphic*, who opposed his foreign policy of dialoguing rather than confrontation with racist South Africa. Cameron Doudu, in a front-page comment⁷⁹ subjected the policy to harsh criticism. He paid for that by his dismissal.

3.3.3.2 Another event of media intimidation was sparked off by the case involving the dismissal of 568 senior public service and civil service officers (dubbed "Apollo 568"). On 22nd February, 1970, the government dismissed E.K. Sallah a former manager of the Ghana National Trading Corporation (GNTC) and 567 other public servants. A court

⁷⁸ *The Standard*, 28th September, 1969.

⁷⁹ *Daily Graphic* vol. 6279 Thursday, 10th December, 1970, p.2.

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ruling in favour of the dismissed public servants, prompted the Prime Minister to say publicly that no one could compel his government to employ anyone it did not wish to employ. The press took sides in the issue compelling the then Chief Justice, Azu Crabbe to say publicly that the Judiciary would not share its authority with anyone. In a scathing editorial in response to this in the *Daily Graphic*⁸⁰ the paper said:

It is the duty of the press, the fourth estate of the realm, to subject to search and relentless criticism the way and manner in which other organs of the state exercise the powers conferred upon them by the constitution of the land. The press will not share its power with anyone.

3.3.3.3 In 1970, the Editor of the *Spokesman*, Kofi Badu, was charged with an offence for communicating a false statement likely to injure the reputation of the Head of State. He had written an article titled “Krobo Rehabilitation – Is It Really Self-help?” questioning some development projects taking place in the hometown of Lt-Gen Afrifa, then Chairman of the Presidential Commission. He was arrested without warrant and was not permitted a counsel of his choice. The government later withdrew the charges, saying that it did not wish to destroy the seed of democracy it had sown in the country.⁸¹

3.3.3.4 In 1971, the editor, Kofi Badu and the printer, Floent Press Ltd, of the *Spokesman* were tried for intentional libel of a High Court Judge who had been the Interim Electoral Commissioner during the 1969 Elections. Under the caption “C.J. SPEAK NOW”, the paper’s editorial sought to suggest that the judge had been appointed to the Supreme Court as his reward for the assistance he gave to the winning party during the elections. During the prosecution, the defence called two members of the Presidential Commission, Lt-Gen Albert Ocran and J.W.K. Harlley, but they were not permitted to answer any questions that were likely to disclose the mode of selection of judges for appointment to the Supreme Court. Consequently, the editor was convicted, though the publisher was discharged upon a submission of no case. An appeal against the decision resulted in a quashing of the conviction in 1974.⁸² Such prosecutions were likely to create a chilling effect, particularly on printing houses that did not wish to be in dispute with the government, and to affect the ability of “anti-government” newspapers to secure printers, where they did not have printing facilities of their own.

3.4 13TH JANUARY, 1972 – 3RD JUNE, 1979: THE NATIONAL REDEMPTION COUNCIL (NRC)/ SUPREME MILITARY COUNCIL (SMC I & SMC II)

3.4.1 Government – Media Relationship

3.4.1.1 From 13th January, 1972 to 3rd June, 1979, three different military regimes ruled Ghana successively. These were: the National Redemption Council (13th January, 1972-8th October, 1975; the Supreme Military Council I (9th October, 1975 – 5th July, 1978)

⁸⁰ *Daily Graphic* vol. 6103 Monday, 8th May, 1970, p.1.

⁸¹ *Daily Graphic* vol. 6338 Friday, 19th February, 1971.

⁸² *Badu v. The Republic* [1974] 2 GLR 361, per Abban J.

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and the Supreme Military Council II (6th July, 1978-3rd June, 1979). The overall media policy of these related military regimes tended to favour more the state-owned than the private press.

3.4.1.2 A love-hate relationship marked the NRC and SMC regimes under Col (later Gen) Ignatius Kutu Acheampong and Gen Frederick William Kwasi Akuffo. Early in the life of the regime, the “Operation Feed Yourself” and “Self Reliance” policies adopted by the government to improve food sufficiency and to encourage reliance on home-made produce, endeared the government to the media. However, later on, the attempt by the government to perpetuate military rule, disguised as a new concept called “Union Government, (UNIGOV)” alienated the government from a section of the same media, particularly the privately-owned press.

3.4.2 Media Support

3.4.2.1 A *Ghanaian Times* editorial immediately following Ghana’s second coup d’état of 13th January, 1972, repeated the pattern of media legitimisation of unconstitutional governments that has been noted during the regime of the NLC. A day after the NRC led by Col Acheampong, seized power from the PP Government of the Second Republic, the *Ghanaian Times* switched allegiance, cataloguing a tall list of misdeeds by the Busia Government as justification for the coup.⁸³ The paper was of the view that the Busia Government had failed economically, socially, politically and in its foreign relations policy. Headlines in that issue gleefully pronounced, “Armed Forces take over Government,” “Busia Dismissed,” “Parliament Dissolved,” “President Dismissed,” “All Parties Disbanded;” “All Is Calm After Coup.”

3.4.2.2 Another editorial in praise of the coup makers noted “the calm with which the whole country has welcomed the military coup d’état ...is to be expected of a people long exasperated and disappointed by a civilian government.”⁸⁴

3.4.2.3 The paper congratulated Col Acheampong and “his band of gallant soldiers for conducting a takeover in a peaceful and bloodless military operation” and reported that ex-ministers and top ranking officials of the PP had been “rounded up” and sent into protective custody at the Ussher Fort Prison.⁸⁵

3.4.2.4 Significantly, as had happened before, editors of the state-owned media were picked up from their offices by plainclothes policemen and sent to the Ussher Fort prison in Accra. Imprisonment of editors had the desired cowering effect on the media. As happened during the previous coup, the state-owned papers for several months covered the declarations of goodwill the coup-makers were receiving from Ghanaians from all walks of life. Headlines in the *Daily Graphic* within the first few days after the coup

⁸³ See *Ghanaian Times*, vol. 4,396 Friday,14th January ,1972, “Army to the Rescue” and *Ghanaian Times* vol. 4,397 Saturday,15th January ,1972 – “There’s Peace and Calm”.

⁸⁴ *Ghanaian Times*, 15th January , 1972, supra.

⁸⁵ Ibid.

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included: “Coups: Army Takes Over, Busia Removed, Madjitey Dismissed”,⁸⁶ “Big Support For The Coup”.⁸⁷ An editorial likened this coup to the 1966 coup, when soldiers risked their lives to save the country from collapse. The *Graphic* noted:

Certainly it is a supreme sacrifice and there is no better tribute Ghanaians can pay to them than to give them our unstinted support in their Herculean task of resuscitating the economy.⁸⁸

The *Daily Graphic* not only reported, but also portrayed in pictures, popular support for the regime. The paper elaborately covered a victory parade through the principal streets of Accra by members of the Ghana Armed Forces and some members of the NRC in words and pictures.⁸⁹

3.4.2.5 Characteristically, the *Ghanaian Times* especially played the tune of its new sponsors with issues of the paper reporting the massive support of the people for the takeover: “Nation Expresses Support – as Troops March Past”;⁹⁰ “Workers Back Coup”;⁹¹ “Organisations Support Fall of Busia”;⁹² “Guinea Hails Coup”;⁹³ “Workers Support NRC”; “Demonstrations In The Regions; “More Support For The NRC”;⁹⁴ “Market Women Back NRC”; “More Declare Support For NRC”;⁹⁵ and “Hoteliers Support NRC”.⁹⁶

3.4.2.6 The press also showed ordinary civilians being “disciplined” by the military and drilled by members of the government, such as Col Bernasko. In this sense they appeared to be overtly supporting the abuse of the human rights of citizens.

3.4.2.7 When there was an alleged coup plot against the NRC later in the year, the *Ghanaian Times* was quick to defend the government. With a banner headline that read, “Coups To Restore Busia Foiled,” *Ghanaian Times* reported that certain disgruntled men and officials of the disbanded PP, acting on the instructions of Dr. Busia, had tried to subvert and overthrow the NRC on the 14th July, 1972.⁹⁷ In its editorial, in the same issue captioned “Treacherous Act,” the paper condemned the coup calling supporters of the disbanded PP ‘fanatics.’ The paper pointed out that the NRC had:

shown unparalleled magnanimity to these fanatics, as the regime had already released a 1000 of the Progress Party functionaries, with only a few still remaining behind bars...Quite out of character with military

⁸⁶ *Daily Graphic*, vol 6617 Wednesday, 14th January, 1972.

⁸⁷ *Daily Graphic*, vol. 6618 Thursday, 15th January, 1972.

⁸⁸ *Daily Graphic*, 14th January, 1972, supra.

⁸⁹ *Daily Graphic*, vol 6619 Monday, 17th January, 1972.

⁹⁰ *Ghanaian Times* vol. 4395 Thursday, 13th January 1972.

⁹¹ *Ghanaian Times* vol. 4400 Wednesday, 19th January, 1972.

⁹² *Ghanaian Times* vol. 4399 Tuesday, 18th January, 1972.

⁹³ *Ibid*

⁹⁴ *Ghanaian Times*, 19th January, 1972, supra.

⁹⁵ *Ghanaian Times* vol. 4402 Friday, 21st January, 1972.

⁹⁶ *Ghanaian Times* vol. 4405 Tuesday, 25th January, 1972.

⁹⁷ *Ghanaian Times*, vol. 4,551 Monday, 17th July, 1972.

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regimes, the NRC has bent over backwards to preserve fundamental human rights. Sometimes they have been accused of being over cautious; but they themselves have taken the view that it is better to let nine guilty men escape than to incarcerate one innocent man unjustifiably.⁹⁸

3.4.2.8 The paper urged the regime to be harder on those they thought were against them. According to the paper, “since the NRC assumed the reins of government of this country, a lot of people have been wandering why the Council had adopted a humanitarian attitude towards those they had just overthrown.”⁹⁹

3.4.2.9 Subsequent to an alleged coup plot of 14th July, 1972 the NRC passed the Subversion Decree, 1972 (NRCD 90), making it an offence for anyone to overthrow the NRC by unlawful means. Any person attempting to do this would be triable by a Military Tribunal and upon conviction, would be liable to suffer death penalty by firing squad.¹⁰⁰

3.4.2.10 The *Ghanaian Times* backed the passage of the Subversion Decree, saying that the Decree would end the phenomenon of exploitation and corruption by the elite.¹⁰¹ Under the caption “The Die is Cast” the paper noted in an editorial that:

The cumulative effect of these measures will undoubtedly help to eliminate from the body-social all forms of robbery, embezzlement, damaging government property, smuggling the county’s wealth and other anti-social acts incompatible with the tenets of stability and progress...we entirely agree with the government on these measures aimed at bringing the offenders to book so that the country could be saved from their wicked machinations.¹⁰²

3.4.2.11 More than any other newspaper, the *Ghanaian Times* gave wide coverage to the trial of the nine persons accused of involvement in the coup plot of 14th July, 1972. At the end of the trial, all the nine persons were found guilty of subversion. The first eight accused were sentenced to death by firing squad while the ninth accused was sentenced to 25 years’ imprisonment. The Council however commuted to life imprisonment the death sentences passed by the Military Tribunal.¹⁰³ The editorial of the same issue was captioned “Justice Tempered With Mercy” lauded the NRC, noting that, “in taking this magnanimous step, the NRC was animated by the fact that the unity and happiness of the people of Ghana transcend all other considerations.”¹⁰⁴

3.4.2.12 On the first anniversary of the regime, Col Acheampong, the Chairman of the NRC, broadcast to the nation on radio and television, reiterating the mission of his

⁹⁸ Ibid.

⁹⁹ Ibid

¹⁰⁰ *Ghanaian Times*, vol. 4553 Wednesday, 19th July, 1972 “Death penalty for subversion” .

¹⁰¹ Ibid

¹⁰² *Ghanaian Times*, vol. 4554 Thursday, 20th July, 1972.

¹⁰³ *Ghanaian Times*, vol 4,687 Thursday, 21st December, 1972 “NRC’s act of clemency – Eight now serve life jail”.

¹⁰⁴ Ibid

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government. The entire front page of the *Ghanaian Times* was devoted to the Chairman's comment. Captioned "The Years Ahead", the paper observed that "now a year old, it is evident that the NRC has demonstrated a remarkable and courageous capability in attacking the root cause of our troubles with commendable success."¹⁰⁵

3.4.2.13 The *Ghanaian Times* highlighted the statements and comments of individuals and government officials that pointed out the advantages of the regime's continued stay in power. An article with the headline "Joe Appiah tells seminar - NRC must remain in power," noted:

Any Ghanaian who advocates an early return to civil rule is an enemy of the revolution, Mr. Joe Appiah Ghana's roving ambassador, declared in Accra yesterday." According to him, "military rule for a period is the only way to eliminate the tribalistic phenomenon bequeathed to Ghanaians by the ousted Busia regime."¹⁰⁶

Another article with the headline "Gyeke Darko declares at symposium – Liberties can exist with army rule" said,

Mr. Gyeke Darko, Director of Public Prosecutions said here last night that civil liberties can coexist with military regimes. Speaking at a symposium on 'Civil Liberties under military regimes' Mr. Gyeke Darko said the exercise of one's civil liberties did not depend in the type of regime in power. It depended on the people constituting the government and the determination of the people to ensure that their liberties were not trampled upon.¹⁰⁷

3.4.2.14 Efforts made by Acheampong to mobilise the national media to reinforce national consciousness and to rally public support for his campaigns have been well chronicled in secondary sources. The national press played a major role in propagating, especially the controversial idea of a Union Government (Unigov) which was mooted in 1976. The Unigov concept was an untried and ill-defined political formula to allow for the inclusion of soldiers and police in a future post-NRC government. The military government vigorously promoted it in an attempt to sell the concept to Ghanaians. The campaign ended up dividing the ranks of journalists between those who supported it and those who opposed it, as it did the general population as well.

3.4.2.15 The private press, notably the *Christian Messenger*, was much more restrained in their support for the new government. Although they did not actually praise the coup or the actors of the coup, they still did not offer any condemnation. The *Christian Messenger*, for example called on Ghanaians to ask for God's guidance and wisdom.¹⁰⁸ Editorials in the 1972 to 1975 editions of the paper stayed away from politics, and were

¹⁰⁵ *Ghanaian Times*, vol. 4,705 Saturday, 13th January, 1973, p.1.

¹⁰⁶ *Ghanaian Times*, vol. 4,714 Wednesday, 24th January, 1973, p.1.

¹⁰⁷ *Ghanaian Times*, vol. 4,723 Saturday, 3rd February, 1973,p.1.

¹⁰⁸ *Christian Messenger*, February, 1972.

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devoted mainly to social and economic problems facing the nation, such as, hoarding, shortage of drugs, corruption, etc.

3.4.3 The Media As Intimidators

3.4.3.1 The *Ghanaian Times* Editor, Kwame Gyewu-Kyem, whose one-sided editorials in support of the new political concept Unigov triggered the wrath of the country's professionals, spearheaded the government's media campaign. From the inception of the Unigov idea, the regime invited views from the general public "to ensure that the government implements the type of government that would be the brainchild of the generality of the people".¹⁰⁹ The *Ghanaian Times* showed, very early on, that it was totally in support of the concept. Writing under the caption "Let's Be Original" the paper in its editorial said that the guideline for participating in the debate of the Unigov was that the "exercise is for a government divorced from party politics."¹¹⁰ With this initial partisan stance, the paper castigated any person or group of people that did not support the Unigov idea. In 1977, at the height of the Unigov debate, while the media were encouraged to feel free to publish anything against the issue,¹¹¹ the press carried only arguments for the concept and downplayed arguments against it. The state-owned papers during the referendum on the proposal, conveniently placed the 'Yes' symbol on the front page and the 'No' symbol on the back page.

3.4.3.2 Kabral Blay-Amihere notes in his autobiography in reference to the Unigov period the following:

The Ghanaian Press which for a greater part of our history has been state-owned and government-controlled lived up to its image as sycophantic and oblivious to anything negative for the government. The period of UNIGOV confirmed for me the role of the state-owned media in managing the news in favour of governments.¹¹²

3.4.3.3 Blay-Amihere also notes that Gyewu-Kyem, whom Acheampong had "rescued from difficult times," used his editorial columns effectively to defend Acheampong and assail his opponents. According to Blay-Amihere:

All the nasty incidents which occurred during the campaign [UNIGOV] were never reported. Neither were activities of the opposition. It was the pro UNIGOV campaign that received the widest coverage and most of the harshest attacks on intellectuals were written in the editorial pages of the *Ghanaian Times*. Few journalists dared to show their true feelings about the campaign for fear that this position would be reported to the editor.¹¹³

¹⁰⁹ *Ghanaian Times*, vol. 5,938 Friday, 7th January, 1977.

¹¹⁰ *Ghanaian Times*, vol. 5,940 Tuesday, 11th January, 1977.

¹¹¹ *Daily Graphic*, vol. 8457 Wednesday, 28th December, 1977, p.1.

¹¹² Blay-Amihere, *Fighting For Freedom (The Autobiography of an African Journalist)*, Trans Afrika News Ltd., Accra, 2001, p. 102.

¹¹³ *Ibid.*

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3.4.3.4 The doctors were the first to taste the scathing editorials of the *Ghanaian Times* with a report of the closure of the eight main surgery facilities at the Korle-Bu Hospital, because of the deplorable situation in the hospital. The editorial laid the blame for the closure squarely on the administrators of the hospital and did not mention government's responsibility at all.¹¹⁴ In another editorial captioned: "The politics At Korle-Bu", the *Ghanaian Times* said that the problem faced by Korle-Bu was due to the feuding among the Head of the Surgery Department and the other surgeons.¹¹⁵ Two letters from two doctors, however, debunked the editor's reasons for the closure of the hospital, citing "perennial shortages" at the hospital as the main cause of the problem. A rejoinder from the surgeons at Korle-Bu on the issue was carried on page 10 and given little prominence.¹¹⁶ The paper denigrated the facts outlined in the rejoinder by the surgeons, arguing instead that the "learned professors" still had a case to answer for the closure of the surgery facilities, in their capacities as professors and as individuals connected with the "Korle-Bu affair".¹¹⁷ In one issue, the paper had this short editorial on the doctors: "Good heavens! Has our medical services gone to the dogs? Whatever happened to the Hippocratic oath that doctors take?"¹¹⁸

3.4.3.5 The next group of professionals that faced the wrath of the editor was the lawyers, who as a group, did not agree with the UNIGOV concept and called for a return to civilian rule. In its editorial "Lessons for the Barristers" the paper said:

In almost every age lawyers as a class have created confusion in society which has often exasperated the public. In the first century [sic], Jeremy Bentham and his followers described lawyers as persons of a 'SINISTER INTEREST' who should be destroyed by the society... it is hardly any surprise that the Ghana Bar Association has appointed itself the opponent of the Union Government and in traditional lawyers style has been exasperating the Ghanaian public with provocative outburst and resolutions which are out of tune with the mood of the people.¹¹⁹

3.4.3.6 A subsequent editorial captioned: "The Voice Of The Minority" continued with the tirade on the lawyers. In the paper's view: "The group of barristers, who had been making noise about a return to civilian rule, are but a small minority who don't impress anybody either as champions of democracy which they purport to be or as moralist." The paper then went on to catalogue the sins of these lawyers – evasion of tax, cheating of clients, etc. – and summed up its argument by noting: "the wig and the gown don't by themselves make a genius out of any idiot".¹²⁰

¹¹⁴ Blay-Amihere, supra, p.102.

¹¹⁵ *Ghanaian Times*, vol. 5,962 Friday 4th February, 1977, p.4.

¹¹⁶ *Ghanaian Times*, vol 5,987 Saturday, 5th March, 1977,p.4.

¹¹⁷ Ibid.

¹¹⁸ *Ghanaian Times*, vol. 6,066 Wednesday, 8th June, 1977.

¹¹⁹ *Ghanaian Times*, vol. 5,982 Monday, 28th February, 1977, p.4.

¹²⁰ *Ghanaian Times*, vol. 5983 Tuesday, 1st March, 1977.

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3.4.3.7 There were also articles in the paper on demonstrations by the public against the lawyers' rejection of, and in support¹²¹ of the Unigov idea. According to one such article:

Several hundreds of workers, market women and various youth organisations yesterday staged a massive demonstration in Accra to condemn the Ghana Bar Association's call for a return to civilian rule in the country by 1978. The demonstration was also in support of the proposed Union Government.¹²²

3.4.4 Intimidation Of The Media

3.4.4.1 The NRC/SMC Regimes declared their intention to respect freedom of the press, but the record did not match the declaration. In an interview with the Ghana News Agency (GNA) shortly after taking power, Col Acheampong was quoted as saying "Freedom of the press in Ghana is absolutely guaranteed under the NRC."¹²³ Commenting on the statement the *Ghanaian Times* noted:

The Chairman of the NRC, Col. Acheampong, is reported to have said that the freedom of the press is absolutely guaranteed under his military regime. This is re-assuring indeed and we fervently hope that the military regime in spite of its obvious peculiar nature, will do much to entrench this freedom in all the affairs of the nation...We must point out, however, that freedom of the press is not license for the press to indulge in undue or cheap sensationalism or any form of vicious propaganda.¹²⁴

The paper hoped that true to the words of the Chairman, the NRC will for all time guarantee the freedom of the press and take criticism in good faith so that they could always win the sympathy and support of the people.¹²⁵ Speaking to members of the print media and radio in the Western Region, Col P. K. Agyekum, Western Regional Commissioner, also noted that the freedom of the press was not to be interpreted to mean that a licence had been given to go beyond what is expected of decent men. The Commissioner was quoted as saying: "we expect you to exercise this freedom with caution, cooperation and loyalty from the rank and file of the press within the expectation of the NRC."¹²⁶

3.4.4.2 It is evident that the regime did not really mean to keep its promise about the freedom of the press. It has already been noted that soon after the coup d'état, editors of state-owned press were briefly detained and later replaced. They were John W. Dumoga of the *Daily Graphic*, Abraham Kutin Mensah of the *Ghanaian Times* and Anthony

¹²¹ See *Ghanaian Times*, vol. 6,011 Saturday, 2nd April, 1977, p.2: "More support for Union Government".

¹²² *Ghanaian Times*, vol. 5,991 Thursday, 10th March, 1977.

¹²³ *Ghanaian Times*, vol 4,404 Monday, 24th January, 1972.

¹²⁴ *Ghanaian Times*, vol 4,405 Tuesday, 25th January, 1972.

¹²⁵ Ibid.

¹²⁶ *Ghanaian Times*, vol 4,406 Wednesday, 26th January, 1972.

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Ghansah of the *Weekly Spectator*. The rationale for this action was that the new Head of State, Col Acheampong, needed to have the full support of the media in his campaign for national unity and the promotion of his political agenda.¹²⁷ Similarly as was to be expected the new regime dismissed or transferred journalists outside their news organisations.

3.4.4.3 The NRC had shown its anti-media hand very early on through its first Commissioner of Information, Maj Anthony H. Selormey. In the heat of agitation by journalists for the establishment of a Press Trust, Maj Selormey is quoted as saying:

A military government, by its very nature, is certainly inconsistent with any pretensions to subscribing fully to the concept of freedom of the press in the normal acceptance of the expression. I will, therefore, appeal to all of you to re-adjust your orientation on this matter of Press Trust... On our part we shall do our utmost to ensure that these state-owned Newspapers and mass media should, as far as possible, continue to operate in a free and unimpeded atmosphere and as far as our present circumstance, as a Military Government permit.¹²⁸

3.4.4.4 Four months into his position, the Head of State took over as Commissioner of Information from Maj Selormey. This particular development was to be a big pointer to the extent of control the NRC intended to have over the media.

3.4.4.5 The Commission received evidence of instances of victimisation on grounds of people being a “security risk.” For example, Col John Asassie’s appointment as the Director- General of GBC in February, 1975, coincided with the removal of the Head of Television News, Dentu, and a few senior GBC broadcasters to the Information Services Department, then euphemistically referred to as “Siberia.” The order was said to have emanated from the Commissioner of Information, Col Tachie-Menson. Dentu was later redeployed from “Siberia”, only to work as supervisor of gardens at the GBC.

3.4.4.6 The relationship between journalists and the military leadership was marked by a lack of respect for, and high-handedness towards, the journalists. A former journalist with the GNA¹²⁹, described the NRC/SMC regimes as having the worst record regarding the press, and described the press as sycophants, who practised self-censorship. He cited as an example, the closing down of the GNA office at the Airport by Maj Kwame Asante, the Commissioner for Communications, and the locking up for three days of its correspondent, Steven Gbafa. According to the journalist, Maj Asante was angered, when upon a visit to the GNA Airport office, Gbafa, an old schoolmate of his, called him by a nickname. He also noted that the press became docile and took instructions from Burma Camp or the Castle, and that the military considered the press as non-partners in development. “I could still remember Col. Sanni Thomas treating us, the Castle correspondents, as if we were his slaves,” the journalist said. It was not unusual, he said,

¹²⁷ Asante, op cit supra.

¹²⁸ *Ghanaian Times*, vol 4,461 30th March, 1972, p.6.

¹²⁹ Memorandum to the National Reconciliation Commission.

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for journalists to be summoned to the seat of government where they were berated by the Head of State for any perceived misreporting.

3.4.4.7 Six months into its term of office, the NRC regime introduced a series of anti-media legislation to control the press. The first was the Defamation Decree, 1972 (NRCD 67), passed in May, 1972. The Decree criminalised any publication which was against the government. Then in July, 1972 the government enacted the Control of Publications Decree, 1972 (NRCD 89) which banned the publication of the *The Pioneer*, and the *Echo*. The Decree made it an offence for anyone to publish, distribute, sell or offer for sale the two independent newspapers.¹³⁰ The banning order was lifted, however, on 18th September of the same year. It is interesting that *The Pioneer* suddenly became an ally of the NRC, dutifully joining the government in its declared campaign to rid the nation of all forms of corruption and economic sabotage.

3.4.4.8 On 2nd March, 1973, the NRC promulgated another Decree, this time covering the publication of newspapers in the country. The Newspaper Licensing Decree, 1973 (NRCD 161), a replica of Nkrumah's Newspaper Licensing Act of 1963, stated essentially that no person shall print, publish or circulate any newspaper, magazine or journal without an official licence issued by the Ministry of Information. Under this Decree, the Commissioner for Information was authorised to suspend or revoke all newspaper licences. The penalties for offenders included a fine and up to twelve months imprisonment. A year after this Decree, the *Legon Observer* and the *Echo* were shut down because of government pressure on the printers who stood to lose their supply of newsprint if they continued to print those publications.

3.4.4.9 Legislation apart, the NRC also used subtle methods, such as starving printing firms of import license, to control the media. Thus, the *Legon Observer* in 1974 was unable to publish, the reason being its inability to find a willing printing establishment, including its own regular printer. The printers of *Legon Observer*, the Liberty Press, in a letter to the publishers, stated that its business was in jeopardy due to its association with the journal.¹³¹ Just about the same time in June, 1974, the privately-owned *Evening News* was also compelled to change into a fortnightly newspaper for the same reason.

3.4.4.10 In order to stem the increasing tide of rumour-mongering in the country about some of the government's unpopular actions and decisions, the SMC in 1977 promulgated the Prohibition of Rumours Decree, 1977 (SMCD 92), which stipulated that:

Any person who by print, writing, painting or word of mouth publishes or reproduces any statement, rumour or report which is false and likely to cause fear or alarm or despondence to the public peace or cause disaffection against the Supreme Military Council or National Redemption Council among the public or members of the armed and police forces shall be guilty of an offence punishable upon conviction by

¹³⁰ *Daily Graphic*, vol. 6775 Wednesday, 19th July, 1972, p.1.

¹³¹ Audrey Gadzekpo, Kwame Karikari and Kwesi Yankah (eds) *Going to Town. The Writings of PAV Ansah*, vol. 1. Ghana Universities Press, Accra, 1996, p.3.

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imprisonment of not less than five years or more than ten years without the option of a fine.

3.4.4.11 At the GBC, a former employee reports of official interference in programming. For example, one episode of the programme: “Talking Point” (hosted by Prof. Daniel Adzei Bekoe, later to become Vice Chancellor of the University of Ghana), was once ordered to be taken off the air in the middle of the programme, by the Commissioner of Foreign Affairs, Major Kwame Baah. Direct censorship at the GBC newsroom was imposed, especially when the government sent a former employee-turned public relations officer as a “news consultant” to the corporation.

3.5.0 SMC I**3.5.1 Media Intimidation**

3.5.1.1 On 9th October, 1975, the NRC was re-constituted into the Supreme Military Council (SMC), with Gen Acheampong still as its Chairman. One of the early anti-media actions undertaken by the government was the arrest and detention of two freelance journalists, Adolphus A. Patterson and Kwame Kesse-Adu. According to Asante, they were arrested and detained for “destructive criticism of the NRC”.¹³²

3.5.1.2 In May, 1978, the regime again banned *The Pioneer* from publication. The paper’s crime was the publicity it gave to the closure of the University of Science and Technology by the government, following a boycott of lectures by the students. The ban lasted for a month, before being lifted by the government in June.

3.5.2 Media Support

3.5.2.1 On the credit side, the SMC (I) in response to media pressure, appointed the ‘Essah Committee’ in January, 1978, to look into the salary and other working conditions of journalists in public service. However, the regime did not last long enough to implement or ignore the committee’s recommendations.

3.5.3 Media Inducement

3.5.3.1 The relationship between the government and the media was not all negative. It has been noted that “[Gen] Acheampong was popular with the press and enjoyed often close, affable relationships with Ghanaian journalists, especially senior editors.” The Head of State was known to have often invited journalists to his residence to be entertained lavishly and sent away home with drinks and cash presents.¹³³ These acts of inducement and efforts to forge personal friendships with senior journalists, were not always in the interest of the public, as it was bound to affect the capacity of the

¹³² Asante, *supra*, p.63.

¹³³ *Ibid*, pp. 63-64.

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journalists to be objective in their reportage, as well as their willingness to give space to dissenting views in the public media.

3.5.3.2 Certainly one can appreciate the effect that such inducements had on the press during the now-infamous Unigov campaign, when the state-owned media became a part of the Unigov campaign team. It is not surprising that the *Ghanaian Times* announced the palace-coup of 5th July, 1978, in an uncharacteristically restrained fashion. “Kutu Resigns And Retires, Akuffo Now Takes Over”,¹³⁴ was the subdued manner in which the ousting of the Chairman of the SMC I was announced to the Ghanaian public. However, the impression of “voluntary retirement of the Head of State” that the headline sought to create was completely false as Gen Acheampong had then been arrested and detained by his former colleagues. The news item also sought to explain the event by creating the false impression that the resignation of Gen Acheampong had been a thoughtful act, done in the interest of the nation, to ensure the unity and stability of the nation. The active Unigov campaigning that the *Ghanaian Times* had done, made the event a tragic one for the paper and its Editor, Kwame Gyewu-Kyem.

3.6.0 SMC II**3.6.1 Government – Media Relations**

3.6.1.1 Widespread public opposition to the SMC I was enough to invite the military to oust Gen Acheampong on 5th July, 1978. The SMC II was born under its new Chairman, Lt-Gen Akuffo. SMC II pledged itself to ensuring greater freedom of the mass media. However, it soon became clear that the intervention was not exactly in the interest of the media. “The Press Is Truly Free Now, SMC Pledges” was the banner headline of the Friday, 4th August, 1978 issue of the *Ghanaian Times*. The paper reported,

The government yesterday assured the press of freedom to report, criticise and comment on any subject of public interest without fear or favour provided they are not libellous or seditious...a journalist who panders the interest of his or her employers or sectional interest tends to sacrifice his or her independence and professional standards...this has been the bane of Ghanaian journalists in recent years.

3.6.1.2 The editorial of the same *Ghanaian Times* issue was revealing of the plight of journalists over the years, and worth reproducing:

It is well that the SMC came out yesterday with what could be taken as a new policy statement on the freedom of the press, short of libellous, seditious, discourteous and state security busting items, the Press is free to publish what is printable...the freedom of the Press does not consist in the freedom of an editor to crucify principle so that he can say one thing today and another tomorrow. That could be weathercock behaviour, and it is as bad as sycophancy...this freedom does not, either, mean what the

¹³⁴ *Ghanaian Times*, vol. 6,402 Friday, 6th July, 1978.

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Ghanaian public want it to be – that some 500 pressmen should say what they themselves, 10 million people do not want to say...and what is worse, when the whole nation fail [sic] to appreciate it when a pressman dies...or when for the sake of getting personal favours nobody's no is truly no and nobody's yes is truly yes, it is self deception to think that the Press can secure freedom of expression in such a nation. Pressmen have fallen for standing by the truth and seeking the public good. Editors were dismissed for opposing government agreement inimical to the national interest; they were sacked for criticising government foreign policy; they were fired for telling the government that freedom of the Press could not be like the freedom of the zoo. Pressmen have been disgraced by the authorities in many ways over the years... In thus daring to fight for the interest of the people and dying for it, what have the editors got in the form of support and encouragement from the public? Nothing! The dismissed disgraced editors went unsung, with no public protest in their favour. Indeed many Ghanaians secretly said, "They deserve it, these too known editors!"...It is not the members of the press who are being released, as from bondage, by the SMC's press freedom statement yesterday. It is the whole of society that is being united to conduct itself in the manner that can make press freedom possible and realistic.¹³⁵

3.6.1.3 No sooner had these high-sounding ideas on press liberty been expressed by the SMC II, than it dismissed Kwame Gyewu-Kyem, the Supervising Editor of the New Times Corporation from that position. He was moved to a much less-prestigious position at the Information Services Department. Abraham Kutin-Mensah, Editor of the *Weekly Spectator*, was appointed the new Supervising Editor in his place. The government also appointed Willie Kwarteng, then deputy-editor of the *Weekly Spectator*, as the new editor of *Ghanaian Times*.

3.6.1.4 Soon a confrontation ensued between the government and journalists. In October, 1978, the GJA mounted a strike against the government asking it to act on the Essah Committee Report. But, the government slighted the journalists, most of whom were on government payroll, by refusing to act directly on the recommendations.

3.6.1.5 Belatedly into its short term in office, the SMC II under Gen Akuffo, attempted to warm up to media practitioners by promising at the inauguration of the 'Guild of Ghana Editors', an independent press council. This press council was "to provide a suitable framework within which the media, Ghanaian and foreign journalists could practise their profession."¹³⁶ Akuffo's Government was overthrown shortly after, however, and the council was never established.

3.6.1.6 The *Ghanaian Times* provides further perspective on the situation of Ghanaian journalists in another editorial captioned "Chops and Booze". Although it is unclear what provoked this tirade, it is instructive in what it notes as the "stumbling blocks" in journalism:

¹³⁵ *Ghanaian Times*, vol. 6,427 Saturday, 4th August, 1978.

¹³⁶ See C. Udofia, "Ghana" in G. T. Kurian (ed.), *World Press Encyclopaedia*, New York, N.Y.: Facts on File, 1982, pp. 398- 397.

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The development of the standards of journalism in this country suffer [sic] a number of stumbling blocks, including the fact that anyone who can afford a cheap meal of dirty salad, rotten meat, and smuggled drinks, thinks he has a right to engage the attention of Editors. Another stumbling block is the tendency of most high officials both in the public service and private business to maintain with Reporters the kind of relationship that exist [sic] between prostitutes and the members of public honour: they deny the prostitutes in the day and hug them at night. A third stumbling block in the way of the Press is the class-conscious, superiority complex attitude towards journalist from too many self estimating people in the society...food and drinks as the basis for determining news value is only in the minds of those who want publicity and this sort of awry and skewed view of the Press in many otherwise knowledgeable circles is one reason why journalists are bombarded right and left with unsolicited offers of inducements.¹³⁷

3.6.1.7 Some observations of the Essah Committee, however, are worth noting as they provide a good assessment of the public image of journalists and their culpability in the denigration of their own profession:

Some journalists, it is sad to observe, do not wait for the government to give them a line. Motivated by opportunism to the exclusion of any professional ethics or regard for the public interest, they can launch witch hunts against political dissenters and carry out distortion of facts if they surmise that such activities, while not ordered by the government, will not unduly displease it.

As a result of such activities, journalists in the public service have largely become objects of hatred and contempt in the society that normally expects so much of them. Instead of being regarded as leaders of opinion (which is their right as members of the 'Fourth Estate of the Realm,' a status won for them by men of integrity throughout the ages), they are almost generally regarded as stooges, ignorant dealers in misinformation or perverters of truth...

Before any dismissal, transfer or deployment is effected in any of the mass media organisations in the public service, the individual affected should be confronted with his or her accusers and given an opportunity to state his or her case...¹³⁸

3.6.2 Media Resistance

3.6.2.1 As already indicated, the Acheampong and Akuffo Governments of the NRC/SMC showed a dubious record regarding media liberties, and the press in general, a disappointing record of complicity with the ruling regimes. However, there were some

¹³⁷ *Ghanaian Times*, vol 6,635 Monday, 9th April, 1979.

¹³⁸ The Essah Committee Report as reported in the *Daily Graphic* vol 8701 Wednesday, 11th October, 1978, pp. 8 & 9.

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few acts of resistance that must be acknowledged. For instance, in 1977, with the debate on Unigov just starting, the *Christian Messenger* and *The Standard* voiced opposition to the idea. A lead article in the *Christian Messenger*, for example, said: “Union Government Is Not The Answer.”¹³⁹ The article was on an interview with a professor of the Political Science Department at the University of Ghana. The July/August, 1977 issue of the same paper had an editorial with the title “Will It Work?”, which questioned some appointments of civilians and soldiers to head public corporations that the government had made. The paper’s beef was whether the action was not calculated to pre-empt demands by students for civilian rule. The paper also asked how different such appointments of civilians to work with the military were from the proposed Unigov. The paper, however undermined its critical stance by noting:

We of the Christian Messenger firmly believe that given the goodwill of the people minus all recriminations, and search for scape-goats, this new experiment in civilian cum military co-operation stands a chance of saving Ghana from death. Backed with prayers, the experiment will succeed.¹⁴⁰

3.6.2.2 Two articles in *The Standard* better illustrate attempts at criticism rather than support of the government. One editorial titled “The Task Ahead”, was a critique on the commemoration of the 1972 revolution. The paper started by praising the NRC on some of its policies, such as, the “operation feed yourself” programme and pursuing a vigorous foreign policy. However, the paper said some of these laudable policies were being pursued at the expense of the “common man – the average worker and labourer – to be precise.” The paper proposed that to keep the economy buoyant, the government should drastically cut down on military expenditure, spend less money on non-essentials such as hiking, exercise, training and ammunition. The paper added that expenditure on non-productive sectors such as defence, anniversaries and parties should be reduced for great allocation to be made on productive sectors of agriculture, industry and corporations.

3.6.2.3 The second article took the form of an editorial, which dealt with a call by the Ghana Bar Association (GBA) on the government to hand over power to a civilian government not later than 1978, and also to abolish the existing military tribunals, since their existence was unfavourable to the rule of law.¹⁴¹ The paper’s view was that “the call by the GBA is a call for a truly representative government, a government which rules by the mandate of the people.” The paper then went on to say that even the most liberal among military regimes were not truly representative of the people. Thus, the call by the GBA was “timely and to the point.” The paper ended with a strong warning:

Maybe the SMC had better pay heed to the call of the ‘learned men’. For the same people who are loud in singing paeans and praises of the militia, shall be the same elements of the society to discredit the SMC should they fail the Nation in their duty.¹⁴²

¹³⁹ *Christian Messenger*, March/April 1977.

¹⁴⁰ *Christian Messenger*, July/August 1977.

¹⁴¹ *The Standard*, 10th-17th October, 1976.

¹⁴² *Ibid.*

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3.7 4TH JUNE, 1979 - 23RD SEPTEMBER, 1979: ARMED FORCES REVOLUTIONARY COUNCIL (AFRC)

3.7.1 Government- Media Relations

3.7.1.1 The short three-month period of AFRC rule is generally considered by some as being an “interregnum”, as indeed was the belief of the coup-makers themselves, who described it simply as a period of “house-cleaning.” However, it is also notably a period during which the military government exerted a profound impact on the psyche of the nation and on the media.

3.7.1.2 On the one hand, the regime was able to appeal to, and evoke the fervour of nationalism in the citizenry, including journalists, through its brutal campaign against trade malpractices or “*kalabule*”, that were blamed for the scarcity of basic consumer goods on the market. For example, on 24th June, 1979, the AFRC announced the establishment of the special “People’s Court” to try people in pursuance of its house-cleaning exercise. The policies that resulted in deprivation within the generality of the population, and the extent of corruption - perceived or real - during the NRC/SMC I & II regimes, did win some public sympathy for the AFRC. On the other hand, the arbitrariness with which the AFRC enforced compliance to whatever it alone considered right, and the brutal executions of former military leaders, shocked many Ghanaians.

3.7.1.3 The “secret trials” of alleged “economic saboteurs,” and the execution by firing squad of eight senior Military Officers, Gen Ignatius K. Acheampong; Maj-Gen Edward K. Utuka; Gen Frederick W. K. Akuffo; Lt-Gen Akwasi A. Afrifa; Maj-Gen. Robert E. A Kotei; Air Vice-Marshall George Y. Boakyee; Rear Admiral Joy Amedume; and Col Roger Felli, on 16th and 26th June, 1979, as well as the razing to the ground of Makola No.1 Market on 20th August, 1979, were particularly traumatic. There were very few voices in the press that made bold to condemn these atrocities.

3.7.2 Media Support

3.7.2.1 The *Daily Graphic* cautiously welcomed the takeover by the AFRC, led by Flt Lt Jerry John Rawlings, on 4th June, 1979. The paper’s report of the events immediately after the takeover showed that while people rejoiced in the past when coups occurred, this time some people went looting in Accra-Central, while others were seen in clusters discussing the development.¹⁴³ The editorial in the same issue was not so exuberant as previous editorials (immediately after the NLC and NRC coups d’état) and serves as a good illustration of mitigated press euphoria:

Ghanaians woke up yesterday to what certainly has all the features of a people’s revolution...There is no doubt that Ghanaians in general have had their feel [sic] of military rule. It is therefore welcome that the

¹⁴³ *Daily Graphic*,_ vol. 8902 Tuesday, 5th June, 1979.

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leaders of yesterday's exercise have assured the nation that the electioneering procedure will continue as scheduled so that the country can return to civilian rule as planned.¹⁴⁴

This time the coup-makers were not "gallant men" neither was the revolution a "glorious" one. The *Daily Graphic* called the coup "a people's revolution" and an "exercise", and asked the leaders to avoid bloodshed.

3.7.2.2 The *Ghanaian Times* was also equally sober in its initial reportage of the coup. "Revolutionary Council takes over - Hamidu appeals for calm" was the banner headline in the *Ghanaian Times* announcing the coup d'état by the AFRC. Unlike former coups d'état, the *Ghanaian Times* reported that people did not take to the streets in support of the uprising but hurried back to their various homes.¹⁴⁵ The editorial in the same issue captioned, "Need for Peace, Calm," appealed to all Ghanaians to help maintain peace and calm in the nation. The editorial was neither supportive nor condemnatory of the coup.

3.7.2.3 Subsequent issues of the paper gave the *raison d'être* of the takeover. In his maiden speech to the nation, the Chairman of the AFRC, Flt Lt Rawlings declared, that the coup was "a natural reaction to injustices and events of the last few years". He added that any person who attempted to misuse the opportunity to serve the country was to be "shot outright". The *Ghanaian Times* editorial on the maiden speech, captioned "Chance for Discipline", lauded the commitment of the new regime and prayed that all resistance to the regime should cease. The editorial also highlighted the incidence of burglaries and lawlessness since the day of the takeover.¹⁴⁶ The *Ghanaian Times*, three days later, dutifully reported that the Chairman of the AFRC had declared in Accra that, "Ghana needs a strong man who is a benevolent dictator."¹⁴⁷

3.7.2.4 The *Ghanaian Times* rapidly resumed its characteristic posture of using its pages to vilify and de-legitimise the past government that it had lauded and defended aggressively, once it had fallen. It began to portray the past government as corrupt, by carrying stories cataloguing dubious practices of the previous leaders, and questioning whether assets had been declared by these former leaders.¹⁴⁸

3.7.2.5 The initial restraint and unenthusiastic support for the new regime displayed by newspapers during this period was severely contradicted by the most disturbing endorsements of gross human rights abuses ever manifested in the Ghanaian media. Under the caption, "A Lesson To All Ghanaians", the *Daily Graphic*¹⁴⁹ welcomed the

¹⁴⁴ Ibid.

¹⁴⁵ *Ghanaian Times*, Vol. 6,683, Tuesday, 5th June, 1979.

¹⁴⁶ See *Ghanaian Times*, Vol. 6,684 Wednesday, 6th June, 1979; *Ghanaian Times*, Vol. 6,686 Friday 8th June, 1979- "Coup was a spontaneous reaction – Rawlings".

¹⁴⁷ *Ghanaian Times* _vol. 6,685 Thursday, 7th June, 1979.

¹⁴⁸ See *Ghanaian Times*, vol. 6,691, Thursday, 14th June, 1979; *Ghanaian Times*, Vol. 6,692, Friday, 15th June 1979-Illegal loans covered by bank loans; Kutu has three houses in UK; *Ghanaian Times*, Vol. 6,693, Saturday, 16th June, 1979 - Declaration of assets by top military men.

¹⁴⁹ *Daily Graphic* Vol. 8913 Monday, 18th June, 1979.

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execution of “Mr.”¹⁵⁰ Acheampong former Head of State, and Maj-Gen Utuka, former Commander of the Border Guards. According to the paper, “there cannot be a better anti-coup elixir than what has begun to unfold before our very eyes.”¹⁵¹ The *Ghanaian Times* did not condemn the execution by firing squad of the former Heads of State and military officers, but rather encouraged the regime not to begin the house cleaning exercise from only the year 1972, but 1966 when the first coup occurred.¹⁵²

3.7.2.6 Often newspapers depicted through words and pictures the human rights abuses meted out on the citizens of the country, but failed to criticise or condemn such abuses. Indeed, the framing of stories suggested that the press endorsed some of the junta’s harsh measures. Even before the public executions of alleged economic and other saboteurs started, the *Ghanaian Times*, for example, showed pictures of the Teshie Firing Range and another one at Sunyani, being prepared for those who would be brought to the stakes.¹⁵³ The paper enhanced its endorsement of human rights abuses with pictures and sensational headlines. Some of the headlines of the articles that carried the reports were: “Woman Contractor given 24 strokes”;¹⁵⁴ “T’di Contractor caned in public”;¹⁵⁵ and “18 caned in K’si”.¹⁵⁶ One article showed four soldiers holding the hands and legs of the victim, while the victim was being caned on the bare back and buttocks.¹⁵⁷

3.7.2.7 Both the *Christian Messenger* and *The Standard* also hailed the AFRC’s revolution and its policies as well. The 24th June, 1979 editorial in *The Standard* completely backed the executions of “Mr” Acheampong and Maj-Gen Utuka at the Teshie firing range. The paper was of the view that the executions had brought the sordid history of the notorious second military regime to a close. The paper termed the executions a “disciplinary action”, taken by the AFRC in public to serve as a deterrent, adding that the AFRC’s determination to tackle the economic problem of the country is seen through its action of executing the two officers. *The Standard* ended by saying that the fate of leaders since Independence, should be a warning to future aspiring political leaders: Nkrumah and Busia had both died in exile, the assets of Ankrah and Afrifa had been frozen, and Mr. Acheampong had been shot by firing squad.

3.7.2.8 On the revolution, the *Christian Messenger* said:

Rawlings showed the way by his speedy and lightening [sic] decisions. One may not accept all his methods, or even accept most of their actions. His revolution however made Ghanaians sit up. Within a brief spell, the nostalgic and clammy effects of kalabulism were exposed. The nation’s oppressed masses especially the youth were electrified...

¹⁵⁰ Gen Acheampong had been stripped of his military rank when he was removed from power under the Armed Forces (Miscellaneous Provisions Decree, 1979 (SMCD 235).

¹⁵¹ Ibid.

¹⁵² *Ghanaian Times*, vol. 6,686, Friday, 8th June, 1979-Editorial- “The House Cleaning”.

¹⁵³ *Ghanaian Times*, vol. 6,689 Tuesday, 12th June, 1979 – “Site ready for firing squad”.

¹⁵⁴ *Ghanaian Times*, vol. 6,700 Monday, 25th June, 1979.

¹⁵⁵ *Ghanaian Times*, vol. 6,699 Saturday, 23rd June, 1979.

¹⁵⁶ *Ghanaian Times*, vol. 6,701 Tuesday, 26th June, 1979.

¹⁵⁷ *Ghanaian Times*, vol. 6694 Monday, 18th June, 1979 – “5 men and a woman whipped in public”.

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3.7.2.9 To sum up the performance of the AFRC at the end of their stay in power, *The Standard* paid the government this memorable tribute in its editorial:

Flt. Lt. J. J. Rawlings and the AFRC have performed their onerous task with a touch of high drama, rare courage, dedication and a high sense of duty. In the final summation therefore, we should always remember that if Flt. Lt. J. J. Rawlings had not happened on the Ghanaian political scene when he did, it is hard to envisage what could have been done about the stupendous task of moral regeneration and ‘house cleaning’ on which he and the AFRC are now engaged. We salute Flt. Lt. J. J. Rawlings and the AFRC.¹⁵⁸

3.7.3 Media Intimidation

3.7.3.1 The brief period of the AFRC in 1979, has been described by a former employee of the GBC as “harrowing.” According to the journalist, many GBC staff members at Broadcasting House in Accra were in a state of constant fear of their lives, as it was not uncommon for soldiers to fire their guns, including the heavy weapons mounted on armoured vehicles, on the compound of the corporation.

3.7.3.2 The period also witnessed its share of direct interference in the work of the media with the AFRC Chairman, Flt Lt Rawlings, actually going to address GBC workers at the Music Studio in August, 1979, and asking them to comply with the dictates of the revolution.

3.7.3.3 The AFRC regime also appointed Elizabeth Ohene, Literary Editor of the *Daily Graphic* as its Editor, an elevation she declined. She rather chose to be the Acting Editor, pending the return to constitutional rule.

3.7.3.4 In June, 1979, the Commissioner for Information of the AFRC Government, Dickson Kwame Afreh, verbally announced the removal from office of Nana Addo-Twum, as editor of the *Daily Graphic*, and the appointment of Ms Elizabeth Ohene as Acting Editor. Nana Addo-Twum sued the government for breach of contract at an Accra High court, but before a date could be set for the hearing of the case, the Press Commission intervened and a compromise was reached. Nana Addo-Twum retained his job as editor, when it became clear that both his removal and the appointment of his successor were done by verbal instructions only.¹⁵⁹ Needless to state, such a reversal was possible only because the government that caused the removal was no longer in power, and the Press Commission had been established under the authority of the 1979 Constitution. What was also remarkable was that the occupant of a position as important as that of the editor of a major newspaper, could be removed merely by verbal instructions. The incident thus only illustrated the measure of authority that the AFRC

¹⁵⁸ *The Standard*, September, 1979.

¹⁵⁹ *Daily Graphic*_vol. 9279 26th August, 1980, pp. 1, 4-5.

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Government exercised over the media. The Chairman of the Press Commission, Kofi Badu, expressed the hopes of the media in these words:

The myth of a monolithic information community within which editors can be moved, transferred or banished at the whims of a government, needs to be exercised [sic]. Journalists should be free to select their places of employment and to rise and fall with their employers on the basis of their performance.¹⁶⁰

3.7.3.5 Media intimidation did not emanate from the government only, but from other sources as well. There is the example of Elizabeth Ohene, Acting Editor of *Daily Graphic* who was physically threatened by students for daring to write an editorial condemning the call “Let the blood flow”, that was being spearheaded by students. This attack occurred, when a group of angry students, dissatisfied with the stance of the paper, marched to the premises of Graphic Corporation and painted graffiti on the walls. Some of these writings read “Death to Ohene”.¹⁶¹ Rawlings later appealed to a crowd of students to leave Elizabeth Ohene alone, and to allow her to speak her mind.

3.7.4 Media Resistance

3.7.4.1 Soon after the coup, the *Daily Graphic* with Elizabeth Ohene as Acting Editor, displayed a rare moment of courage when in an editorial, in the wake of the executions, it advocated the need to avoid bloodshed and appealed to the regime to withdraw troops from the streets. Defiantly, the paper wrote:

As the ‘Graphic’ indicated yesterday, Ghanaians seem in no mood to live under military government any longer and only the right thing should be done to generate confidence and restore image to our Armed Forces.¹⁶²

3.7.4.2 Despite being intimidated, state-media journalists such as Ms Ajoa Yeboah-Afari and Ms Elizabeth Ohene were able to dissent and keep their jobs. Notable is Elizabeth Ohene’s “Death Not The Answer” article that incurred the wrath of the students in which she notes:

What is even more important, the executions will not solve the problems that we have, the anger we feel will not be expurgated after the killings because we shall still be hungry after they have all been killed.¹⁶³

3.7.4.3 In another opinion piece, Elizabeth Ohene advised the regime to stick to its pledge of house cleaning, get it done with and hand over to a civilian government. She also admonished the press to be truthful and honest if the revolution was to succeed.¹⁶⁴

¹⁶⁰ Ibid.

¹⁶¹ Asante, *supra*, p. 73.

¹⁶² *Daily Graphic*, vol 8904 Thursday, 7th June, 1979.

¹⁶³ *Daily Graphic* 5th June, 1979, *supra*.

¹⁶⁴ *Daily Graphic* vol. 8908 Tuesday, 12th June, 1979.

VOLUME 4 CHAPTER 3**3.8 24TH SEPTEMBER, 1979- 30TH DECEMBER, 1981: THIRD REPUBLIC THE PEOPLE'S NATIONAL PARTY GOVERNMENT (PNP)****3.8.1 Government – Media Relations**

3.8.1.1 The press under the Government of President Hilla Limann also experienced a season of freedom. Soon after assuming office, the President on 15th February, 1980, before the official inauguration of a Press Commission, which had been provided for in the 1979 Constitution to ensure media freedom, appointed three senior journalists to fill editorial vacancies at the *Daily Graphic*, the *Mirror* and the *Ghanaian Times*. Ms Elizebeth Ohene, Acting Editor of the *Daily Graphic* who was confirmed as editor with other colleagues, opposed this action of the President. An editorial in the paper said:

After careful consideration of the matter, however, we are sure that these so-called appointments cannot go unchallenged since they appear at best mischievous and at worst quite contrary to the letter and spirit of the constitution. Mischievous because appointments seek to frustrate the very aims of the Press Commission which seek to protect press freedom, one of its features being the security of tenure of the office of journalists.

3.8.1.2 Despite the protests, the government went ahead with the appointments and the journalists dragged it to court. The case was settled at the Supreme Court; however, the government withdrew the appointments after that.

3.8.2 Media Support

3.8.2.1 The political and social climate that prevailed under the Third Republic permitted the free discussion of the performance of the media in the country.¹⁶⁵ Asante noted that at the end of 1980, several parliamentarians commended the press, particularly the *Ghanaian Times* for its objective and accurate coverage of events in the country. President Limann on his part appealed to the press, on the eve of the second anniversary of the Third Republic, “not to subject the country’s young democracy to the licentiousness, fabricated scandals and shocks which older democracies and mature economies can absorb.”

3.8.3.2 Media intimidation under the Limann Regime was subtle and carried out by government officials. Although the Press Commission had been set up, many thought the membership constituted mainly of PNP adherents. On January 27, 1981, the newly appointed Board of Directors of the Graphic Corporation told the Acting Deputy Editor of the paper that editorials “lacked meat”, consequently, they had decided to see and vet

¹⁶⁵ Asante, *supra*, p.89.

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editorials. The editorial staff, however, refused to comply and the GJA¹⁶⁶ supported this action. In an editorial on the issue titled “Our editors versus our board” the paper said:

If the board of directors want to determine what shall be written in the editorial columns of the Daily Graphic, then their best bet is to assume completely the production of the paper and dismiss the whole editorial staff...The board of directors want to paralyse the operations of the editors, tie their hands behind their back and effectively destroy the press freedom which the constitution guarantees.

Under the Third Republic therefore, the media tried to assert its freedom in the new constitutional dispensation, with some degree of success.

3.9 31ST DECEMBER, 1981 -- 6TH JANUARY, 1993: THE PROVISIONAL NATIONAL DEFENCE COUNCIL (PNDC)

3.9.1 Government – Media Relations

3.9.1.1. Another military take-over occurred on Thursday, 31st December, 1981, when Flt Lt Rawlings took power for the second time to launch what he claimed was a revolution that would transform the social and economic order of Ghana. The rule by the Provisional National Defence Council (PNDC) was the longest single period of military rule in Ghana, ending on 6th January, 1993, when the Fourth Republic was ushered in. The regime’s criminalisation of wealth as a result of its ideological posture, particularly in the very first year of the regime, set this military regime apart from all the earlier ones.

3.9.1.2 Although the coup d’état was represented as a continuation of the June, 1979 agenda to clean up the society, it was, in fact, not so. This was because none of the original members of the AFRC, except its Chairman, re-appeared in the membership of the PNDC. Furthermore, none of the original PNDC members retained their position to the end, except the Chairman, Flt Lt Rawlings. The PNDC Proclamation as amended, unlike any others decreed by military regimes, installed a dictator in disguise, when it invested extraordinary powers in the person of Chairman. According to the law, the Chairman of the PNDC could, in emergency situations or in exceptional circumstances, take any decision on behalf of the PNDC which could be ratified later by the whole Council.¹⁶⁷ What constituted an “emergency”, or “exceptional circumstances”, however, were not defined, leaving the decision when to act on behalf of the Council by himself, to the Chairman himself.

3.9.1.3 Immediately after seizing power on 31st December, 1981, the PNDC launched its “Power to the People” crusade by establishing revolutionary watchdogs (the Workers’ Defence Committees and the People’s Defence Committees) at workplaces and in

¹⁶⁶ *Daily Graphic* vol. 9410, Thursday, 29th January, 1981, pp. 1, 4-5.

¹⁶⁷ Provisional National Defence Council (Establishment) Proclamation, 1981, section 4(1).

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neighbourhoods to deal with malpractices. Special courts to dispense revolutionary justice to “offenders” were also established. There was an agenda to settle old scores, stemming from the feeling that the reversal of “the gains of June 4” had either been supervised by an incompetent PNP government, or motivated by a self-seeking affluent middle-class. The media were seen as having backed that status quo. The abuse of power by the PNDC Government, individual soldiers and revolutionary PDCs/WDCs, as well as the PNDC’s anti media policies are therefore direct spillovers from the PNDC’s ideology.

3.9.1.4 It is striking and telling that copies of newspapers during the first year in office of the PNDC are virtually unavailable. For inexplicable reasons depositories in Ghana, including the national archives, and public libraries do not have issues of state newspapers published in 1982 that would have illuminated better issues relating to the press and the PNDC Government in the early days of the PNDC government. By most accounts, however, the PNDC government had the worst record of human rights abuses, including abuses against the media. The fact that newspapers appear to have been removed from national depositories, is itself suggestive of an agenda by persons unknown to tamper with the record of available information on the first year of the PNDC. This is even more significant, viewed against the background that electronic recordings of that period were lost in the fire that engulfed GBC’s library in the late 1980s.

3.9.1.5 Several background events, some occurring as far back as the late 1979 and early 1980 during the civilian regime of the PNP may help to put the anti-media posture of the PNDC in proper perspective. On 27th November, 1979, Flt Lt Rawlings was retired from the Armed Forces, contrary to his wish to remain in active service. The *Daily Graphic* reported the event with a photograph of Flt Lt Rawlings smiling, and in the company of President Limann. The announced retirement happened two weeks after a jail break of 12th November, 1979. On 18th April, 1980, George E. Amuah, an AFRC convict, also escaped from prison. On 15th March, 1980, the media gave considerable coverage to a press conference held at the former Ambassador Hotel in Accra by the National Chapter of Amnesty International, during which Maj Boakye-Gyan and Maj Mensah Poku, former members of the AFRC, called for a probe into the regime of the AFRC.

3.9.1.6 In May, 1980, the government dissolved the AFRC Assets Disposal and Recovery Committee over allegations that its members made use of confiscated vehicles. On 4th June, 1980, Flt Lt Rawlings (Rtd) addressed a rally at the Accra Community Centre and expressed indignation about the campaign to undermine the Transitional Provisions of the 1979 Constitution. On 18th July, 1980, Paul Victor Obeng, a close associate of Flt Lt Rawlings (Rtd) was searched for arms. Media reports said the police found at his Tema residence some weapons and ammunition, belonging to him and Flt Lt Rawlings (Rtd). Four days later on 22nd July, 1980, the police followed up and questioned Flt Lt Rawlings (Rtd) at the CID headquarters. All these events were given prominence in national media.

3.9.1.7 In September, 1980, President Limann, at a press conference, made some remarks about an appeal by AFRC convicts for their release. The *Free Press* called for the impeachment of President Limann for commenting on the Transitional Provisions of the

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1979 Constitution. On 23rd October, 1980, the Editor of the *Daily Graphic* Nana Addo Twum was verbally threatened by Flt Lt Rawlings (Rtd), when Flt Lt Rawlings (Rtd) was distributing to the *Daily Graphic* a press release in which he denied involvement in subversive activities. According to Flt Lt Rawlings, the *Daily Graphic* was part of the machinery accusing him of subversive activities. In November, 1980, George Aidoo published a *Daily Graphic* story of Flt Lt Rawlings (Rtd) threatening the editorial staff of the *Graphic*. All these events lend credence to the adversarial posture of the PNDC in its early years.

3.9.2 Media Support

3.9.2.1 The PNDC's policy toward the media aimed at controlling them and using them to further the aims of the revolution. Ato Austin, Totobi Quakyi and Joyce Aryee became the Secretaries of Information in succession under the PNDC. The PNDC did not leave support to chance. They proclaimed a policy of "non neutrality" of the media, and this left journalists with only one of two choices of either supporting, or being against the government.¹⁶⁸

3.9.2.2 Characteristic of all military regimes, the PNDC immediately imposed editorial changes at the state-owned media. At the GBC, Kwame Karikari was appointed as Acting Director-General of GBC; David Anaglate replaced Ewusi Brookman as the Acting Director at the radio section; and Aba Hayford replaced Sam Bannerman as the Director of Television. At the Graphic Corporation, the editor of the *Daily Graphic*, George Aidoo, was promptly dismissed and Kojo Yankah appointed in his place.¹⁶⁹ The following day, the editor of *The Mirror* was also dismissed, and replaced by Yaw Boakye Ofori Atta, who was transferred from *Daily Graphic*. Changes were also made at the New Times Corporation; the publisher and printer of the *Ghanaian Times* and the *Weekly Spectator* were both replaced. Several other senior editors and management staff at state media, such as Peregrino Peters, Elizabeth Ohene and George Naykene were asked to proceed on an "indefinite leave."¹⁷⁰ At the *Daily Graphic*, in particular, there was a mass transfer from Accra, to the Regions of some senior journalists such as Kofi Akumenyi, Ben Mensah, Ken Bediako, and Joe Aggrey. Many of them resigned, resulting in the loss of experienced hands at the *Daily Graphic*, and this reflected on the quality of work on the paper. According to a senior journalist of the time, newly recruited journalists saw themselves as "riding the crest of the so-called revolution" and had difficulty taking instructions from older hands whom they considered as reactionaries.¹⁷¹

3.9.2.3 As time went on, other journalists from the Regions were brought to the Accra office of the *Daily Graphic*, among them Elvis Aryeh, who also doubled as a kind of publicist stationed at the Castle, in addition to working at the *Daily Graphic*. This

¹⁶⁸ *Daily Graphic* vol. 9696 Tuesday, 5th January, 1982, p.1; editorial, "The Media At Crossroads", p.2.

¹⁶⁹ *Daily Graphic* vol. 9697 Wednesday, 6th January, 1982, p.1.

¹⁷⁰ *Daily Graphic* vol. 9698 Thursday, 7th January, 1982, p.1.

¹⁷¹ Memorandum to National Reconciliation Commission.

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situation seriously compromised the independence and integrity of the paper.¹⁷² The PNDC also dismissed three officials who worked with the Press Secretariat at the Castle.

3.9.2.4 Taking a cue from the government's new policies, the Workers' Defence Committee (WDC) of the Graphic Corporation passed a resolution to abolish "Management" and to establish a 15-member Workers' Council to run the corporation.¹⁷³ With these changes and fresh appointments, the government was able to reorient the outlook and mood of the Ghanaian media to suit its particular needs. In fact, on numerous occasions, Flt Lt Rawlings exhorted the Ghanaian media to serve as a vehicle for the revolution, arguing that it was frivolous for them to stay neutral. Flt Lt Rawlings was seen by the outside world not only as censoring the press to minimise political criticism but also as using the Ghanaian media to arouse mass support for the 31st December Revolution.

3.9.2.5 In tune with the mood of the government, editors imposed a censorship on themselves, suppressing stories for a variety of reasons, so as not to incur the displeasure of the new revolutionary government, thereby jeopardising their positions. They justified these practices by arguing that the suppression of such stories would serve the public better than publication of the truth. During this period, rumours were rife that the Castle Information Bureau (CIB), the information and publicity outfit of the PNDC, sometimes sent already-written editorials to the state-owned press houses for publication. Even though government vehemently denied such practices, some journalists have insisted it was not uncommon for outside forces that were associated with the regime to dictate what ought to go into the pages of state-owned newspapers. The fact that the government Press Secretary doubled as editor of the *Daily Graphic*; that a known sympathiser of the regime was editor of the *Ghanaian Times*, would suggest a very strong, direct hand of government in state print media.

3.9.2.6 Control was similarly exerted on the GBC. There are reports of direct interference in the day-to-day running of the GBC by the PNDC Chairman himself, direct censorship at the newsroom, as well as oversight control from the Castle and the Ministry of Information. There was evidence before the Commission that the Secretary for Information imposed daily routine supervision, including constant summons and telephone instructions on anything, from programmes to news on labour matters.

3.9.2.7 GBC engaged in several propaganda techniques on behalf of the PNDC, as they had done in the past. These included: "name-calling" (attaching pejorative label to a person in order to discredit him or her), "glittering generality" (associating individuals or governments with 'virtue word' in order to evoke acceptability), "plain folks" (identifying a government with the ideals of the common person) and "testimonial" (having a respected individual or celebrity endorse a concept, or an individual). Other propagandist techniques were "band-wagon" (false claim that a mass of people endorse a concept in order to evoke public support), "card-stacking/disinformation" (selective use

¹⁷² Aryeh was eventually made editor of the *Daily Graphic*.

¹⁷³ *Daily Graphic* vol. 9738 Tuesday, 23rd February, 1982, p.1.

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of facts or falsehoods to discredit or support a concept or policy, and finally “songs/slogans” (composition of patriotic eulogies for political leaders).

3.9.2.8 On 31st December, 1982, the *Daily Graphic* underwent a name-change to reflect the fact of the ownership by the people, and the views of the revolutionary leadership. It became known as *People’s Daily Graphic*, and remained so until 31st December, 1992.

3.9.3 Media Intimidation

3.9.3.1 The media operated under very difficult conditions, very often under the surveillance of officials from the Bureau of National Investigations (BNI), and many journalists and editors were followed around and intimidated. Editors and publishers have given harrowing accounts of how government pressures forced them out of the country’s newspaper business. Such accounts, ranging from intimidation to detention to repressive press laws, can be found in international newspapers, special watch group reports, academic journals, biographies and autobiographies of that period.

3.9.3.2 One journalist recalled that on Sunday, 3rd January, 1982, a few days after the coup, a busload of June 4th Movement activists invaded the editorial office of the *Daily Graphic*.¹⁷⁴ Led by Kwesi Adu and some armed soldiers, they assembled journalists and singled out some such as Elizabeth Ohene, and George Naykene, and demanded that they leave the premises of the paper and never return. They were warned that should they find them on the premises next time they came back, they would “pounce on the fellow, beat him or her to pulp and throw the person into the sea.” That incident so chilled the journalists in the newsroom that they were totally cowed. At the New Times Corporation, the workers locked out the Managing Director, Kankam Nantwi, and chased out his three female secretaries. They impounded the vehicle of the Managing Director, and invited the government to “throw out all the ‘deadwoods’ and corrupt officers”. Subsequently, the PNDC Secretary for Information sent the Managing Director on leave, in endorsement of the workers’ demonstration.¹⁷⁵

3.9.3.3 Another journalist also testified to instances of human rights abuses against GBC workers.¹⁷⁶ According to him, journalists in the news division of the GBC:

... who insisted on professional editorial principles and practice, have faced varying degrees of intimidation, harassment and outright repression. These have included wrongful dismissal, demotion, denial of promotion, unwarranted and frequent station transfers, and administrative harassment.

3.9.3.4 On 25th July, 1982, Bombardier Mathias Cudjoe and L/Cpl Samuel Amedeka, two soldiers who were prominent in the making of the coup, sent a letter to the GBC newsroom, asking for the resignation of Kojo Yankah of the *Daily Graphic*, Ato Austin,

¹⁷⁴ Memorandum to the National Reconciliation Commission. The incident was reported in *Daily Graphic* vol. 9695 Monday, 4th January, 1982, p.1.

¹⁷⁵ *Daily Graphic* vol. 9748 Saturday, 6th March, 1982, p.3.

¹⁷⁶ Memorandum to the National Reconciliation Commission.

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as Information Secretary and Kwame Karikari as Acting Director General of GBC.¹⁷⁷ This was unsettling for the staff, especially since these soldiers were in charge of security at GBC. Particularly after the setting up of the Castle Information Bureau, under the directorship of Mrs. Valerie Sackey, not only were the content of state-owned media often interfered with, but also journalists were summoned before either the Secretary for Information or even the Head of State, to be berated for some infraction or other.

3.9.3.5 The year 1983 proved a most trying time for state media journalists who were covering the proceedings of the Special Investigations Board (SIB), which was set up to probe the murder of three High Court Judges and a retired Army Officer. Regular reporters assigned by the media houses to cover the proceedings were recalled and replaced by editors of state-owned media by the Minister for Information, Ato Austin. Thus for example, Kwao Lotsu, the Acting General Manager of the GNA, Sam Clegg, then Deputy Editor of the *Daily Graphic* and David Anaglate, Director of Radio at GBC, found themselves covering the SIB proceedings, during the period Capt Kojo Tsikata was giving his testimony.

3.9.3.6 Following the conviction and subsequent execution of Joachim Amartey Kwei, a member of the PNDC, who was implicated in the murder of the judges, top and senior journalists of state media were summoned to the conference room of the Ministry for Information, where Flt Lt Rawlings played a tape on which a voice said to be Amartey Kwei's, was heard saying certain things before being executed. Evidence before the Commission indicated that the journalists were also subjected to a horror video of a nursing tigress mauling a tourist who went too close to it, and they were then given the message that anyone who took the revolution for granted would be playing a dangerous game. The journalists were told that the Amartey Kwei tape was off record, and so they were not even allowed to take notes. Subsequently, the *Daily Graphic* published a story based upon the embargoed tape. Following the story, Kojo Yankah was publicly reprimanded by the Secretary for Information, Ms Joyce Aryee, for having disgraced journalism and then removed as editor of the newspaper. He was later assigned as Director of the Ghana Institute of Journalism.

3.9.3.7 By 1985, when virtually only state-owned media were able to operate, the PNDC embarked on a sweeping re-organisational exercise of the country's mass media institutions to ensure that certain loyal persons were placed in key positions. The government explained that the measures were intended to motivate qualitative changes in the productive capacities of the various media organisations. Thus, under the PNDC regime many journalists became very fearful not only about retaining their jobs, but for their personal safety. According to one account:

There were spies in the newsroom; pressmen trained in the Eastern Bloc and at the Ghana Institute of Journalism to spy on their colleagues... Security operatives infiltrated GIJ and the message to young journalists

¹⁷⁷ See Jacob J. Yidana, *Who Killed the Judges: Ghana In Retrospect*, Bismi Enterprise. Printing and Publishing, Accra, 1988.

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was that they would have difficulty finding jobs if they stepped out of line.

3.9.3.8 Apart from professional abuse, GBC workers were known to have also suffered physical and psychological abuses, sometimes from the near-permanent presence of armed police/military presence on the premises of the GBC, or at the hands of military personnel posted to the GBC. Women staff have reported instances of sexual abuse by soldiers. It was noted that in 1983/84, a medical report to the Director-General indicated extensive cases of hypertension as well as anxiety symptoms or psychiatric disorders, among GBC staff at Broadcasting House.

3.9.3.9 Under the new regime, several private newspaper organisations were either confiscated, banned, or forced out of business. In July, 1982, a group of angry youths and workers attacked the offices of such newspapers as the *Echo* and *The Believer* in Accra, claiming that the newspapers were using their pages and editorial columns to subvert the PNDC Government and to cause chaos and anarchy in the country. The attackers smashed office and printing equipment as well as destroyed printing materials.¹⁷⁸ One victim stated that these physical harassments and ordeals had a cowering impact on the private press. He pointed out that after the attack, the management of the *Echo* published a letter in the 1st August 1982 edition, apologising to the government for “the nature and tone of the opinions expressed in the *Echo* which amount practically to an incitement of the people against the present administration.” Boafo has noted that the newspaper’s guest-editor was relieved of his post, and from August, 1982, critical editorial comments and coverage of views opposing the 31st December Revolution, and expressions which were not in consonance with official line of thinking, completely disappeared from the newspaper.

3.9.3.10 On 21st June, 1983, the *Free Press* and the *Citadel Daily*, which also had been critical of events in the country, were similarly attacked by a group of angry protesters who took over the printing press of Tommark Advertising, publishers of the newspapers, saying they intended to use the printing facilities to print the “people’s news” and to champion the cause of the revolution. The demonstrators also besieged the Supreme Court Building in Accra to show their disapproval of the old judicial system, which they thought benefited the elite. That same year a number of Ghanaians, including three journalists of the *Free Press*, Tommy Thompson, John Kugblenu and Mike Adjei, were arrested for their alleged involvement in an attempt to derail the 31st December Revolution, and for being agents of the CIA.¹⁷⁹ Even though it was widely believed that the *Free Press* was closed down because it criticised the government, government officials strenuously denied this.¹⁸⁰

3.9.3.11 Other private publications and press houses such as Unipress, the publishers of the *Palaver*, the *Herald Tribune*, and the *Chronicle*, also suffered a ban. Indeed, one of

¹⁷⁸ Boafo, *supra*, p.77.

¹⁷⁹ Mike Adjei, *DEATH and PAIN RAWLINGS’ GHANA THE INSIDE STORY* Black Line Publishing Ltd, London, 1993, chapter 2.

¹⁸⁰ See CPJ Update, May/June 1984.

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the first legislative acts of the PNDC in 1982, was to confiscate that press.¹⁸¹ Unipress newspapers owned by Chris Asher, had, in previous years, been stridently critical of Flt Lt Rawlings. He had even gone to the extent of occasionally organising rallies to condemn him, as well as suggesting that Flt Lt Rawlings be imprisoned for his past actions.

3.9.3.12 On 24th January, 1985, the government ordered the immediate suspension of a private newspaper, *Ghanaian Voice* for allegedly “distorting news” and “fabricating stories which are completely without foundation.” An official statement issued by the Ministry for Information stated that the government could not allow the newspaper’s mischievous brand of journalism which was prejudicial to the national interest, to continue. Three months later, on 5th March, 1985 the suspension order was lifted.¹⁸² By this time, the tone of the *Ghanaian Voice* had changed to become one that was supportive of the government.

3.9.3.13 In June, 1985, Flt Lt Rawlings verbally attacked the Catholic Church, at a function to commission new transmitters for the GBC and in December that year his government banned the *The Standard*, a weekly publication of the Catholic Church, for its critical news stories and comments against the government. The newspaper, among other things, had criticised the PNDC’s human rights record and had called for the democratisation of government in Ghana. The PNDC claimed the newspaper was banned for its “unpatriotic reporting.” A lead article on the front page of the 3rd February, 1985 issue of *The Standard*, for example, had criticised the government for pursuing traditional economic policies which called for an over reliance on foreign investments and loans and a commitment to IMF. The article also condemned the creation of the Committees for the Defence of the Revolution (CDRs) and the Joint Consultative Committees (JCCs). It complained that these organs undermined the structural basis of workers’ and the people’s power. *The Standard* summed up general frustration with military regimes by noting in one of its articles, “Military interventions or military bullyism is the one curse which has bedevilled this nation...”¹⁸³

3.9.3.14 An editorial in the same issue of *The Standard*, added its voice to a communiqué of the GBA on human rights abuses going on in the country.¹⁸⁴ Another editorial of *The Standard* in June, 1985, among other things, criticised the execution of some persons for embezzlement of funds from a bank, and stated that executions were not the sole answers to economic ills. An issue of the paper even went as far as to carry a news flash that challenged why some political detainees had been released on bail and not Kankam da Costa, the former Central Regional Minister. This news flash was repeated in subsequent issues of the paper.

¹⁸¹ Forfeiture of Assets and Transfer of Shares and Other Proprietary Interests (Unipress Limited) Law, 1982 (PNDCL. 3).

¹⁸² *People’s Daily Graphic*, vol. 10671 Wednesday, 6th March, 1985 p.6.

¹⁸³ *The Standard*, 3rd March, 1985.

¹⁸⁴ *Ibid.*

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3.9.3.15 At the end of its annual conference in Sunyani on 5th July, 1986, the Catholic Bishops' Conference issued a communiqué condemning the ban on *The Standard*, and describing it as "arbitrary, unjustified and repressive."

3.9.3.16 The PNDC, like other military dictatorships, used legislative restrictions to control free speech and curtail press freedom in the country. On 27th March, 1989, the PNDC passed the Newspaper Licensing Law. This Law revoked the registration of all newspapers and magazines published in the country, and asked all publishers to apply to the Ministry of Information for re-registration. In addition, all importers of foreign magazines were required to obtain authorisation from the Ministry before magazines and publications were cleared from the port of entry. The passing of this Newspaper Licensing Law, made it virtually impossible for newspapers critical of government to survive, and, created further problems for the private press in Ghana. Several editors and publishers were pressured to toe the government's line, or forced out of the country's newspaper business altogether. For example, papers such as the *Free Press* and *The Independent* had difficulty obtaining a licence to operate.¹⁸⁵ Others found a third way out: they abandoned main-line journalism and went into the publishing of sports papers and Lotto papers.

3.9.3.17 The era of the PNDC has aptly been referred to as the era of the culture of silence. An article by Ajoa Yeboah-Afari culled from the *West African Magazine*, and published in the February/ March issue of the *Christian Messenger* noted that:

The blame for the performance of the Ghanaian press does not totally lie with individual journalist, but mainly with a system that discourages dissent and encourages debilitating self-censorship...

Another article captioned "How free is the press in Africa?" by Dr. George B.N. Ayittey observed:

The rule in Africa is to toe the government's line or engage in self censorship. As a result, creativity is lost, initiative is stifled and writers wither on the vine...Ghana meanwhile exercises no direct censorship and editors are officially free to publish whatever is news worthy. Yet says Baffour Ankomah, former editor of the *Pioneer*: 'you publish whatever is news worthy when you want to commit suicide.'

3.9.3.18 The plight of journalists and critics such as Tommy Thompson, John Kugblenu, Kabral Blay Amihere, Kweku Baako and Kwesi Pratt, who were all detained for voicing their opposition to government, underscores the regime's hostility and abusive conduct towards the media and journalists. Kugblenu, for example, fell ill in prison and died soon after his release, having never recovered from the brutal treatment meted out to him. George Naykene was tried and imprisoned for publishing a story that was allegedly inaccurate about which of the members of the AFRC received a share of the Chiavelli loan.

¹⁸⁵ see *Index on Censorship*, June/July 1990.

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3.9.3.19 As it had done in previous regimes, therefore, the state dailies under the PNDC government gave their unflinching and uncritical support to the regime and made little attempt to criticise government's human rights abuses and excesses. This status quo was maintained even after the Rawlings regime lifted restrictions on the press and the ban on political parties, as a prelude to democratic rule.

3.9.4 Media Resistance

3.9.4.1 In the face of intimidation however, there were certain isolated incidents of resistance from state media journalists and many noteworthy acts of resistance from journalists in the private media and on the part of privately-owned newspapers. In April, 1985, a confrontation ensued between the GJA and Mrs. Valerie Sackey of the Castle Information Bureau who had accused Ghanaian journalists of engaging in self-censorship and lacking judgment.¹⁸⁶

3.9.4.2 Far more impressive were the collective and individual acts of editorial resistance displayed by some journalists and the high price that was exacted from them on account of their courage.

3.9.4.3 The *Free Press*, owned by Tommy Thompson, *The Standard* and the *Christian Messenger* stand out as consistent critics of the abuses and wrongdoings occurring during the period of PNDC rule. Some of their critical articles have already been noted. The *Christian Messenger*, for example, carried a headline to a lead article in its January, 1984, that the "Revolution Cannot Succeed With Violence: Christian Council tells PNDC." The article said the Christian Council of Ghana was concerned about the "violence, hatred, human suffering, fear and flagrant violations of human rights that have characterized the two-year rule of the Provisional National Defence Council PNDC." It must be noted, however, an editorial comment in the same issue praised the manner in which the public tribunals, had dealt with the detractors and saboteurs of the revolution. On another occasion, a front-page lead article in the June 1984 edition of the *Christian Messenger* also carried a critical headline: "'Human Rights Are Being Violated,' says Christian Council". The article criticised the PNDC regime for its record of disquieting violations of human rights especially the kidnapping and murder of the three High Court Judges and a retired Army Officer.

3.9.5 Media As Intimidators

3.9.5.1 Intimidation by the media at this time was the norm. Editorials of the newspapers, Features as well as *GBC Commentary* on radio, were used to attack the reputations of private individuals. Scurrilous articles were published by print or broadcast that left reputations completely destroyed. For instance, a call by civil society groups for the government to hand over power to a National Government headed by the Chief Justice, elicited an editorial in the *Ghanaian Times*, "Judges, Morality And The Revolution", that attacked members of the Bench and Bar. In particular, there was a vicious attack on the

¹⁸⁶ See *West Africa Magazine*, Vol..... 29th April, 1985.

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integrity of the Mr Justice Akufo-Addo, former Chief Justice and President of Ghana, who had been dead for some years, as well as the sitting Chief Justice, Mr. Justice Fred K. Apaloo. This attack was intended to demonstrate that Chief Justices were not paragons of virtue. It thus appeared that nothing was sacred as long as the *Ghanaian Times* needed to undermine the basis for a call for a government under the leadership of the Chief Justice.

3.9.5.2 Reportage On The SIB

3.9.5.2.1 From the beginning of January, 1983, until the SIB submitted its report, the *Ghanaian Times* used its editorials to campaign against the Special Investigations Board (SIB), set up to investigate the murder of the three High Court Judges and a retired Army Officer.

3.9.5.2.2 The Chairman, Mr. Justice Samuel Azu Crabbe, came under a sustained attack in the media – particularly in the *Ghanaian Times*. In a series of editorials titled; The Drag of Vested Interests published between 4th January, 1983, and 29th March, 1983, the newspaper mounted a vicious campaign against the SIB in general, and its Chairman in particular. It alleged that selected materials from the SIB were circulating widely in the circles of Ghanaians in political exile and that enemies of the revolution in Togo, Britain and Holland were openly saying they would “use the Board by hook or by crook to topple the Government of the PNDC.”¹⁸⁷ For these alleged activities of the *émigrés* community, the SIB was held blameable.

3.9.5.2.3 The SIB was also accused by the *Ghanaian Times* of setting up its own Technical Investigative Team, made up of persons who were active in persecuting Flt Lt Rawlings and his associates during the Limann Administration, and that this new team was different from the one announced by the government under the chairmanship of the Secretary for the Interior, Johnny Hansen. This information to the public was incorrect as the investigative team which worked with the SIB, was set up by the Criminal Investigations Department (CID) of the Police, even before the SIB itself began its work. It was also untrue that there were two teams investigating the event, since the one under the chairmanship of Johnny Hansen though announced, was never, in fact, set up.¹⁸⁸ The newspaper further alleged that the *in camera* proceedings of the SIB were circulating among the ranks of enemies of the revolution abroad and therefore demanded that the proceedings be made available for publication in the local press to enable Ghanaians at home to read them too. The newspaper also expressed the belief “that an inquiry will reveal all the machinations, plots and manoeuvres that have taken place behind the scenes – that is, behind the public image of the Board.”¹⁸⁹ By these allegations, the newspaper sought to cast doubt on the integrity of the members of the SIB whilst fixing on them a political agenda to assist the enemies of the government to unseat it.

¹⁸⁷ *Ghanaian Times*, vol. 7,784 Friday 4th February, 1983 p.2.

¹⁸⁸ SIB Report, paras 34-38.

¹⁸⁹ *Ghanaian Times* Editorial of 4th January, 1983, *supra*.

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3.9.5.2.4 The editorial also repeated an allegation made to the SIB by Capt Tsikata that at a meeting of the PNDC, Sgt Alolga Akata-Pore had complained that an unnamed Judge had told him that attempts were being made to frame him up at the SIB, thus pitching him against his colleagues on the PNDC. Not only did such an allegation suggest that some judges were in league with the SIB, but that through those persons, information to potential witnesses was being leaked, for malicious purposes. Why any member of the Judiciary would have an interest in causing disaffection within the PNDC was not indicated, but it was clearly an attempt to create a perception that the Judiciary was in league with the enemies of the government to cause mischief.

3.9.5.2.5 In another editorial in the series, the newspaper accused the SIB, first of changing its procedures midstream to allow for public confrontations between witnesses, and then of adopting a legally-indefensible procedure when it allowed L/Cpl Amedeka to be present during the time Capt Tsikata appeared before it to cross-examine Amartey Kwei.¹⁹⁰

3.9.5.2.6 In a further editorial in the series, the newspaper appeared to have joined the defence team of Capt Tsikata when it accused the SIB of arbitrariness in the “manner in which the board decided to bring out the allegations against the Special Adviser to the PNDC in public contrary to the procedure which it had followed up to that point”.¹⁹¹ It also raised issues pertaining to some evidence before the SIB that it did not consider credible. The newspaper also alleged that, unknown to some of the members of the SIB, copies of a document purporting to be the Draft Report were circulating among some Western Embassies and that the Political Officer of the Embassy of the United States of America had told some journalists that the report would soon be released. This editorial thus sought, not only to sow disaffection within the membership of the SIB but also to suggest that some members were in league with the Americans to discredit the government.

3.9.5.2.7 Even more disturbing was a reproduction of a handwritten letter purporting to have emanated from one of the suspects in the murder investigations, Johnny Dzandu, in which he alleged that he and others had been offered safe sanctuary if he and others could escape from prison and make it to the American Embassy.¹⁹² This letter was supposed to expose the agenda of “vested interests” in the work of the SIB and consequently why the SIB would become their willing tool. Coming on the same day as an announcement that the report had been presented to the Attorney-General,¹⁹³ it was difficult to resist the inference of mischief-making that underlay the persistent and consistent newspaper attacks.

3.9.5.2.8 The *Ghanaian Times* also reported the proceedings in a manner calculated to cast doubt on the eventual conclusions of the SIB. These hostile media reports as well as other acts of official harassment, led to an attempt by the Chairman of the SIB to resign

¹⁹⁰ *Ghanaian Times*, vol. 7,790, Wednesday, 12th January, 1983.

¹⁹¹ *Ghanaian Times*, vol. 7,855 Tuesday, 29th March, 1983 p.2.

¹⁹² *Ibid.*, p.3.

¹⁹³ *Ibid.*, p.1.

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on 4th January, 1983. Although he was prevailed upon to rescind the decision, it was clear that the Chairman was unhappy about the war waged on him by the national media, then all state-owned.

3.9.5.2.9 The *Ghanaian Times* published the comments of the Attorney-General on the SIB Report before announcing its intention to publish the Report itself the next day, thereby giving primacy to the comments rather than the Report.¹⁹⁴ It is unclear why the *Ghanaian Times* saw its duty to the public in the light of an adversarial posture to the SIB.

3.9.5.2.10 The *People's Daily Graphic* was not left out of this fray, but also played its part in sabotaging the work of the SIB. Soon after the SIB handed in its report in 1983, a Central Intelligence Agency (CIA) scare-mongering effort began in the newspapers. As if on cue, any critic of the government was immediately tagged a "CIA Agent" in the media. The members of the SIB, the leadership of National Union of Ghana Students (NUGS) and the Association of Recognised Professional Bodies (ARPB), as well as some journalists, came under attack for having links with the CIA.¹⁹⁵

3.9.5.3 Intimidation Of Student Leaders

3.9.5.3.1 In 1987, following a major protest by students against the government's policies on financing of tertiary education, the *People's Daily Graphic* joined the fray on the side of the government. In an editorial on its front page entitled "Dishonest Poison",¹⁹⁶ remarkable for its personalised use of invective against the individual student leaders and their intellectual mentors, an attack was mounted to discredit the leaders. Even family-members of the leaders did not escape the attack. The newspaper, stated its view in the following manner:

This nation is presently having to examine the extent to which the fabric of our revolutionary process has been contaminated by the unprincipled, dishonest poison of little minds which have been turned sour by empty ambition.

We are referring to those who, on our university campuses have been focal points of misinformation and distortion and have spread their own poison to young minds in a bid to *destroy that which they cannot control*" (emphasis ours).¹⁹⁷

It proceeded to further explain its position on the closure of the university thus:

When the government closed down the University of Ghana and dismissed certain students last week, many people may have thought this was a harsh step.

¹⁹⁴ *Ghanaian Times*, vol. 7,909 Thursday, 2nd June 1983.

¹⁹⁵ *People's Daily Graphic* vol. 10104 Friday, 6th May, 1983, p.1.

¹⁹⁶ *People's Daily Graphic*, vol. 11347 Monday, 11th May, 1987 'Front Page Comment'.

¹⁹⁷ Ibid.

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Others who have been more aware of the activities of the past and present student leaders may, on the other hand, have wondered why the government has been so tolerant for so long, and why it has gone to considerable lengths [sic] to avoid publicizing and holding up for public ridicule and condemnation the carefully orchestrated game which they have been playing. It is about time, we consider, that their tactics were exposed.

3.9.5.3.2 The newspaper editorial also attacked some named persons described as “pseudo-intellectuals, the super leftists, the pretentious talkers who have become campus fixtures over the past decade” behind the students’ action. Accusing them as a “super radical clique” they were blamed for having corrupted many “good cadres by poisoning their minds.” In specific terms, blame for the 1982 misadventure of Sgt Alolga Akata-Pore that led to his departure from the PNDC was laid squarely at the door of these “infantile leftists.” The newspaper also stated that it was these same “super radicals” whose impractical theories had led to confusion in the Interim National Coordinating Council (INCC) of the PDCs/WDCs and that it was their influence that had so misled the PDCs/WDCs that they had to be changed to Committees for the Defence of the Revolution (CDR). The *People’s Daily Graphic* editorial left one in no doubt, by the way it attacked the “super radicals”, that the 1987 student-government clash was known to be a part of the 1982-84 struggle for ideological supremacy that caused the extreme leftists in the PNDC to attempt to usurp power in 1983, and that also immobilised and destroyed the INCC, which was set up to organise the PDC/WDC. The issue for the media is whether a national resource, such as a state newspaper ought to be used in such a manner.

3.9.5.4 Intimidation of Church Leaders

3.9.5.4.1 Church leaders did not escape the vicious campaigns of the media. In an editorial entitled “For the Pulpit”, the Churches and their leadership came in for condemnation for instigating the coup attempt of 19th June, 1983, by their constant criticism in Pastoral Letters and sermons. In the paper’s own words:

Thus the church leaders carried on until they pushed the nation into the crisis of June 19. Frightened by their realization of what would have happened to themselves if June 19 had succeeded – stupefied by looking back at the dangerous, self-effacing tiger riding game they had been playing – the church leadership are now cleverly trying to give the impression that they were not responsible for instigating the crisis. But history will judge them as fast as they are able to realize that they have misunderstood and misjudged the moral and divine solidity of the foundations of the revolution, the people’s power it has gathered, and the strength of the historic forces that push the process forward.

VOLUME 4 CHAPTER 3**3.9.5.5 Participation By Electronic Media**

3.9.5.5.1 These editorials were also read on the radio, thus achieving an all-round attack on the “victim of the moment”. Commentaries read on television, also repeated the information that attacked the integrity of the “victim of the moment”.

3.9.5.6 Censorship by Editors

3.9.5.6.1 Editors also practised a policy of refusing to publish certain news items, even as paid advertisements. This was not an exercise of the “gate-keeping function” of the media, but a deliberate policy to deny publicity to views they did not share because they were quick to publish the government’s reaction to such views. In 1987, the GBA was compelled to start its own publication because, as its President complained”

none of the state-owned media is willing to give publicity to our views, not even when we offer to pay for the publication of such views as advertisements. You would no doubt have noticed that although several attacks were mounted upon me personally for the views expressed in my address to you last year [1986], the speech containing the views itself was never published in any of the state-owned mass media although I was assured that the full text of my speech was communicated to the Castle the very day it was delivered.¹⁹⁸

3.9.5.6.2 These examples of the misuse of the media by their editors succeeded in shutting out alternative voices in public discourse and in the governance of the country. The editors of the period became part of the government’s arsenal against its opponents and enabled massive abuses and violations to occur, with only the very brave few, being able to mutter words of protest.

3.10 CONCLUSIONS

3.10.1 By their very nature as usurpers and self-proclaimed rulers, military dictators are able to impose themselves on societies they purport to represent by resorting to coercive measures aimed at ensuring compliance. To some extent this is also true of the period of the First Republic. During the mandate period, various tactics were used to coerce, co-opt and secure journalistic compliance, or to intimidate critics of the government:

1. intimidation of journalists through arrests, imprisonment, dismissals, threats, harassment, and physical abuse;
2. direct interference in media content;
3. compromising and co-optation of journalists – through inducements such as outright bribes and favours; special relationships between some journalists and

¹⁹⁸ Opening Address of the President of GBA, Peter Ala Adjetey, to the Annual Conference of GBA, Accra, on 1st October, 1987, p.2.

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- members of the ruling government; recruitment of informants in the media houses and planting of spies in newsrooms;
- 4. promulgation of legislation that muzzled the press; and
- 5. recruitment of editors of media houses as political activists to fight the cause of government.

3.10.2 The resulting dilemma faced by media practitioners between their professional dictates and irrational military adventurism is captured by an observation made in the Essah Committee Report:

The effect on the morale of those journalists who retain a modicum of the decent standards taught them in training schools or on the job has been catastrophic. They hold their heads low in society because they know what they are part of but cannot change. Nor can they resign easily because they see few other avenues open to them to practise.¹⁹⁹

3.10.3 Media, no doubt, constitute an important battleground in the hegemonic process mostly because they are often one of the key agents which articulate the interests of the dominant class/group in society.²⁰⁰ This perspective on the media is helpful in understanding why and how they played a legitimising role during various regimes that have taken over power through the barrel of the gun in Ghana; how they lent tacit or overt support to human rights abuses that occurred when those regimes were in power; and how the editors abused the control over their pages or airtime, to violate the rights of other citizens.

3.10.4 Just as a discernible pattern of co-optation strategy is manifested in the behaviour of military regimes, journalists themselves also employed strategies to legitimize illegal and brutal regimes, and to undermine public attachment to constitutional governance.

3.10.5 Journalistic strategies of complicity include:

- 1. villification of constitutional governments;
- 2. extolling the courage of the new military regime;
- 3. de-legitimisation and demonisation of the overthrown constitutional government;
- 4. validation of actions of the new regime, including human rights violations and abuses by the new regime, through rationalisation and extolling magnanimity that had been displayed by the regime;
- 5. villification of opponents of the new regime; and
- 6. overbearing criticism of minor infractions by constitutional governments.

3.10.6 As demonstrated in this chapter throughout the pages of newspapers and on the airwaves, government actions and pronouncements were propagated, endorsed, but

¹⁹⁹ Essah Committee, as reported in the *Daily Graphic*, 11th October, 1978, supra.

²⁰⁰ Leslie Steeves, *Gender Violence and the Press: The St. Kizito Story*. Ohio University Centre for International Studies, Monographs in International Studies. Africa Series No. 67. 1997.

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hardly ever criticised. State media and sometimes private media rationalised policies – good or bad – of the different military regimes, and were in many ways accomplices in the victimisation of people. Even Christian faith-based newspapers, such as *The Standard* and *Christian Messenger*, were swept up in the euphoria that greeted some military regimes and often did not condemn human rights abuses perpetrated by them.

3.10.7 During the regime of the NRC and SMC I, when opposition from civil society groups was open, the state-owned media could have played a more professional role by being less sycophantic, or even neutral. However, not much courageous journalism was shown. Thus, whenever Ghanaian journalists have been denounced, the accusation has been mainly that of sycophancy, if not outright cowardice. A typical example was when the Front for the Prevention of Dictatorship (FDP) and the People's Movement for Freedom and Justice (PMFJ) came into being in 1976 and 1978 respectively to fight military dictatorship, the press did not give them space to air their views. Other examples were: in 1977, the GBA and the Ghana Medical Association, both operating under the umbrella of the Association of Recognised Professional Bodies (ARPB), spearheaded a daring confrontation with the military government by ordering their members to go on strike, they were vilified by the media. Asante again observes that military periods were unique times for Ghanaian journalism to have gone into history as either hero or villain, but it chose the latter by “prostituting itself to any government that came to power.”²⁰¹ The press chose to lose its dignity and self-respect in the eyes of civil society, rather than incur the displeasure of the government of the day.

3.10.8 During negotiations for a return to constitutional rule at various times, the media were able to press for the establishment of buffer institutions known variously as the Press Council, the Press Commission or the National Media Commission. This drives home the importance of protecting press freedom. Consequently, civilian governments usually are put on notice that the press intends to vigorously defend its freedom to operate, and have been less inclined to interfere with press freedom, than governments which were not accountable to an electorate. During the mandate period, the media themselves were not as supportive of colleagues in conflict with the government, as they could have been.

3.10.9 Even under military rule, state-owned media like the *Daily Graphic* were occasionally able to criticise some of the regimes' policies that they considered objectionable, such as the 'Abbot Agreement' under the NLC regime, and Elizabeth Ohene and Ajoa Yeboah Afari's condemnation of the executions in 1979. Through satires, such as “Abonsam Fireman” in *The Standard*; “Thoughts of a Native Daughter” by Ajoa Yeboah-Afari, “Carl Mutt” by Henry Ofori and “Woes of a Kwatriot” by Kwesi Yankah in *The Mirror* were some of the columns that voiced dissent by satire, during those critical periods of the nation's history. In the PNDC period, some dissent could also be found during discussions on television programmes such as “Talking Point” or during radio discussion programmes. Most noteworthy of all is the role the private press, in particular *The Pioneer*, the *Free Press*, *The Standard* and the *Christian Messenger* played

²⁰¹ Ibid. p.69.

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throughout most of the period under review, at times risking their newspapers and personal liberties by taking a stand against human rights abuses.

3.10.10 The legacy of Ghana's illiberal, sometimes brutal socio-political history, has been a media with stunted growth; a media in which journalists, particularly of the state-owned media, have developed a culture of self-censorship and where the media in general, still show a tendency to be sycophantic to governments as well as various centres of power. Coercion, co-optation and corruption of the media by various governments, resulted in the fragmentation of the press along political lines, with many journalists pursuing their private agenda not necessarily for the public good, but for the attainment of factional and parochial goals. This legacy is hard to overcome even in a democratic era. Journalists are still likely to undermine each other and are not as sensitised to human rights abuses and violations as they ought to be. Relations remain polarised between journalists of the state-owned media, and those in the privately owned sector. The former views the latter with suspicion as "largely untrained" and lacking appropriate professional skills, and the latter views the former as lacking courage to be critical of government. Hard to change is the habit of settling old and personal scores, and even at the present time, it is not uncommon to hear of people being "fixed" in the media.

3.10.11 Surprisingly, despite the abundance of evidence to suggest that the media themselves are culpable in undermining democracy and human rights, it is often only their acts of valour that are publicly discussed. The media by their actions and inactions have sometimes encouraged would-be coup-makers to initiate action against lawfully established governments. The media, during periods of constitutional rule, often painted such gloomy pictures about the state of the economy, in comparison with the level of ostentatious living being indulged in by members of constitutional governments. These pictures undermined the loyalty of the citizenry to the constitutional government. For instance, there was a hue and cry over 504 Peugeot cars imported for sale to Members of Parliament during the Third Republic, as being over-indulgence in luxury. Yet, upon the overthrow of that government, there was never a whimper about the Nissan Stanzas and Four-wheel Drives that became the official vehicles of political office-holders. Again, during periods of constitutional rule, journalists subjected the government to such criticism that they ended up creating the impression that nothing good would come of a constitutional government because of the slowness of processes. However, without leading the public to appreciate that constitutionalism dictated compliance with requirements of legality, the public soon lost patience with civilian rulers. Yet, non-constitutional governments are the ones, whose lack of compliance with legal requirements, have ended up creating major human rights violations and abuse for the country. All these unappealing images cultivated by the media, have helped to prepare the ground for usurpers to step in, and use the media-led complaints as the justification for the seizure of power.

3.10.12 Despite these criticisms, it is important to acknowledge and validate the subtle and not so subtle ways in which the media resisted government actions and abuse. This overview indicates that some journalists took the route of martyrdom and suffered

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accordingly, through detention, loss of lives, loss of jobs and seizure of publications or premises. These definite acts of heroism must be commended and celebrated.

3.10.13 Considering that the media are expected to be facilitators of the process of truth and reconciliation, it is important that journalists, collectively and individually examine some of the past actions of the media, in order to better understand the role the media have wittingly or unwittingly played in the country's noble and ignoble history. There is a need to recognise and acknowledge their role in promoting a culture of human rights abuse, as well as their role in helping to nurture a culture of respect for human rights and dignity. This is what would enable the media to spearhead the process of their own institutional re-invention, improve their capacity to champion the cause of human rights, and thereby prevent future governments from using them to legitimize their actions.

3.10.14 The pledge of "Never Again" is one to which current practitioners should commit themselves.

CHAPTER FIVE

PROFESSIONAL BODIES (OTHER THAN LEGAL) AND CIVIL SOCIETY GROUPS

5.0. INTRODUCTION

5.0.1 In reporting on the human rights violations and abuses that occurred during the mandate period, the Commission considered whether or not professional associations and other civil society groups had contributed to the violation or the protection of individual human rights. The scope of this chapter is restricted to the activities of the Association of Recognised Professional Bodies (ARPB), as well as those voluntary and/or political associations that had an impact on the human rights landscape. Consequently, the Commission did not study all political parties, nor all civil society groups ever formed in Ghana. The groups concerned are professional bodies (other than legal) and other civil society groups.

5.0.2 The Commission believes that a study of the activities of these movements during the mandate period would enable the nation appreciate their importance in the socio-political history of Ghana; be provided with the reasons for change or continuity in these movements; understand why the movements underwent a transformation or ceased to exist altogether, and above all assess their impact on the development or otherwise of a culture of respect for human rights.

5.0.3 This chapter is in two sections: reflecting the two sectors that were studied under the title of this chapter. Part I covers the activities of the professional bodies as they were grouped under the rubric of the ARPB, and other civil society groups with influence over, or interest in national politics. Part II covers civil society in general, as well as groups that operated in the political arena during the mandate period. These were also of two types: (1) the groups such as political parties, formed for the purpose of securing political power; and (2) the others which were formed for other purposes although they became involved in the political struggles of the country.

5.0.3.1 The Political Parties and Groupings: United Gold Coast Convention (UGCC); Convention Peoples Party (CPP); The Ghana Congress Party (GCP) National Liberation Movement (NLM); Moslem Association Party (MAP); Northern Peoples Party (NPP); Togoland Congress; Anlo Youth Association; *Ga Shifimo Kpee*; United Party (UP) National Alliance of Liberals (NAL); Progress Party (PP); Peoples Movement for Freedom and Justice (PMFJ); Third Force; Front For The Prevention of Dictatorship; Togoland Liberation Movement and National Liberation Movement of Western Togoland; Movement on National Affairs (MONAS); Peoples Revolutionary League of

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Ghana (PRLG); Kwame Nkrumah Revolutionary Guards (KNRG); June Fourth Movement (JFM); People's Revolutionary League Of Ghana (PRLG); 31st December Women's Movement (DWM); Movement for Freedom and Justice (MFJ).

5.0.3.2 Legon Society on National Affairs; Trade Associations and Market Women's Associations.

5.0.4 This chapter highlights the mistreatment or otherwise of the groups, their leaders and other prominent activists, either because the patron-governments had been overthrown, or because their activities were a challenge to the sitting government. It also discusses the nature of the relationship between members and leadership of these movements and the governments they worked under, during the mandate period.

PART I**5.1 Introduction**

5.1.1 Apart from a few of these bodies such as the Ghana Medical Association (GMA), which was formed in 1958; Ghana Institute of Architects (GIA) formed in 1962; the Ghana Institution of Engineers (GhIE), formed in 1968; and Ghana Institution of Surveyors (GIS) in 1969, most professional associations were formed in the 1970s and later. From the available evidence, professional associations were formed for the primary purpose of promoting the interest of members of their respective professions.

5.1.2 In furtherance of the professional interest, most of them sought and obtained state recognition through appropriate legislation, which in some cases regulated their professional activities, including the maintenance of professional standards and ethics. It was upon the formation of the ARPB in the early 1970s, coupled with the speed and manner in which economic conditions deteriorated in the country, that changed the nature of interaction between the professionals, as organized under their associations, and the government.

5.2 **6TH MARCH, 1957–23RD FEBRUARY, 1966:**
CONVENTION PEOPLE'S PARTY (CPP) GOVERNMENT

5.2.1 Professional associations were not directly concerned with politics as a civic responsibility requiring them to show keen interest in the political fortunes of the country; and thereby availing themselves of the opportunity to make critical interventions when necessary. For them, any activity associated with political parties, politics and even governance, were not to be mixed with one's professional practice. Therefore, involvement in politics as a civic duty was not considered appropriate for a body of professionals. With the exception of the Ghana Bar Association (GBA), the professional associations that existed prior to the 1970s did not feature much in national affairs. For

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instance, the most momentous piece of legislation of the time, the Preventive Detention Act (PDA), 1958, that empowered the government to detain without trial, any person suspected of acts that might endanger the security of the state, did not elicit any public response from the registered professional bodies at the time, except for the GBA. Doctors and engineers did not see their vocations as entitling them to meddle in issues of governance, even though other groups outside the opposition parties, such as the churches, criticized the legislation.

5.3 24TH FEBRUARY, 1966 – 30TH SEPTEMBER, 1969: NATIONAL LIBERATION COUNCIL (NLC)

5.3.1 The Formation Of Legon Society On National Affairs (LSNA)

5.3.1.1 A few days after the 24th February coup d'état, a group of seventeen Ghanaian Senior Members of the University of Ghana were called together to form an organization that would mount guard over our patriotic interests and help preserve the coup. On 1st March, 1966, this body organised themselves in a spirit described above, into the Legon Committee on National Reconstruction. The committee's aims and objectives were simple: to help demolish the Nkrumah myth and to assist the NLC in every way possible, within the competence of the committee both as a body and as individuals:

A few weeks ago, one of the four sub-committees of the LCNR, the political, proposed to the main body the establishment of the committee's own organ, as one of the most practical ways – as well as an urgent one of giving assistance to the NLC. The Legon Observer is the result. We aim, through its columns, first, to give loyal support to the NLC.¹

5.3.1.2 This group, re-named the Legon Society on National Affairs (LSNA), played a human rights advocacy role through its mouthpiece, *The Legon Observer*. This was its official platform, although very often, it was individual members of the LSNA who protested human rights abuses by the NLC. During this period the official body of university teachers, University Teachers Association of Ghana (UTAG), confined itself to its trade union functions.

5.3.1.3 The LSNA made a “vow” to the nation that it was resolved “to give loyal support to the NLC” in its drive to consolidate freedom and democracy in the country. Though the LSNA was critical of certain NLC policies, its avowed opposition to the CPP compromised its ability to protest at the serious infringements on the human rights of CPP officials and activists.

5.3.1.4 Public opinion, even of enlightened persons, demanded punishment for the corrupt and “bad CPP officials”. These views supported the detention of CPP activists

¹ *Legon Observer*, 8th July, 1966 Vol. 1 No. 1 Editorial Comments.

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and functionaries, because such detentions were deemed to be necessary for the protection of society. There was also support for the confiscation of their properties allegedly acquired by corrupt means, in order that they would not be able to buy their way back into political power. The LSNA, as other intellectuals in the country, mounted open opposition to the NLC's policy of not seeking vengeance, and pacifying the nation in order to heal its wounds and unite it. Indeed, the former President of the GBA Victor Owusu, was the Attorney-General and Minister of Justice, when these laws were passed.²

**5.4 1ST OCTOBER, 1969 – 12TH JANUARY, 1972:
THE SECOND REPUBLIC – THE PROGRESS PARTY
(PP) GOVERNMENT**

5.4.1 There was no appreciable change in the activities of professional associations, although more and more groups began to initiate moves to organize themselves. Politics and issues of governance were still seen as the preserve of those within the professional classes, who had political ambitions.

**13TH JANUARY, 1972 – 3RD JUNE, 1979:
THE NATIONAL REDEMPTION COUNCIL (NRC)/
SUPREME MILITARY COUNCIL (SMC) I & II**

5.5 The NRC and SMC I

5.5.1 Involvement Of Professional Associations In Politics

5.5.1.1 The direct involvement of professional bodies in Ghanaian politics can be dated to the 1970s. In the 1970s, their engagement in politics became pronounced when the economy of the country began to show signs of collapse, as a result of misrule and mismanagement of the military rulers. The return of the country to constitutional or civilian rule became the dominant objective, obscuring any other concerns. Before this time, involvement in Ghanaian politics had been the province of individuals (professional or not) and private (non-professional) associations, who would comment on human rights issues selectively and periodically. In general the professional groups, whose members constituted the cream of Ghanaian society, showed the same attribute as the general population, in terms of the lack of appreciation of the intrinsic value of human rights, and of the need for commitment to defend and promote the enjoyment of human rights for all persons.

² The *Legon Observer* Vol. 1, No. 9, p.9, 1966.

VOLUME 4 CHAPTER 5**5.5.2 The Birth Of The Association Of Recognised Professional Bodies (ARPB)**

5.5.2.1 In 1977, SMC I regime, under Gen Acheampong, came under strong pressure to return the country to constitutional rule, and Gen Acheampong then introduced the concept of Union Government (Unigov) to which the professional associations took great exception. The Unigov idea was one in which the country was to be governed by representatives of the civilian population, the military and police. The professional associations came together to form the ARPB. The ARPB was formally incorporated on 20th May, 1981, although it had existed and functioned in the political arena since its birth in 1977.³

5.5.3 ARPB Begins To Oppose The Government

5.5.3.1 In June, 1977, the ARPB called on the government to resign and hand over power to an interim body to usher the country to a civilian rule, otherwise its members would resort to a strike action.⁴ On 4th July, 1977, the *Ghanaian Times* in its editorial comment appealed to the GMA to rescind its decision to embark on a strike action:

we had had the occasion to invite the ordinary people of this country to fight against and not to pander to the dangerous attempts by the Professionals to return this country to a class struggle. We now appeal to the Ghana Medical Association not to allow other professionals to hide behind the value of the doctor's service to the society to introduce politics into medical practice.⁵

5.5.3.2 Despite the hostility to the ARPB inherent in the appeal, members of the ARPB embarked on a nationwide withdrawal of services in protest against an inefficient and corrupt government on Monday, 6th July, 1977. The strikers called on the SMC Government to step down and until it did so, their services were to remain withdrawn.⁶ On the first day of the strike action, Gen Acheampong repealed the Professional Bodies Registration Decree, 1973 (NRCD 143), froze their assets and bank accounts under Professional Bodies Registration (Repeal) Decree, 1977 (SMCD 103), and put out a public statement to that effect.⁷

5.5.3.3 Prior to the repeal of the Professional Bodies Decree, there was a call by the Ashanti Youth Association (AYA) to repeal the Decree in June 1977. The AYA called on the SMC I Government to widen the scope of the Decree banning political parties to make it unlawful for one professional body to consult, discuss or act in concert with any other professional body, on political issues. In a statement signed by M T K Manu, the

³ Sam Okudzeto, "The role of association of Recognised Professional Bodies in the political Struggles of Ghana" in *Civil Society in Ghana* F.K. Drah and Mike Oquaye (eds) FES, Accra, 1996, p.109.

⁴ Mike Oquaye, *Politics in Ghana, (1972-1979)* Tornado Publications, Accra, 1980, pp. 58-59.

⁵ *Ghanaian Times* Vol. 6088 Monday, 4th July, 1977, p.4.

⁶ Oquaye, supra, p.58.

⁷ *Ghanaian Times* Vol. 6711 Saturday, 7th July, 1979, p.1.

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secretary, he contended that such measures had become necessary in view of the fact that some professional bodies had demonstrated clearly that they intended to rally together with a view to creating “monolithic professional bodies association” for the purpose of embarking on “general civil disobedience and other notorious political activities.”⁸ The newspapers published reports of comments from the general public that were critical of the ARPB,⁹ as well as events that showed that some professionals had not joined in the strike.¹⁰

5.5.4 The ARPB And The Unigov Campaign

5.5.4.1 On 12th October, 1977, the ARPB organized a seminar on the concept of Unigov at the Accra Community Centre. This seminar was broken up by government-sponsored thugs and many persons were assaulted. A Decree, the Union Government (Civil Proceedings) Decree, 1977 (SMCD 139), was passed to protect those who were involved in the assaults. It also prohibited any court from entertaining any civil action against anyone preaching or propagating the concept of Unigov, or for participating in, or attending any debate or discussion of the proposal of Unigov.¹¹

5.5.4.2 In 1977, in response to the campaign by the ARPB alleging corruption on the part of the SMC, the Prohibition of Rumours Decree, 1977 (SMCD 92) was passed. This decree provided as follows:

Any person who by print, writing, painting or word of mouth, publishes or reproduces any statement, rumour or report which is false or likely to disturb the public peace or to cause disaffection against the SMC or NRC among the public or among members of the Armed Forces or of the Police Force shall be guilty of an offence.

5.5.4.3 On 5th March, 1977, the *Ghanaian Times* wrote a scathing editorial, entitled: “The Korle-Bu Professors”, castigating the doctors for believing that they could hold the nation to ransom.¹² On 9th July, 1977, armed soldiers actually stormed the Korle Bu Teaching Hospital in a convoy of trucks and forcibly ejected doctors and their families from their homes. Many were physically assaulted. Some sustained serious injuries while soldiers burnt cars and other properties belonging to the doctors.¹³ Other members of the ARPB were harassed, trailed by security forces, and their telephones tapped.

5.5.4.4 Accusing some of the professionals of being agents of foreign powers, the government declared:

⁸ *Ghanaian Times* Vol. 6705 Friday, 30th June, 1977, p.1.

⁹ *Ghanaian Times* Vol. 6092 Friday, 8th July, 1977, p.1.

¹⁰ *Daily Graphic* Vol. 8310 Friday, 8th July, 1977, p. 1

¹¹ SMCD 139, section 2.

¹² *Ghanaian Times* Vol. 5,987 Saturday, 5th March, 1977 p.4.

¹³ Oquaye, supra, p. 59.

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... the Supreme Military Council is aware of the activities of some nation wreckers who are doing everything to bring confusion and unrest to our beloved nation. Within the past few weeks, some serious political developments have taken place in our country, which ought to be fully made known to you. The government became aware of the fact that some foreign powers, for reasons known to it, had funnelled huge sums of money to some irresponsible, over-ambitious, disgruntled and unpatriotic power seeking Ghanaians to be used to overthrow the government of the Supreme Military Council and to replace it with its lackeys. In pursuance of this objective, these same persons, using the masks of some lecturers of the nation's universities arrogated to themselves the role of the mouthpiece of the people to dictate terms to the government in the most arrogant and peremptory language.¹⁴

5.5.4.5 The ARPB later rescinded its decision and resumed work after receiving assurances from the government, giving a guarantee of protection from victimization and molestation of any of the members of the association who might have withheld their services.¹⁵ Many of the most eminent public figures had teamed up with the ARPB, the People's Movement for Freedom and Justice (PMFJ) and the Front for the Prevention of Dictatorship in order to oppose the Unigov proposal, which would have given the military a permanent stake in government.

5.5.4.6 In the crucial referendum of 30th March, 1978, Gen Acheampong was effectively humiliated, although the results that were announced after the Electoral Commissioner had been chased out of his office, indicated that Unigov had received massive endorsement by the citizenry. The results that were announced, did not reflect the real state of affairs, and agitations continued until, four months later, he was ousted in a "palace coup".

5.6 SMC II

5.6.1 On 5th July, 1978, Gen Acheampong was removed from power by his own colleagues on the SMC. He was replaced by General Frederick William Kwasi Akuffo as Chairman of SMC II and Head of State.¹⁶ The SMC II detained Gen Acheampong and also stripped him of his military rank and entitlements, declaring that he had now become a mere "Mr" Acheampong. He was also confined to his hometown, Trabuom in the Ashanti Region.¹⁷

5.6.2 The announcement declaring Gen Acheampong as "Mr. Acheampong", created strong resentment within civil society. Many people felt that it reflected the lack of

¹⁴ *Ghanaian Times* Vol. 6,094 Monday, 11th July, 1977, p.1.

¹⁵ *Daily Graphic* Vol. 8319 Tuesday, 19th July, 1977, p.1.

¹⁶ *Ibid.* p.29.

¹⁷ Armed Forces (Miscellaneous Provisions) Decree, 1979, (SMCD 235).

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respect that the military had for civilians, such that a penalty and a mark of disgrace, was to be a “mere ‘Mr.’”

5.6.3 The ARPB issued a statement in which it urged the government to prefer formal charges against “Mr” Acheampong and that he should be put before court without delay. The association also complained, that merely stripping “Mr.” Acheampong of the honours he bestowed on himself, and depriving him of his pension rights, were not enough punishment for the gross mismanagement that had taken place under his leadership.¹⁸ The government did nothing about this, until it was itself overthrown on 4th June, 1979.

5.6.4 The ARPB renewed its appeal to the government to restore the Professional Bodies Registration Decree, which was repealed by “Mr”. Acheampong. Consequently, the assets and bank accounts of the ARPB were defrozen by the Professional Bodies Registration (Repeal) (Amendment) Decree, 1978 (SMCD 171).

5.6.5 After some initial procrastination, the SMC set in motion a programme for a full return to civilian rule when the ARPB protested it’s concept of Transitional Interim National Government, arguing that it was just like the Unigov concept that they had opposed. Eventually, the government gave in, and constituted a Constituent Assembly, to draft a new Constitution for Ghana.

5.7 **4TH JUNE, 1979 – 23RD SEPTEMBER, 1979:**
ARMED FORCES REVOLUTIONARY COUNCIL (AFRC)

5.7.1 By 4th June, 1979, when the Armed Forces Revolutionary Council (AFRC) assumed power, a transitional programme to restore constitutional rule in Ghana by the middle of July, 1979 had already been agreed by various political party leaders and the SMC II government, and even, elections had been slated for 18th June, 1979. From the standpoint of the political elite therefore, the coming of the AFRC was an unnecessary interruption of a process that they had already started. Despite initial fears, a sigh of relief greeted the decision of the AFRC to honour the transitional arrangements already put in place.¹⁹

5.7.2 The Ghanaian establishment was virtually oblivious to the tectonic shift that was taking place beneath its feet. One reason was that the successful campaign to drive the military from office actually appeared to vindicate ARPB leadership position. The ARPB did not, as a body, lend its support to the AFRC, although some of the members of the individual professional bodies participated actively in the governance activities of the AFRC.

5.7.3 During the June-September, 1979, period when the AFRC was in power, a number of atrocities were committed. In a meeting that took place between the political party

¹⁸ *Daily Graphic* Vol. 8880 Wednesday, 11th May, 1979.

¹⁹ *Ibid.* p.29.

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leaders and the AFRC, the politicians secured from the AFRC a firm promise to continue with the transitional programme to democratic rule, but nothing was said about the atrocities then taking place.

5.7.4 However, some political leaders, some workers groups and university students pledged open support, justified the “house-cleaning” exercise by the AFRC government, and called for its extension to other social sectors. However, there is no indication that the ARPB took a stand on any of the issues at stake.

5.7.5 In fact, what seemed to have happened during the AFRC period, was that the regime had support mostly from students and some members of the general public. From all over the country, individuals issued statements appealing to the general public to support the Revolution.²⁰ Many members of the ARPB were under fire, as they tended to be in senior positions in the public service. Indeed, there was a spate of resignations which caused the AFRC to issue a warning, and to insist that all letters of resignation were to be channelled through the AFRC for approval to be given, before the resignation would be accepted.²¹

5.7.6 When the AFRC government executed the former Heads of State and a number of Senior Military Officers, the *Daily Graphic* called it “a significant milestone”. There were no public protests from the ARPB, or any of its constituent bodies, except a statement issued by a group that called itself ‘Society for National Welfare’. The Society had issued a statement urging justice, fair play and the rule of law in the government’s effort to punish corrupt persons. In that statement, the Society also urged the AFRC not to abort the democratic process.

5.7.7 The AFRC government seized the assets of a large number of people; private houses were demolished, and special military tribunals were set up to try people alleged to have committed various crimes. Public opinion regarded the actions of the AFRC, as retribution for bad and corrupt leadership, and so tacitly supported them.

5.7.8 The short AFRC tenure graphically illustrated this lack of human rights culture that would move individuals and groups to struggle in defence of human rights. In other instances, the elites led the entire country to condone human rights violations. The leaders of the registered political parties, then engaged in electoral contest for power, were seemingly concerned more about securing the transition programme so that power would be transferred to one of them. The widespread human rights abuses that were committed by the AFRC appeared not to be their primary concern, until after the first round of the elections, when the top five political parties issued a joint statement expressing concern about the executions. They also urged the government to uphold the rule of law in all cases where a crime was alleged to have been committed.

²⁰ *Ghanaian Times*, Vol. 6,706 Monday, Monday, 2nd July, 1979, p.3; *Ghanaian Times*, vol. 6,722 Friday, July 20, 1979, p.3.

²¹ *Ghanaian Times*, Vol. 6,716 Friday, 13th July, 1979, p.1 “AFRC to approve resignations.”

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5.8 24TH SEPTEMBER, 1979 – 30TH DECEMBER, 1981
THE THIRD REPUBLIC PEOPLE'S NATIONAL PARTY
GOVERNMENT (PNP)

5.8.1 The ARPB was functioning at a low level on account of the fact that the 1969 Constitution appeared to provide answers to the problems of governance to which it had committed itself. However, it continued to give advice on technical matters to the government. For instance, in 1980, it sent a memo to the Vice-President on the food situation in the country, and recommended action to be taken to address same.

5.8.2 On 20th May, ARPB Executive Council met with the Council of State on the security situation in the country. At this meeting, it advised the government on its handling of the Transitional Provisions as well as its attitude to the former Chairman of AFRC, advising the government to stop the “attempts to give Flt Lt Rawlings a bad name and allow him to settle down quietly into civilian life”.²²

5.9 31ST DECEMBER, 1981 – 6TH JANUARY, 1993:
THE PROVISIONAL NATIONAL DEFENCE COUNCIL (PNDC)

5.9.1 The Provisional National Defence Council (PNDC) came to power on 31st December, 1981, after a coup d'état led by Flt Lt Jerry John Rawlings, who became Chairman of PNDC and Head of State. There were human rights abuses during the PNDC era. People were assaulted, brutalized, maimed, imprisoned, abducted and killed. Others had their properties seized, vandalized or confiscated. In fact the PNDC period was a period of lawlessness, when the rule of law had completely broken down in the Ghanaian society, and citizens' rights, freedom and liberties were thus taken away from them.

5.9.2 Under the PNDC, when some of the most heinous crimes were committed against fellow Ghanaians, the lack of a culture of human rights struggle, became very obvious. In 1982, resistance to the PNDC by the GBA²³ and ARPB was driven as much by the demand for the restoration of constitutional rule, as by a commitment to defend human rights, although the struggle was not couched in human rights language. Gross human rights violations took place, and were rampant. The murder of the three High Court Judges and a retired Army Officer, shook the rank and file of Ghanaian citizenry, as much because of the gruesome nature of the killings, as by the fact that Ghanaians deeply valued the sanctity of life. However, those horrendous acts could not ignite a movement to stop further human rights abuses, even though the protests and condemnations by the ARPB, religious and other civic bodies were loud and consistent.

²² Okudzeto, *supra*, p.113.

²³ *Daily Graphic* vol. 9709 Monday, 18th January, 1982, pp.4 & 5.

VOLUME 4 CHAPTER 5**5.9.3 ARPB's Struggles With The PNDC**

5.9.3.1 The ARPB began its struggle against the PNDC soon after it came to power. It began to issue statements, critical of various government policies which it felt to be against the interests of the Ghanaian public. On 21st July, 1982, the ARPB held a press conference at which it read a resolution which, among other things, urged the PNDC to hand over power to a "Government of National Unity", while making arrangements to return the country to a constitutionally elected government by 1983. On the state of the nation, the ARPB criticized the PNDC Government on the murder of the three High Court Judges and a retired Army Officer in the following words:

We wish to express our revulsion at the callous manner in which three eminent High Court Judges and a retired Army Officer were abducted from their houses on the night of the 30th of June 1982 and murdered and the attempt made to obliterate the evidence by burning their bodies.
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Since the 31st December 1981, the law of the jungle has taken over a once decent and law abiding people of Ghana. Law and order has broken down and there is callous disregard for Human Rights and Fundamental Freedoms.²⁵

5.9.3.2 The ARPB also called for a lifting of the curfew, because it had become a licence for killings and robbery, and condemned the destruction of the Army hierarchical structure by the introduction of the Defence Committee System into the Ghana Armed Forces. This criticism was promptly denounced by the *Daily Graphic*, which lambasted the ARPB for those views.²⁶ The June Fourth Movement (JFM) also condemned the statement as "waging a campaign against the democratic gains that the other ranks have acquired through the PDCs". The JFM also described the statement as "insulting to the workers of Ghana who are striving to organise themselves to effectively participate in the decision-making process of the country."²⁷ This statement elicited a comment from a columnist, perhaps conscious of the futility of press statements to restrain a military government:

This brings to mind a similar demand made of another military regime some five years ago by the same body. In 1977, the military regime "did not mind" the professionals, and there is little chance that the PNDC will hand over just because the professionals say so.²⁸

²⁴ *Daily Graphic* Vol.9846 Saturday, 3rd July, 1982, p.1.

²⁵ ARPB statement, 20th July, 1982.

²⁶ *Daily Graphic* Vol. 9862 Thursday 22nd July, 1982 editorial.

²⁷ *Daily Graphic* vol. 9864 Saturday 24th July, 1982, p.1.

²⁸ *The Legon Observer*, August 1982, No.8 Vol. XIV Editorial Comment.

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5.9.3.3 In reaction to the demand by the GBA and ARPB for the PNDC Government to hand over power in September, 1983, two groups, the People's Revolutionary League of Ghana (PRLG) and the JFM issued statements condemning them. The statements were signed by T. Kodjo Ababio Nubuor, the General Secretary of PRLG and Kwasi Adu, President of JFM, accusing the two associations and *The Echo* newspaper, of making efforts to negate the good intentions of the people's revolution. The statements further described the call to hand over power as:

one more attempt at the philosophy of restorationism, and they fell neatly into the framework of a well-thought out master plan, and an attempt to overthrow the revolution and restore the anti-people old order.

The most casual study of the demands made by the professionals point out clearly that they are underscored by a philosophy of restoration. We remember that well before the murder of the judges and the retired major, the professionals wrote various articles in "The Echo" claiming that certain revolutionary forces had planned to commit assassination of some people without ever indicating any concrete evidence to support their claims.²⁹

5.9.3.4 Following this statement, there was a workers' demonstration against the ARPB, whose members were described by the demonstrators as "Selfish yet vocal minority who call themselves men of distinction."³⁰ Other demonstrations in other parts of the country followed,³¹ and soon thereafter, *The Echo* was suspended from publication. A prominent engineer who was a PNDC appointee, Professor Mawusi Dake, criticized the ARPB in a feature article in the *Ghanaian Times* accusing the professionals of wanting to further their own political ambitions by calling for a government of National Unity

The professional bodies are asking for a government of national unity, which will take four years to restore the old institutions. But the same intelligent and supposedly efficient people, who obviously will man the government of national unity, have expected the PNDC, which is committed to building new structures in the face of an inherited bankrupt economy to have realized its goal in fifteen months.³²

Meanwhile, Dake's own GhiE colleagues in the ARPB had been arrested and detained by the new government.

5.9.3.5 On 28th July, 1982, the ARPB held a funeral service at the Supreme Court Buildings, at which the Chief Justice was present. The ARPB issued a list of over 200 names of individuals who had, by that date, been killed by soldiers, and for which acts no

²⁹ *The Voice*, No. 14, 26th July, 1982.

³⁰ *Daily Graphic*, 24th July, 1982, p.9.

³¹ Ibid.

³² *Ghanaian Times*, Vol 7,883 Tuesday, 3rd May, 1983, p.4.

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prosecution had taken place, or was likely to take place. The effort was a monumental one, as it covered killings that had occurred, region by region. This effort has left a historical record of those who were killed in those heady days of lawlessness.

5.9.3.6 In April, 1983, the PNDC amended its 1981 Proclamation with PNDC Law 42. The ARPB responded to its provisions by pointing out that it “contains essential elements and highlights the point of arbitrariness and dictatorship which have never seen a parallel in the 26-year history of Ghana”.³³ The statement further questioned why Ghanaians had not been consulted about the law and queried: “Were Ghanaians not promised that this was the time for them to be involved in the decision-making process. Is this the substitute for the Parliament which the people of Ghana elected their representatives to?”³⁴ These activities did not please the government and it was not long before reprisals followed.

5.9.3.7 On 12th May, 1983, the ARPB issued a statement alleging that one of the Food and Drugs Aid parcels sent from Libya to Ghana, and sent to Cape Coast from the Tema Central Medical Stores, was found to contain arms, and not drugs. This allegation was promptly denied by a doctor, Dr. Edwin O. Quaynor, Central Regional Medical Officer of Health. Dr. Quaynor stated categorically “there is no truth in the allegation by the Professional Bodies Association”.³⁵

5.9.3.8 Following a National Union of Ghana Students (NUGS) Congress which he had addressed in May, 1983, the President of ARPB, Sam Okudzeto, was put before the Citizens’ Vetting Committee (CVC) to be vetted. He was subsequently ridiculed in the press for responses he gave when being interrogated by that body. Later he was arrested on 26th June, 1983, and detained without charges, from that date, to May, 1984. In July, 1985, he was arrested again and detained for about six months, and then released without charge.

5.9.3.9 In May, 1983, an attempt was made to arrest and prosecute JAN Atttoh and HDL Yartey, the Vice President and the Honorary Secretary of the ARPB respectively, for sedition. They were alleged to have printed ARPB material that was seditious, ie material that tended to put the government into disrepute, or that was critical of the PNDC’s policies. Fearing for his life, Atttoh fled Ghana in May, 1983, and never returned. The two men were prosecuted and convicted. Yartey, who had been in detention until the day the judgment was delivered, was discharged. However, Atttoh, who had been tried in Absentia, was sentenced to ten month’s imprisonment. The tribunal ordered that his mini-bus, on which some of the material had been found, be confiscated to the State, for use by the National Mobilisation Committee.³⁶

³³ Okudzeto, supra, p.122.

³⁴ Okudzeto, supra, p124.

³⁵ *Ghanaian Times* Vol. 7,903 Thursday, 26th May, 1983, pp. 1&3.

³⁶ *Ghanaian Times* Vol. 8,049 Saturday, 12th November, 1983, p1.

VOLUME 4 CHAPTER 5**5.9.4 The ARPB Loses Steam**

5.9.4.1 The ill-treatment of the leaders of the ARPB had an impact on the life of the ARPB. In January, 1990, its President, Sam Okudzeto, made a report to his mother-association, the GBA, that the ARPB existed only in name. He blamed the ARPB's moribund state on the suffering that the leaders had undergone at the hands of the government.³⁷ Although the GBA encouraged him to try and revive the meetings of the ARPB, it had lost the will to fight and had been intimidated into silence.

5.9.4.2 In 1991, the ARPB was able to revive itself and held a symposium on the Draft 1992 Constitution. However, it was clear that the ARPB had lost steam.³⁸ It did not feature on the list of bodies allocated places on the Consultative Assembly, although each of its constituent groups had representation.

5.9.5 Conclusion

5.9.5.1 The professionals have asserted a level of influence over national affairs which is generally far more profound than their limited numbers might suggest. The clout of the GBA and the ARPB has always been much greater than that of the business associations. In that sense, the professionals have functioned as the political vanguard of the dominant class in Ghana.³⁹

PART II**CIVIL SOCIETY GROUPS****5.10 RE-INDEPENDENCE****5.10.1 Introduction**

5.10.1.1 The formation of civil society groups with political orientation began to be a feature of the national landscape as a result of the introduction of the modern political economy, the subsequent urbanization and post World War II social developments that released young people from traditional control without putting in place any measure to include them in the new political arrangements.

³⁷ Minutes of GBA Annual Conference held in Kumasi, 9th –11th January, 1990.

³⁸ Okudzeto, *supra*, p.128.

³⁹ Paul Nugent, *Big men, Small Boys and Politics in Ghana, Power, Ideology and the Burden of History, 1982-1994* Asempa Publishers, Christian Council of Ghana, Accra, 1996, p.9.

VOLUME 4 CHAPTER 5**THE FORMATION OF POLITICAL PARTIES IN THE GOLD COAST****5.10.2 The United Gold Coast Convention (UGCC)**

5.10.2.1 At the end of the Second World War, the war veterans who had gone to fight in other lands for freedom, on behalf of the colonial power returned home with ideas about the quality of life that they ought to have. However, they were not trained in civil life with appropriate income-earning and marketable skills to achieve that standard, nor were they given any financial package to ease their transition into civil life. Their return, coupled with the rapid urbanisation and expansion of social amenities and infrastructure in the urban areas, produced a class of politically-conscious young men and women who began to appreciate the anti-colonial posture of the intelligentsia. It was in the midst of all this social ferment that the first mass party, the United Gold Coast Convention (UGCC), was formed at Saltpond in August, 1947, under the chairmanship and financial sponsorship of George Grant, better known as Paa Grant, a wealthy Nzima businessman.

5.10.2.2 With its slogan of “Self-Government within the shortest possible time”, the UGCC quickly attracted a large following, particularly among the educated persons, chiefs and farmers. The speed with which the party gained numbers made its proper organization somewhat difficult for the leaders who were mostly professionals and therefore only part-time politicians. A member of the UGCC Executive, Ernest Ako Adjei, proposed the employment of an energetic young man he had met in England, Kwame Nkrumah, as General Secretary, to do the work of political mobilization full time. Paa Grant paid the £100 passage for the return of Nkrumah to the Gold Coast.

5.10.2.3 The young Nkrumah arrived at the end of 1947, and soon got down to work, establishing structures through which the party could function effectively. In February, 1948, barely two months after he took office, Kwame Nkrumah and five leaders of the UGCC – Edward Akufo-Addo, Emmanuel Obetsebi Lampitey, William Ofori-Atta, Ernest Ako Adjei and Dr. Joseph Boakye Danquah - were arrested because they were blamed for the rioting and looting that occurred as a result of the killing of some ex-servicemen who had gone on a protest march.

5.10.2.4 The ex-servicemen had gone on the march to protest against high prices of goods and general hardship in their living conditions, exacerbated by the failure of the British Government to honour promises made to them on their demobilization benefits. Whilst on the march, they decided to change course and march to the Osu Christiansborg Castle, the seat of government, instead of remaining on the route for which official approval had previously been obtained. At the Osu crossroads, they were fired on when they would not heed an order to halt. Three ex-servicemen, Sergeant Adjetey, Corporal Attipoe and Private Odartey Lampitey, were killed and many others injured. This incident sparked off riots and looting of European and Syrian/Lebanese owned stores in many of the towns in

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the Gold Coast. By the end of the day, the death toll had reached 29 with 237 injured and property damage to the tune of £2,000,000 had occurred.

5.10.2.5 Although it was not the UGCC that had organized the march, political responsibility for what had happened was laid at the door of the party. The six leaders of the UGCC, who were arrested, were later affectionately named “The Big Six”. They became national heroes overnight as news of their arrest spread around the country. They were sent to prisons across the country.

5.10.2.6 After the release of the ‘Big Six’, Nkrumah set out to organize in earnest. He linked up with political youth groups and formed the Committee on Youth Organisation (CYO). He also established a newspaper, the *Evening News*, which he used to great advantage. Conflict over strategy soon developed between him and other leaders of the UGCC. They began to feel that Nkrumah was promoting himself and his personal agenda at the expense of the party that employed him, and he began to feel that they were not ready for his style of organization.

5.10.2.7 A break became inevitable, and on 12th June, 1949, Nkrumah broke away from the UGCC and formed the Convention People’s Party (CPP) at Saltpond, taking with him most of the young people he had so successfully mobilised. The period thereafter heralded the nurturing of bad blood between the leaders of the two parties. Attacks in the *Evening News* on the leaders of the UGCC, especially on Dr. Danquah, as well as a whispering campaign of bribe-taking and allegations of other dubious activities made against the leadership of the UGCC, did a lot to embitter the relationships.

5.10.3 The Convention People’s Party (CPP)

5.10.3.1 The CPP under the leadership of Nkrumah grew from strength to strength. During the time when he ran the UGCC, he discovered some very energetic and good organizers who left with him to form the new party. Komla Agbeli Gbedemah and Kojo Botsio were two of these young men who came to be recognized for their organizational abilities as they recruited many other young people to join the fold. Indeed the CPP was virtually a youth movement at its inception, and it had the energy and strategy to match.

5.10.3.2 It adopted a slogan of “Self-Government Now” (“S.G. Now”) and this resonated with the youth. In January, 1950, the CPP organized an action of civil disobedience termed ‘Positive Action’, in order to compel the colonial government to grant immediate self-government. Although planned as a non-violent action, it eventually turned violent and the leadership of the CPP was arrested and imprisoned.

5.10.3.3 Whilst in prison, Nkrumah’s party won a majority of seats in the 1951 elections held under the 1951 Constitution (Coussey Constitution). Being the leader of the party that had won majority seats in the elections, he was released from prison to head the government under the title of “Leader of Government Business”. The CPP successfully maintained its leadership in the politics of the country, winning majority votes in both the

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1954 and 1956 Elections. Ghana attained Independence on 6th March, 1957, under its leadership, after a bitter struggle with some of its opponents.

5.10.3.4 The part played by the youth in the independence movement and the place of the youth in the formation of the CPP, put the youth at the centre of the socio-political arrangements of the country after Independence.⁴⁰ A start was made to organize the youth soon after Independence with the formation of the CPP Youth League which was made up of young people with affiliation to the CPP.⁴¹ It functioned as the youth wing of the CPP and it had the same aims as the mother-party. However, it was formally abolished in 1959.

5.10.4 The National Liberation Movement (NLM)

5.10.4.1 In 1954, the National Liberation Movement (NLM) was born. The immediate cause was the agitation for higher prices for cocoa and so it gained popularity in the Ashanti, Akyem Abuakwa and the Krobo areas which had large tracts of cocoa farms. The remote cause was however, the marginalisation of the traditional ruling classes as a result of the rise of the CPP. The chiefs were also suspicious of the centralist policies of the CPP and feared marginalisation in the governance of the country.

5.10.4.2 The NLM's Ashanti base and the obvious support it enjoyed from the Asantehene as well as the fact that its chairman was the senior linguist of the Asantehene, Baffour Osei Akoto, brought to the fore the fear of domination that had existed between Ashanti and the Colony since Ashanti became a part of the Gold Coast. The NLM's proposal of a federal form of government was a reaction to the highly centralized form of government that they feared would lead to dictatorship from Accra.

5.10.4.3 The pitched battles that were fought in Kumasi between the NLM and the CPP and the political murders that were committed by both sides, showed the ugly face of partisan politics. The NLM with its Action Troopers and the CPP with its Action Groupers so terrorised residents of Kumasi that the political scars created took a long time to disappear, and led to many people being unwilling to be associated with partisan politics.

5.10.4.4 By the time the NLM problem was resolved by the amendment of the proposed Independence Constitution to provide for Regional Assemblies, a lot of harm had been done. There was a great deal of bad blood between adherents of the NLM and the CPP especially because many of the NLM leaders were also dissident CPP members; and thus there were personal animosities between the leadership of the two parties.

⁴⁰ Mike Oquaye, "Youth, Politics and Society in Ghana" in *Civil Society in Ghana* F.K. Drah and M. Oquaye (eds) Accra, Friedrich Ebert Foundation, 1996; chapter 10, pp.163-167.

⁴¹ M.N. Tetteh, *The Ghana Young Pioneer Movement*, Ghana Publicity Ltd, Accra, 1999, p.53.

VOLUME 4 CHAPTER 5**5.10.5 The Ghana Congress Party (GCP)**

5.10.5.1 The remnants of the UGCC suffered other crises as most of its youth had broken away to join the CPP. In 1951, it merged with another party, the National Democratic Party, formed under the leadership of Nii Amaah Ollennu, a barrister. The merged parties came to be known as the Ghana Congress Party with Saki Scheck as the General Secretary.

5.10.5.2 The Ghana Congress Party was bedevilled by a leadership struggle between Nii Amaah Ollennu and Dr. Danquah. Ollennu eventually left politics and joined the Bench. The next stage of the leadership struggle took place between Dr. Kofi Abrefa Busia and Emmanuel Obetsebi-Lamphey. Eventually the party broke up into two when Obetsebi-Lamphey broke away and formed the Nationalist Party. This break greatly reduced the strength of the GCP. In the 1954 Elections Dr. Busia was the only one to win a seat on the ticket of the GCP. The Nationalist Party achieved little prominence as it never really attracted a following outside Accra.

5.10.6 Togoland Congress Party (TC)

5.10.6.1 This party was formed under the leadership of SG Antor, Kojo Ayeke and Emmanuel Dumoga, to champion the cause of separation of the British Trust Territory of Togoland, from the Gold Coast. The basis of this desire for separation lay in the arrangements that were made for German Colonies under the Treaty of Versailles, following the defeat of Germany in the First World War. The German colony of Togoland was split into two and administered under the Mandate of the League of Nations, the immediate predecessor body to the United Nations Organisation, by Britain and France.

5.10.6.2 The 'Mandated Territories' (as they came to be known) contained ethnic groups, such as the Ewe, Dagomba, Konkomba, etc., that had been split up by the administrative arrangements of the two powers. When the United Nations Organisation was born, the mandate was changed into a Trust, and therefore the territories became 'Trust Territories' and continued to be administered as separate entities. In the mean time, the Ewe people of the southern part of the Trust Territories had, since the end of the Second World War, been campaigning for the two Trust Territories of Britain and France respectively, to merge as one independent country, in order to re-unite the Ewe peoples who had been split up by the Mandate of the League of Nations. They feared that the split would become permanent, should separate arrangements be made for the two Trust Territories.

5.10.6.3 Agitation picked up pace. Leading to the birth of the Togoland Congress when, in 1954, the British Government informed the United Nations that it would not be in a position to administer the Trust Territory after the Gold Coast gained Independence. Ewe nationalists in Trans-Volta Togoland (TVT) as the British Trust Territory was known, believed that their chances of re-unification with their kith and kin would be destroyed, if the British Trust Territory integrated with the Gold Coast upon its Independence, as the

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French were likely to annex the French-speaking part, leading to a permanent split of the ethnic group. This gave them a reason for wanting the TVT to remain separate, until a decision could be taken about the French portion.

5.10.6.4 The issue was made somewhat more complicated by the fact that the peoples of the northern TVT, preferred integration with the Gold Coast so that they could be with their kith and kin as the split had had tragic results for some of the kingdoms. For instance, the capital of the kingdom of Dagbon, Yendi, was located in the Trust Territory whilst a part of it was in the British-held Northern Territories. Other groups also had blood ties with some of the peoples of the Northern Territories and also felt a closer affinity to them than to those of the northern French Trust Territory.⁴² These considerations led the General Assembly of the United Nations to decide in December, 1955, that the peoples of the Trust Territory should be given a chance in a plebiscite, to determine if they wished to be integrated with the Gold Coast upon its attainment of Independence, or to remain separate until a decision was taken in respect of the French-administered part.

5.10.6.5 The plebiscite was held on 9th May, 1956, amidst very vigorous campaigning by the Togoland Congress (or *Ablorde* group), for a “No to integration” vote. Consequently, the plebiscite registered a 55% majority vote in favour of separation in the South. However, the Northern TVT voted massively in favour of integration, and so the ‘Yes to integration’ vote, won by an overall majority of 58%, counting the two parts of the TVT as one whole.

5.10.6.6 The separatists were dissatisfied with the result of the plebiscite and believed that the decision in favour of integration had been procured by manipulation by the CPP. They protested against the vote, and in 1957, there were many disturbances. Efforts to suppress these agitations led to repression of those political activists who refused to accept integration. Many were arrested and detained, and others fled into exile in Togo, and remained there until 1966.

5.10.6.7 Following the passage of the Avoidance of Discrimination Act, 1957 (CA 38), the Togoland Congress joined up with the other opposition groups to become the United Party.

5.10.7 Northern Peoples’ Party (NPP)

5.10.7.1 Chief Simon Diedong Dombo and other educated persons from the Northern Territories formed the Northern Peoples’ Party (NPP) in 1954.⁴³ This Party quickly attracted a large following from among the traditional rulers, and it won twelve seats in the 1954 elections. Considering that it had not been formed for very long before the

⁴² Mumuni Bawumia (Alhaji), *A Life In The Political History Of Ghana Memoirs of Alhaji Mumuni Bawumia* Ghana Universities Press, Accra, 2004, pp.51-63.

⁴³ Bawumia, supra, pp.44-49.

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elections took place, it was a remarkable feat. It also showed how attached the people of the North were to their traditional leaders.

5.10.8 The Anlo Youth Organisation

5.10.8.1 The Anlo Youth Organisation was formed by Modesto Apaloo. It operated in the south-eastern corner of the Gold Coast where the Anlo ethnic group is located. It also won one seat in the 1954 elections.

5.10.9 The Moslem Association Party (MAP)

5.10.9.1 The Moslem Association Party was an Islam-based party. Its leadership and followers were drawn largely from the immigrant group of Muslims from neighbouring West African countries. The ranks of its leadership were decimated by a policy of deportations soon after Independence. What was left of it joined up with other political parties and groups to form the United Party.

5.10.10 Ga *Shifimo Kpee* (Ga Standfast Association)⁴⁴

5.10.10.1 This movement was born as a result of the pressures that urbanization put on lands in Accra in the post- World War II years. These years also coincided with the period when lands were being compulsorily acquired for national projects and when private developers were also acquiring large tracts of land from the Ga Chiefs for private purposes. This created a feeling that Gas were being pushed off their ancestral lands by strangers.

5.10.10.2 To make matters worse for the landowners, the Government of the CPP decided to develop housing units to re-house those who had been displaced by an earthquake that devastated Accra in 1939. The estate houses that were built at various localities such as Kaneshie, Mamprobi and Abossey Okai, also required the acquisition of wide expanses of Ga ancestral lands. Since the goal was a noble one, there were few complaints about the land acquisitions until it was time to allocate the houses that had been built. The houses were allotted in a manner that caused great disaffection against the government, as it was widely believed that non-Ga members of the ruling party (CPP) had benefitted to the exclusion of those in whose name the project had been developed. It thus formally began its life with a major grievance against the CPP.

5.10.10.3 The Ga *Shifimo Kpee* was formally inaugurated as “Ga-Dangbe *Shifimo Kpee*” on 7th July, 1957, under the chairmanship of Nii Amunakwa II, Otublohum Mantse, after a sheep had been slaughtered and customary libation had been poured by the Nai Wulomo, the Chief Priest of the Ga State, to ask for the blessings of the ancestors. With the slogan “*Ga shikpon Gamei anoni*” (Ga lands are for Ga people) “*Gboi mli ngbe wo*”

⁴⁴ Much of the information on this association was culled from SS Quarcoopome. *The Impact of Urbanization on the socio-political history of the Ga People of Accra: 1877-1957*. Unpublished Ph D Thesis, Institute of African Studies, University of Ghana, Legon, June, 1993, pp.192-199.

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(Foreigners are killing us), the association was supposed to represent all Ga-Dangbe people and to fight for the protection of their common heritage. However, it ended up being a largely Ga-Mashie based association and was thus a protest movement against the creation of landlessness among the youth of Ga-Mashie. Membership was drawn from the teaching, artisanal and clerical class, with a large number of unemployed youth known as “Tokyo Joes” after the hairstyle the young men affected. Despite its avowed aim of being a non-political group, the presence of senior United Party (UP) members in the persons of Dr. JB Danquah and SG Antor at the inaugural ceremony spoke volumes about its political leanings.

5.10.10.4 The movement soon alienated the chiefs by attacking them for selling off Ga lands to foreigners. The violence, vandalism and hooliganism of the “Tokyo Joes” alienated most people and the formation of a rival organization affiliated to the CPP, *Ga Ekome Feemo Kpee* (Ga Unity Party) helped to undermine the support base of the *Shifimo Kpee*.

5.10.10.5 The *Ga Shifimo Kpee* was finally dealt a mortal blow when it was banned, and it had to affiliate with the United Party, in 1958.

5.10 **6TH MARCH, 1957 – 23RD FEBRUARY, 1966:**
THE FIRST REPUBLIC - CPP GOVERNMENT

5.11.1 THE UNITED PARTY (UP)

5.11.1.1 Soon after Independence was attained in 1957, Parliament passed the Avoidance of Discrimination Act, 1957 (C.A. 38), to prohibit the formation or existence of any political grouping that was based on ethnic, religious, or other sectional interest, with effect from 31st December, 1957. According to the long title of the Act, it was:

An Act to prohibit organizations using or engaging in tribal, regional, racial and religious propaganda to the detriment of any community, or securing the election of persons on account of their tribal, regional or religious affiliations and for other purpose connected therewith.

5.11.1.2 The formulation of the provisions immediately made it illegal to form a political party with the words “Ga”, “Anlo”, “Northern people”, “Togoland” and “Moslem”, since they referred to “tribe”, “region” or “religion”. The political groups that had participated in the elections and even won seats, found that their continued existence had been rendered illegal. Consequently, in early 1958, at risk of being declared “prohibited organizations” and wound up under the supervision of the High Court,⁴⁵ they all came together as one Party, the UP, since they were all in opposition to the CPP. These groups, in the main, were: the National Liberation Movement (NLM); Moslem Association Party

⁴⁵ Avoidance of Discrimination Act, 1957 (C.A. 38), section 9.

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(MAP); Northern Peoples' Party (NPP); Togoland Congress; Anlo Youth Association; and *Ga Shifimo Kpee*.

5.11.1.3 In November, 1958, 43 of its members, including the entire executive of the Accra branch of the party, still described as members of "*Ga Shifimo Kpee*", were arrested, and detained under the Preventive Detention Act of 1958. Some of the persons detained were very young people under 20 years of age and indeed, two of them, Yartey Annan and Oti Ankrah, were only 14 years and 16 years old respectively.⁴⁶ They remained in detention until the 1966 overthrow of the CPP Government when they were released. In Ashanti, Volta Region and in Northern Region, similar arrests of activists were made. Some were even arrested and detained for booing at the President whilst he was travelling through their village. By 1962, the leader of the party, Dr. Kofi Abrefa Busia, had fled into exile, and of the 32 Members of Parliament of the UP, three were in detention, one had gone into exile, and twelve had crossed over to the Government-side, leaving only sixteen to sit on the Opposition Bench.⁴⁷

5.11.1.4 There were a number of bomb outrages in Accra, as well as assassination attempts on President, Nkrumah. These outrages caused great suffering, as there were many casualties. The UP was blamed for these outrages, and every such incident resulted in arrests of UP activists. There was a lot of political violence between the two main Parties – the UP and the CPP.

5.11.1.5 The UP, as a legal entity, ceased to exist when the country was declared a One-Party State, in 1964. In reality, the activists had suffered such harassment that the party was all but dead, since its activists were either in detention or in exile in the neighbouring countries.

5.11.2 The CPP

5.11.2.1 On 2nd April, 1960, at the Party Headquarters, Dr. Nkrumah, the Prime Minister, declared:

The Convention People's Party is a powerful force, more powerful indeed, than anything that has yet appeared in the history of Ghana. It is the uniting force that guides and pilots the nation and is the nerve centre of the positive operation in the struggle for Africa irredentism. Its supremacy cannot be challenged. The Convention People's Party is Ghana, and Ghana is the Convention People's Party.⁴⁸

⁴⁶ See: *Parliamentary Debates*, Official Reports, 15th June, 1971, p.7.

⁴⁷ Albert Adu Boahen, *Ghana: Evolution and Change in the nineteenth and twentieth centuries*, Sankofa Educational Publishers, Accra, 2000 p.195.

⁴⁸ Kwame Nkrumah, *I SPEAK OF FREEDOM* Panaf Books Ltd, London, 1971, p.209.

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With these views on the CPP, it did not take long for every attempt possible to be made, to actualize the statement that “Convention People’s Party is Ghana, and Ghana is the Convention People’s Party”.

5.11.2.2 On 1st May, 1961, President Nkrumah informed the nation that he had taken over the post of General Secretary of the party, at the request of the Central Committee of the Party. He further announced that as from that date, Regional Commissioners would become the Regional Secretaries of the Party in their respective regions, whilst re-designating the Regional Secretaries of the Trades Union Congress (TUC), United Ghana Farmers’ Council (UGFC), National Co-operative Council (NCC), National Council of Ghana Women (NCGW), as Assistant Regional Secretaries.⁴⁹ Thus, the named organizations became merged into the party structure, and this was, in turn, merged with the government’s structure.

5.11.2.3 In that speech, he outlined the duties and rights of members of the CPP as follows:

Duties of members:

1. To protect the solidarity and unity of the party at all times.
2. To pay dues regularly
3. To protect the good name of the party under all circumstances and to correct wrong views held against the party.
4. To carry out party decisions and directives to the best of his ability and to ensure that any disregard of such decisions or directives is promptly reported to the appropriate party authority.
5. To be the first to obey the laws of the country passed by the government.
6. To defend any action of the party or the government.
7. To try to understand all party government matters and to explain the same to the people.
8. To set an example by working hard, efficiently and honestly and by showing a keen sense of responsibility and duty.
9. To pursue a study of the principles of African Socialism and to endeavour to be guided in action by these [principles].
10. To guard jealously any secrets of the party and to maintain constant vigilance in this respect.
11. To criticize and accept criticism in good faith and spirit and to make frequent self-examination for correction, remembering that all criticism and correction should be made not to destroy, but to build.
12. To be faithful and loyal to the party always and to eschew all qualities of opportunism, nepotism, ostentation, vanity and self-seeking.
13. To remember that the party is supreme and to do everything within his power to uphold this supremacy.

The rights of members are as follows:

1. To take part in all party activities.

⁴⁹ Kwame Nkrumah, *Selected Speeches* Vol 2 compiled by Samuel Obeng. Afram Publications (Ghana) limited, Accra, 1979, p.85.

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2. To attend meetings and freely express views on all matters in discussion, and to vote according to conviction.
3. To elect and be elected to party bodies.
4. To be present in person whenever decisions are taken regarding his activities or conduct.
5. To address any question or statement to any party body including the national executive and the central committee.
6. To appeal against any adverse decision against him from his branch party upwards to the central committee and to the leader of the party in person.
7. To appeal as a last resort to the national delegates' conference.⁵⁰

5.11.3 Ghana As One-Party State

5.11.3.1 In 1964, Ghana officially became a one-party state with the CPP as the national party.⁵¹ This was after a referendum had been held on 24th, 28th and 31st January 1964, to ask the people to approve that step and give the President power to dismiss judges. Following the results of the referendum, variously stated as 99.9 percent⁵² and 92.81 percent.⁵³ The transformation of Ghana into a one-party state was born out of the feeling that the elimination of official opposition would make governance easier as there would be little opposition to government policies. It was also born out of the philosophy, then current, that the need to achieve economic and social rights for people in developing countries necessitated the deferment of enjoyment of civil and political rights. This philosophy, which had a respectable following, particularly in countries inclined towards socialism, suggested that the enjoyment of civil and political rights would be meaningful only if people were well-fed and had shelter as well as other basic necessities of life. Opposition could thus not be tolerated. According to Madam Regina Asamany, Deputy Minister for Labour and Social Welfare, the “No” voters during the referendum, were going to be “mercilessly crushed” because they “thought their display of selfishness and organized assassination could deter us from our progressive course have rather taught us a lesson to reinforce our determination and solidarity...”⁵⁴

5.11.3.2 In reality, Ghana became a de facto one-party state by the end of 1961, when the opposition bench had been virtually emptied by carpet-crossing in Parliament and detentions under the PDA. By the time the one-party status became a legal fact after the referendum of January, 1964, the reality had long been achieved. The farmers, workers and students who, within their unions could have mounted a viable opposition, had all been co-opted to become members of the CPP as the various unions became wings of the CPP. When President Nkrumah charged the students to ensure the “Cippipification” of Ghana because “Ghana was the CPP and the CPP was Ghana”, it was clear that it was

⁵⁰ Kwame Nkrumah, *Selected Speeches* Vol 2, supra, p.88.

⁵¹ Constitution (Amendment) Act, 1964 (Act 224), amending Articles of the 1960 Constitution.

⁵² Figure announced as the result of the election.

⁵³ Figure given in Parliament. See *Parliamentary Debates* Official Report, First Series Vol.34. 15th October, 1963-21st February, 1964. Debate of 18th February, 1964, p.1125.

⁵⁴ Ibid., p.1128.

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government policy to exclude all other political organizations or philosophies opposed to that of the CPP.

5.11.3.3 To make the point of the complete “cippipifiction” of Ghana, the colours of the Ghana Flag: red, gold, green, with the Black Star in the middle of the gold band of the Ghana Flag, was changed to the CPP colours, of red, white (with the Black Star in the white band), and green.⁵⁵

5.11.3.4 The perversion of the electoral process, as evidenced by malpractices at many public elections, effectively closed the avenue for ensuring that the government could be compelled to change its style of governance.

5.11.3.5 The declaration of Dr. Nkrumah as the Life President of Ghana effectively put paid to any notions of competitive politics in the country. In 1965, when a date for elections was set down, no elections took place because all parliamentary candidates had been returned unopposed in the general elections. This was because there was a requirement that only candidates approved by the Central Committee would be permitted to compete for office. Since only one candidate per constituency was approved to stand in the elections by the Central Committee of the Party anyway, it was not surprising that all of them were returned unopposed.

5.11.3.6 This mode of giving prior approval to candidates before they could present themselves at elections undermined the notion of parliamentarians being representatives freely chosen by their constituencies to represent them. Effectively, the Members of Parliament were lame ducks from the start, since they were not going to be able to offer any criticism of government or government policy, even if the interests of the constituents demanded it. All these events created their own brand of problems and difficulties that left indelible scars on the national psyche.

5.11.3.7 Corruption began to rear its head early in the government, and President Nkrumah sought to deal with it, even if ineffectively. In May, 1961, he also announced the setting up of a commission to investigate ministers. Consequently on 28th September, 1961, he announced that he had asked six of his ministers to resign:

Komla Agbeli Gbedemah – Health
Ashford E Inkumsah – Interior
Kojo Botsio - Agriculture
Krobo Edusei – Transport
Emmanuel K Bensah – Works and Housing
C. de Graft Dickson – Defence

⁵⁵ Constitution (Amendment) Act, 1964 (Act 224), amending Article 7 of the 1960 Constitution.

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5.11.3.8 They were also ordered to surrender properties in excess of two houses with a combined value of £ 20, 000, two cars and plots of land valued at more than £500.⁵⁶ Gbedemah and Botsio were subsequently expelled from the party on 23rd January 1962.⁵⁷

5.11.3.9 President Nkrumah wrote a fresh will dated 18th February, 1966, in which he willed all his property to the CPP. He also instructed his executors thus:

On my demise, [they shall] cause my body to be embalmed and preserved. But if this cannot be done for any reason then I prefer my body to be cremated and the ashes scattered throughout the African continent, in rivers and streams, deserts, savannas, etc and a few ashes placed in an urn and deposited at a place to be decided upon later. I am not godless but I request on my demise that no religious ceremony shall be performed at my funeral.⁵⁸

It is uncertain whether this will was changed, but it is clear that “Kwame Nkrumah of Africa” (as he described himself in the will), did not envisage a burial in his hometown. Indeed, his wishes for the disposal of his mortal remains as expressed in the 1966 will, were merely a repeat of like provisions in a previous will, dated 26th June, 1965.

**5.11 24TH FEBRUARY, 1966 – 30TH SEPTEMBER, 1969:
NATIONAL LIBERATION COUNCIL (NLC)**

5.12.1 CPP

5.12.1.1 The End Of CPP

5.12.1.1.1 The NLC seized power on 24th February, 1966. Early on the morning of that day, an announcement on Radio Ghana was made by Col Emmanuel Kwasi Kotoka, leader of the troops that seized power, as follows:

Fellow citizens of Ghana, I have come to inform you that the Military in co-operation with the Ghana Police have taken over the government of Ghana today. The myth surrounding Nkrumah has been broken. Parliament is dissolved and Kwame Nkrumah is dismissed from office. All ministers are also dismissed; the Convention People’s Party is disbanded with effect from now. It will be illegal for any person to belong to it...⁵⁹

⁵⁶ Thomas A. Howell and Jeffrey P. Rajasooria, *GHANA & NKRUMAH*, Facts on File Inc, NY NY, 1972, p. 72.

⁵⁷ Ibid, p.82.

⁵⁸ T. Peter Omari, *KWAME NKRUMAH The Anatomy of an African Dictatorship* Sankofa Educational Publishers Ltd., Accra, 2000, p.219.

⁵⁹ A.A. Afrifa (Col), *The Ghana Coup 24th February, 1966* FRANK CASS Ltd., London, 1966, pp. 34-35.

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5.12.1.1.2 The NLC, which was formed under the chairmanship of newly-promoted Lieutenant-General Joseph A. Ankrah,⁶⁰ began to dismantle the monolith that the CPP had become. One of the first legislative acts of the NLC was to formalize the dismissal of the President from office, the dismissal of all parliamentarians and the dissolution of Parliament, the banning of the CPP, the only political party at the time, and prohibition of membership of it. The original colours of the Ghana Flag of red, gold, green, with the Black Star in the middle of the gold band of the Ghana Flag, were restored.⁶¹

5.12.1.1.3 The NLC passed the Protective Custody Decree, 1966 (NLCD 2), under which all ministers, parliamentarians, regional commissioners, district commissioners and senior functionaries of the CPP were detained without trial. The CPP Party and Ghana Young Pioneers' paraphernalia were banned. Books and publications, related to Dr. Nkrumah and scientific socialism, as well as communist propaganda materials were burnt. Public exhibition of effigies of Dr. Nkrumah, as well as symbols of the CPP, were also prohibited. Persons found with these objects were molested by the security forces.

5.12.1.1.4 The rule of the NLC also saw the freezing of assets and bank accounts of CPP functionaries and CPP-related organisations.⁶² The Auditor-General was mandated to audit the accounts of the CPP and CPP-related organisations,⁶³ and following his findings, the assets were confiscated to the state.⁶⁴ Commissions of Enquiry were established to probe the assets of CPP functionaries and assets found to have been acquired by unlawful means were confiscated.

5.12.1.1.5 The NLC banned most of the leading members of the defunct CPP from contesting the 1969 elections.⁶⁵ They were also banned from holding public office for ten years. This was applied to members of the CPP after their release from prison.

5.12.1.1.6 Another act of injustice was the enactment of legislation that imposed legal bans on CPP officials and activists for a period of ten years, without a possibility of anyone challenging the ban in a court of law. The NLC enacted two laws, Elections and Public Offices Disqualification Decree, 1968 (NLCD 223), and Elections and Public Offices Disqualification Decree, 1969 (NLCD 332), which disqualified 152 functionaries of the CPP from holding any public office, and disenfranchised them from exercising their democratic rights to choose their representatives.

5.12.1.1.7 This law, which deprived some Ghanaians of the fundamental right of citizenship, was considered justified by the elite of this country, hence its inclusion, even

⁶⁰ His rank at the time of his dismissal was Major-General and he was promoted by the leadership- of the coup in order for him to take charge as the highest ranking officer of the Ghana Armed Forces.

⁶¹ National Liberation Council Proclamation, as amended by National Liberation Council Decree, 1966 (NLCD 1).

⁶² National Liberation Council (Assets and Bank Accounts) Decree 1966 (NLCD 7).

⁶³ National Liberation Council (Auditor-General's functions Decree, 1966 (NLCD 12).

⁶⁴ National Liberation Council Forfeiture of Assets Decree, 1966 (NLCD 23).

⁶⁵ F.K. Buah, *A History of Ghana of Ghana*, 1998, (London and Oxford: Macmillan Education Ltd.), p 198.

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in the 1969 Constitution as article 71. Under this article, Komla Gbedemah was disqualified from taking his seat in the 1969 Parliament, after he had won an election.⁶⁶

5.12.1.1.8 The NLC enacted the Armed Forces Act, 1962 (Amendment) Decree, 1967 (NLCD 131), to enable it to set up military tribunals to try people, including the military, police personnel, and even civilians, charged with sedition. Conviction carried a maximum sentence of 25 years, and there was no right of appeal. It is a principle of the rule of law that a law must not be made retrospective, yet the NLC D 131 of 1967, which took retrospective effect from 24th February, 1966, came into force without public protest as to the unfairness of changing the legal entitlements of citizens, with retrospective effect.

5.12.1.1.9 On 1st October 1966, the NLC enacted the National Liberation Council (Prohibition of Rumours) Decree, 1966 (NLCD 92), and the Criminal Procedure Code (Amendment) Decree, 1966 (NLCD 93). The first dealt with rumour-mongering as a subversive act, while the second gave the police unlimited powers of detention. The oppressive nature of NLCD 93 compelled the Legon Society on National Affairs to describe it as “preventive detention without the Preventive Detention Act of 1958”. There were no other public protests and the law remained on the statute books for two years, before being repealed.

5.12.1.1.10 The NLC enacted the Kwame Nkrumah Property Decree, 1967 (NLCD 154), the Kwame Nkrumah Property Amendment Decree, 1967 (NLCD 180), and the Public Property (Protection) and Corrupt Practices (Prevention) Act, 1962 (Amendment) Decree, 1967 (NLCD 130), and made them retroactive, with from 1962, to cover acts committed in the A.G. Leventis case. By these laws the NLC Government seized the properties of CPP functionaries who were implicated in that case. In the case of Dr. Nkrumah, the properties seized by the State, included those of his wife, children and mother.⁶⁷ There was no public protest against such seizure of property.

5.12.2.1 Reaction Of Civil Society

5.12.2.1.1 The CPP Government was generally regarded as dictatorial and corrupt. Therefore when the NLC overthrew it, Ghanaian opinion welcomed the NLC as liberators;⁶⁸ their assumption of power, though unconstitutional, was seen as marking the birth of freedom and democracy.⁶⁹ These feelings were not lessened by statements from former leading members of the banned CPP, as to the undemocratic nature of leadership within the party. Indeed, a former Minister, Kwaku Boateng, stated that they had all been reduced to ‘gaping sychophants’ in the affairs of governance. With such national

⁶⁶ *Daily Graphic* Vol. 5957 Tuesday, 25th November, 1969, p.1.

⁶⁷ NLCD 154 and NLCD 180.

⁶⁸ *Daily Graphic*, Vol. 4798, Wednesday, 3rd March, 1966, p.9.

⁶⁹ Even Accra Market Women, who were regarded as arch supporters of the CPP Government, denounced the government and pledged unflinching support to the NLC.

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disposition, public opinion welcomed the policies and actions of that government as a sense of liberation and freedom swept all across the country.⁷⁰

5.12.2.1.2 Many serious abuses were perpetrated against members of the CPP by both the government and society at large. CPP activists were arrested and detained. Officials of the party and its wings such as the Ghana Young Pioneer movement (GYP), suffered brutalities at the hands of their neighbours. Their properties were stolen or vandalized and their books and other movement-paraphernalia were set ablaze. The military, the police and prison officials subjected CPP functionaries to a great deal of ill-treatment. Only a few voices were raised in protest. For instance, whilst P.A.V. Ansah, a member of the LSNA, wrote in the *Legon Observer* decrying the “rough and ready” justice being meted out by military personnel in various parts of the country, others in the same medium were expressing views supportive of the ill-treatment, as their just deserts.

5.12.2.1.3 Public protests were non-existent even to such cruel acts as the public display accorded an aide of President Nkrumah, Boye Moses, who was captured and paraded in the streets of Accra in a metal cage. According to the *Daily Graphic*, the crowd hooted and shouted, “kill him”, “He is now a monkey”.⁷¹ This public reaction was not unusual, judging by the treatment to which suspected criminals were, and still are, subjected.

5.12.2.1.4 The public disposition towards a tendency to take advantage of the vulnerable, was affirmed many times when individuals and groups took advantage of the political situation to attack fellow citizens and/or their properties for their alleged association with the CPP Government.

5.12.3 The Abortive Coup Of 1967

5.12.3.1 Following the abortive coup on 17th April, 1967, and the killing of Lt-Gen Kotoka, his personal Orderly, Sgt Osei Grunshie, and two officers, Capt Cephas Y. Borkloe and Capt A. Avevor, the public was outraged. There was loud condemnation of the coup-makers. Many people gave money as donation to the family of Lt-Gen Kotoka, and people hailed the NLC when it decided to name the Accra International Airport after him.

5.12.3.2 The government also established a Trust Fund named the Kotoka Trust, to provide for the families of the fallen soldiers, and many public-spirited persons, as well as chiefs, paid money into the coffers of the Trust. For reasons that are not clear, Brig Afrifa was blamed for the coup attempt, with a whispering campaign that he master-minded the coup in order to become Head of State. This unsubstantiated allegation was to

⁷⁰ *Daily Graphic*, Vol. 4801 Monday, 7th March, 1966, p.19.

⁷¹ *Daily Graphic* Vol. 5075 Tuesday, 24th January, 1967, p.1.

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dog his steps in the years that followed, and is rumoured to be the basis for his execution in 1979.

5.12.3.3 A military tribunal tried and sentenced Lt Samuel B Arthur and Lt Moses Yeboah to death by firing squad, for their part in the coup; whilst the third Officer, 2nd Lt Osei-Poku was sentenced to 30 years imprisonment. The two condemned men were executed in public at 9.00 a.m. on 26th May, 1967, and a large crowd of people went to the spot, almost in a carnival mood, to watch the public execution.

5.12.3.4 Many other officers were sentenced to prison terms, whilst five officers and about 200 Other Ranks were placed in Protective Custody.⁷² Under about ten Protective Custody Decrees made that year, hundreds of people were put into custody on the accusation of jubilating upon hearing news of the coup, before it was foiled. The public played an active part in causing the arrests of the “jubilants”, who were mostly former activists of the CPP. Those arrests were made upon information supplied by the general public, to the military authorities.

**5.12 1ST OCTOBER, 1969 - 12TH JANUARY, 1972:
THE SECOND REPUBLIC -PROGRESS PARTY
(PP) GOVERNMENT**

5.13.1 THE PROGRESS PARTY

5.13.1.1 The Progress Party (PP) won the elections of August, 1969, and the government was inaugurated on 1st October, 1969. The elections were marred by a campaign tainted by ethnic tensions.

5.13.1.2 The Aliens Compliance Order And Civil Society Reaction

5.13.1.2.1 Soon after the government came to power, pressure began to mount for firm action to be taken against the influx of aliens into the country. The matter was discussed in Parliament and the government announced that it was going to enforce the provisions of the Aliens Act, 1963 (Act 160) and its accompanying regulations in L.I. 265 as amended by L.I. 553. On 19th November, 1969, the government issued the following statement:

All aliens both African and non-African without residence permits should leave the country within 14 days – not later than December 2, 1969.⁷³

⁷² National Liberation Council (Protective Custody) (Amendment) (No. 9) Decree, 1967 (NLCD 172).

⁷³ *Daily Graphic*, Vol. 5952 Wednesday, 19th November, 1969, p.1.

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5.13.1.2.2 This “Aliens Compliance Order”, as this Order came to be known, gave all aliens a period of fourteen days within which to regularize their stay in Ghana, or leave. The Leader of the Opposition, Dr. GK Agama, indicated that the opposition was in agreement with the government in enforcing the order that aliens without resident permits should leave the country.⁷⁴ The problem with the Order was not the policy, but the manner of its implementation. While the government was within its legal rights to check illegal immigration, the nature and history of cross-border migration within the West African sub-region, as well as Ghana’s own policy on African unity, should have been taken into account. These factors of sub-regional migration, meant that the potential number of affected persons was large. It was estimated that there were about 250,000 Togolese nationals, about 5,000 Biafran (Eastern Nigerian) refugees under the protection of United Nations Development Programme (UNDP), hundreds of thousands of Nigerians, Malians, and nationals of Upper Volta (Burkina Faso), Niger and Dahomey (Benin). Ambassadors of these neighbouring countries pleaded for more time to enable them process the necessary documentation, but these entreaties did not change the government’s stand.

5.13.1.2.3 In the event, there was a lot of human suffering as families which had resided in Ghana for more than three generations, and persons who had lost touch with their original homelands, were given only fourteen days to regularize their stay or leave the country. Many who had established thriving businesses had to wind them up or sell them off cheaply. Those who owned buildings and land sold them off at very low prices. Many were trapped under inhuman living conditions as they waited for inadequate or non-existent transportation to carry them home. There were many reports of Ghanaians attacking and molesting aliens, to the extent that the government had to issue a warning to the public to desist from such acts. It even became necessary for police protection to be given to some aliens in Kumasi.

5.13.1.2.4 The urgent need to procure residence permits and other identity papers created an opportunity for unscrupulous civil servants to exploit the desperation of the affected aliens by indulging in corrupt practices. Many were the heart-rending tales of suffering that were told and the sad spectacles that were seen during the implementation of this Order. After 2nd December, 1969, aliens who had not complied with the Order were arrested and kept at police stations under inhuman conditions. Since their numbers were so large, they sat out in the open, around police stations, waiting for the police to take action. These incidents caused a lot of disaffection for Ghana in the sub-region, and the Aliens Compliance Order of Nigeria in 1983, was perceived to be in retaliation for what happened to her citizens of those of other West African countries, in 1969.

⁷⁴ *Ghanaian Times* Vol. 3,771 Monday, 5th January, 1970, p.1.

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**5.13 13TH JANUARY, 1972 – 3RD JUNE, 1979:
 NATIONAL REDEMPTION COUNCIL (NRC)/
 SUPREME MILITARY COUNCILS (SMC) I & II**

5.14.1 End Of PP

5.14.1.1 The National Redemption Council (NRC) came to power on 13th January, 1972, suspended the 1969 Constitution; proscribed all political parties; and asked all government officials, party functionaries and activists to report to the nearest police station. They were subsequently sent to prisons around the country to be detained.⁷⁵ Many members of the proscribed PP fled into exile in the neighbouring countries.⁷⁶ In May, 1972, many of the detainees were freed from custody.⁷⁷

5.14.1.2 Commissions of Enquiry were established to investigate the assets of PP functionaries, including Dr. Busia, the Prime Minister. Dr. Busia's assets, including those acquired before coming into political office, were confiscated to the State, although he was outside the country at the time and could not be present to defend himself. There was very little public sympathy for the members of the erstwhile PP members as the precedent of ill-treatment of officials of overthrown political parties had already been set.

5.14.2 Trade Organisations' Support For NRC

5.14.2.1 Market women in Accra and Kumasi took to the streets, demonstrating in support of the NRC, chanting anti-PP slogans. The women paraded through the principal streets bearing placards, some of which read: "Busia's Democracy is a sham", "Afrifa must face the Firing Squad", "Down with Busia's Tribalism",⁷⁸ "Afrifa must face trial", "Open up more employment avenues", "Busia is a thief" and "Down with capitalism."⁷⁹ Other groups such as the Volta Region Association of Gold and Silver Smiths sent a message of congratulations to the Chairman of the NRC,⁸⁰ whilst others pledged their support to the NRC.⁸¹ The Ghana Co-operative Cattle Dealers and Butchers Association even congratulated the Chairman of the NRC, the Armed Forces and the Police for "the able manner in which they ousted the Busia Administration".⁸² With such messages of

⁷⁵ *Ghanaian Times* Vol. 4,408 Friday, 28th January, 1972, back page "PP Activists Are Back In Custody."

⁷⁶ *Daily Graphic*, Vol. 6711 5th May 1972, p.16.

⁷⁷ *Daily Graphic*, Vol. 6620 Tuesday, 18th January 1972, p.1.

⁷⁸ *Ghanaian Times* Vol. 4,402 Friday, 21st January, 1972.

⁷⁹ *Ghanaian Times* Vol. 4,428 Saturday, 21st February, 1972, p.1.

⁸⁰ *Ghanaian Times*, 21st January, 1972, supra; *Ghanaian Times*, Vol. 4,416 Monday, 7th February, 1972, p.5.

⁸¹ *Ghanaian Times*, vol. 4,400 Wednesday, 19th January, 1972, p.5.; *Ghanaian Times*, Vol. 4,407 Thursday, 27th January, 1972, p.7.

⁸² *Ghanaian Times*, Vol. 4,401 Thursday, 20th January, 1972, p.3.

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support, it was unlikely that anyone would criticize the detention of the PP Government functionaries and activists.⁸³

5.14.2.2 This form of sycophancy, often motivated by greed and opportunism, accounts partly for the inability to properly appreciate conduct on the part of rulers, that ought not to be condoned. When the NRC/SMC I rule came under immense pressure to relinquish power, and resorted to violence as an instrument for retaining power, it exposed the nation's culture of sycophancy in its most sadistic form.

5.14.2.3 Before and during the struggle over the Union Government (Unigov) proposal, a cross-section of Ghanaians declared support just to enable them to enter the huge lucrative patronage network that the government had constructed. The groups ranged from chiefs, (including individual paramount chiefs, traditional councils, regional houses of chiefs and the National House of Chiefs), civic associations like the Ashanti Youth Association and the Kumasi Youngsters Club, Volta Development and Youth Association, High Blood, Farmers Association, African Youth Command and the Ghana Peace and Solidarity Council.

5.14.2.4 While the government was under intense pressure to return the country to constitutional rule, a number of leading professionals were accepting Cabinet appointments to serve in it, but civil society did not criticize them for doing so. For example, Dr. RKA Gardiner was appointed Commissioner for Economic Planning; Dr. AK Appiah, as Commissioner for Finance; E R K Dwemoh, Commissioner for Transport and Communications; A. Karbo, as Commissioner for Health; and C K Tedam, as Commissioner in charge of Local Government.⁸⁴

5.14.2.5 In January, 1977, a Committee on Unigov was established to collate opinions on the concept. The committee, chaired by Dr. Gustav Koranteng-Addow, had the following membership:

- Dr. Modibo Ocran;
- Togbe Adja Tekpor VI;
- Kofi Badu;
- Maj Yaw Larson;
- Joe Appiah;
- DCOP B.S.K. Kwakye;
- Nii Okai Pesemaku III;
- Dr. M.M. Owusu-Ansah;
- Dr. Yaw Manu;
- Dr. A Adda;
- F. Wulff Tagoe; and

⁸³ *Ghanaian Times*, 20th January, 1972, supra; *Ghanaian Times*, 4,405 Tuesday, 25th January, 1972, p.7.

⁸⁴ *Daily Graphic* Vol. 8290 Wednesday, 15th June, 1977; *Daily Graphic* vol.8295 Tuesday, 21st June, 1977, p.1.

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- Two other unnamed representatives of the Military Advisory Council and Research Bureau of Ministry of Information.⁸⁵

5.14.2.6 This committee drew up a programme for implementation of the concept, which they preferred to be named “National Government instead of Unigov”. A referendum to determine if Ghanaians wanted that form of government was fixed for 30th March, 1978. Immediately thereafter, many pro-Unigov groups sprang up, as it became clear that the government was willing to spread money around in order to purchase the people’s support. Associations such as “The Friends”, suddenly sprang up and spearheaded the campaign in support of the concept. Everyday, chiefs and opinion leaders from every part of the country made their way to the Castle, to “pledge unflinching support” for Unigov.

5.14.2.7 The symbols representing the “Yes” and “No” vote were eloquent in the images they cultivated in the public mind. The “Yes” vote was represented by two hands in a warm handshake (signifying unity) against a sky-blue background, and the “No” by three heads of two males and one female, all facing different directions in obvious disagreement (signifying discord), against a red background. These pictorial gimmicks notwithstanding, the “No” group had massive support.

5.14.3 THE PEOPLE’S MOVEMENT FOR FREEDOM AND JUSTICE (PMFJ)

5.14.3.1 The PMFJ was formed in the mid-1970s to spearhead opposition to the government of Gen Acheampong, and his idea of Unigov as the most suitable form of government for Ghana. The PMFJ, though made up of various personalities attracted a large number of young people. Its leaders were prominent politicians such as Lt-Gen Akwasi Amankwah Afrifa, Professor Albert Adu Boahen, William Ofori-Atta (popularly known as Paa Willie), K A Gbedemah, G W Amarteifio (popularly known as “Mr. No”) and Nana Addo D Akufo-Addo.

5.14.3.2 The PMFJ organized public protests and anti-Unigov demonstrations which were brutally suppressed by the State. On one occasion, a PMFJ rally was broken up with force, resulting in the death of three people, with many injured, including Gbedemah.⁸⁶

5.14.3.3 Subsequently, the government ordered that no police permits were to be issued to the PMFJ, alleging that as people hated them very much, if they held rallies in public places, the public might attack them. The PMFJ was therefore deprived of the opportunity to lawfully assemble to campaign against Unigov. There was even an occasion when a police permit that had been issued was withdrawn, only hours before the publicized event.

5.14.3.4 The PMFJ managed to continue campaigning in the face of serious official threats and intimidation until the referendum was conducted on 30th March, 1978, when

⁸⁵ *Ghanaian Times* Vol. 5,940 Tuesday, 11th January, 1977, p.1.

⁸⁶ Oquaye, *Politics in Ghana*, supra, p.89.

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in the face of massive rigging, the majority vote was alleged to have been cast in favour of the Unigov concept. Very few people, familiar with the events of the Referendum, and the chasing out of the Electoral Commissioner by soldiers, believed the official results that declared to be genuine. However, one of the prominent supporters of Unigov disputed the good faith of such doubters, querying why the “No” votes were believed to be correct and not the ‘Yes’ votes.⁸⁷

5.14.3.5 Thereafter, by the Voluntary Associations (Prohibition) Decree, 1978 (SMCD 161), passed on 4th April, 1978, the PMFJ, together with two other anti-Unigov associations, Front for the Prevention of Dictatorship and Third Force were prohibited by the government.

5.14.4 NATIONAL LIBERATION MOVEMENT OF WESTERN TOGOLAND AND TOGOLAND LIBERATION MOVEMENT

5.14.4.1 In about 1975, the unabated desire of certain persons to secede from Ghana, based upon the dissatisfaction with the results of the 1956 Plebiscite that incorporated the former Trust Territory of Togoland (also known by the earlier name of “Mandated Territories”) into Ghana, resurfaced. Some people began to organize themselves to push for secession from Ghana, and these two movements were formed, with objects which included “advocating and promoting the secession from Ghana of the former British Mandated territory of Togoland”.

5.14.4.2 These “secessionist organizations” were promptly banned, under the Prohibited Organisations Decree, 1976.⁸⁸ The Decree also prohibited membership of the organizations or any other organizations with the same objects, as well as advertising meetings or even putting up notices for such meetings to take place. It also made it an offence for anyone to provide financial support by way of contribution, or granting of a loan or even guarantee of a loan, to such an organization.

5.14.4.3 The government followed the promulgation of the Decree with interaction with chiefs from those areas, and the problem abated to some degree.

⁸⁷ Joseph Appiah, *JOE APPIAH The Autobiography of An African Patriot* Asempa Publishers, Accra, 1996, p.299.

⁸⁸ SMCD 20.

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**5.15 24TH SEPTEMBER, 1979 - 30TH DECEMBER, 1981:
THIRD REPUBLIC -PEOPLE'S NATIONAL PARTY
(PNP) GOVERNMENT**

5.15.1 THE PEOPLE'S NATIONAL PARTY (PNP)

5.15.1.1 The Third Republic was ushered in with the formal inauguration at the Parliament House in Accra, on the 24th September, 1979. At the handing over ceremony, Flt Lt Rawlings told President Limann that his government was on probation, but this veiled threat against the constitutional government did not elicit any public disapproval.

5.15.1.2 The PNP itself did not help matters, in the manner in which it conducted its affairs. Very early in the life of the government, the party secured a loan of US \$ 1 million from an Italian, Dr. Marino Chiavelli, ostensibly to resettle the members of the AFRC and their associates. A scandal soon broke over the handling of the funds, with allegations of misappropriation of the funds. Such scandals, coming so soon after the era of "house-cleaning", did not improve the public's acceptance of, and loyalty to the constitutionally-elected government.

5.15.1.3 In 1981, a member of the PNP, Addae Amoako, sued his party over the disbursement of the Chiavelli loan. The fact of a member of the ruling party suing his own party for an account money involved in a currency-printing contract, caused ripples in the public domain. Whilst some hailed it as a positive mark in the democratic development of the country, others saw it as a weakness in the system; evidence of how corrupt civilian politicians were; and how quickly the new civilian rulers had returned to the "bad old ways".

5.15.1.4 The factors that made for instability, were enhanced by the impatience of the general populace in the face of constitutionalism and its seemingly slow nature and pace of governance. Against such a background, there were, unfortunately, serious wranglings taking place within the ruling PNP. The PNP appeared to be feeding on itself as factions and groups within it battled the leadership, or harangued it for its inability to articulate and adhere to a leftist ideology.

5.15.1.5 On 31st December, 1981, a band of military personnel, both serving and retired, launched an attack on the State, and succeeded in overthrowing the government. It came as no surprise when, upon the fall of the Limann Government, some members of the youth wing of the PNP took up prominent positions in the new government.

5.15.2 NEW DEMOCRATIC MOVEMENT (NDM)

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5.15.2.1 The New Democratic Movement (NDM) was a leftist intellectual organization that shared the ideals of the JFM although it was more in the nature of providing intellectual support for revolutionary change. It was formed in 1980, after the Third Republic had come into being, but its formative period pre-dated 1980.⁸⁹

5.15.2.2 Its roots lay in the mid 1970s, when those who later on formed the NDM operated as part of the group generally known as the “progressive intellectuals” on the various university campuses, but particularly at Legon. By the time the NDM was formed, the members had been operating in about five Study Cells. In 1979, it began to publish a journal called *Direction*, which was intended to help espouse the views of the progressive intellectuals on national affairs. Although many of its members were supportive of the 4th June Uprising, the group was also critical of attacks on small propertied people because the feeling was that the real culprits of the country’s economic problems were the “big boys” of the economy but they had been left intact. The group also criticized the demolition of the Makola Market, as well as the execution of the Senior Military Officers, including three former Heads of State, even though both events were very attractive to a section of the student movement.

5.15.2.3 After the AFRC handed over, the group examined its options and decided that although the group was close in philosophy to the CPP tradition, it would form a new movement known as the New Democratic Movement (NDM). Not all of the members of the amorphous progressive intellectuals group, made the transition to the NDM. However, many other progressive intellectuals joined the NDM as a natural transition from activism in the student movement. Principal among the original members of the Movement were: Ofei Nkansah, Kwame Karikari, Ms Takyiwaa Manuh, Kwasi Adu-Amankwah, Kwame Mfodwo, Tsatsu Tsikata, Fui Tsikata, Dr. Kwesi Botchwey, Ato Austin, Anthony Akoto Ampaw, Jude Quarshie and Ms Cynthia Aninkora Nuamah. In April, 1980, one Dodoo, a Public Servant, became the chairperson.⁹⁰

5.15.2.4 The NDM was basically leftist in philosophy, and its main purpose was to create a platform for the propagation of socialist ideology through seminars, workshops, etc. It functioned through its study groups and study cells, but did not engage in active field operations as did the JFM. It focused on education because it felt that Self-Rule and Independence had not been meaningful to the people of Ghana since the national economy was still dominated by external forces. Consequently, the need to raise the consciousness of the people in order to ensure that social and political policy would be directed at promoting indigenous Ghanaian enterprise. Such awareness-raising would also ensure that democracy would go beyond the articulation of formal political rights to meaningfully impact on the lives of the people. It also believed that Africa stood a better chance of winning the economic war if it operated on a united front. For this reason, the group was committed to promoting pan-Africanism as well as gender consciousness.

⁸⁹ Memorandum to National Reconciliation Commission.

⁹⁰ Contrary to what some authors have stated, Sgt Akata Pore was never a member.

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5.15.2.5 When the 31st December, 1981 coup occurred, its members became active in the People's /Workers Defence Committees (PDCs/WDCs) since the establishment of the Defence Committees was an idea that ran through all popular socialist movements because they were seen to be the means by which the people could maximize their power. The NDM also embarked on a programme to provide the people with political guidance, and were active in both the Student and Labour movements. It was in the light of this commitment to conscientise the people that, in 1982, it was active in holding educational seminars on various national issues.

5.15.2.6 The NDM opposed certain aspects of the exercise of people's power, and it remonstrated with those PDCs which were harassing traders to desist from doing so, as well as with the Greater Accra Regional Secretary, for adopting certain measures against vendors in Accra, arguing that those actions did not advance the revolution in any way since its main aim was to fight imperialism.⁹¹

5.15.2.7 The intellectual debates within the National Defence Committee (NDC) were not idle intellectual debates, but had significance for the direction of the national economy. This was because at the time of the coup of 31st December, 1981, the economy was in shambles, a major justification for the take-over. Thus, right from the first day, a major challenge to the PNDC Government as well as a major threat to its stability was how it was going to manage the economy.

5.15.2.8 The threat to stability increased with every passing day, but the options seemed to be limited. The economy needed a major infusion of capital, but approaches to socialist economies had not yielded much. Therefore it appeared that the economy could get support only if it would agree to the IMF way, and this ignited a huge debate within the regime. Economists, such as Dr. Joe Abbey, were pushing the orthodox line and the debate was as to whether the currency should be devalued, according to the prescription of the IMF. The extreme leftists who dominated the NDC, were completely opposed to any notion of devaluation. Therefore when the Economic Review Team that had been established to manage the economy did a presentation to the NDC on the new direction of the economy, the NDC rejected it. The NDC then appointed another committee to review the plan and propose more acceptable options.

5.15.2.9 Subsequently, from these ideological clashes, it became clear that "government by ideology" was not going to work, and therefore, a move was made to purge the extreme leftists from the PNDC and NDC. The NDC was reorganized, to make the Chairman of the PNDC its Chairman.

5.15.2.10 The NDM was sidelined, and it moved into opposition by December, 1984. It linked up with a Catholic action group led by Rev Fr Joop Visser, a Dutch Catholic priest, and criticized the government's social commitment. It had thus embarked upon a collision course with the government, and it was only a matter of time before the government mounted an attack on it.

⁹¹ *Daily Graphic*, Vol. 9748 Saturday, 6th March, 1982, p.14.

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5.15.2.11 The time came, when the government announced a programme of decentralization of government structures. This was in 1986. The NDM and other progressive groups opposed the concept and they protested because they suspected that the government was transforming itself from a “provisional government” to a “permanent government” by using the hierarchical structure of District Assemblies, Regional Assemblies, National Assemblies with Chairman Rawlings at the top. The NDM’s protest led to the arrest of its principal activists in 1986. However, they were soon released.

5.15.2.12 In 1987, some leading members of NDM were arrested again for opposing government policies. This time, they were detained without trial, for periods ranging from a few months, up to two years.

5.15.2.13.0 Funding

5.15.2.13.1 Evidence put before the Commission, was to the effect that the NDM had no external funding, and that it was the members themselves who funded everything from their own pockets, because the members were motivated by ideas and a will to achieve social transformation.

5.15.2.14 In 1990, on the initiative of the Kwame Nkrumah Revolutionary Guards (KNRG), many of the groups involved in the struggle for a return to civilian rule agreed to work together in one organization known as Movement for Freedom and Justice (MFJ). This body that included the NDM, was inaugurated in August, 1990, with the avowed aim of fighting for the return to constitutional rule.

5.15.3 KWAME NKRUMAH REVOLUTIONARY GUARDS⁹²

5.15.3.1 Kwame Nkrumah Revolutionary Guards (KNRG) was conceived, originally, as the left wing of the PNP. It was made up of senior CPP members of the extreme left, such as KSP Jantuah, FA Jantuah, Johnny Hansen, Sonny T Provencal and Emmanuel Owusu Gyimah. Its main concern was the maintenance of ideological purity of the PNP, and to protest the policy of deference to the IMF and World Bank; the government’s failure to participate in the Moscow Olympics of 1980; President Limann’s statement that he had no ideology, etc. It was also to be instrumental in the attempt to secure leftist unity in the country. The group participated in the Forum of leftist groups at Labone Secondary School, at which a decision was taken that Limann’s Government was not a socialist government and so was not to be given support by the socialist groups.

5.15.3.2 The KNRG was the first to issue a statement of support for the PNDC. In the *Daily Graphic* of 4th January, 1982, the KNRG sent a message of congratulations, signed by Provencal, to the newly-formed PNDC. In the statement, the KNRG complained about

⁹² Memorandum to the National Reconciliation Commission.

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the “laissez-faire policies” of the Limann Administration that had destroyed many homes and turned many Ghanaians into economic refugees in foreign lands. This attack on the PNP government by a senior member of the PNP was not really surprising since the Labone Forum had reached a consensus that the PNP Government had abandoned the socialist path. In any case, a number of its members who were also senior members of the PNP, quickly found their way into the new PNDC Government, and took up prominent positions.

5.15.3.3 Within the first year of the PNDC, the KNRG began to have problems with the government. When the murder of the three High Court Judges and the retired Army Officer occurred in June, 1982, the KNRG expressed its disapproval and issued a statement condemning the event, although the organization was perceived to be part of the PNDC.

5.15.3.4 In 1985, new personalities were recruited into the leadership. Kwesi Pratt (Jnr), a journalist with leftist credentials, became its General Secretary. By this time, the leftist credentials of the PNDC were being questioned, and so the programme of the new leadership was to attempt a unification of all the truly left-wing groups.

5.15.3.5 In early 1986, the KNRG built an alliance with the NDM and Africa Youth Command (AYC), all leftist groups, although the AYC did not last long in the alliance. The KNRG, joined a campaign for the release of Victor Owusu, leader of the former rightist Popular Front Party (PFP), who had been arrested on suspicion of involvement in a coup plot. This campaign had an interesting aspect: the leftist groups in the country, had joined up with rightist groups, to work for the release of the leader of a proscribed rightist party.

5.15.3.6 The KNRG was also one of the early advocates of a return to multi-party democracy when in 1986, it published a document rejecting the District Assembly concept and calling for a restoration of multi-party democracy. After this period, some of its activists such as John Ndebugre and Kwesi Pratt (Jnr) were arrested in 1987, and again in 1991, when Owusu Gyimah and Kwesi Pratt (Jnr) were arrested at Kwame Nkrumah Circle for putting up posters advocating a return to multi-party politics in 1991.

5.15.3.7 The KNRG began to disintegrate in 1992, when it became clear from the Report of the National Commission for Democracy (NCD) that multi-partyism was about to be restored, and various possibilities for joining various political parties of Nkrumaist persuasion had opened up. The members joined some of the new political associations they believed best represented the interests of the CPP family.

5.15.3.8 Funding Of The Kwame Nkrumah Revolutionary Guards

5.15.3.8.1 The KNRG was financed mostly by members such as Johnny Hansen, Lord Ocloo of ICU and many other people from the CPP. Ebo Tawiah, member of the PNDC,

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was also a member and provided some funds until he began to disapprove of the direction of the movement.

5.16 31ST DECEMBER, 1981 - 6TH JANUARY, 1993
PROVISIONAL NATIONAL DEFENCE COUNCIL (PNDC)

5.16.1 The Demise Of PNP Government

5.16.1.1 On 31st December, 1981, Flt Lt J.J. Rawlings took over the administration of the country and declared a “Holy War”. In the usual manner of seizures of power, the 1979 Constitution was suspended, the members of the government were dismissed; Parliament was dissolved; and all political parties were banned. Members of Parliament, the PNP leadership and other functionaries, were ordered to report to the nearest police station, where they were detained, and later sent to prisons around the country. This time round, the detentions were not limited to members of the ruling government, but included Members of Parliament of the minority parties as well. Some of these persons were thereby forced to go into exile in the neighbouring countries.

5.16.2 THE 31ST DECEMBER WOMEN’S MOVEMENT

5.16.2.1 It has been stated that no “analysis of the relation between the State and Women in Ghana would be complete without a consideration of the 31st December Women’s Movement.”⁹³ This statement is no exaggeration as the role of the movement is wound up with the course of the 31st December “revolution.”

5.16.2.2 On 15th May, 1982, a new women’s organization, the 31st December Women’s Movement was launched by Flt Lt Rawlings at the Nicholson Stadium in Accra. In his address, Flt Lt Rawlings was reported to have said:

Ghanaians could solve their problems if they would put an end to the habit of making the woman responsible for only bringing up children in the home. This habit, he noted had forced women to turn to ‘kalabule’ and trading because they could not feed their children... Flt Lt Rawlings hoped that with the formation of the movement, there was no doubt that a genuine and real revolution was taking place.⁹⁴

5.16.2.3 Formed to be the “Women’s wing of the revolution”, women were advised to join the revolution and fight alongside the men and be prepared to die in defence of the motherland.⁹⁵ The logo of the movement was a young woman holding a gun above her

⁹³ Takyiwaa Manuh, “Women, the State and Society under the PNDC” in *GHANA Under PNDC Rule*, E. Gyimah-Boadi (ed) CODESRIA BOOK SERIES, p.176, at p. 185.

⁹⁴ *Daily Graphic* Vol. 9806 Monday, 17th May, 1982, p.1.

⁹⁵ *Daily Graphic* Vol. 9842 Monday, 28th June, 1982, pp.1, 4/5.

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head with her left hand. The women wanted to be given military training so that they could shoot just as effectively as men, and so the women called upon the PNDC “to institute military training for them too so they could fight alongside their menfolk to defend and rebuilt [sic] the nation.”⁹⁶

5.16.2.4 The founders of the movement persuaded the wife of the Chairman of the PNDC, Nana Konadu Agyeman Rawlings, to become the president of the movement, and this act lent it the political clout and influence it needed.⁹⁷

5.16.2.5 The Movement (known as the DWM) began to spread across the country, using the network of queenmothers for its membership drive. By 1990, it was represented in every region, district and even locality. This massive drive, was said to be on account of the exposure that the First Lady, Nana Konadu Agyeman Rawlings, the DWM’s President had, on a visit to Cuba in 1983 to visit women’s organizations.⁹⁸ Credited with being the turning point in the life of the DWM, the visit to Cuba exposed the political advantages that an organization of that nature carried when represented at the remotest village level, in the country. Indeed, to mark the 5th anniversary of the 31st December revolution, 18 branches were inaugurated at the same time at Cape Coast.⁹⁹ According to Takyiwaa Manuh:

Queenmothers were also asked to put the power and the influence they wielded in the community behind the movement and to help in its mobilising and membership drives. In return for supporting the movement, queenmothers were promised representation with male chiefs on chieftaincy committees of traditional councils a move which boosted their power and influence and also carried some pecuniary advantages.¹⁰⁰

5.16.2.6 The DWM abandoned its initial militant approach and began to tackle projects aimed at providing income-generating resources for its members. It described itself as “a broad based development oriented Non Governmental Organisation which aspires to achieve these objectives through the effective mobilisation of women.”¹⁰¹ With its political clout, it soon had tentacles in every facet of economic activity. It became involved in a bakery project at Burma Camp, that had allegedly been begun on the initiative of some soldiers’ wives. The DWM wrestled the project from them, and took over the baking of bread for the Ghana Armed Forces (GAF). Soon a contract for the supply of kenkey with the GAF was also secured.

⁹⁶ *Daily Graphic* Vol. 9871 Monday, 2nd August, 1982, pp.1, 4/5.

⁹⁷ Kevin Shillington, *Ghana and the Rawlings Factor*, MACMILLAN PRESS LTD, 1992, p.152.

⁹⁸ *Ibid.*, p.153.

⁹⁹ *Ghanaian Times*, Vol. 9,120 Tuesday, 16th December, 1986, p.4.

¹⁰⁰ Manuh, *op cit supra*, p.118.

¹⁰¹ 31ST DECEMBER WOMEN’S MOVEMENT OF GHANA Official Brochure of the Movement, p.2.

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5.16.2.7 The period 1986-1989 was a busy time for the DWM as it spread rapidly around the country. Various branches were inaugurated in villages around the country and given publicity in national newspapers. At the end of 1989, it was estimated that there were 450 branches of DWM in Ashanti Region alone.¹⁰² The DWM was organized along the lines of the Committees for the Defence of the Revolution (CDRs): it had zonal organizers; district organizers; regional organizers; and national officers. It co-operated with the “other revolutionary organs” and engaged in community clean-up programmes together during the various anniversary celebrations of the 31st December revolution.

5.16.2.8 The DWM also got involved in gari-making, palm oil processing, shea-butter processing, bead-making, pottery, etc. Apart from these businesses, the DWM was also into cultivation of the various crops, shea-nut picking, afforestation, etc. With the onset of HIV/AIDS, health projects also joined the list of the DWM’s projects.

5.16.2.9 With their involvement with women, it rapidly became clear that one of the major concerns and therefore the major obstacle to women’s participation in activities, economic or otherwise, was the welfare of their pre-school children. Therefore, in 1986, the DWM began to open Day-Care Centres all over the country and encouraged their branches to put up structures to serve this purpose.¹⁰³ At these day-care centers, pre-school education was subsidized.

5.16.2.10 Many of these centres were not new, or were alleged to belong to private persons, but they were all taken over and branded as the property of the DWM. It is estimated that by 1991, the DWM was financing 500 Day-Care Centres all over the country.¹⁰⁴ However, since there are no independently verifiable statistics of the DWM’s Day-Care Centres, it is impossible to be certain of these figures. For instance, in May, 1990, the estimated figure of what the DWM was reputed to own, stood at 252 Day-Care Centres,¹⁰⁵ but within a space of one year, the estimate stood at 500, making it difficult to give credit to either figure. According to a former member of the DWM:

carved a niche for itself in the gender and development terrain by championing the economic empowerment of women. It also facilitated the participation of women in small-scale income generating activities through the establishment of day nurseries which enabled women to free themselves of childcare to participate in entrepreneurial activities.¹⁰⁶

¹⁰² *Daily Graphic* Vol. 12158 Wednesday, 20th December, 1989, p.4.

¹⁰³ Edzodzinnam Tsikata, “Women’s Political Organisations 1951-1987” in *The State Development and Politics in Ghana*, Emmanuel Hansen and Kwame A. Ninsin (eds), CODESRIA BOOK SERIES, Dakar, 1989, p.73, at p.86.

¹⁰⁴ Shillington, p.154.

¹⁰⁵ *People’s Daily Graphic* Vol. 12280 Wednesday, 16th May, 1990.

¹⁰⁶ Memorandum to the National Reconciliation Commission.

VOLUME 4 CHAPTER 5**5.16.2.11 Relationship With National Council On Women And Development (NCWD)**

5.16.2.11.1 In March, 1982, an activity organized by NCWD was picketed by a group of women, calling themselves “Concerned Women of Ghana”. In truth, these young women were activists of the nucleus group that became the DWM. The take-over of NCWD was therefore on the agenda right from its formation, and so it was not surprising that eventually, DWM used its immense political clout to get its members into the leadership of the NCWD.

5.16.2.11.2 The leadership of the DWM, determined that the NCWD, the national institution, set up in 1975¹⁰⁷ to mobilize women for national development, had gone outside its mandate of policy-making, into project implementation, and that such functions would be better performed by implementing agencies, such as the DWM, working under the oversight of the NCWD. It also criticized the NCWD for not doing enough gender-advocacy, and for losing focus in the execution of its mandate.

5.16.2.11.3 In 1986, the Governing Council of the NCWD, chaired by Prof Florence Dolphyne of the University of Ghana, was dissolved and an Interim Management Committee (IMC), with Mrs. Selina Taylor, a member of DWM, as its chairperson. Later, Mrs. Gertrude Zakaria-Ali, a founding member of the DWM, became the NCWD’s Executive Secretary. Other members of the DWM assumed various roles and ensured that the once-vibrant NCWD became a quiet little government organization, advising the government on women’s issues. By 1989, the NCWD had become completely emasculated by the DWM, and it was probably because of its statutory nature that it was permitted to exist, and not fully absorbed into the structures of the DWM.

5.16.2.11.4 In other aspects of national life, the DWM was equally prominent. According to Shillington:

It is believed that through the organization and its President, members gained the ear of the Head of State. Petitions and appeals against injustice are referred to Mrs. Rawlings in the sure knowledge that if the case is strong enough, and the allegations of injustice or corruption firmly founded, the details will be passed on to her husband. Then woe betide the wrong-doer as the Head of State, with his customary vigour, activates the full process of law. Similarly it is feared that the converse is also true and that the 31 December Women’s Movement is the eyes and ears of the Head of State.¹⁰⁸

¹⁰⁷ National Council on Women and Development Decree, 1975 (NRCD 322).

¹⁰⁸ Shillington, p.156.

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5.16.2.11.5 Indeed, it was even reported in May, 1989, that the Head of State himself and other members of the PNDC attended meetings of the DWM's executive committee. These acts gave it the aura of a state-sponsored agency.

5.16.2.11.6 The perception of the DWM as the only recognized national women's organization was given form and substance by the appointment of some of its members to district assemblies as government nominees. Wherever there was a requirement of representation for women, the DWM was the body that supplied candidates and so it had representation on many committees and bodies dealing with issues affecting women, children and the community. Prominent members of the DWM usually filled the slot for women on government delegations travelling abroad. The DWM was even reputed to be the official body administering scholarship schemes for women, especially to countries of Eastern Europe and Cuba.¹⁰⁹

5.16.2.11.7 The DWM also had affiliate bodies. Some of these were:

- Accra Markets Associations;
- Regional Administration Staff;
- Zion Women's Union;
- West E P Church Women;
- Battor Women's Union;
- Murtarmar Women's Association;
- Financial Institutions (Ladies' Clubs) ;
- Police Wives Association;
- Prisons Wives Association;
- Armed Forces Wives Association;
- Fire Service Wives;
- Achimota Brewery Ladies Club;
- GNATLASSs (Ghana National Association of Teachers Ladies' Associations);
- Dzodze Women's Union;
- Tsui Shitoo Alajo GBC;
- Beverages and Dispensers and Shacks [sic] Association (BEDSA);
- Information Ladies Club;
- Departmental Stores (Ladies' Club);
- Nurses Association;
- Media Ladies club;
- Power Queens Club;
- Ghana Hairdressers and Beauticians;
- Accra Zonal Co-operative Bakers Union Ltd; and
- Prison Officers Wives Association¹¹⁰

¹⁰⁹ Manuh, supra, p.188.

¹¹⁰ Manuh, supra, p. 195.

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5.16.2.11.8 In 1988 and 1992, a majority of the women who were elected to the District Assemblies and Parliament respectively, were those with strong links to the DWM as the DWM had created opportunities for women's participation in politics at the local level.¹¹¹

5.16.2.12 Funding Of December Women's Movement

5.16.2.12.1 The funding for this massive institutional structure was always a source of speculation. Many people suspected that it was largely state-funded, although this was vigorously denied often. However, it is incontrovertible that state-funding, by way of subsidies for the remuneration of its employees, was what enabled the organization to function to the levels that it operated during the mandate period. Many of its Day-Care Centre staff as well as its Regional Organisers and District Organisers were usually teachers still on the payroll of the Ministry of Education, although working full-time for the DWM.

5.16.2.12.2 The DWM did manage to attract funding from international agencies, such as the United Nations agencies of UNFPA and UNDP, etc. Since the DWM usually developed projects in areas where foreign funding was available, it procured funds for its programmes and projects. "Its influence and access to finance and logistics and resultant power or clout in directing policies was unimaginable".¹¹² Diplomatic Missions that wished to have improved relations with the country through social relations also made donations to the DWM.¹¹³

5.16.2.12.3 Direct funding from national resources was also secured, when the Programme of Action for the Mitigation of the Social Consequences of Adjustment (PAMSCAD) policies was initiated. This made sizeable sums of money available to the DWM for those of its operations that qualified for support.

5.16.3 CIVIL SOCIETY REACTION

5.16.3.1 The Early Years Of PNDC Rule

5.16.3.1.1 Workers, farmers, fishermen, drivers, market women all began to declare their support for the revolution.¹¹⁴ The Greater Accra Branch of the National Canoe Fishermen Council also organized a demonstration to re-affirm the unflinching loyalty of the fishermen to the PNDC and the People's Revolution.¹¹⁵ When as usual, Makola Market

¹¹¹ Beatrix Allah-Mensah, *Women in Politics and Public Office in Ghana 1993-2004* Friedrich Ebert Stiftung, Accra, 2004, p.12 (forthcoming).

¹¹² Memorandum to National Reconciliation Commission.

¹¹³ *People's Daily Graphic* Vol. 10536 Thursday, 27th September, 1984, p.1.

¹¹⁴ *Daily Graphic*, Vol. 9772 Saturday 3rd April, 1982, p.5.

¹¹⁵ *Daily Graphic*, Vol. 9699, Friday, 8th January, 1982, p.1.

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Women also went to the Burma Camp too, to demonstrate in support of the revolution but were, ominously, chased out by soldiers.¹¹⁶ Soon, anger began to mount against the market women for increasing their prices.¹¹⁷

5.16.3.1.2 Many “mushroom” groups sprang up, each one trying to outdo the other, in their display of revolutionary favour. However, many did not last.

5.16.3.1.3 Cheered on by chants of “J.J.”, “J.J.” and “Junior Jesus”, the Chairman of the PNDC was very much in the centre of national life, as he cleared choked drains himself; helped to lay rail lines; dived to help clear the Volta Lake of aquatic weeds; and generally showed himself to be “a man of the people”. Consequently, there were expressions of popular support for the Chairman of the PNDC, and even the forces of disorder that had been unleashed on the society, did not appear to dim civil society support and reaction.

5.16.3.1.4 The attempted coup of Sunday, 19th June, 1983 (otherwise known as the Gyiwah coup’), and the reaction of a part of civil society, was the first obvious display of the extent of disaffection against the PNDC Government in the country. Following the foiling of the attempt, there were mass arrests of persons (termed ‘jubilants’) because they were alleged to have expressed jubilation on hearing the news, as well as those who were accused of having been a part of the plot (termed ‘dissidents’). There was also a crackdown on dissent generally.

5.16.3.2 The Later Years

5.16.3.2.1 The vigorous suppression of dissent, as well as the implementation of strategies for co-optation, produced a general silence in the public domain towards officialdom. Labelled the “culture of silence”, this silence was ominous for the development of the nation because it excluded carefully crafted praise of all official action. A sociologist has lamented on the development thus:

The fact that we applaud certain utterances and behaviour patterns, instead of showing deserved contempt for such conduct, shows the abysmal absence of standards of public decency and decorum in social life, and for reasoned, dispassionate debate in contemporary Ghanaian society. What is even more pitiable is the manner in which people applaud enthusiastically in public, only for the same people to complain bitterly in privacy to confidantes.¹¹⁸

5.16.3.2.2 There was mass retrenchment (officially termed “redeployment”) from the public services. This created mass unemployment, as many quickly expended the amounts paid to them as the financial package that went with being “redeployed”. Promises of re-training were not honoured for a vast majority of the labour-force that was

¹¹⁶ *The Mirror*, Vol. 1461 Friday 8th January, 1982, p.3.

¹¹⁷ *Daily Graphic*, Vol. 9869 Friday, 30th July, 1982.

¹¹⁸ J. Max Assimeng, *An Anatomy of Modern Ghana*, J. B. Danquah Memorial Lectures, 28th Series, March, 1995, Ghana Academy of Arts and Sciences, Accra, 1996, p.43.

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shed. Consequently, poverty, particularly in urban areas, as manifested by a rise in female-headed households, began to produce the usual social problems, such as child labour in its modern manifestations, and “streetism”.

5.16.4 MOVEMENT FOR FREEDOM AND JUSTICE (MFJ)

5.16.4.1 This group was inaugurated on 2nd August, 1990,¹¹⁹ to spearhead the struggle for a return to civilian rule despite attempts by the government through the BNI to scuttle it. Its executive officers were the following:

- Prof. Albert Adu-Boahen - National Chairman;
- Johnny F.S.Hansen - 1st National Vice-Chairman;
- Ray Kakraba-Quarshie - 2nd National Vice-Chairman;
- Dan Lartey - National Treasurer;
- Obeng Manu - National Secretary
- Kwesi Pratt (Jnr) - Deputy National Secretary;
- John Ndebugre - National Organiser;
- Akoto Ampaw - National Executive Member;
- A.Owusu Gyimah - National Executive Member; and
- Dr. T . Darko - National Executive Member.

5.16.4.2 In August, 1990, the MFJ issued a statement condemning the suppression of free speech on account of the existence of “oppressive laws as the Preventive Custody Law”.¹²⁰ In 1991, it criticized various aspects of the transition process, such as the composition of the National Commission for Democracy (NCD), charged with devising rules for the transition. The MFJ also took issue with the government over the manner in which the programme for transition was being pursued without due representation of the citizenry.

5.16.5 THE POLITICAL PARTIES OF 1992

5.16.5.1 The country had been under military rule since 31st December, 1981. In the late 1980s, agitation began to be felt for a return to civilian rule. The NCD under the chairmanship of Mr. Justice Annan, a member of the PNDC, was tasked to go around the country and collate views on the form of civilian government that should be adopted. The NCD reported that the generality of Ghanaians favoured a multi-party democracy. A Committee of Experts was therefore commissioned to prepare proposals for a new constitution and they submitted a report in 1991. A Consultative Assembly was established to prepare a draft constitution for approval in a referendum.

¹¹⁹ Kabral Blay-Amihere, *Fighting For Freedom (The Autobiography of an African Journalist)*, Trans Afrika News Ltd. Accra, 2001, p.342.

¹²⁰ *Current Political Situation and the PNDC's Evolving Democratic Process* Press Statement on 5th April, 1991.

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5.16.5.2 Civil society organizations began to spring up which bore names that were indicative of their political agenda. The most prominent of these were: the Danquah-Busia Memorial Club, Our Heritage club, Kwame Nkrumah Welfare Society, Kwame Nkrumah Youngsters Club, Great Unity Club, the Ex-CPP Group, etc. In response to the emergence of these groups, the pro-Rawlings groups also formed the following clubs: Eagle Club, Friends of the Progressive Decade, Rawlings Fan Club, New Nation Club, Development Union, Development Club.¹²¹ These clubs eventually formed the nucleus of the political parties that were formed when the ban on political activities by the PNDC was lifted on 18th May, 1992.

5.16.5.3 A Referendum to approve the draft Constitution was held, amid criticisms that it was a waste of money. The GBA had argued that the Consultative Assembly should be given power to promulgate the Constitution. This was not done, nor was the Referendum made the occasion for the promulgation of the Constitution. The question for the Referendum was:

Do you approve of the Draft Constitution presented by the Consultative Assembly to the Provisional National Defence Council on Tuesday, 31st March, 1992 and published in the Gazette as the Constitution of the Republic of Ghana to come into force with effect from the 7th day of January, 1993?¹²²

5.16.5.4 The GBA complained that the formulation of the question for the referendum was unfair as it had rolled two questions into one:

namely whether the voter approves of the constitution as a whole, unreasonable though the question is, and secondly, whether the voter agrees that the constitution should come into force on 7th day of January, 1993, instead of immediately. These are two separate ideas and it should be possible to give a 'Yes' answer to the first while giving a 'No' answer to the second. To roll both questions into one question is, therefore, to prevent the people of Ghana from expressing effectively their views as to whether the Constitution should come into force from the moment of approval or whether its coming into force should be postponed for another 8 months after it has been approved.¹²³

5.16.5.5 A new Law on political parties was also promulgated to regulate the formation and administration of political parties. The Law set out the conditions and rules for the formation of political parties, as well as who was competent to form a party. The Law also dealt with the registration of political parties and stipulated among other conditions, that no party was to be formed on ethnic, regional, professional or religious basis; or use

¹²¹ Kwame Ninsin *GHANA'S POLITICAL TRANSITION 1990-1993 Selected Documents* Freedom Publications, Accra, 1996, p.129.

¹²² Executive Instrument No.18 of 1992.

¹²³ Ninsin, *supra*, p.145.

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words, slogans, symbols which could arouse ethnic, regional, professional or religious division, or use the symbols of the proscribed political parties.¹²⁴

5.16.5.6 As soon as the Political Parties Law was passed, and the lifting of the ban on political activities announced, there was a proliferation of parties, all of which announced their intention to contest the 1992 Presidential and Parliamentary Elections. Among the parties which emerged were the National Democratic Congress (NDC), the New Patriotic Party (NPP), the People's National Convention (PNC), the National Independence Party (NIP), the People's Heritage Party (PHP), the Ghana Democratic Republican Party (GDPP), the National Convention Party (NCP), the Egle Party, the New Generation Alliance (NGA), the National Justice Party, Good Citizens Party, Democratic People's Party (DPP), the Nkrumah National Party (NNP), the Concerned Citizens, Redemption Congress, Obaatan Pa Association, People's Party for Democracy and Development (PPDD), Great Consolidated People's Party (GCPP), etc. The manner in which political parties sprang up was criticized as being likely to create a situation in which some parties would end up "being composed of only founding and leading members, without a broad based membership"¹²⁵ Many of these did not survive to participate in the election.

5.16.5.7 These Political Parties claimed to be the inheritors of the legacy of Ghana's previous leaders. Those claiming the legacy of Dr. Kwame Nkrumah, President of the First Republic were: the PNC, PHP, NCP, NIP, NNP and PPDD. The NPP also traced its roots to the political tradition founded by Dr. J B Danquah and Dr. K A Busia. The NDC, the DPP and Egle claimed to be a continuation of the PNDC.

5.16.5.8 Some of these parties presented presidential candidates for the elections which were slated to be held one month ahead of the Parliamentary Elections in November and December respectively. Flt Lt J J Rawlings, Chairman of the PNDC was put up as the presidential candidate for four parties: the NDC, Egle Party, DPP and NCP, that had formed 'the Progressive Alliance'. The other parties had the following as their presidential candidates:

- NIP – Kwabena Darko;
- NPP -- Professor Adu Boahen;
- PHP – Lt-Gen Emmanuel A Erskine;
- PNC – Dr. Hilla Limann.

5.16.5.9 The banning of the old political parties and the prohibition of the use of their symbols under the Political Parties Law, was seen by the leaders of the new political parties as a violation of the fundamental human rights, in particular, freedom of association. They therefore decided to contest the issue in court, and 29 persons, all leaders of the opposition, joined in the suit. They were led by K A Gbedemah, and

¹²⁴ Political Parties Law, 1992 (PNDC L 281), sections 2, 10 and 11; *Ghanaian Times*, vol. 10,892 Wednesday, 13th May, 1992, p.1.

¹²⁵ *Ghanaian Times*, Vol. 10,964 Thursday, 6th August, 1992, p.3. Comment by Kwaku Baah, a veteran politician and an Accra-based Legal Practitioner.

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included such prominent politicians as B.J. da Rocha, Dr. Hilla Limann, and Professor A. Adu Boahen.¹²⁶ They sought a declaration that the Political Parties Law as published by the PNDC was a violation of the fundamental human rights of freedom of association of Ghanaians.

5.16.5.10 This action was dismissed by the High Court, which invoked its inherent jurisdiction in order to declare that it had no jurisdiction to entertain the plaintiffs' action.¹²⁷ The Judge, Mr Justice Kwadu Amponsem, merely wished Ghana the "peace of God which passeth all understanding", and dismissed the suit. The newspapers reported that the court had struck out the case because it was frivolous and vexatious, yet the judge specifically stated that the court "was not saying that the Plaintiffs' action is frivolous and vexatious" (emphasis in original).¹²⁸ The Interim National Electoral Commission (INEC) therefore proceeded to put arrangements in place for the elections.

5.16.5.11 The parties warmed themselves up into the political game in 1992, when they received their certificates of registration and started vigorous campaigns to win political power. During the elections, soldiers were deployed in Kumasi to keep order, but it was generally felt that they had been deployed to intimidate the electorate. In spite of the fact that the political temperature was high, Ghanaians went through the Presidential Elections peacefully, with the National Democratic Congress (NDC) winning the Presidential Elections in November, 1992.

5.16.5.12 The opposition parties were not satisfied with the results, alleging various electoral malpractices. Consequently, all the parties, with the exception of the NCP, Egle party and DPP announced a boycott of the parliamentary elections.¹²⁹ These were the only elections for constitutional government that were held outside the terms of the 1992 Constitution that was to govern the affairs of the Republic.

5.16.5.13 Some activists of opposing parties in Kumasi, in particular, were arrested and detained for two weeks at the offices of the Bureau of National Investigations (BNI) in Accra. They were later released without charge. At Kwesimintsim in Takoradi, a man who was a well-known activist of the NDC was the victim of arson, leaving him nearly dead from severe burns. Activists of the NPP were immediately suspected and some prominent activists from Kwesimintsim were arrested and detained for about two months. There was evidence before the Commission that they were subjected to severe ill-treatment during the time in custody. They were eventually released when no evidence was found against them, and rumours emerged that the source of the arson was due to intra-party squabbles, and not inter-party rivalry.

¹²⁶ *Ghanaian Times*, Vol. 10,895 Saturday, 16th May, 1992, p.3.

¹²⁷ *K.A. Gbedemah and 28 Others v. Interim National Electoral Commission*. SUIT No 1087/1992; decided on 26th May, 1992 by Kwadu Amponsem J High Court, Accra.

¹²⁸ *Ghanaian Times*, Vol. 10,904 Wednesday, 27th May, 1992, p.1.

¹²⁹ *Ghanaian Times* Vol 11,034 Thursday, 5th November, 1992, p.1.

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5.16.5.14 The Fourth Republic was inaugurated on 7th January, 1993, the date for the coming into force of the 1992 Constitution.

5.17 CONCLUSION

5.17.1 Apart from a few which were formed between 1958 and 1968, most Professional Bodies (other than legal) and Civil Society Groups were formed in the 1970s and later. Professional Bodies and Civil Society Organizations are generally expected, by virtue of their learning and expertise, to be more concerned about and more actively involved in human rights issues and, therefore, spearhead the fight against human rights violations and abuses.

5.17.2 Admittedly, some voices were raised by some of the Professional Bodies and Civil Society organizations at gross human rights violations and abuses during the mandate period. However, these were too feeble, too sporadic and too disjointed to make the desired impact on society, because it was generally felt by professionals that human rights issues are the preserve of political parties and that politics was a vocation that could not be mixed with one's professional practice. Thus, the culture of respect for, and tutelage of human rights *per se* was hardly one of the objects of the Professional Bodies and Civil Society organizations dealt with in this chapter.

5.17.3 Evidence shows the Professional Bodies (as represented by the ARPB), and the Civil Society Organizations, were very active in the fight for constitutional governance, in particular, during the latter days of the SMC I, through the short-lived SMC II, the AFRC days and finally, during the PNDC regime. The ARPB deserves commendation; it was the loudest voice of opposition, at the time, to unconstitutionality, which was and gave rise to several gross violations and abuses of the human rights of the citizenry

5.17.4 Professional Bodies should not confine themselves to the pecuniary interests of their respective associations alone, but also avail themselves of the opportunity to make human rights interventions when necessary. They should make human rights education and protection an integral part of their professional responsibility and ethics.

5.17.5 Of the four Civil Society Organizations that sprang from the roots of the AFRC Revolution that are discussed in this chapter, only the MFJ was anti-PNDC right from its inception. The others, NDM, KNRG and DWM were overtly pro-PNDC, and therefore saw nothing wrong vis-à-vis human rights issues of the regime. Their concerns were merely ideological, or were focused on widening the support base for the PNDC, and could not be said to have championed human rights issues *per se*.

5.17.6 It has to be admitted, though, that at the time, in a country where nearly everyone and every institution had either been cowed into silence or co-opted by the PNDC Government, it was no surprise that most Civil Society organizations could only mind their own business, or join the government band wagon in perpetrating further violations

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and abuses against fellow citizens and institutions that dared march out of step and tune with the “revolution.”

5.17.7 During the mandate period, political parties however, had a lot to do either defending human rights or violating them or even condoning with their violations and abuse. In the pre-Independence period, political associations and groupings were themselves founded, based inadvertently or otherwise, on considerations that promoted one abuse or the other of human and social rights. They were mostly founded on ethnic or religious or regional affiliations. Only later, were those ethnic – religion – region-based political associations compelled by law to team up and form an opposition that was nationalist in aspect. This was good for the promotion of a sense of nationhood, in a newly-independent country.

5.17.8 Throughout the mandate period, however, the two main political traditions, namely, the CPP and the UP took turns in violating and abusing the human rights of sections of the citizenry, or in condoning violations and abuses as and when they (the parties) were in power or were allied with the military regime that had usurped constitutional governance. Thus, one cannot say of the political parties that they pursued an agenda of championing human rights. Indeed, when in power, they abused and violated them and seemed insensitive to the human rights of those supposedly in opposition.

5.17.9 Invariably, these political parties and their membership too suffered violations and abuses of their human and institutional rights, whenever their governments were ousted in the military take-overs that characterized the mandate period. The power to suppress the human rights of the opponent, was seen as one of the spoils of victory over the opponent.

5.17.10 All said and done, there was not, indeed, a good or even fair sense of the notion of fighting human rights causes, let alone their respect and support among the elite, the leadership and practitioners of party politics. This is a serious shortcoming that calls for remedial action. There is the need to inculcate into the rank and file of the citizenry and also into institutions and organizations such as Professional Bodies and Civil Society Organizations, the need to champion, and so develop the culture of respect for the human and civil rights of all.

5.17.11 In the context of the political parties, this need is paramount, if the art and good practice of partisan politics, the bedrock of good and democratic governance, is to be sustained and the harmonious co-existence of citizens, irrespective of their ethnic, religious or political affiliation, is to be ensured.

5.17.12 On Civil Society generally, an expert on national security has outlined the part that Civil Society plays in maintaining national political stability. According to him,

An irresponsible citizenry is as much a threat to national security as an irresponsible leadership... Where the people do not know their basic

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rights, or do not care to know, there is a problem, because they can be tossed about and manipulated not only by politicians, but by all those who seek to exercise authority over others. Again where the citizenry is irresponsible to the extent that basic laws and rules that regulate good conduct in the society are violated, in some cases with impunity, there is a problem... An irresponsible or discontented or frustrated or disillusioned people constitute a fertile base for insecurity.¹³⁰

5.17.13 Civil Society must take its share of the blame in the events that have produced massive human rights abuses in the country. It must now be appreciated by all, that taking to the streets and dancing to welcome a usurper, has always been the first step towards condoning, and even giving approval to, all human rights abuses committed by a particular regime. The need to know, respect, uphold and defend human rights is of paramount importance in the march for peace, freedom and justice.

5.17.14 It is clear on the evidence, that abuses are most brutal and rampant during periods of non-constitutional rule. Therefore, it is in the interest of all citizens that democratic and constitutional forms of government be maintained, to create space for the nurturing of a culture of respect for human and civil rights of the citizenry. Therefore, Civil Society also plays a part in ensuring that no usurper is tolerated, or given room to operate, even in the event of seizure of power. Civil Society and Civil Society Organizations must stand up and give meaning to those words in our National Anthem:

“And help us to resist oppressors rule with all our will and might forever more.”

¹³⁰ K B Quantson, *Ghana: NATIONAL SECURITY: The Dilemma*, NAPASVIL VENTURES, Accra, 2003, p.94.

CHAPTER SIX

THE STUDENT MOVEMENTS

6.0 INTRODUCTION

6.0.1 The Commission set out to examine the socio-political environment within which human rights abuses have occurred within the mandate period, and the role played by students, organized as political party wings on the campuses, as Student Representative Councils (SRCs), or as a movement known as the National Union of Ghana Students (NUGS). This chapter has chronicled the activities of the student movements during the mandate period, and has thrown some light on the experiences of their leaders and other prominent activists, either when the patron-governments were overthrown, or because their activities were a challenge to the sitting government. The Commission did not include in its focus of study, movements on the student-front that were not of political significance.

6.0.2 The chapter has also captured the flow of tides that characterized student-government relationships in some detail, to enable the public to follow the history of these movements within the mandate period; understand the activities of these movements under military and civilian regimes; appreciate their importance in the socio-political history of Ghana; be provided with the reasons for change and continuity in these movements; and also understand why some of the movements underwent a transformation, whilst others ceased to exist altogether.

6.1 PRE-INDEPENDENCE

6.1.1 The National Union of Gold Coast Students (NUGS) (later National Union of Ghana Students) was founded in about 1950 as the national representative of the World Youth Assembly, a body composed largely of university students, of which the Gold Coast was a member.¹ This is understandable in view of the fact that the Gold Coast acquired a university institution in 1948. At that time, NUGS was an official organ with no power but it was transformed into a powerful organization in the 1960s. Agbodeka attributes this development to the coming into being of university-authority-sponsored Student Representative Councils, the breakdown of the Hall tutorial system and “the changing values of Ghanaian society”.² Whatever that expression was intended to mean,

¹ Francis Agbodeka, *A History of the University of Ghana. Half a century of Higher Education (1948-1998)* Woeli Publishing Services, Accra, 1998. p.133.

² Ibid; also Memorandum to the National Reconciliation Commission.

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it does not appear to take into account the rise of nationalism, the adoption of socialism as the national politico-economic philosophy and the transformation of Ghana into a One-Party State where all sections were mobilized into one unit for purposes of national development. It would appear that these events produced a chain of actions and reactions over time that transformed the NUGS from a mere association of university students to a major player in national politics. As subsequent evidence shows, the students were neither oblivious to, nor untouched by the national politics of the day.

**6.2 6TH MARCH, 1957 -- 23RD FEBRUARY, 1966:
CONVENTION PEOPLE'S PARTY (CPP) GOVERNMENT**

6.2.1 Students And National Politics

6.2.1.1 The independence movement involved all sectors of Gold Coast society and this obviously included students. Oquaye observes that there were several youth groups in the forefront of social change, including the Ga Students Association in the then University College of the Gold Coast.³ Thus, students were active in national politics right from the time when the independence movement picked up steam. Indeed, it was as a result of the involvement in political activity that a group of students in some schools in Cape Coast and their teachers were dismissed in 1949, leading to the founding of the Ghana National College in Cape Coast in order to enable them to complete their education. It, however, took a while before the students were organized as a political entity.

6.2.1.2 The National Union of Gold Coast Students (NUGS) being the official body of the student-representation at the time assumed the role of students' mouthpiece. Upon the attainment of Independence, the union changed the 'Gold Coast' part of its name to 'Ghana' but kept its acronym 'NUGS'. Not too long after Independence, NUGS began to be critical of some of the government's policies. In 1958, the use of the Deportation Act to silence opposition politicians of the Moslem Association Party (MAP) by deporting them to their countries of origin excited critical murmurs of the students. By 1959, these murmurs had matured into public expressions of disaffection and the students courted the ire of the government when they adopted a resolution that publicly criticised the passage and use of the Preventive Detention Act (PDA), 1958 (CA 7), to detain opposition figures, at its annual conference of 1959. The government's response according to Rathbone, was to "consider seriously the withdrawal of scholarships of all members of the union's executive". In the end, based on the intercession of the Minister of Education, Cabinet agreed to reprimand them instead.⁴

³ Mike Oquaye, "Youth, Politics and Society in Ghana" in *Civil Society in Ghana* F.K. Drah and M. Oquaye (eds) Accra, Friedrich Ebert Foundation, 1996; chapter 10, p.163 at p.175.

⁴ Richard Rathbone, *Nkrumah & the Chiefs. The Politics of Chieftaincy in Ghana 1957-60* pp.152-153.

VOLUME 4 CHAPTER 6**6.2.2 THE CONVENTION PEOPLE'S PARTY STUDENTS UNION**

6.2.2.1 Students were involved in partisan national politics before Independence. By June, 1960, a branch of the Convention People's Party, Convention People's Party Students Union (CPPSU), had been established on the campus of the University College of Ghana and was ready for inauguration. At the inauguration, the Prime Minister, Dr. Kwame Nkrumah, exhorted the students thus:

You who have come together to form this Union subscribe to the programme of the Convention Peoples' Party. You, and those that will join you, are a body of Ghanaian youth seeking knowledge in order to find truth. Your studentship of this College and your membership of the party are not incompatible. On the contrary they are complementary to the extent that the knowledge acquired by studentship is made relative to real issues of our country by membership of Convention People's Party.⁵

6.2.2.2 The CPPSU was very active on the campus of University College of Ghana (UCG) and through the members, the CPP exercised great influence on campus. The government believed the college "had been associated with anti-Convention People's Party attitudes, which is the equivalent of saying that the University College is anti-government of the day"⁶. The Prime Minister expressed the hope that the presence of the Union was evidence of the "warm new life which is being injected into its veins by the presence in its halls of the Convention People's Party."⁷

6.2.2.3 The division and dissension that existed on the Legon campus was real, as an atmosphere of fear was created on the campuses. Students reported on their colleague-students as well as on their lecturers. The dissension on the university campuses was exemplified by an event that occurred in 1965, and which Oquaye recounted as follows:

At a formal dinner in Commonwealth Hall, L. O. Cantey a fifth year law student led students to observe a minute's silence in Danquah's memory.[Dr. J.B. Danquah had been detained under the Preventive Detention Act and had died whilst in detention.] The CPP group in the hall led by R.A. Atta-Kesson and J.C. Akosah fiercely resisted the popular will to no avail. The following day, the CPP flag in Legon which had also become the national flag was found torn. Cantey and others were arrested and detained till after the 1966 coup.⁸

6.2.2.4 With such incidents and the existence of a "web of spies that had been established in the universities and the application of the Preventive Detention Act against protesting

⁵ Dr. Kwame Nkrumah, "Come Down To Earth" 5th June, 1960 *Selected Speeches of Kwame Nkrumah*, Samuel Obeng (ed) vol 1 Afram Publications, Accra 1997 p.78.

⁶ Ibid.

⁷ Ibid., p.79.

⁸ Oquaye, supra, p.181.

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students”,⁹ it was no surprise that members of the CPPSU were the target of reprisals when the regime fell. Many students who belonged to the group were badly beaten up by some of their fellow students, and some were also detained in February, 1966.

6.2.3 THE NATIONAL AFRICAN SOCIALIST STUDENTS ORGANISATION (NASSO)

6.2.3.1 The National African Socialist Students Organisation (NASSO) was formed as the educational wing of the CPP. Although a party organ, NASSO operated as a state-sponsored organization of students who espoused the ideology of African Socialism - the official ideology of the CPP. It had local as well as international branches (in particular, in the United Kingdom) and it was to this organisation that the task of forming party study groups to study African Socialism was consigned. It also had the task of studying and explaining party decisions, programmes and policies of the government in order to achieve the “‘cipification’ of the national life”¹⁰. The intrusion of national politics into academic life was therefore mandated.

6.2.3.2 According to student activists of the time, NASSO though a student movement, enjoyed privileged status on campus. For instance, on the campuses, it had offices whilst NUGS had no office of its own. Members of NASSO were favoured with government attention and even sent to the Kwame Nkrumah Ideological Institute at Winneba to deepen their knowledge of socialist ideological thinking.

6.2.3.3 When the 1966 coup d’état occurred, some prominent members of NASSO on the Legon campus were held in “protective custody”. At the UST, the NASSO students burnt the records of the organization on the night of 24th February, fearing that records bearing their names would set them up for political reprisals.¹¹ There was general insecurity on campus as these students worried about their fate. NASSO continued to exist in international circles on account of the students on government scholarship abroad. Its ranks were considerably thinned by the discontinuation of scholarships of certain students by a screening of all students on government scholarship. This exercise of determining who was a “genuine” student caused a lot of pain as it was seen to be arbitrary. Many otherwise genuine students lost their scholarships in the middle of their academic programmes.

⁹ Ibid.

¹⁰ Dr. Kwame Nkrumah, “The Kwame Nkrumah Institute” Speech at the laying of the Foundation Stone of and the Inauguration of the First Course of the Ideological Section of the Institute; 18th Feb., 1961, in *Selected Speeches Of Kwame Nkrumah*, Samuel Obeng (ed.) Vol. 2 Afram Publications, Accra, 1997 p.5 at p.12.

¹¹ Memorandum to National Reconciliation Commission.

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6.2.3.4 The overthrow of the government in 1966 by and large ended the life and influence of NASSO within the country although the international branches operated for some time.

6.2.4 THE NATIONAL UNION OF GHANA STUDENTS (NUGS)

6.2.4.1 The loss of NASSO was the gain of NUGS. As the evidence showed, the leadership of NUGS nearly lost their scholarships as a result of their criticism of the operation of the PDA in 1959. It was thus no favourite of the government, and in 1964, six of its leaders including A.K.P. Kludze a Law student; Yao Fiagbe, a student of Pharmacy; and one Easmon, a student of Engineering, got into difficulties with the government and were detained under the PDA. It was therefore not surprising that the NUGS would achieve prominence as the official mouthpiece of students in the country, when the government was overthrown. Although Agbodeka indicates that the “politicization of student issues” occurred after the 1966 coup,¹² this does not accurately reflect the state of the student movement of the time because politicization of students and consequently issues affecting them had become a phenomenon by 1966. According to his own findings:

Around October 1964 it was alleged that certain people enjoying a considerable measure of public favour began to incite the university students to ‘watch out for’ and ‘expose’ those of their lecturers in whom they thought they detected unsuitable ideological tendencies.¹³

Although the author excuses these activities on the grounds of necessity imposed by “violent opposition creeping into Ghanaian politics”, it is certain that well before this time, students had become involved in national politics and that NUGS rose up to fill a vacuum created by the demise of the CPP-sponsored student groups.

6.2.4.2 The student-body expressed great support for the act of the coup-makers who consequently formed the National Liberation Council (NLC). Indeed early in the morning of the day after the coup, i.e. 25th February, 1966, the students poured onto the streets of Accra and demonstrated the entire day in support of the coup d’état. The student-body expressed its support for the overthrow of the First Republic in unmistakable terms. There is little documentary evidence of opposition within the student community although one could not overlook the fact that there was such severe repression of CPP-related activity and the suppression of CPP-related documentation, that any exhibition of support for CPP and the former President would have landed that person or organization in serious trouble. It is thus an irresistible conclusion that although a powerful role had

¹² Agbodeka, op cit supra, p.225.

¹³ Ibid. p.148 et seq.

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developed for students within national politics by the activities of the state-sponsored groups, all of these had died with the end of the regime.

6.2.5 THE UNIVERSITY COMMUNITY AND ACADEMIC FREEDOM

6.2.5.1 The university community is made up of staff and students. These component parts were affected in various ways. For instance, when lecturers or Hall officials were detained or dismissed or deported, it became a matter of concern for the students as they lost teachers and such other persons as made their lives what they wished it to be, on the campus. In November, 1961, the President was formally installed as the Chancellor of both the University of Ghana and the Kwame Nkrumah University of Science and Technology (KNUST). These positions gave him an opportunity to relate to the universities in a dual capacity: as President and as Chancellor. In the latter capacity, the Chancellor sought to control the university even to the extent of appointing professors.

6.2.5.2 A cleavage occurred between the academics and the political authorities, and as it widened, lecturers of the University of Ghana were dismissed or deported and academic freedom came under direct attack. At a university dinner in February, 1963, the President gave the assurance of his absolute respect for academic freedom and urged the staff to uphold it for “scholars must be free to pursue the truth and to publish the results of their researches without fear, for true scholarship fears nothing”.¹⁴ However, in the same speech he stated that academic freedom could “become the dangerous cloak for activities outside the academic interests and pre-occupations of the community or of the university”, and he urged the academics to “be ready to expose those individuals in the university itself who abuse academic freedom”.¹⁵ These were ominous words for it appeared that academic freedom in the nature of the “freedom to pursue the truth” was not absolute, but was limited to ideas that the government found acceptable.

6.2.5.3 The relationship between the academics and government continued to deteriorate, and by 1964, students were being incited to report on those of their lecturers who espoused “unsuitable ideological tendencies” so that they could be taken to task.¹⁶ Indeed, on 18th February, 1964, E W Nortey Dowuona, Member of Parliament for Accra East, when contributing to the Debate on the Constitution (Amendment) Bill made an ominous prediction:

The temptation given by the colonialists to our Judges to nurture the notion that they were above the law itself and the State, has now been removed and they have now been helped to realize the fact that there is a limit to everything. I pray that soon, indeed very soon, we should help

¹⁴ Dr. Kwame Nkrumah, “University Dinner” 24th February, 1963 *Selected Speeches of Kwame Nkrumah*, Samuel Obeng (ed) vol 5 Afram Publications, Accra, 1997, p.10 at p.11.

¹⁵ Ibid., p.13.

¹⁶ Agbodeka, *supra*, p.148.

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students of our universities and their tutors also to realize this fact and behave accordingly.¹⁷

6.2.5.4 In the latter part of 1964, a committee was announced to have been formed by the government to inspect books and publications in the bookshops and libraries of the universities to ensure that those that were not in consonance with the ideology of the Convention People's Party would be removed.¹⁸ The Vice-Chancellor had to address the students on the essence of university education and the importance of developing habits of critical thinking as an integral part of the students' ability to advance the development of the country.¹⁹

6.2.5.5 NUGS itself did not escape the ravages of the PDA. In 1964, it reacted to the decision to hold a referendum to enable the President have power to remove the Chief Justice and other Judges on a panel that had acquitted the accused persons in an infamous treason trial involving an attempt on the life of the President by the explosion of a bomb. NUGS believed that this was contrary to the tenets of democracy and issued a statement condemning the act in a campaign for the restoration of the rule of law. The response to this condemnation was for CPP "loyalists" to invade the campus in "an unbelievable demonstration of the masses against the University"²⁰. The university students were asked to go home and vote, but other observers opined that the universities had been deliberately closed down in order to prevent the students from demonstrating against the referendum.²¹ As already stated, the leaders of the NUGS campaign were arrested and detained²² and this event silenced the students and a feeling of insecurity developed on the campus.

6.2.5.6 The government's anxiety to curb the independence of the universities was manifested by moves made through the students to achieve ideological subjugation of the students, most of who were at an impressionable age. It therefore directed in 1964, that a mandatory period of two weeks ideological orientation at the Kwame Nkrumah Ideological Institute for all students should become a condition precedent to admission into university.²³ It is uncertain what successes this policy achieved, perhaps except to breed more secret resentment against the party and the government. These developments may explain why the students poured onto the streets of Accra on the day after the coup and demonstrated the entire day in support of the overthrow of the government.

¹⁷ *Parliamentary Debates* Official Report First Series, vol. 34, 15th October, 1963-21st February, 1964. Debate of 18th February, 1964, p.1126.

¹⁸ *Ibid.*, p.149.

¹⁹ *Ibid.*

²⁰ L.H.Ofosu Appiah, "Authority and the Individual in Ghana's Educational System" vol.II No. 2 *The Legon Observer*, 1967, p.16.

²¹ L.H.Ofosu Appiah, "Authority and the Individual in Ghana's Educational System" vol.II No. 1 *The Legon Observer*, 6-19 Jan. 1967, p.8.

²² Oquaye, *supra*, p.181.

²³ *Ibid.*, p.180.

VOLUME 4 CHAPTER 6**6.3 24TH FEBRUARY, 1966 -- 30TH SEPTEMBER, 1969:
 NATIONAL LIBERATION COUNCIL (NLC)****6.3.1 NUGS**

6.3.1.1 On 24th February, 1966, the Government of the CPP led by President Nkrumah, was overthrown by a group of military and police officers. The coup was led by Col Emmanuel K. Kotoka, Maj Akwasi A. Afrifa, John W.K. Harlley (Commissioner of Police) and Anthony K. Deku (Commissioner of Police) who with others formed the National Liberation Council (NLC) with Lieutenant-General Joseph A. Ankrah as Chairman. The NLC was established to replace the overthrown government. This development electrified the student front, and they poured out onto the streets in support of the change of government. It was against this background that the first invasion of the UST campus by the police occurred.

6.3.1.2 According to contemporary accounts that are confirmed by the report of the Committee of Enquiry into the KNUST Affairs, the students had grievances against the university administration and the Vice-Chancellor Dr. R.P. Baffour. Before the 1966 coup, the students had grievances such as: the arbitrary withdrawal of a week-end bus service to town; poor catering services; official high-handedness; inadequate accommodation; conflicts between the workers and students; and several other petty grievances. In addition, the Vice-Chancellor was accused of practising occultism²⁴; siting of the KNUST Guest House at Elmina (Elmina, in the Central Region, is off the beaten track and had no relationship with the hospitality needs of the university, except being the hometown of the Vice-Chancellor); nepotism in favour of persons hailing from Elmina in employment and promotion of staff in general, and the university laundry in particular. In addition to these, the students were disappointed when their NUGS leaders were detained and the Vice-Chancellor who had promised to help secure their release because of his personal relationship with President Nkrumah, was unable to do so. When the coup occurred in 1966, the students decided to demonstrate against him and his administration for being unable to resolve their grievances. It must almost certainly have been a factor that with his political connections gone, he had become vulnerable enough for the students to mount a public protest.

6.3.1.3 The demonstration was timed to take advantage of a scheduled visit by the leaders of the NLC, Col Kotoka and Maj Afrifa, who were then paying an official visit to Kumasi. This was because some of the students were the school mates, and indeed, even classmates of Maj Afrifa at Adisadel College, and so they intended to take advantage of their relationship, to make their grievances known. The students planned to meet the convoy of the NLC near the University Hospital to present their petition to the new

²⁴ He was reported to be using a certain “pendulum” as a means of determining culpability in matters involving student-problems.

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national leaders. The students started the protest on the campus and went to the house of the Vice-Chancellor. He had then left for his office and so they followed up there. At this point, reports have it, that the Vice-Chancellor called in the police to suppress the demonstration.²⁵ It was therefore with some surprise that the students found that the police had come onto the campus with armoured cars to prevent them from marching to the agreed spot near the University Hospital. A confrontation ensued between the police who were under orders to prevent the students from getting to that spot, and the students who were determined to get there to present their petition. The fight led by the students cadet corps, led to the arrest and detention at the Kumasi Zongo Police Station, of four students: J H Owusu-Acheampong, Kwasi Abeasi, Seth Anipa and Emil Dove.

6.3.1.4 Despite these clashes, the students did not give up, but intercepted the convoy and threw copies of the petition into the vehicles as they passed. When the leaders of the NLC read the petition and discovered that it was about student grievances, they agreed to meet with the student-leaders. A meeting between them resulted in the withdrawal of the police from the campus. When the students later learnt that the police action was occasioned by information from the Vice-Chancellor to the Police Commander, that some Malian students had linked up with a few Ghanaian students to intercept the convoy of the NLC members and cause mayhem, they understood the ferocity of the police response. They then moved for an investigation into the incident as well as into their grievances. The government set up a committee of enquiry. The students hired their own counsel and decided to pay counsel's fees by forgoing dessert in the dining hall for a period, thereby making savings on the funds allocated for their feeding.

6.3.1.5 The report of the committee resulted in the removal of Dr R P Baffour as Vice-Chancellor of KNUST (which had by this time undergone a name change from KNUST to UST, dropping the name 'Kwame Nkrumah').

6.3.1.6 However, these matters were brought into sharper focus when the students also began to enjoy "liberation" to the extent that authorities of the universities began to worry about their activities on campus.²⁶ Ironically, the troubles at UST led once again to another closure of the University of Ghana during this period of "liberation".

6.3.1.7 More than a year on, the support was still solid; for, on 17th April, 1967, when an abortive coup against the NLC resulted in the death of Lt-Gen Kotoka, one of the leaders of the coup and a member of the NLC, NUGS issued a statement condemning the coup attempt and said, among other things:

Students this is the hour for concerted action. The future of Ghana which is yours is at stake. Be alert. Be prepared for anything. Stand by now. Long live Ghana.²⁷

²⁵ Memorandum to National Reconciliation Commission.

²⁶ Ibid., p181.

²⁷ NUGS notice on 17th April, 1967. vol II No.2 *Legon Observer*, 28th April, 1967, p.16.

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This statement indicated that the students were even contemplating physical resistance to the coup d'état. Indeed one writer describes the relationship between the students and the government of the NLC as "cordial."²⁸

6.3.1.8 In general, 1968 was a difficult year for students and their authorities. There were strikes and demonstrations in secondary schools, training colleges and even in the universities. In at least one case, some students were put before court for unlawful procession,²⁹ but in most others the students were sent home and the schools closed down. So many of these incidents involved the destruction of school property that the Commissioner for Education, Modjaben Dowuona had to administer a caution that students responsible for such destruction would be surcharged with the cost of repair. In October, 1968, a major upheaval occurred on the campus of the University of Ghana on account of four students who had been rusticated for publishing obscene material in the *Siren*, the student magazine of the Mensah Sarbah Hall. The student body refused to attend lectures and in the ensuing confusion, the police was brought in to maintain order. The university was closed down on 30th October, 1968,³⁰ and was re-opened about four weeks later. The students were made to sign a declaration to be of good behaviour; to observe the Statutes of the University; and to pursue their studies with diligence.

6.3.1.9 These protests were against the institution's authorities and did not involve the government directly. Indeed the government expressed regret at the sight of steel-helmeted police on campus and hoped that those kinds of incidents would not recur. The government also pledged its intention to respect academic freedom and the autonomy of academic institutions.

6.3.1.10 Within this period, there were many student demonstrations in the various academic institutions, resulting in their closure for periods of time. One even ended in the courts. Thirty-two students of Amaniampong Secondary School were put before court and remanded in custody for rioting and destroying school property.³¹ From the length and breadth of the country, students took to the streets in protest against their school authorities, and it was as if the whole student front was on the boil. The verdict at the time was that students were also expressing their "liberation", and that the coup had created indiscipline among students. However valid the assertion was, it must not be forgotten that 1968 was a very tumultuous year for students in Europe and the United States of America as well, and that there might have been some global influences on the student movement.

²⁸ Oquaye, *supra*, p.183.

²⁹ Students of Akrokerri Training College were prosecuted for going on demonstration and destroying school property. *Daily Graphic* vol. 5405 Friday, 16th February, 1968, p.1.

³⁰ Agbodeka, *supra*, p.225.

³¹ *Daily Graphic*, vol. 5430 Saturday, 16th March, 1968, back page.

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6.3.1.11 In general, however, the relationship between NUGS and the government remained cordial. NUGS tried to reform itself by adopting a new Constitution and restructuring its operations so that it could be the mouthpiece of all students in Ghana, instead of just university students. At this time, there were opposing views as to whether or not the NLC should remain in power or hand over to a civilian government. The latter position, espoused by Professor Kofi Abrefa Busia in a statement advocating an early return to civilian rule,³² generated great controversy which was warmly embraced in academic circles. Despite the cordiality between the students and the NLC, they, being a part of the academic community, were not left out of the reckoning. They waded into the fray and their front was split on this matter of the length of stay in office by the NLC. Vigorous though the debates were, there were no physical clashes between the proponents and opponents, and NUGS as a body, insisted that it would remain neutral in politics when the ban on political activity was lifted and that it would not throw its weight behind any particular party.

6.4 **1ST OCTOBER, 1969 - 12TH JANUARY, 1972:**
THE SECOND REPUBLIC PROGRESS PARTY (PP) GOVERNMENT

6.4.1 NUGS

6.4.1.1 The ferment on the student-front continued. So numerous were the student disturbances that Parliament was forced to take note of the phenomenon. By 1971, Parliament had taken a decision to set up a Committee on Student Unrest to study the phenomenon since students of every level were taking to the streets to protest one thing or the other. Most of these protests were violent, and led to the destruction of public property. The Parliamentary Committee was made up of the following Honourable Members: K B Ntim (Chairman), Harry Sawyerr, Sam Okudzeto, J A Anyan, Victor Aidoo, T K Agadzi, S.A.Manson.³³

6.4.1.2 In 1970, the economy was in bad shape and people grumbled about the level of affluence being exhibited by the government. In a classic display of intellectual arrogance, a Ph.D student of the University of Ghana, G.C. Hutchful, confronted Prime Minister Busia whilst on a visit to the campus and told him bluntly “It is a disgrace to the country for you and your entourage to ride on Mercedes Benz cars. Why don’t you ride in smaller cars like Morris Minor? Why all this motorcade?”

6.4.1.3 In April, 1971, NUGS issued a statement calling upon the government to grant amnesty to all Ghanaians in exile, particularly ex-President Dr. Kwame Nkrumah, and all other Ghanaians who had gone into political exile since 1966 so that they could return and help to rebuild the nation. This call infuriated the government. Oheneba Kow

³² Ibid.

³³ *Parliamentary Debates* of Second Republic, 23rd March, 1971, pp.912-913.

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Richardson of the Prime Minister's Office described the students' statement as "treacherous and treasonable". The Prime Minister's spokesman declared further "their action is overtly meaningful otherwise the NUGS could not have the courage to go to the treasonable extent of raising matters of political implications as contained in their statement."³⁴ He further went on and called them "the little minds of our society today" and warned them not to take the government's magnanimity for a licence as they:

were aware of that scourge of young pioneer movement is making itself manifest in the students who when they were youngsters, joined that movement and were indoctrinated in the act of carrying out political manoeuvres.

6.4.1.4 This harsh response did not appear to have been justified unless one takes cognizance of the frayed relations that existed between the government and the students as a body. Indeed, soon after this diatribe, the NUGS President, Albert Cann Tamakloe, was accused by the President of Progress Clubs (the club of students of the Progress Party), that he was hiding behind NUGS to form a political party with the TUC leader B A Bentum. The President of the Progress Clubs stated firmly that:

we cannot deny them the right to form political parties or join hands with existing political parties, but we deny them the right to involve the whole student body and the entire workers of this country in their ...personal ambition for political power.³⁵

6.4.1.5 The President of NUGS defended the effort to co-operate with the TUC, but denied that they were forming a political party.³⁶ He further explained that the idea had been mooted as far back as 1969, before he came into office as president. His defence notwithstanding, the Progress Clubs of Universities called on executives of NUGS to resign forthwith. The students further threatened that the failure of the NUGS Executive to resign would result in inviting the government to consider the advisability of withdrawing recognition of NUGS.³⁷ This was a very serious split in the students' front. It showed that student political activists were willing to get the government to ban their own student union merely because they did not agree with the anti-government stance of their leadership.

6.4.1.6 NUGS went to its annual congress and resolved to give an ultimatum to the political leaders to declare their assets, as required the Constitution. Subsequently, the leadership got into difficulties with Parliament over their alleged misrepresentation of communication between the leadership and the Speaker on the issue of assets declaration. The President and Secretary of NUGS were hauled before Parliament on a charge of contempt, and they were made to render a formal apology to the House. This act of

³⁴ *Daily Graphic*, vol. 6377 7th April, 1971.

³⁵ *Daily Graphic*, vol. 6392 Saturday, 24th April, 1971, p.3.

³⁶ *Daily Graphic*, vol. 6393 Monday, 26th April, 1971, p.3.

³⁷ *Daily Graphic*, vol. 6404 Saturday, 8th May, 1971, back page.

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humiliation was not calculated to endear the Busia administration to the leadership of the student movement.

6.4.1.7 The government proposed the student loan for university students instead of the full scholarships that every student was enjoying and planned to implement it in the next academic year of 1972-73. This loan scheme proposal did not go down well with the students as it meant that they were no longer going to enjoy university education that was completely free. NUGS criticized the University Loans Scheme as “reactionary and premature”, and further complained that the government’s efforts to solve the country’s problem and that of the university had been misplaced. NUGS therefore suggested that a fuller review of the whole structure of university education be undertaken instead.³⁸ Prior to this formal reaction of NUGS, students of UST had gone on a four-hour demonstration against the scheme, and a like demonstration at University College of Cape Coast (UCCC) had been averted only at the last minute by the intervention of the Parliamentary Committee on Student Unrest.³⁹

6.4.1.8 In addition to the issue of student loans, the government was also proposing to enter into “dialogue” with apartheid South Africa, instead of the total freeze in relations favoured by the Organisation of African Unity (OAU), and pan-Africanists in general. The policy, termed “Dialogue with South Africa”, was considered reactionary by the students, who had been raised on the Nkrumaist policy of total liberation of the African continent from imperialist domination, and they strongly opposed it. The relationship between the government and students was thus not very cordial when the military struck again on 13th January, 1972.

**13TH JANUARY 1972 -- 3RD JUNE, 1979:
NATIONAL REDEMPTION COUNCIL (NRC)/
SUPREME MILITARY COUNCIL (SMC) I & II**

6.5 NRC/SMC I**6.5.1 NUGS**

6.5.1.1 The reaction of the student body to the military takeover was predictable. The new Government of the National Redemption Council (NRC) led by Colonel Ignatius Kutu Acheampong, promptly revoked the policy on the loan scheme, cancelled the devaluation; announced the repudiation of Ghana’s external debt otherwise known as the “*Yentua*” (“We won’t pay”) policy; and renounced “Dialogue with South Africa”. All these policies had the desired result of pleasing the student body and ensuring the support of that constituency. The agricultural programme of food self-sufficiency for the nation

³⁸ *Daily Graphic*, vol. 6447 Monday, 28th June, 1971, p.5.

³⁹ *Daily Graphic*, vol. 6442 Tuesday 22nd June, 1971, back page.

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known as “Operation Feed Yourself” won instant support from the students. So voluble was the support expressed by the students, that the Chairman of the NRC publicly thanked students of the universities for their support.⁴⁰

6.5.1.2 At the 9th NUGS Congress in 1972, the students called for the death penalty for those who would be found guilty of embezzlement and misappropriation of funds; and to vest all land in the state.⁴¹ NUGS took a further decision to demonstrate their support for the government in more concrete terms. A decision was taken to volunteer services to help in national development, by constructing irrigation canals and other infrastructure for improving agriculture. The most famous of these were the construction of the Dawhenya Irrigation Project canal, which was required for the production of rice and the harvesting of sugarcane at Komenda to feed the sugar factory. As a contemporary account goes:

Dawhenya was probably the peak of the cordial relations between students and the Acheampong Government. Streams of students literally kept flooding to this camp every day in support of the government’s laudable plan to build an irrigation scheme for the area.⁴²

It was great fun for the students as well as a big help to the nation.

6.5.1.3 Soon, the relationship between the students and the government began to deteriorate as the government began to propose policies that the students did not support. According to the NUGS President of 1972-73, the students’ position was influenced by interests external to the student body. He has stated as follows:

The students supported the coup d’état of Colonel Acheampong because apart from the problems with the Busia Government, the student movement was under the influence of the old CPP politicians, in particular, Kojo Botsio, the Father of all radicalism at the time. Although the CPP had been banned. Botsio was recognized by all as the father-figure of the CPP. Since the radical lecturers of the UCC tended to be CPP inclined, they all looked up to him for leadership and consequently, the student movement with its leadership then at UCC, was heavily influenced by him as the leader of the CPP.

When I became a student leader, I was introduced to CPP stalwarts such as Kojo Botsio, Dan Lartey, Tawia Adamafio, etc. by Dr. S.B. Arthur, who had great influence on us at UST. These national political figures gave us political direction in relation to student agitation and student demonstrations.

⁴⁰ *Daily Graphic*, vol. 6667, Monday, 13th March, 1972, p.1.

⁴¹ *Ibid.*

⁴² Memorandum to the National Reconciliation Commission.

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It was on account of this influence that NUGS and the student body showed such support for the coup d'état that was thought to be CPP-inspired. At an executive meeting, NUGS decided to demonstrate its support for the government by supporting the 'Operation Feed Yourself' Policy. This decision culminated in the "Walatu Walasa" at Dawhenya by the construction of an irrigation canal, and the harvesting of sugar-cane for the Komenda and Asutsuare sugar factories by students. Although it was the Cann-Tamakloe administration that planned the programme, I had to implement it. I had no choice but to continue in that vein.

The relationship between the students and government soured when the relationship between Acheampong and Botsio turned sour. They [Colonel Acheampong and Mr. Kojo Botsio] fell out over the political direction of the government, and General Acheampong even had a conversation with me during which he warned me as NUGS President to be careful of the leftist Lecturers and the 'Kojo Botsio group' under whose influence we operated. He told me that he knew Botsio wanted to overthrow him and so I was to be careful in my dealings with those people as they were leading us into doing things we did not fully understand.⁴³

6.5.1.4 The Acheampong Government also began to irritate the students with policies of which they disapproved. For instance, there was a suggestion that all students of tertiary institutions should undergo military training as National Service. This proposal eventually was transformed into the National Service Scheme as it now operates by the intervention of NUGS. Kabral Blay-Amihere gives the credit for the decision of NUGS to vote for National Service in the form in which it now is, to Professor Akilagkpa Sawyerr who addressed them at the NUGS Congress in 1973 and dissuaded the militant UCCC group from opting for military training.

6.5.1.5 At the 1973 Congress, NUGS formally adopted the ideology of Scientific Socialism as its official ideology. By this time, the Arab Oil crisis was underway and the economy had taken a turn for the worse. Rumours of corruption began to seep to the campuses, and students began to be unhappy with the government. The first major protest by students of the three universities was sparked off by an assault on a student of the University of Ghana, Kwesi Doe, by soldiers at Ho in the Volta Region. The act of the protesters, who failed to get to town from Legon as a result of a military blockade on the main Legon-Accra road, presaged more violent confrontations with the government later on.

6.5.1.6 In 1975, police brutalities on the campus of University of Ghana against striking workers of the university claimed a student-victim – Mekki Abbas, a Sudanese student of Legon Hall. The Police were using live ammunition to suppress the demonstration and a

⁴³ Memorandum to the National Reconciliation Commission.

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bullet killed the student who was not associated with the demonstration in any way. This incident caused great anger among the students and greatly embarrassed the government. The government sent a delegation to the Sudan to hand the body over to the Sudanese authorities, and gave a place on the delegation to the students. The students were represented by a Legon Hall student, Joe Dankwa who later became a police officer himself.

6.5.1.7 The 1975-76 academic year was full of restlessness among students. The economy was deteriorating whilst senior military officers were beginning to exhibit opulence in lifestyle, in a manner that did not match the general deteriorating economic conditions in the country. The students met the visiting United States Ambassador to the United Nations with protests at the Kotoka International Airport. The government was very unhappy about the incident and it reinforced the bad blood that had developed between it and the students. The government issued a stern warning to the student leadership to desist from such confrontations that had embarrassing international ramifications for the government. In May, 1976, the students had a major confrontation with the government over the deteriorating economic conditions. According to accounts of a contemporary student leader,⁴⁴ this demonstration was meant to be an on-campus affair to present a petition to the Vice-Chancellor on the general conditions on campus and the deteriorating living conditions of the students. The government got wind of the demonstration and sent word to the student leaders to confine their activities to the campus. The leaders gave this assurance, but the demonstrators decided to hit the streets of Accra with their grievances. A confrontation with the police occurred at the university gates, dubbed “The battle of the Gate”, and a number of students sustained minor injuries.

6.5.1.8 The year 1977 opened with a report that at the 13th Annual NUGS Congress of the previous December, the Congress had adopted a resolution that called for the adoption of a One-Party Socialist system of government instead of the Union Government (Unigov) concept.⁴⁵ However, within a few months thereafter, NUGS held a press conference at the National Cultural Centre in Kumasi at which it made a call on the Supreme Military Council (SMC) to lift the ban on party politics since it was busily campaigning for its own Unigov idea.⁴⁶ In January, NUGS made an appeal to the government to help reinstate fifteen First Year students of University of Ghana who had been dismissed for attacking the Deputy Registrar of the University on 8th December, 1976. This led to a stand-off between the students and the university authorities. Eventually, some of the students were recalled, but the students wanted the sanctions lifted altogether. The university stuck to its guns and so the students appealed to the government.

6.5.1.9 At this time 50 students of UST had also been deprived of their residential status as punishment for breaching some university regulations. NUGS took up both causes and

⁴⁴ Memorandum to the National Reconciliation Commission.

⁴⁵ *Daily Graphic*, vol 8156 Saturday, 8th January, 1977.

⁴⁶ Mike Oquaye, *Politics in Ghana 1972-1979*, Tornado Publications, Accra, pp.62-63.

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appealed to the government to step in, but this did not yield the desired response. In mid-February, the students of University of Ghana began a boycott of lectures. They soon received support from the other universities and it looked as if the universities would be closed again, but the government added its voice to those urging the students to resume lectures by reminding them that boycotting lectures amounted to wasting taxpayers money. The stand-off finally ended when the Scholarships Secretariat gave the students a deadline of Friday, 25th February, to resume lectures, or forfeit their scholarships. The Legon SRC issued a statement calling off the boycott although a majority of the students had taken a vote to continue the boycott.⁴⁷ The students did not forgive the government for not coming in to support them in their dispute with the university authorities.

6.5.1.10 On 13th May, 1977, there was another major student protest and this led to the closure of the universities on 14th May. The government proposed that the students would be redeployed in agricultural production since their protest was over the shortage of food and the high cost of living. This decision to close down the universities turned out to be a major mistake on the part of the government for the students dispersed from the campuses to the countryside and carried anti-government messages to all corners of the country. Although it was reported that the intervention of the National House of Chiefs, the Christian Council and the Catholic Secretariat, the Chairmen of University Councils and other well-meaning citizens had caused the government to relent and agree to reopen the universities after about four weeks on 10th June, this version is contested by the student leaders of the time who insist that the meetings were set up, but that they did not attend.⁴⁸ The battle lines had clearly been drawn. Before the universities could resume serious work, more upheavals occurred as the government purported to retire two professors of the Medical School, Professors S R A Dodu and E A Badoe.⁴⁹

6.5.1.11 The government responded to these manifestations of instability, by sending intelligence operatives onto the campus to infiltrate the student movement. So heavy was the infiltration, that not only were many students recruited to spy on their fellow students and report on them, but some Military Intelligence personnel were actually assigned to the campus. Subsequently, three of their cars were burnt on the campus of University of Ghana. Although the students admitted to burning at least one of those vehicles, the reaction of the government later aroused the suspicion of the students, that not all of the three had, in fact, been burnt by students and that someone was trying to create an excuse for the students to be sent back home. Eventually, students were able to write their end of year examinations in September, instead of June, that academic year.

6.5.1.12 The year 1978, opened on a bad note in student-government relations. The 13th of January which was the anniversary of Gen Acheampong's coup d'état had, since 1973, become a public holiday marked by military parades. On 13th January, 1978, the students of University of Ghana decided to mark the day with a demonstration against the

⁴⁷ *Daily Graphic*, vol 8196, Thursday, 24th February, 1977.

⁴⁸ Memoranda to the National Reconciliation Commission.

⁴⁹ Agbodeka, *supra*, p. 228.

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government on account of its attempt to remain in power by theory of Unigov. According to contemporary accounts, the demonstration was organized as a mock funeral procession on the campus, with students carrying a “coffin” containing the” mortal remains” of the SMC. The protesting students ended their march at the main gate of the university where they burnt the coffin. At the gate, the police had massed up in riot gear, believing that the students intended to go into town and whip up public sentiment against the government thereby causing disaffection towards it. The students hurled taunts at the police and a few were alleged to have thrown stones at two passing police vehicles. Later that day, the students in retaliation, kidnapped a policeman on guard duties at one of the banks on the campus and seized five rounds of ammunition. This “provocation” proved too much for the Police Command and an order was given for the police to attack the campus.

6.5.1.13 The police beat up the students, staff and even kitchen women in the dining halls indiscriminately. Several students were brutally assaulted and had to be rushed to the University Hospital. The university was closed that day and students were sent down after a two hour notice. The students suffered great hardship as there was no transportation and the university authorities were insisting that the students were to leave the campus or they would be forced out by the police. The academic year suffered great disruption. These events affected the two other universities at Kumasi and Cape Coast and therefore, all the universities were closed.

6.5.1.14 The government was determined to recapture the ammunition and so until 31st January, there was interruption of classes. On 5th February, 1978, representatives of the Police and Ministry of Defence went to search seven named students in the Halls for home-made explosives. They found none. After all these disturbances, more interruptions occurred in the third term which began on 14th April, because by that date some senior members were in detention.⁵⁰

6.5.1.15 There was, however, a curious aspect to the whole episode. This was because there seemed to be an insistence on the part of the student leaders to keep students off the campuses. Whenever the students were invited back onto the campus, the leaders declared “Campus is not safe” and that they were demanding “guarantees” of safety for the students yet they themselves remained on campus without being any the worse for it. Rumours began to circulate that students were being deliberately kept off-campus by the leaders . Available information now confirms that there was truth in the rumour.⁵¹ Had the student leaders compromised themselves with the government in order to prevent students massing up to demonstrate against the Unigov Referendum? Who were the student leaders who were also informants of the government as Blay-Amihere hints at when he writes:

As events and records at the Bureau of National Investigations were to prove later, some of the student leaders who accused my cousin (now

⁵⁰ Agbodeka, *supra*, p.228.

⁵¹ Memorandum to National Reconciliation Commission.

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Hon Freddie Blay, First Deputy Speaker of Parliament) and me of being government agents were indeed the real agents. After the 31st December [1981] coup d'état the records of their duplicity and complicity were discovered?⁵²

6.5.1.16 Kofi Quantson, a senior intelligence operative, alleges that the government had set up a rival security network by recruiting its own agents who filed false reports against the students. He states categorically that:

Unigov agents filed a report to the Castle that there were three loud bomb blasts at the University of Ghana. That was the time when students had taken a confrontational stance against the Acheampong regime for a whole lot of reasons. Obviously to depict the students as violent and destructive, that very untrue report was secreted to the Castle. When we investigated we found that the report was fabricated by intelligence operatives drafted to join a Unigov conclave plotting to ensure that the outcome of the campaign resulted in government success. Actually there were no bomb blasts at the University at all. Some evil-minded persons had manufactured a report.⁵³

There is thus some indication that the government was actively involved in fomenting the unrest that disrupted the academic year.

6.5.1.17 The Universities re-opened for the completion of the academic year when the SMC was reconstituted after the Head of State, Gen Acheampong, had been removed in a palace coup on 5th July, 1978.

6.6 SMC II

6.6.1 NUGS

6.6.1.1 The University of Ghana finally resumed at the end of July and adopted a crash programme that made it possible for the academic year to be concluded at the end of October. It was on account of this that the academic year which should have been from October, 1978, to June, 1979, was transformed into January, 1979, to September, 1979, resulting in the students being in the middle of the academic year when the events of June, 1979, occurred.

⁵² Blay-Amihere, op. cit. supra, p.81.

⁵³ Kofi B. Quantson, *Ghana: Peace and Stability Chapters from the Intelligence Sector* Napascom Ltd, Accra, 2000 p.170.

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6.6.1.2 During the 1979 academic year, there was not much disruption of a political nature on the university campuses. However, there were social difficulties. Water shortage in Legon was so serious that on 1st March, 1979, the University of Ghana had to be closed down.⁵⁴ The government did not seem able to provide the social services necessary to sustain the operations of the university. However, the ban on party politics had been lifted for a return to civilian rule and people were hopeful that the future looked bright. The political parties were actively campaigning and students did not have any problem with the government. On Saturday, 5th May, the students of Commonwealth Hall, University of Ghana went to the Railway station to clean up the place as part of their annual Hall Week celebration. They got into an altercation with the police and one student, Adjei Barimah, was shot dead.

6.6.1.3 This event produced a student demonstration to the Castle, as the students demanded that a judicial enquiry be held into the circumstances surrounding the killing of the student. The committee that was eventually established was under the chairmanship of a High Court Judge, Mr Justice K A Agyepong. Students felt the committee was not sympathetic to the students' cause. The committee was still sitting when the 4th June Uprising occurred. These events may also explain the students reaction to the overthrow and punishment of their perceived "enemies".

6.6.1.4 The rise of the NUGS and the filling of the power vacuum helped to undermine the essence of the Hall System based on the "Oxbridge" model. Agbodeka opines that the effect of the decline of the system was that:

to the extent that Hall control over students was declining, to that extent the university was unwittingly becoming a means of congregating large numbers of young people with different backgrounds in one place with hardly any control apart from the influence of the student handbook which the majority, on admission, might have been too excited to read and digest".⁵⁵

In addition to this development, "the habit of the government often dealing directly with students instead of through the university authorities further weakened the control [of the university authorities]"⁵⁶ with little control and a government anxious to please the students, the students were set up as fodder for any agitator.

⁵⁴ Agbodeka, *supra*, p. 226.

⁵⁵ Agbodeka, *supra*, pp.224-225.

⁵⁶ *Ibid*.

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6.7 **4TH JUNE 1979 – 23RD SEPTEMBER 1979:**
ARMED FORCES REVOLUTIONARY COUNCIL (AFRC)

6.7.1 NUGS

6.7.1.1 The events of that day are constructed from contemporary accounts of students of the time. The 4th of June, 1979 was a rainy and cold Monday morning. There had been a blackout throughout the night of Sunday, 3rd June, to Monday, 4th June, 1979, with its attendant water shortage and the Legon campus was in a depressed mood. The announcement that there had been a coup d'état gingered up the campus. Several of the lecturers had not heard of the event. Contemporary accounts have it that the final year class (B A Part II) of Political Science explained their restlessness to their lecturer in the graphic words: "No light, no food, no water and no government" Later on that day Flying Officer Richard Forjoe and other Junior Officers came to the campus to solicit students' support for the coup. At the frontage of Legon Hall, where quite a few students were congregated discussing the events unfolding in town, he, in a voice almost hoarse with screaming, informed the students that Flight Lieutenant Rawlings, who had then attained folk hero status on campus, had sent him to urge the students to go to town and jubilate in support.

6.7.1.2 With the outcome of the confrontation quite uncertain, many students thought it was somewhat foolhardy to go into town. Nevertheless a few students were rallied round when contact with the student leadership was made, and a bus was arranged to take them to Accra town to jubilate in support of the overthrow of the government. This incident which was reported in the *Daily Graphic* of 5th June,⁵⁷ marked the first in a series of efforts to involve students as partners in the effort to "house-clean".

6.7.1.3 The students entered the fray in full force and began issuing statements, and giving advice as well as direction to the AFRC. In the *Daily Graphic* of 9th June⁵⁸, it was reported that the Northern Students Union (NSU) had sent a statement containing a congratulatory message to the AFRC. The statement, signed by its national secretary Napoleon Abdulai, recommended "the setting up of a government machinery to probe the activities of all top civil servants who have held office since 1972". The report indicated that the union also "suggested that Managing Directors of all public corporations and other quasi government agencies and organizations should also be probed". It further "stressed that the revolution must bring about radical transformation of society and suggested that all those who controlled large sectors of the economy should be forced to hand over any illegally acquired property to the poor." The union then suggested:

a land reform policy under which all lands whether stool or skin should be confiscated without compensation. The NSU recommended that

⁵⁷ *Daily Graphic* vol. 8901 Tuesday, 5th June, 1979.

⁵⁸ *Daily Graphic*, vol. 8905 Saturday, 9th June, p.8.

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irrigated lands at Vea, Goliaga, Fubesi Valley & Dawhenya should be confiscated and redistributed to the poor.

6.7.1.4 In that statement, the NSU also had suggestions on the distribution of goods. It asked that “the names of all importers and import licences allocated them should be published by the Bank of Ghana in the dailies”. The union suggested that every family that has more than one car be deprived of the others. All Benz and BMW cars should be seized and turned into a nucleus of State Taxi Corp.” In the same statement, the union “warned the AFRC to beware of civilians who have been advising governments wrongly since 1957 and said the Council should let information on their activities flow freely to the public.”⁵⁹

6.7.1.5 On 7th June, NUGS, whose leadership was then at UST following a rotational system of leadership amongst the three universities of the time, issued a statement to the GNA signed by its President, Steve Akuffo. The statement contained an invitation to all NUGS Executive Committee members as well as all past Executive Committee members for the last three years to an Extraordinary Congress at Kumasi on Saturday, 9th June.⁶⁰

6.7.1.6 On 10th June, the extraordinary congress announced its suspension of the President of NUGS, Steve Akuffo, from his position on the ground that he was related to the deposed head of the SMC (II) Gen Akuffo. The *Daily Graphic*⁶¹ reported that the union believed that such suspension was in the president’s interest as well as in the interest of the union. At that same Congress, NUGS adopted a ten- point resolution in which it pledged its total support to the AFRC and urged “all progressive and democratic forces to support the Council’s revolutionary exercise”. The Congress observed that the house-cleaning exercise was to be accorded top “priority over all national programmes since the success of the Third Republic depended upon the success of the house-cleaning exercise”. The students further agreed with the statement of the Chairman of the AFRC that “A person is either part of the problem or part of the solution” Consequently, the students urged the Council that “all those who formed part of the problem should be eliminated in accordance with revolutionary discipline”.

6.7.1.7 On 12th June, the students of University of Ghana demonstrated through the principal streets of Accra in support of the revolution and ended the demonstration with a march to Burma Camp.⁶² The students chanted songs urging the AFRC to kill Gen Akuffo and “Mr” Acheampong, and carried placards, some of which bore the following inscriptions: “Let the Blood flow” “Akuffo no more, Kalabule no more” and “Probe Parties”. The group was addressed by the Chairman of AFRC who gave them assurances that the AFRC would translate the ideas that motivated them to seize power into reality, since “Ideas not translated into reality mean nothing”. A People’s Court was therefore

⁵⁹ *Ghanaian Times*, vol. 6,687, Saturday, 9th June, 1979, back page.

⁶⁰ This statement was carried by *Ghanaian Times* vol. 6,685 Thursday, 7th June, 1979, back page.

⁶¹ *Daily Graphic* vol. 8907 Tuesday, 12th June, 1979, p.9.

⁶² *Daily Graphic*, vol. 8908, Wednesday, 13th June, 1979, p.1.

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promised, which would decide the fate of the “nation wreckers”. The newspaper further reported that the spokesman for NUGS, Sakkua Agambilla, explained why students had committed themselves to the revolution and stated that the students would support the AFRC as long as it stuck to its aspirations. The students urged the Council to shoot all those caught in the “net”, and encouraged the AFRC to resist pressure that some politicians were bringing to bear on the Council to hand over power to them.

6.7.1.8 During that address, persons who were in positions of authority were denounced as being guilty of acts that sabotaged the welfare of “ordinary Ghanaians” and the nation was told that since “power rests with the people and not the bosses” they were to “stand up and say ‘this is wrong. I cannot do it sir’”. Consequent upon the belief that it was people in authority who always gave bad instructions and got their subordinates to break the law and do other morally wrong acts against the public welfare, they were branded as “nation wreckers”, and the general populace was urged “to feed the Council with all the vital information (“hard, solid and concrete facts, nothing false”) about the nation wreckers”.

6.7.1.9 These demonstrations were obviously coordinated, for a report from Cape Coast in the same newspaper quoted a GNA report that more than 1,000 students of UCC had also demonstrated through the streets of Cape Coast for two hours in support of the AFRC. The students, according to the report, carried placards that read “clear managers and businessmen”, “workers expose your bosses”, “firing squad for nation wreckers”, “give workers good deal this time” and “watch out for imperialist manoeuvres”.

6.7.1.10 At this time, letters began to appear in the dailies written by persons who gave their addresses as being from educational institutions. These persons did not indicate whether they were students or teachers. These letters urged the government to use executions by firing squad as punishment for those who had indulged in *kalabule*. A letter bearing an Accra Polytechnic address and written by one E O Awudi, said:

I personally feel that the only drastic measures to clamp down on the *Kalabule* system of living is to introduce firing squad in the 3rd Republic. Even ancient Babylon which was a devoted Christian city underwent the law ‘An eye for an eye and a tooth for a tooth’ Why can’t Ghana adopt this method to bring sanity into our community. Ghanaians need an exemplary action. If two or three are fired to death it would serve as a lesson to the rest to refrain from their evil deeds.⁶³

6.7.2 REACTIONS TO EXECUTIONS

6.7.2.1 The first two Generals, “Mr” Acheampong and Maj-Gen E K Utuka, a former Commander of the Border Guards, were executed by firing squad on Saturday, 16th June.

⁶³ *Daily Graphic*, vol. 8906 Monday, 11th June, 1979 p.7.

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The execution in public of a former Head of State in this manner, was unprecedented and it was condemned in Ghana and abroad. Again on Tuesday, 26th June, 1979, two other former Heads of State, Gen Akuffo and Lt Gen A A Afrifa, as well as three members of the SMC – Maj-Gen Robert E A Kotei, Air Vice-Marshal George Y Boakye, Rear Admiral Joy Amedume, and a former Commissioner for Foreign Affairs, Col Roger Felli, were executed. Thereafter, Ghana came under strong international pressure to end the executions. The Governments of United Kingdom, Nigeria, etc, fired protest statements to the AFRC.

6.7.2.2 A letter bearing a School address, Aburi Girls' Secondary School, and co-authored by two females - Caroline Acquah and Vida Nudekor – with no indication as to whether they were teachers or students, appeared in the *Daily Graphic* on 28th June. The letter expressed indignation at the reaction of foreign powers to the execution as follows:

We would like to comment on British interference on the execution published in the Daily Graphic dated June 27. The British should know that Ghana is no more their colony and is at liberty to do whatever she thinks is right for her provided it does not affect any other community. This execution is our own internal affair not theirs.

The first question we should ask them is the time we were eating yellow corn did they send us a better substitute? We of the lower class had to hang on with the eating of yellow corn whilst those of the higher class were eating delicious foods. We were being told in between their teeth to cope with the eating of the yellow corn which was meant to be given to pigs and for poultry feed.⁶⁴

6.7.2.3 This letter was instructive in airing some of the grievances of the time and indicated the direction of student response to the executions, but it is even more interesting for having been published on 28th June, in reaction to news published in the newspaper on 27th June. This means that the letter was written, sent to *Daily Graphic*, received and used the very same day, in time to appear in the newspaper the very next day after the publication to which it purported to react was published. This is a most unusual occurrence and creates the impression that it did not emanate from outside the newspaper.

6.7.2.4 At this time, NUGS also reacted to the criticism from the international community by complaining that the AFRC seemed to be losing the resolve to carry on with the “house-cleaning” after receiving international criticism and coming under international pressure to end the executions. In order to strengthen the resolve of the AFRC, NUGS sent a note to the AFRC encouraging it to stay the course, and urging it to keep up the tempo of the revolution. According to a *Daily Graphic* report, NUGS wrote that it had observed that the present house-cleaning exercise by the AFRC “has set a new precedent in African politics.” NUGS therefore urged the AFRC to keep up the revolutionary spirit,

⁶⁴ *Daily Graphic*, vol. 8921 Thursday, 28th June, 1979, p.7.

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adding that it had no illusions that the Council would succeed. The students also noted that they believed that “through the series of stern actions we will have laid down a framework with all the necessary deterrents within which subsequent governments and future handlers of the peoples wealth will have to act.”

6.7.2.5 The Note further went on to give advice to the AFRC. In an obvious reference to the “National Week of Repentance” declared by the SMC I and II of Generals Acheampong and Akuffo respectively during periods of severe economic problems, the NUGS discounted the value of such measures and urged the AFRC to concentrate on a thorough “house-cleaning” of those who were most to blame for the woes of the country at the time, and that weeks of national repentance by previous governments had had no change whatsoever on the attitudes of the “looters of the peoples wealth”. With their patience exhausted by use of prayer to solve economic problems, NUGS advised that their revolution could only succeed if backed by action or by force.⁶⁵ However, the students did not require the AFRC to continue in office after the “house-cleaning” and therefore requested it to hand over power to civilian politicians immediately after cleansing the body politic of its “nation wreckers”.

6.7.2.6 The Note also expressed disappointment of the students at the slow tempo with which the AFRC was enforcing its promises and warning that “any further delay can neither be in favour of the Council’s image nor in the ultimate interest of the common man who has suffered for far too long”. The students also accused Ghana’s neighbours of conspiring with the “nation wreckers”, “When our timber, cocoa, diamond, rice, maize and essential imported commodities were being smuggled to these countries by the few local enemies of the people of Ghana these good neighbours of ours actively collaborated with them”, the students charged. They stated that the foreign powers were protesting about the “house-cleaning exercise” “because they know full well that if this clean-up exercise succeeds it would cut off their supply of smuggled goods.” NUGS also accused the western powers of showing concern because of the zeal with which the executed officers had implemented directives of the International Monetary Fund “and other imperialist organizations”.⁶⁶

6.7.2.7 Since this Note was not an open letter and therefore not originally sent to the media but to the AFRC directly, it must have found its way into the public domain by a deliberate act of someone, to achieve a particular effect – to show that the young people of Ghana expected even more of the AFRC than it had already done. This was therefore intended to discount the value of the voices that had been raised in protest against the executions. Some of these were the Acting Editor of the *Daily Graphic*, Ms Elizabeth Ohene, who had written a powerful editorial which criticized the AFRC for the executions; the GBA; the Christian Council and the Catholic Secretariat; and a few others who had protested against the secret trials of the AFRC and the executions.

⁶⁵ *Daily Graphic*, vol. 8925 Monday, 2nd July, 1979, p.1.

⁶⁶ *Ibid.*

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6.7.2.8 On Saturday, 30th June, the Chairman of the AFRC, Flt Lt Rawlings, in a dawn broadcast, informed the nation and “friends of Ghana” that there would be no more executions of people convicted by the Special Courts of the AFRC. Instead, such persons would be sentenced to penal servitude on penal farms and their properties confiscated. Flt Lt Rawlings stated that the AFRC “had taken note of the special appeals for restraint from the world community especially those from sister African states”. He assured Ghana’s friends that Ghana had not abandoned the rule of law and its adherence to the principles of United Nations Declarations on Human Rights, but appealed to them to understand Ghana’s peculiar situation. He also appealed to Ghanaians to understand the situation.

6.7.3 STUDENTS PROTEST DECISION TO END EXECUTIONS

6.7.3.1 This 30th June announcement of the decision to end the executions did not go down well with the students. Believing that it was not just foreign “interference” that had caused the termination of the executions but also internal criticism from Ms Elizabeth Ohene, the Ghana Bar Association, etc. The students took to the streets to express their rage at the effect of those criticisms on the plan to execute more people. Early on Monday, 2nd July, students of the three universities began a series of demonstrations. The *Daily Graphic*⁶⁷ carried the following report from Kumasi under the headline:

“STUDENTS BACK SECRET TRIALS”:

Students of UST yesterday paraded through the principal streets of Kumasi to demonstrate their support for the secret trials and executions by firing squad of the eight top officers of the Ghana Armed Forces.

They chanted revolutionary songs such as ‘let the blood flow’ and carried branches of trees and placards some of which read ‘Farming not a punishment, kill them all’ ‘Down with foreign pressures’ ‘Lawyers do not pay taxes – away with them’ ‘Nigeria hoard your oil – we shall clean our house’. ‘Let the blood flow. A half revolution is no revolution’

Other placards read ‘Elizabeth Ohene Acting Editor must go’ ‘Can Col Slater weed? Kill him’, ‘Bar Association, to hell with you’ and ‘For heavens sake kill’.

The students ended the parade at the Ghana National Cultural Centre where the President of the SRC Mr. Ben Odame handed a resolution to the Commander of the Fourth battalion of Infantry Capt. J.K. Attipoe to be forwarded to the AFRC.

⁶⁷ *Daily Graphic* vol. 8926, Wednesday, 4th July, 1979, p.1.

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The eight-point resolution which was read before being handed over condemned in no uncertain terms the unwarranted interference in the national affairs of Ghana by countries and bodies who have never shown any concern for the suffering people of this country and who can have no appreciation of the revolution process which is unfolding in this country today’.

It also called on the AFRC to take firm and revolutionary action ‘against all the local reactionary forces’ like the Ghana Bar Association, the Christian Council of Ghana, the Catholic Secretariat, the so-called political pressure groups defending only the propertied people because it is our contention that all these groups are mainly afraid of the house cleaning exercise for their own reason and have no concern whatsoever for the poor starving people.

It demanded that the AFRC should not relent the task of national housecleaning, which should embrace every sector of the society including the university and that allegations that certain student leaders in the past collaborated with the Acheampong government be investigated and those found guilty made to face the same fate as other saboteurs.

The resolution further demanded that the death penalty be reinstated immediately for ‘no revolution can afford to do without capital punishment and moreover, penal labour is hardly any encouragement to our farmers and labourers and furthermore, the constitution will not permit penal labour after October 1 1979.

It further called on the AFRC to remove Elizabeth Ohene immediately for her counter revolution and treacherous activities using the Graphic to mobilize forces against the revolution in general and the AFRC in particular. It urged the total support of the students for the AFRC and all progressive elements with the GAFF and wish to make it clear that if it is true that power truly belongs to the people, then only the people can determine the course of the revolution and the AFRC must not yield to pressure from any quarters without the people’s concern [sic]’

Captain Attipoe assured the students that he would forward the contents of the resolution and another resolution from the Armed Forces in Kumasi since the contents were similar. He stressed that in all revolutions, corrupt elements must be weeded out. He appealed to the students to come out with information about corrupt persons in the society to enable the AFRC to take revolutionary action against them.

6.7.3.2 The following day, about 200 students of the University of Ghana also took to the streets.⁶⁸ In a demonstration through the principal streets of Accra that was reported to have lasted seven hours, the students of University of Ghana made the same demands as

⁶⁸ *Daily Graphic* vol. 8925 Tuesday, 3rd July, 1979, p.1.

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those of UST the previous day. The students protested against the punitive measures being adopted by Nigeria and other countries in their protest against the measures adopted by the AFRC to do its “house-cleaning”. The students chanted war songs and carried placards bearing various inscriptions such as “Shut up Nigeria”, “Expose British hypocrisy”, “Let no nation stand in our way”, “Hands off Ghana Imperialists”, “Down with isolationist policy”, “Graphic against the revo”, “Petrol or no petrol the revo must continue”, “People of Ghana don’t bow to external pressure”, etc. The students then went to various places to present protest notes to the following foreign embassies and organisations: the Nigerian High Commission, American Embassy, GBA, the Judiciary and the Graphic Corporation. The students were also reported to have declared their further intention of presenting similar notes to the Embassies of Upper Volta (now Burkina Faso), Benin, Togo and those of the European Economic Community (now EU) countries. They also named the Christian Council, Catholic Secretariat and the Makola Women’s Union as organizations they were upset with for their criticism.

6.7.3.3 In the protest notes, the students expressed disgust and serious concern about the attitude of the countries concerned since their decision to mount an economic blockade against Ghana was interpreted as an act of interference “in the internal affairs of Ghana”. To Nigeria in particular, the students wondered why she, a longtime close neighbour, should place an oil embargo on Ghana for carrying out a necessary house cleaning exercise. The students pointed out that the then leadership of the Federal Republic of Nigeria was afraid that similar events would be carried out in that country hence the punitive measures since the oil wealth of Nigeria had not benefited the ordinary Nigerian, but like Ghana had gone into the pockets of top military and public officers and foreign interests.

6.7.3.4 At the British High Commission and the American Embassy, the national flags of the two countries were torn into shreds. The students in their protest note addressed to Her Majesty Queen Elizabeth II through the British High Commissioner, stated that from recent developments, they were convinced that the British government decided to accord recognition to the AFRC in order to protect its trade links with Ghana. They also pointed out that they believed Britain’s protestations about human rights in Ghana were meaningless since the protest was not backed by action to meet the basic needs of the people in terms of food, housing, clothing, transport and education. The students also drew the attention of the British Government to their own acts of oppression of human rights in Northern Ireland, Nigeria, South Africa and Rhodesia. Although the demonstration was described as peaceful and decent by Edward Holmes, Chargé d’Affaires at the American Embassy, his only regret was that the students had torn the American flag into pieces.

6.7.3.5 The newspapers reported further that, as “the students trooped to the city centre they were cheered and joined by onlookers including market women, workers and children.” The demonstration ended up at El-Wak stadium where they were addressed by Flt Lt J.J. Rawlings and other AFRC members. At the El-Wak Stadium, they demanded that Miss Elizabeth Ohene, Acting Editor of *Daily Graphic* should be dismissed for her

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views on the executions and the secret trials. To this demand, Flt Lt Rawlings stated that he had respect for Elizabeth Ohene for her past stand on national issues, and so appealed to the students to leave her alone as she was free to speak her mind. He indicated that the Council had no quarrel to pick with the stand taken by the *Daily Graphic* in its editorials about some measures adopted by the Council in its “house-cleaning exercise”.

6.7.3.6 As regards the other “revolutionary methods” for sanctioning wrongdoers, the Chairman took the opportunity to address the concerns expressed by the students in the note sent to the AFRC by NUGS a few days earlier. He therefore assured the students that there would “be no turning back in the Council’s revolutionary actions aimed at redeeming the masses” from the economic difficulties they were labouring under, although the Council had had to re-assess its position on some aspects. He asked the students not to misconstrue this tactical retreat to mean “a loss of revolutionary fervor”. Chairman Rawlings urged Ghanaians “to stand as solidly as one man behind the revolution”, and gave the assurance that “if we are taking some steps which fall short of the expectations of some of you, that is not because we are pulling back.” He stated that as they were good revolutionaries, they knew every action of theirs would bring reaction and therefore they had to pause at some point to assess their position so that they could evolve the correct policy to deal with particular situations in which they found themselves. The Chairman also pointed out that they would let down the revolution if they did not analyze their strengths and weaknesses. “To deal a sharp blow to the internal and external enemies who want to nip our revolution in the bud”, the Chairman cautioned Ghanaians to consider that “even the little that we have done has brought counter measures against us and the people have to understand so that when they feel the pinch, they will know why they are suffering ...” The students accepted this explanation and Vadis Kamassah, the President of the SRC of the University of Ghana, pledged the support of the students to the Council in its “house-cleaning” exercise.

6.7.3.7 On 8th July, the Chairman, whilst on a visit to Mampong in the Ashanti Region, paid a visit to the campus of UST and addressed staff and students on a “meet the people tour”.⁶⁹ During his address, Chairman Rawlings attributed the greater part of the country’s present economic and governmental woes to some businessmen who had hidden behind the curtain to dupe the country through trade malpractices and other anti-social activities. He also criticized the past leadership of the country for the disorganized state of the country over the previous 22 years since Independence and accused them of mismanagement.

6.7.3.8 On the night of 12th July, Chairman Rawlings also addressed students of the University of Ghana on the campus. At that meeting he announced that the trial of the “corrupt people who are in military custody” had begun the previous night, i.e. the night of Wednesday, 11th July.⁷⁰ Chairman Rawlings further appealed to them to assist in bringing home for trial all those who were on the run, and to exercise patience since

⁶⁹ *Daily Graphic*, vol. 8930, Monday, 9th July, 1979, p.5.

⁷⁰ *Daily Graphic*, vol. 8934, Friday, 13th July, 1979.

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caution should be taken in “drawing the line”. He also explained why it was necessary to end the executions because “if the gun were to be used, all of us would be victims because for five years I used my weapons to protect them while they raped the country.” He, however, gave the students the assurance that those who were being held would be severely punished for ruthlessly reducing Ghanaians to where they had got to at the time. He also alerted the students as to the possibility of fraudsters “taking advantage of the revolution for their own selfish ends”, and asked students to be vigilant in exposing them. He exhorted students to eschew cowardice and be bold to tell any person, group of persons or people in authority whose actions were inimical to the interests of the nations to put a stop to their “dubious ways.”

6.7.3.9 Following students protests at “western interference” in Ghana’s internal affairs, the All Africa Students Union (AASU) based in Accra and manned by Ghanaians, issued a statement signed by K. Gyan Apenteng, supporting the stand of NUGS on the “house-cleaning”. The statement condemned western interference in the internal affairs of Ghana and blamed the activities of “past military regimes and their political alliances who did everything to impoverish the masses of the people install a dictatorship and entrench neocolonialism and destroy the base for popular change.” AASU also stated that in appreciation of the political situation prevailing in Ghana, it had decided to hail “the positive democratic gains” in the interest of the people of Ghana. It went further to give the assurance that “in as far as the present situation in Ghana reflects the aspirations and genuine hopes of the people, the positive nature of the measures adopted by the AFRC cannot be denied”. AASU also explained that “the situation presented the revolutionary forces the enormous potentiality and diverse perspectives” and consequently, it assured the student, youth and people of Ghana of its support against imperialism and neo-colonialism.⁷¹

6.7.4 MOBILISING STUDENTS FOR LABOUR

6.7.4.1 The student movement at the UCC decided to take a two-week break from their studies and go out to the rural areas to spread the message of the revolution and explain its tenets to the rural people. This decision by students of UCC was communicated to the public in a statement issued in Accra on 6th July, and signed by the President of the SRC, John S Achuliwor.⁷² According to the SRC President, the “students’ decision to undertake such an important national assignment was to ensure that the gains being made by the people towards creating a just society are in no way reversed.” Although the students recognized that such a move would affect their own studies they were willing to make that sacrifice as they were of the firm belief “that no efforts should be spared in thwarting the efforts of those who seek to turn back the moving hands of history.” The statement also informed the public that during the period of the assignment, the students would assist the authorities in locating piled up foodstuffs in food growing areas and would be so organized that where possible, they would assist in even the harvesting of

⁷¹ *Daily Graphic*, vol. 8934 Friday, 13th July, 1979, back page.

⁷² *Ghanaian Times*, vol. 6,711, Saturday, 7th July, 1979.

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food crops. They would also appeal to the producers of food to feel free to bring their produce to the market without fear of molestation or otherwise. This statement was obviously in response to the shortage of food on the market as a result of the fear of molestation from soldiers. This move to quit the campus in favour of conscientising the people in the rural areas was, according to Professor Kofi Awoonor, then a mentor of the student movement, unrealistic given the fact:

“that ninety-five percent of these students did not know what a revolution is. The exercise itself revealed a degree of arrogance on the part of the naïve idealists who actually believed that from the privileged citadels of bourgeois life, they could carry messages of a revolution to a depressed peasantry that had long been exploited...”⁷³

6.7.4.2 The AFRC approved this “initiative” of the students, and issued a terse notice on 11th July, informing the public that the students had offered to go to rural areas to explain the revolution to the rural people and that they were to be given any necessary assistance by regional and district authorities.⁷⁴ However, on 14th July, the AFRC issued another notice directing the students of UCC to return to campus to complete the academic year. The notice was contained in a statement by the AFRC to the effect that it had come to its notice that students of the university had left their campus to explain objectives of the revolution to the people, and that since the students left without taking their scheduled exams this would disrupt the university’s programmes affecting new students now in the sixth form. The AFRC further noted that the students had already collected their feeding allowance for the rest of the academic term, and a late return to the campus would mean finding additional money to maintain them. The statement then expressed the appreciation of the AFRC for the support and enthusiasm of the students for the moral revolution, although it was of the view that the immediate aim of the students ought to be the completion of their studies.

6.7.4.3 The SRC of UCC promptly issued a statement denying that students of the university had already collected their feeding allowances for the rest of the term as published in the statement of the AFRC. The SRC with a degree of ire, stated that “the students knowing they will need this money after the programme did not take their feeding allowances for even two weeks.”⁷⁵ Their return to school had become a sore point with them.

6.7.5 RE-AFFIRMING THE BONDS OF FRIENDSHIP

6.7.5.1 The students of UCC became disaffected as a result of the decision of the AFRC in respect of their public education campaign. The announcement of the AFRC that they were to abandon their public education effort and return to campus because they had

⁷³ Kofi Awoonor, *The Ghana Revolution, Background Account From A Personal Perspective*, Oases Publishers Bronx N.Y. 1984 p.116.

⁷⁴ *Daily Graphic*, vol. 8929 Saturday, 7th July, 1979.

⁷⁵ *Daily Graphic*, vol. 8936 Monday, 16th July, 1979, p.3.

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already collected their feeding allowance for the rest of the academic year, greatly offended the students. The AFRC tried to assuage the feelings of the students by explaining its position. At the 18th July meeting of students vacationing in Accra. Capt Oduro-Kwarteng, a representative of the AFRC, took the opportunity to congratulate the students of UCC for their initiative in “embarking on a worthwhile revolutionary duty countrywide in support of the national clean-up exercise”. He then explained to the students there gathered, that the AFRC had “no sinister motives” behind the decision to ask the students to return to their studies on campus.

6.7.5.2 When the students of UCC returned to campus, the SRC issued an indignant statement denying the fact of their decision being disruptive of the university’s programme, and the allegation that they had already collected their allowances for the rest of the year be taken on the matter, “and it should be clear to you in whose interest it is for such distortions to arise.” The Chairman went to the campus of UCC and interacted with the students. He declared that the AFRC had accepted responsibility for the statement put out in its name and commended the SRC for coming out with the “offensive distortion”.⁷⁶ He went on to blame the media because, according to him, publications such as these were put out by enemies of the revolution who gave the wrong information to the AFRC, and attributed ulterior motives to the person since that untruth had succeeded in bringing the public education effort to an end.⁷⁷ These same allegations later appeared in the readers’ letters column of 25th July issue of the *Ghanaian Times*, in a letter authored by one Kweku Arhin Dennis of UCC. The letter stated:

With no one coming out to accept having given false information to the AFRC, I take the opportunity to call on the AFRC to be wary of detractors and counter-revolutionaries who are determined to break the students support for the moral revolution...as we return to campus with our spirits rather low we reconcile ourselves to our belief that ‘It is easier to kill a revolutionary but not at all easy to kill a revolution.

6.7.5.3 This reaction from the students greatly alarmed the AFRC and the Chairman quickly paid a visit to the campus of UCC on 20th July.⁷⁸ The *Ghanaian Times* banner-headlines screamed: “AFRC-STUDENTS BOND IS SOLID” and the *Daily Graphic* carried the banner-headline: “LET’S MOVE TOGETHER ...TO FIGHT COUNTER-REVOLUTIONARIES”. The newspapers reported that the Chairman of the AFRC had explained to the students that it was the acts of counter-revolutionaries who were trying to split the AFRC-students bond that had caused the decision to abort the public education campaign. The Chairman assured the students that the bond was stronger than what the distortions could destroy.⁷⁹ The Chairman denied that it was the AFRC that put out the notice requesting the students to return to campus. In his own words, “the recently

⁷⁶ Ibid. , p.3.

⁷⁷ *Ghanaian Times*, vol 6,718 Monday, 16th July, 1979 back page.

⁷⁸ *Daily Graphic*, vol. 8941 Saturday, 21st July, 1979 pp.1,6 and 7.

⁷⁹ *Ghanaian Times*, vol. 6,723 Saturday, 21st July, 1979, pp.1,3.

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publicized statement attributed to the AFRC and widely publicized in the media seems to me as one of those attempts”, but, he went on:

We respect the initiatives students take because we know that we share common cause with you. Everybody knows how much students have stood in the forefront of resistance to tyranny in this country and how much since May 13 1977 you struggled relentlessly against corrupt and bankrupt leadership in this country... This is what unsettled those who wanted the revolution to be stillborn. They have adopted the strategy of inventing views and statements in the name of the Council in order to break the revolutionary solidarity between us ...I assure you that, we are investigating the circumstances surrounding the issuing of this statement so that appropriate steps can as the one the UCC students found offensive ... and that this was the work of ‘counter-revolutionary elements’ [who] still do not see eye to eye with us in the bureaucracy in the mass media who we have been trying very hard to educate.⁸⁰

6.7.5.4 To prove to the students that sections of the media had counter-revolutionary agenda, the Chairman complained that he had been misquoted on an issue affecting workers in a manner calculated to cause disaffection among the workers towards the AFRC. He took the opportunity to correct the impression created by the media in respect of the story affecting the workers, and also went on to assert that, “We knew too that our openness in not hiding our views or our actions in respecting the freedom of the press and not wishing to take action against even those who openly attack us is probably being abused by some.”

6.7.5.5 The Chairman used the opportunity to assure the students that the AFRC valued their support and initiative “in seeking to advance the revolution” and told them that, “Even while you are on campus there is much you can do for us by way of suggestion, even criticism where we seem to be going wrong.” The meeting ended with the SRC President, Achuliwor, suggesting to Chairman Rawlings to direct an announcement to be made to disabuse the minds of the public that students of UCC had collected their allowances for the rest of the term.

6.7.5.6 There is no indication that this announcement correcting the earlier “offensive” statement that the students had already collected their allowances was ever made. Despite the degree of unhappiness with the announcement, the students accepted the explanation that the earlier announcement was the work of “counter-revolutionary elements”. This hiccup in organization was smoothened over and partnership was restored after the students were made to appreciate that such incidents were to be expected from counter-revolutionaries.

6.7.5.7 The initiative of the students of UCC in going out of campus to do public education had exposed the utility-potential of the students in galvanizing the citizenry

⁸⁰ *Daily Graphic*, vol. 8941, Saturday, 21st July, 1979, p.6.

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into publicly demonstrating support for the revolution. Their subsequent withdrawal to complete the academic year created a vacuum which had to be filled. The plan to mobilize all students on vacation in the towns and cities was then born. The plan caused the government to announce arrangements for the drawing up of an official programme in which all students would actively participate during the vacation. Efforts were made to draft other students such as polytechnic students, trainee teachers, secondary school students, etc, to replace the university students who had to return to campus to complete the academic year.

6.7.5.8 The move to involve students in activities to promote the revolution had support from various personalities within and without the student movement. On Thursday, 12th July, an appeal to students to volunteer to spread the message of the revolution was published in the *Ghanaian Times*.⁸¹ The message was from the President of the Brong-Ahafo Students Union Kusi Aborah who urged students to see it as their civic duty to “educate the masses” in the rural areas. According to him: “It behoves every student to voluntarily educate the people on issues at stake because the revolution is not one man’s responsibility.” It is instructive that at the meeting at which this appeal was made students of UCC were present, as well as a director of operations for the Brong-Ahafo, Wilson Benneh.

6.7.5.9 The 13th July issue of *Ghanaian Times* in reporting the meeting between the Chairman of the AFRC and University of Ghana students at Legon, the newspaper gave a cryptic report thus:

He [the Chairman] asked them to fight in a relentless war to protect the economy by exposing the profiteers, hoarders and smugglers, but left it to them to decide on when they plan to go to the villages to enlighten the farmers on the aims of the revolution and bring foodstuffs to the market centres.

6.7.5.10 In that same 13th July issue of the newspaper, an appeal was made by Kofi Lamptey, a former Secretary of NUGS, while addressing Oguaa Students Union at the Cape Coast Town Hall, for secondary school students to take over from university students in educating the rural dwellers. According to the report sourced from Ghana News Agency (GNA): “The former secretary asked the students to be in the vanguard of the present revolution whose objectives are in line with the aims of the struggle waged by NUGS a few years back.” This was the clearest articulation of the reason why NUGS saw itself as the partner of the AFRC in the enterprise of effecting societal change. Consequently, the need for the students to do their fair share of the work involved in the task of achieving this change in Ghana became pre-eminent. Since the students could be found in every nook and cranny of the country and had in fact been used to great effect in the anti-Unigov campaign of the previous year it was not surprising that their

⁸¹ *Ghanaian Times*, vol. 6715, Friday, 13th July, 1979, p.1.

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contribution to the “revolution” was cast in terms of their obligation to spread the message of the “revolution”.

6.7.5.11 The plan to mobilize the students was put into motion. The AFRC representative organized a meeting of students from secondary schools, training colleges, and Polytechnics on holidays in Accra.⁸² The students, reported to number over two thousand, (2000) were addressed by Fg Offr Forjoe and Capt Oduro-Kwarteng both representatives of the AFRC. Fg Offr Forjoe called on all student organizations in the country to mobilize their members to carry the objectives of the revolution to the rural folk. He explained the need for such education by stating that it would “enable the students play an effective role in lifting the country from the present chaotic stage.” He also told the students that the revolution was meant to better the lives of Ghanaians and called for their wholehearted support since they, as future leaders of the nation, would benefit from its success. The AFRC representative also asked the students to assist in the “clean up” effort which had started from the top, but which had to go down the lower rungs of society. He then advised them to start the “clean up” from their own homes and advise their own “kalabule mothers and fathers into repenting and turning over a new leaf.” He was also reported to have further advised the students “If you know your mother is a cheat and your father is kalabule, you better report them now.”⁸³ An appeal was then made to female students to spend their vacation in more useful enterprises such as “cooking for their male counterparts who are spreading the revolutionary gospel to the people rather than putting on gorgeous dresses with the aim of enticing the corrupt managing directors and managers.”⁸⁴

6.7.5.12 The *Daily Graphic*’s report of that meeting stated that at that same meeting, six working groups based upon specified residential areas - Tema, Madina-Legon, Nsawam, Winneba, Oda and Accra Central were formed. The working groups elected leaders to join the Interim Co-ordination Committee to plan strategy for their operations.⁸⁵ The importance of that meeting and the fact that it had the highest political support, was demonstrated by the fact that the Chairman and other members of the AFRC put in an appearance at the meeting. The students thus received assurances that the speeches and other operational plans were authorized by the AFRC. Thus from a volunteer programme, the decision by the students became a national programme for conscripting the students to give free labour.

6.7.5.13 The newspapers began to fill their pages with reports of student-activities in support of the revolution, but the fact that these activities were organized under official authority was underplayed as information to the public sought to portray the students as partners in the patriotic act of returning Ghana to the moral path. The newspapers failed

⁸² The meeting was convened by a notice in *Ghanaian Times* vol. 6719 Tuesday, 17th July, 1979, back page.

⁸³ *Ghanaian Times*, vol. 6,720 Wednesday, 18th July, 1979, p.1.

⁸⁴ Ibid.

⁸⁵ *Daily Graphic* vol. 8938, Wednesday, 18th July, 1979, p.6.

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to disclose the link between the meeting of 18th July, at the Accra Community Centre, where students had been organized into groups based on residential addresses, and the subsequent activities that the students undertook. This omission thereby created the impression in the public mind that the activities of the students was voluntary and on the students' own initiative. However, the evidence of official organization was incontrovertible, as demonstrated by this notice titled "Student Volunteers" carried in the *Daily Graphic* of 27th July,⁸⁶ which appealed to the public to support and gave a State-House address for receipt of donations in the following terms:

The Greater Accra students have volunteered to use their holidays in educating the public and assuring farmers to harvest their crops in connection with the campaign to spread the June 4 Revolution. A statement from the office of student affairs and signed by Pilot Officer [sic] Fordjoe said the student volunteers would welcome donations from organizations, firms, corporations and individuals.

The official nature of the publication as well as the existence of an office to coordinate student affairs was not left in doubt since the address of the student office provided in the notice indicated that it was based at State House in Accra.

6.7.5.14 From Koforidua came a report that the AFRC representative on student affairs addressed a meeting of students in Koforidua at the Hotel Eredec on 1st August. He urged them to stand behind the revolution and educate the rural people on its aims. He advised the students whose parents were *kalabule* to denounce them to their friends if they could not do so to the authorities themselves. He also advised those whose parents had already been caught in the net to put away sentiment and concentrate on supporting the revolution.⁸⁷

6.7.5.15 Students in various parts of the country were reported assisting in various ways to achieve the objects of the revolution. In a 2nd August report in the *Daily Graphic*, students were reported to have worked for five hours, helping to harvest some corn on the farms of Mankoadze Commercial Farms at Gomoa Abaasa. The harvesting group numbering over 200 students and 370 women volunteers from Mankoadze village, was under the Command of Fg Offr J M K Akom-Mensah AFRC representative at Swedru. The group of volunteers was later joined by about eighty "queue contractors" I e conscripts who had been rounded up in different parts of Swedru town for being in queues because queues breed *kalabuleism* which the AFRC wanted to discourage."⁸⁸

6.7.5.16 Although there was no documentary evidence of a specific decision by the press or political authorities to manipulate public opinion by portraying students as patriotic and imbued with public spiritedness, the newspapers, then state-owned and government-controlled, began to report on the activities of the students regularly. On a daily basis,

⁸⁶ vol. 8946 Friday, 27th July, 1979, p.3.

⁸⁷ *Ghanaian Times*, vol. 6,733 Thursday, 2nd August, 1979, pp.1,3.

⁸⁸ Ibid.

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students appeared in the newspapers engaged in one activity or the other. The two newspapers reported on the same incidents, often quoting the same portion of documents presented or giving prominence to interviews that explained the rationale for engaging in that activity as “the students’ contribution towards the success of the revolution.”

6.7.5.17 In the newspaper reports, prominence was also given to the leaders of the student group, thus creating a platform for other students to emulate the worthy example of the others. For instance, the *Daily Graphic* reported that more than 400 students from various secondary schools and technical colleges and training colleges on holidays in Accra conducted a clean up campaign around community centers, main bus stop, Tema Lorry station and Department of National Lotteries. It then went ahead to name the leaders of the volunteers as Elvis Amedekar and Miss Gifty Dadson, and added a few words from the subsequent interviews. The same pattern was repeated in several other instances, such as a report from Ho, which stated that more than 80 students spending their vacation at Ho under the leadership of G S K Agrah,⁸⁹ had undertaken a five-day voluntary labour programme by working on a canteen being built by the Public Works Department. This prominence in the media was bound to be flattering to students, who, like most young people must have been fascinated by seeing themselves in print and it created an incentive for more activism from more and more students.

6.7.6 VIGILANTISM BY STUDENTS

6.7.6.1 Students were reported to be engaged in field operations with uniformed personnel of the Armed Forces. In the *Daily Graphic* was a report that a combined team of students and Border Guards had impounded one hundred and ten cartons of fish allegedly being hoarded in a cold store at Kaneshie, Accra. The owner was arrested and taken away for questioning. The leader of the students was named as Alex Asare, and he was interviewed as to the circumstances of the arrest and seizure of the fish by L/Cpl Osei Owusu. The same group also intercepted a mummy truck carrying fourteen cartons of fish without any waybill. The fish was seized, sold to the public at the controlled price of ₵4.00 a kilo and proceeds paid to the owner.⁹⁰ A similar report from Kpando indicated that a combined team of army personnel and students had impounded ten truckloads of fish and that nineteen women had been arrested. The newspaper reported that the students had also taken the women to a nearby classroom and given them more than six hours of lectures on good citizenship.⁹¹

6.7.6.2 From Ketu District came a report that student volunteers of the Dzodze Students Union had recovered assorted goods either abandoned or hidden in the bush by smugglers at Dzodze in Ketu district. The items included 80 drums of local gin and three bags of granulated sugar. J W K Achilles Akyea, leader of the volunteers and a student of the University of Ghana, explained to the press that they had received a tip off that a group of

⁸⁹ *Daily Graphic*, Vol. 8969 Thursday, 23rd August, 1979, p.6.

⁹⁰ *Daily Graphic*, Vol. 8970 Friday, 24th August, 1979, p.8.

⁹¹ *Ghanaian Times*, Vol. 6,750 Wednesday, 22nd August, 1979, p.1.

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smugglers had hidden some goods in the bush apparently to smuggle them into Noefe in the Republic of Togo. Consequently, they went into action, and successfully retrieved the goods. The Dzodze Students Union also announced that it had embarked upon a one month civic education of people in the Ketu District.⁹²

6.7.6.3 These reports demonstrated the extent of student vigilantism. However, there were muted protests as the following report from Tema demonstrated: the report was to the effect that the activities of the students caused some anxiety and concern among members of the public. Students were accused of harassing market women and thus causing a food shortage which was described as “artificial” because the women were afraid that if they displayed their wares, “they would be subjected to humiliation at the hands of their children [ie students young enough to be their children].” The report went thus:

Students assigned for price control have been asked to go about their assignment with restraint so as not to scare food sellers from bringing their wares to the markets. Egya Ansah, General Secretary of the Tema Voluntary Club said much as the public appreciates the efforts of students in enforcing price control as their contribution to the success of the revolution, the mode of operation of some of them was scaring the women from bringing their wares to the market places for sale. Complaints have been made to the club at Tema that some students dictated their own prices and that when those prices were not complied with, the sellers were harassed. This Mr. Ansah said had resulted in food sellers being reluctant to display their wares for fear that they would be subjected to humiliation at the hands of their children.⁹³

6.7.6.4 Another report demonstrated that not only had student vigilantism been authorized and facilitated by the national authorities, but that difficulties were also addressed by officials of the new government at high official levels. Thus, when some of the students who had gone into the field to enforce price controls and do public education at Winneba began to experience difficulties with the general public, they complained to the AFRC and a meeting was held at Winneba with student representatives and heads of departments to discuss the issue. At the end of the meeting, Wing Commander AK Tamakloe of the Air Force Headquarters, was reported to have urged all, and in particular, traditional rulers and certain governmental agencies such as the police, to appreciate the work of students who had undertaken to spread the aims of the revolution and to give them much needed assistance. The students on their part were advised to stick to checking profiteering, hoarding, lateness and malingering. This advice had become necessary because some of the students were taking over the functions of the police in checking crime. In thus calling a meeting of “heads of departments” of government agencies to address these issues, anyone who doubted the degree of political support the students activities enjoyed was educated on that score.

⁹² *Daily Graphic*, Vol. 8999 Thursday, 27th September, 1979, back page.

⁹³ *Daily Graphic*, Vol. 8973 Tuesday, 28th August, 1979, back page.

VOLUME 4 CHAPTER 6**6.7.7 THE STUDENTS' SWANSONG**

6.7.7.1 The AFRC was due to leave office on 24th September, 1979, when power was to be handed over to President Limann. On 21st September, 1979, the students organized demonstrations ostensibly to congratulate the AFRC and thank them for a job well done. Thus, they appeared to have maintained their support for the AFRC to the very end. The essence of the student demonstrations, was captured by the *Daily Graphic* in the headline: WELL DONE AFRC,⁹⁴ and the *Ghanaian Times* as STUDENT VOLUNTEERS THANK AFRC.⁹⁵ The newspapers reported that thousands of students from the secondary, technical and tertiary institutions had taken part in a peaceful demonstration through the principal streets of Accra, in appreciation of the efforts of the AFRC in bringing sanity into the country's economy. They carried placards some of which read "WELL DONE AFRC", "GHANA IS NOT A GOLDMINE", "R.I.P. KALABULE", "TAX INVADERS SHOULD BE WARNED", "EDUCATION SHOULD BE A RIGHT NOT A PRIVILEGE", "THE FIRE IS STILL BURNING", "KALABULE YOU ARE NOT CHRIST YOU CAN'T RESURRECT" and "LIMANN BEWARE!". The demonstration started from the Liberation Circle through Accra Central to the "Revolutionary Square" (El-Wak Stadium) where the students were addressed by Fg Offr Fordjoe, Liaison Officer for Student Affairs.

6.7.7.2 The students also pledged support for the incoming government of the People's National Party (PNP) under Dr. Hilla Limann, but sounded a warning that the youth were now wide awake from their slumber and were in no way going to compromise principles. They therefore hoped Dr. Limann and his team would do all they could to make life worth living for the people. They urged Dr. Limann's government to continue, in the revolutionary rhetoric of the time "without fail", the "house-cleaning" exercise as promised. In an interview, Alfred Vanderpuijie, spokesman for the students said the AFRC had done exceedingly well by eradicating to some extent *kalabule* and other social vices. He observed that the sure way to eliminate these evils is "rigid and frequent checks on public officials and traders' activities." Later, amidst singing of mourning songs, the students burned a coffin to signify the end of "kalabuleism" in Ghana.

6.7.7.3 The demonstration was not spontaneous, and appears to have been organized by the AFRC, or at least with its approval. This is because at the end of it, the report indicated that "the demonstration started from the Liberation Circle through Accra Central (a very "official route") to the "Revolutionary Square" (El-Wak Stadium) where the students were addressed by Fg Offr Fordjoe, [AFRC] Liaison Officer for Student Affairs". Clearly the route used by the students was a pre-determined route. The Liaison Officer had to know about where and when it was expected to end in order to be present to address the students, and the fact that it ended at the so-called "Revolutionary Square"

⁹⁴ *Daily Graphic*, Vol.8995 Saturday, 22nd September, 1979.

⁹⁵ *Ghanaian Times* Vol. 6,777 Saturday, 22nd September, 1979.

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(El-Wak Stadium) and not at the Castle or at Burma Camp was significant. It is in the light of this reality that the warning to President Limann to carry on the “house-cleaning” was ominous.

6.7.7.4 The news reports of the time gave little prominence to a new development that showed signs of the beginning of the end of the “honeymoon” between the students and the AFRC. Indeed, the *Daily Graphic* did not publish that aspect of the demonstrations. However, the *Ghanaian Times* gave a cryptic report of another aspect of the demonstration. The AFRC had announced an increase in boarding fees for the new academic year for secondary and technical schools. This did not go down well with the student volunteers because some of them were in secondary school. Therefore, during the demonstration to “thank the AFRC”, a cryptic report in the *Ghanaian Times* confirmed that a “section of the students also demonstrated in protest against the increase in the boarding fees.”

6.7.7.5 From Tema, the GNA reported that the Students Union had issued a statement criticizing the government’s approval of increase in boarding fees from ₵150.00 to ₵231.00, for secondary and technical schools in the public system. They complained that there had been an increase the previous year and therefore the new increases were not justifiable. The students, however, blamed “some top officials of the Ministry of Education and the Ghana Education Service” for trying to discredit the AFRC by convincing the council to approve such ‘killing and prohibitive school fees’.

6.7.7.6 This was an ominous sign that suggested that the “honeymoon” between the two groups may have ended if the AFRC had remained in office longer than it did. The disappointment of the students was understandable because only six weeks before then, the AFRC had issued a warning to proprietors of private schools to decrease their school fees “before the government steps in to do it for them”⁹⁶ and that “any proprietor who fails to comply with this instruction will have himself to blame”. It was thus surprising that the same body would authorize increase in fees for public schools. It is therefore not surprising that the students believed that the advice they had received from “some top officials of the Ministry of Education and the Ghana Education Service” had been given by persons who wanted the AFRC to act to its own detriment.

6.7.8 INTELLECTUAL SUPPORT FOR THE STUDENTS

6.7.8.1 The students did not operate without intellectual support. From the mid-70s when the student movement had become radicalized, it had its intellectual fathers. The account of one student leader, Kabral Blay-Amihere,⁹⁷ has been written in such fine prose that it is impossible to render the subject in more intelligible language. His account of the role

⁹⁶ *Daily Graphic* Vol. 8959 Saturday, 11th August, 1979, back page.

⁹⁷ Kabral Blay-Amihere, *Fighting For Freedom (The Autobiography of an African Journalist)*, Trans Afrika News Ltd. Accra, 2001, pp.47-50.

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of the intellectual fathers of the students' movement in shaping its ideological direction goes thus:

Life at the University of Ghana in the 70s was quite an exciting one, marked by radical politics. We had very brilliant lecturers who became our intellectual mentors. There was Ebo Hutchful, an articulate lecturer in political science who hit the headlines during the short-lived rule of Dr. Kofi Busia. He made the headlines when he broke the protocol and security cordon of Prime Minister Busia during a visit to the University of Ghana and traded words with him...Returning after graduate studies in Canada, he joined the department of political science which had other famous names like Dr. Emma Hansen and Chris Hesse.

They constituted the left at the department which had other lecturers of rightist political persuasion, notably Professor Folsom. Complementing the dominant leftist camp of lecturers were Dr. Kwesi Botchway, Professor Akilagpa Sawyerr and Tsatsu Tsikata, all of the Law faculty. What these lecturers had in common was their academic brilliance and Marxism. They indeed inspired my generation to adopt a radical Marxist view of history and political developments. They were popular with the students and were always on the lecture circuit mostly at the University's auditorium where they engaged other lecturers of the right in debate. Young, fiery and articulate, they obviously won the battle for the minds of students, at least in the radical leadership of the National Union of Ghana Students.

The cold war was still raging on fiercely in the 70s and universities were fertile grounds for winning souls. One lecturer who might have made the greatest impression on students was Dr. Kwesi Botchway who was in his 30s. He was one of the socialist boys who on the overthrow of Nkrumah had been harassed for supporting the socialist policies of the Convention Peoples' Party. He later studied at Yale University and taught at the University of Dar es Salaam during the same time that the famous leftist author and historian Walter Rodney who wrote the third world classic – *How Europe Underdeveloped Africa* was also teaching at Dar es Salaam University ... Dr. Kwesi Botchway, many years later became Minister of Finance of Ghana and earned the reputation as the best spokesman and defender of policies of the International Monetary Fund. For the generation of students he so inspired as a lecturer, his new role as defender of IMF policies was a complete ideological U-turn and a paradox of the highest order.

From his radical beginnings to his years as a lecturer, Kwesi B as he was called by his friends was a bitter critic of the International Monetary Fund and other international organisations like the World Bank. For me and many others, his anti-imperialist neo-colonial stance on global developments was what made him an intellectual mentor. He was consistently emphatic in blaming these institutions for all the 'woes of

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the third world'. It must have been a source of worry to him years later when he mounted political platforms and spoke of these institutions and their programmes as sine qua non for our development. Of course in the 70s when he was a simple lecturer in the same trenches as other leftists who years later would abandon the ship and become apologists for capitalism, his message touched base with the ideological struggles of many.

Another lecturer who made a lasting impression on students in those days was Dr. Jawa Apronti. He was the doyen of socialists on Legon campus. A soft-spoken, grey-haired noble-looking professor of the Institute of African Studies, he supervised many meetings of our small socialist circle. He was not as fire-spitting as Botchwey, but he made the same impact on us with his soft manner of articulating his views.

It was during this period that I met another lecturer, Atukwei Okai. ... Known as the logoligi man, Atukwei Okai was a staunch Nkrumaist and Pan-African [sic]. His unorthodox poetry had made him famous and popular. I was later to use many of his poems to give headlines to my articles...

These prominent intellectual fathers had several other followers within the academic community as well as the worker-population at Legon.

6.7.8.2 The students of the UCC had their mentors in the leftist academics such as Ms Ama Ata Aidoo, Dr Atta Britwum, Nkunu Akyea and Professor Kofi Awoonor. The UST students also had their mentors who were such leftists as the Soviet-trained Dr S B Arthur and Dr Akyeampong as well as Dr Amoo. Many student leaders acknowledge that these lecturers were a great influence on the student movement as they were held in very high esteem by the students. These mentors of the student movement thus acquired a national platform for their ideas, when the students came into partnership with the Junior Officers and Other Ranks of the Armed Forces. Indeed, as was the case with the youthful leaders of the NLC, many of the Junior Officers who were active in the AFRC were school mates, and even classmates of the leaders of the student movement. It was, thus, not surprising that the mentors of the student movement were roped in to mentor the "revolution" and provide intellectual support for the students.

6.7.8.3 Thus, it was, that on 26th July, 1979, a three-day seminar was organized for students on vacation in Accra at the Accra Community Centre under the theme "Spread the aims of the revolution". It was unclear who organized the seminar, but it featured Kwesi Turkson, and some of the "intellectual fathers" of the student movement. Kwesi Turkson, a student of UCC explained to the participants the need for the students themselves to understand the background of the crisis in which they had intervened, hence the need for the seminar. The seminar was also addressed by the representative of the AFRC in charge of student affairs, Fg Offr Forjoe. He lectured the students on the need to keep the revolution going even after the AFRC handed over power, and criticized

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the Ghanaian public for always wanting soldiers to be at their elbows to protect them, instead of standing up for themselves.

6.7.8.4 The seminar was also addressed by N N K Aggrey Orleans of the Institute of Adult Education, at the University of Ghana, who charged the students to use the opportunity presented by the revolution as an instrument of change, and to act as watchdogs. Cameron Duodu, a journalist, on his part, urged the students to transmit the views of the rural people to the government during their public education effort.⁹⁸ Professor Akilagpa Sawyerr of the Faculty of Law, University of Ghana also addressed the students on “The structure of the Ghanaian society and change”. He educated the students on the existing classes within the Ghanaian society as a result of colonialism, and urged them to arouse the consciousness of the citizens as to the presence of imperialist agents within the economy. He also encouraged them to appreciate the force of student power, in the achievement of the aims of the revolution. Other speakers were students of the University of Ghana, Kwasi Adu-Amankwah and Tony Akoto-Ampaw.

6.7.8.5 That these “leftist intellectuals” had great influence on the students is not in doubt. Blay-Amihere relates an incident to demonstrate the influence of these lecturers on the students. The government had proposed that all students should undertake military training as national service. The students of Legon were opposed to the idea, but those of UCC supported the idea. At that year’s NUGS Congress, Professor Akilagpa Sawyerr was invited to deliver a paper on the issue. The very fact that the students had opened up their movement’s congress to a lecturer showed what a high opinion they had of him. Blay-Amihere recounts that:

With careful analysis and powerful oratory he convinced everybody that the militarisation of tertiary students was not proper national service. That nailed the agitation for military training as national service. Instead NUGS voted for the present national service whereby graduates go to work in public institutions, schools and other facilities.

6.7.8.6 There were other academics on the campuses who were influential with the students and helped to shape their thinking. One student leader alleges that some of their resolutions were drafted by their lecturers.⁹⁹ Other lecturers were involved in activities that supported the position of the students. For instance, operating under the banner of Society for National Affairs, Dr. Amoako Tuffuor, a lecturer of UST, had issued a statement supporting the executions, and the society had also organized a lecture on 31st July, on the theme “House-cleaning exercise – how to make the benefits permanent”. At this lecture, Dr. Yaw Saffu, a Senior Lecturer at the University of Ghana, expressed the view that “the benefits of the Revolution must be institutionalized, structured and taken beyond the reign of the AFRC”. He also advocated the setting up of a Special Court with

⁹⁸ *Ghanaian Times*, Vol. 6,728 Friday, 27th July, 1979, back page.

⁹⁹ Memorandum to National Reconciliation Commission.

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a Special Prosecutor to try cases of tax evasion.¹⁰⁰ At that lecture, Agambilla, immediate past President of the SRC of University of Ghana, and a law student, advocated that the in-coming administration of the PNP ought to resist pressures from lawyers to review the decisions of cases tried by the AFRC Special Courts.

6.7.8.7 The views expressed at these lectures were important in indicating the direction of the thinking of the AFRC, because not only was the Special Court idea adopted, but Transitional Provisions containing “almost water-tight” ouster clauses were drafted into the 1979 Constitution. These ouster clauses purported to oust the jurisdiction of the courts in order to prevent them from questioning or reviewing the decisions of the AFRC Special Courts. The review of some of those decisions, despite the prohibitions set down in the Transitional Provisions to the 1979 Constitution, became one of the rallying points of the pro 4th June “revolution” group, and was eventually cited as the reason for the murder of three High Court Judges in 1982.

6.7.9 STUDENTS-WORKERS ALLIANCE COMES INTO BEING

6.7.9.1 Students and workers, particularly on the campuses had not been very cordial in relating to one another. Students constantly complained about the treatment that workers on campus meted out to them. Indeed, this lack of cordiality was not a recent phenomenon as it was one of the grievances that fuelled the disturbances at UST in 1966. Socialist rhetoric bases much of its criticism of the bourgeoisie on the exploitation of the masses, represented by the working people. Since “bourgeoisie” was synonymous with persons in authority at this time, support for the interest of the working people as the basis for societal transformation meant solidarity with workers’ unions. Consequently, an alliance was forged between the workers and the students.

6.7.9.2 On 9th August, 1979, the NUGS issued a statement in which it called on the AFRC to appoint workers on commissions of enquiry set up to investigate charges against corrupt officials. According to the students: “This will give these commissions a more revolutionary and worker character, which is better than their present slow and bureaucratic committees.” The statement explained that the recommendation stemmed from their belief that it was the workers who “lived nearest to the dirt and filth and could do the cleaning better.” On housing problems, NUGS called for extension of the “one man, one house” exercise in Tema to all other government-owned or government-built housing units in the urban centres especially at Dansoman and Teshie-Nungua. Those with more than one house in these areas should be brought to book and severely punished. They said they were satisfied with the implementation of the findings of the committee which probed the State Fishing Corporation and the action taken on Tata Brewery Ltd. NUGS also expressed the hope that time would not be wasted

¹⁰⁰ *Ghanaian Times*, Vol. 6,733 Thursday, 2nd August, 1979. Twenty three years later, the same speaker, now a Senior Fellow and Head of Governance of the Institute of Economic Affairs, made the same call. See, *Daily Graphic* Vol. 1486472 Friday, 25th October, 2002, p. 1.

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implementing reports on probes on the Black Star Line, the Cocoa Marketing Board, the Timber Marketing Board, RT Briscoe and all other organisations that deserved the broom in the “house-cleaning” exercise. The statement expressed students’ satisfaction with the AFRC’s action in bringing to book all tax evaders and reiterated that the “big fishes” should not be spared. It further called for maximum concentration on the big business houses in the anti-hoarding exercise and the elaboration of an effective system for the distribution of essential commodities and food items. It commended the AFRC for ensuring that these items were within the reach of the common man. The statement accused Irani Bros of hoarding a large consignment of flour, and other business houses of hoarding large stocks of essential commodities.¹⁰¹

6.7.9.3 A few days after this statement, an announcement was made establishing a 58-member committee to dispose of seized assets. The committee included representatives from NUGS, University Teachers of Ghana (UTAG) Trades Union Congress (TUC), Ghana Armed Forces, the police and Lands Department.¹⁰² The committee was to oversee the disposal of assets that would be confiscated to the State.

6.7.9.4 The desire to “house-clean” spread to all other organizations. The demonisation of all persons in authority by the portrayal of all subordinates as hapless victims of the system created by immoral bosses, legitimized any force and violence perpetrated against them. The junior ranks of the Police also mutinied against their superior Officers. This resulted in the creation of a Committee of Enquiry into the Police Service. This Committee was chaired by Capt Karl G Huppenbauer.

6.7.9.5 On 14th August, 1979, NUGS issued a statement commending junior ranks of the Police Force for initiating a clean-up of their institution in tune with the spirit of the revolution. The NUGS took the opportunity to express its disapproval of the premature termination of the action of the junior ranks by the establishment of a committee of enquiry, and observed that the clean-up exercise should have been allowed to proceed to its logical conclusion just like the Armed Forces achieved theirs on 4th June. NUGS thus expressed solidarity with the junior ranks for rising up against their superiors and approved their action because “for far too long the rank and file had been manipulated by their seniors who coerced them to engage in activities that run counter to the ethics of the force.”¹⁰³ NUGS, however, declared its faith in the work of the committee by noting that “recent statements by the chairman of the committee have given worried observers some relief and one would not be wrong to assert that the committee is on the right track”.

6.7.9.6 A group calling itself “Students Investigative Bureau” of the University of Ghana wrote to the Chairman of the PNDC complaining that the AFRC had been soft on B A Mensah, Chairman of International Tobacco Company Ltd, Ghana (ITG), who had committed tax offences on the same scale as J K Siaw of Tata Brewery. In the undated

¹⁰¹ *Daily Graphic*, Vol. 8961 Tuesday, 14th August, 1979, p.1.

¹⁰² *Daily Graphic*, Vol. 8958 Friday, 10th August, 1979, pp. 1,5.

¹⁰³ *Daily Graphic* Vol. 8967 Tuesday, 21st August, 1979, p.5.

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and handwritten letter, they alleged corruption on the part of Maj Boakye Djan and Maj Mensah Poku, two members of the AFRC, for this situation and ended with the statement: “all eyes are watching you in these your last days. Action Now. Long live Student/Chairman comradeship”. They supplied some documentation and quoted one Edward Akumfi Agyeman, a former Financial Controller of ITG, who had resigned from the company, and made a surprising request for the man’s re-instatement even though they themselves stated that the man resigned his office. The Student Investigative Bureau document stated that:

Our study of the character of Mr. B A Mensah shows that he is a robust character and therefore is a security risk to the armed forces revolutionary council and the chairman yourself in particular, and could use his wealth to topple any future government. We are of the view that whether he had paid the tax he evaded or not, once he had committed the offence, he should be brought to book ... We the executives of the Students Investigative Bureau believes [sib] that if the AFRC fails we the students of Ghana in general have failed and therefore we have to work in unison.¹⁰⁴

6.7.9.7 Although there was no named member of the Student Investigative Bureau, an article published by Kwasi Adu a former General Secretary of NUGS, in the *Daily Graphic* in 1980, asserted his membership of an investigative team that investigated an allegation of ₵20 million tax default, and repeated allegations of corruption against Maj Boakye Djan as well as their previous associations as student-leader and Military Intelligence official respectively.¹⁰⁵ Not only was this “investigation” the gist of the SIB letter, but it also showed a link between student-leaders and national security officials that is disturbing. Kabral Blay-Amihere, a former NUGS President laments the absence of the student movement in the anti-Unigov campaign in 1977, and categorically states:

it is evident that some student leaders worked then for the security forces. At least one letter from one of my opponents explaining to Acheampong’s Security boss, Buckman, actions he took to delay a demonstration by students confirmed this phenomenon of students working as agents.¹⁰⁶

Incidentally allegations were made by the Student Investigative Bureau against E K Buckman, the Security boss at the Castle during the SMC regime, as well, and a recommendation that some properties believed to belong to him ought to be confiscated. It is uncertain who these students of the Student Investigative Bureau were, and who provided information on whose properties ought to be seized by the AFRC. What is clear is that whoever they were, they were powerful enough on the student front to be able to assert the right to speak for “students”.

¹⁰⁴ Letter from Students Investigative Bureau, University of Ghana, Legon, pp. 4-5.

¹⁰⁵ *Daily Graphic* Vol. 9157 Thursday, 3rd April, 1980, p.8.

¹⁰⁶ Kabral Blay-Amihere, *supra*, p.97.

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6.7.9.8 Subsequently, Kwasi Adu - then a prominent member of the June Fourth Movement (JFM) who also served on the Confiscated Assets Committee- defended the opposition of the JFM to a public call by Maj Boakye Djan for a probe into AFRC affairs. He maintained that the call was a “dangerous invitation to these international institutions who opposed the AFRC to dismember it”, because opponents of the AFRC would be enabled “to know the little details as to how major policy decisions were made.”¹⁰⁷

6.8 24TH SEPTEMBER, 1979 -- 30TH DECEMBER, 1981:THIRD REPUBLIC PEOPLE’S NATIONAL PARTY (PNP) GOVERNMENT

6.8.1 NUGS

6.8.1.1 The Third Republic opened with skepticism from many in the student leadership about the capacity of the constitutional government to meet the aspirations of the people. Some of the new student leaders had tasted power during the brief period of the AFRC, and so linked up with other persons to form the JFM to “protect the gains of the revolution”. The students of the University of Ghana began to turn away from leftist politics and elected a new NUGS administration on the platform of the ‘Christian Right’. Although out of office at the NUGS level, the Leftist group was still in control of the SRC.

6.8.1.2 The expanse of the university campus provided good cover for any activities that should have been of interest to the state security agencies. As documented by Oquaye,

During the Third Republic, Legon became a den for conspirators against the Limann administration. Captain Kojo Tsikata [(the security chief of the PNDC government)] Amartey Kwei, [(later to be a member of the PNDC)]; Jerry Rawlings [(later to be the Chairman of the PNDC)] and E T Mensah [(then a worker on the campus and later a prominent member of the government of the PNDC)] (all future members of the PNDC) were part of the Legon alliance. Kojo Tsikata had identified the students as a viable source of strength to be exploited to the fullest.¹⁰⁸

This observation is corroborated by accounts of persons, then students, in the University of Ghana. One account is as follows:

[w]e often saw prominent personalities in the leftist movement on campus such as Mr. Tsatsu Tsikata a Lecturer at the Faculty of Law, Tata Ofosu a member of the leftist organization MONAS, Nyeya Yen, Nicholas Atampugire, Zaya Yeebo the editor of the NUGS magazine

¹⁰⁷ *Daily Graphic*, Vol. 9157 Thursday, 3rd April, 1980, p.8.

¹⁰⁸ Oquaye, *supra*, p.189.

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‘Aluta’, Bright Oduro Kwarting (all these people named were in the leadership of the student -movement although they had already graduated from the university) and the former Chairman of the AFRC, packed into a Datsun 120Y vehicle zooming around the campus as if on an important errand. Occasionally, the group included Dr. Kwesi Botchwey also a lecturer at the Faculty of Law. It was the frenzied movements of the group and the fact of the jam-packed Datsun 120Y vehicle zooming off as if on an errand that aroused our curiosity and our suspicion that some untoward mischief was afoot. It was therefore no surprise to us when the coup occurred on December 31, 1981.¹⁰⁹

The “conspirators” used the freedom on the campus to freely organize and recruit students and this was not surprising as the “intellectual fathers” of the revolution were mostly lecturers of the University of Ghana, with some prominent ones in the Faculty of Law. The Chairman of the erstwhile AFRC was seen so frequently on the campus that it was no surprise when uninformed observers wrongly concluded that he had enrolled as a student of the university.

6.8.1.3 In 1980, the government mounted a sustained overt surveillance on Capt Tsikata (Rtd). This meant that being a frequent visitor to the campus, the intelligence officials always followed his car onto the campus. The SRC of University of Ghana felt concerned enough to write to the Director of Military Intelligence, protesting the Intelligence operation on the campus. In the letter signed by the President, W.K. Asiedu, entitled “TRAILING OF EX CAPT. KOJO TSIKATA ON THE UNIVERSITY OF GHANA CAMPUS” which was given very wide circulation, the SRC of University of Ghana complained about the operation which it described as “inhuman and undemocratic acts by the Military Intelligence” that was “causing unnecessary uproar and excitement among [the] students on campus”.¹¹⁰

6.8.1.4 Later in the month of November, 1980, an anonymous piece entitled “RAWLINGS-TSIKATA AFFAIR” was mailed to lecturers and students on the campus of University of Ghana alleging that the overt operation against then retired Flt Lt Rawlings and Capt Tsikata (Rtd), was a plot by the American Central Intelligence Agency (CIA). The four-page mimeographed piece contained very serious allegations against officials of the Military Intelligence and demanded the deportation of certain foreign diplomats who, it was alleged, were CIA operatives under diplomatic cover. The document ended with an instruction to the addressee thus: “PASS THIS PAPER ON TO ANOTHER PERSON MAKE MORE COPIES FOR WIDER CIRCULATION SPREAD THEM TO OUR TOWNS AND VILLAGES THE TRUTH MUST BE KNOWN.” Such materials freely circulated on the campus at the time, and helped to engender hostility against the Government of the PNP and also prepared the minds of the university community against the Military Intelligence and the subsequent ferocious assault unleashed on them when the government was overthrown.

¹⁰⁹ Memorandum to National Reconciliation Commission.

¹¹⁰ Reference number SRC/D/33/80/1 dated 21st October, 1980.

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6.8.1.5 The 17th Annual Congress of NUGS in 1981 demonstrated the level of contempt that the NUGS leadership had for institutions of the Third Republic. The 17th Congress was reported in the *Citadel Daily* as noting that:

Parliament is now the immediate source of our problems and the first enemy of the people. As a result, our people cannot expect anything from that institution.¹¹¹

The Congress further adopted a resolution that offered congratulations to:

the parliamentarians of the 3rd Republic for doing very very well in the role of supervising the poverty, hunger, and disease of our people ... [and that] they shall never find in us friendship when the people of Ghana come to understand them full [sic] and demand their Birth Right back.¹¹²

The NUGS' resolution is not surprising when examined against the backdrop of its participation in the 'Labone Forum' that decided that the PNP Government was not socialist enough to achieve anything purposeful for the poor in Ghana.

**6.9 31ST DECEMBER, 1981 -- 6TH JANUARY, 1993:
PROVISIONAL NATIONAL DEFENCE COUNCIL (PNDC)**

6.9.1 NUGS

6.9.1.1 The last day of 1981 saw a struggle between the forces supporting the democratically-elected government of President Limann and those of Flt Lt Jerry John Rawlings, former Chairman of the AFRC. The struggle was short-lived, and the government was overthrown. On 2nd January, 1982, Flt Lt Rawlings broadcast to the nation, and called upon "workers, farmers, fishermen, artisans, students and soldiers to make it their collective responsibility to take their destinies into their own hands."¹¹³ He accused the PNP Administration of failing to continue the "house-cleaning" that it had promised to do and that it was the "most disgraceful government in the history of this country". He also complained that the PNP Government had gone ahead to "mutilate all the positive and concrete achievements of the people in order to pave the way for their own corruption", and made democracy mere paper guarantees. Flt Lt Rawlings then announced the suspension of the 1979 Constitution, the dissolution of Parliament and the formation of the new government, the Provisional National Defence Council (PNDC).

¹¹¹ "PARLIAMENT – CONSCIOUS CLIQUE OF NATION WRECKERS - NUGS Congress declares" *Citadel Daily*, Vol 2 No.4 Wednesday, 13th May – Wednesday, 20th May, 1981, p.1.

¹¹² Ibid.

¹¹³ *Daily Graphic*, Vol. 9695 Monday, 4th Jan., 1982.

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6.9.1.2 An invitation was thrown to all progressives and students to join the fight to re-build Ghana. The students responded to the invitation to participate in the “Holy War” through the leadership of NUGS. The PNDC took a decision not to permit the re-opening of the universities for the second term in order to enable students assist in national reconstruction. In a speech by the Chairman of the PNDC, it was announced that it had been:

decided with immediate effect to constitute a number of task forces consisting of students of all three universities including the Medical and Law schools as well as the students of the Polytechnics, the IPS, the GIJ, the NAFTI and all equivalent institutions of higher education. These task forces will operate under some of the new units we are creating as under existing arrangements ... for the immediate provision of teaching and basic school facilities in our schools.¹¹⁴

The justification for this decision as the *Daily Graphic*¹¹⁵ reported it was that,

The democratic education policy that was instituted in the country at Independence is what has provided skilled manpower that is now available not only to other countries, but to international agencies and institutions all over the world, even in developed countries. And we are entitled to ask did this country spend all those resources simply to create our own poverty simply so that all the trainees can scatter abroad [and pursue their] personal comfort and not contribute anything to our own development. What use is this expensive education if beneficiaries only see it as an avenue of personal enrichment and then exploit their own people? Have students simply been waiting to get degrees in June so that they can escape the crisis and find brighter pastures outside the country of their birth and their eventual destiny? We know that the development of our African community country is being served by the provision of our skilled manpower and we are not asking people to flock back and abandon their commitments elsewhere...

6.9.1.3 Following this decision, the PNDC caused a radio announcement to be made instructing the universities not to re-open for the second term. The Executive Committee of University of Ghana met on 6th January, 1982, and announced the postponement of the re-opening date which was to have been 8th January, 1982.¹¹⁶

6.9.1.4 NUGS welcomed the decision of the PNDC to send university students out to work. Its central committee issued a statement signed by its President, Philip Gardiner, in which it commended the PNDC for taking a decision that was “a demonstration of bold initiative towards mobilizing the active youth to arrest the deterioration and decadence in

¹¹⁴ *Daily Graphic* Vvol. 9697 Wednesday, 6th January, 1982, pp.4-5.

¹¹⁵ Ibid.

¹¹⁶ Minutes of Executive Committee Meeting of University of Ghana, 6th January, 1982.

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the Ghanaian society.”¹¹⁷ The statement further revealed the fact that “it had always been the wish of students to be allowed to contribute towards nation building” and that “the call has offered us a chance to carry out this very wish.” NUGS took the opportunity to suggest that the task to be assigned to students should be:

the harnessing of students of such institutions to participate in the education of other students in our schools and colleges. The level of knowledge of the third cycle institution student qualifies him under the present circumstances to at least teach our younger brothers and sisters in schools and colleges.

The NUGS further suggested that: “While based in the schools and colleges, the students it stated could also study possibilities and modalities of mass literacy campaigns.” The rest of the statement was a call on: “all well meaning Ghanaians to use this opportunity to make Ghana a better place”, and “to be alert, offer suggestions and help shape out the destiny of the country.” The statement further called for the preservation of the political situation such that its democratic tendencies would be deepened, though in the tradition of student-support, the PNDC was warned that while giving of their best in the present situation, students would be watchful of deviations from the ideals of the PNDC and would not hesitate to criticize if the need arose.

6.9.1.5 Following this approval of the decision to conscript students for work in the rural areas, the PNDC appointed Lt B F Kusi as PNDC Coordinator-in-charge of Student Affairs. The office, with the support of NUGS, set up task forces which were inaugurated at a function held under the auspices of NUGS to launch the programme. The function was chaired by Edwin Oklu, former Secretary of NUGS, and the President of NUGS, Philip Gardiner, performed the formal launching. In a speech at the function, Lt Kusi stated that there was a need for “a vanguard of all structures of the community” and then revealed that the PNDC had made contact with NUGS because it had realized that students “constitute the most important structure in the revolution.” The speech was made to shouts of “*yasom*” (“we have embraced it”), when he announced that the academic year had been suspended so that the programme could be started. He then expressed the hope that students would co-operate for the success of the onerous task ahead.¹¹⁸

6.9.1.6 On his part, the NUGS President stated that the students were going out to the rural areas to exchange views with, and help the people to help themselves. He expressed regret that the country inherited an educational system that did not teach students enough about their own people, and that it was on this account that students were being sent to the rural areas to help the people “to initiate programmes of everlasting change”. The NUGS President also informed the students of the scope of the work: some students would be attached to schools that did not have the full complement of its teaching staff.

¹¹⁷ *Daily Graphic*, Vol. 9699 Friday, 8th January, 1982.

¹¹⁸ *Daily Graphic*, Vol. 9701 Monday, 11th January, 1982, p.1.

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Others would assist to rebuild roads and evacuate food crops and cocoa, and still others would help to implement communal health services and education programmes on electoral processes. Finally, he announced that participation was compulsory since it was “a period when nobody could escape work” and that “attendance to all functions would be recorded to ensure maximum success of the exercise”.

6.9.1.7 There was no doubt that the students formed a part of a mass mobilization programme that the PNDC had planned. This was because Lt Kusi indicated that the students were to “set the ball rolling” so that by the time they returned to school other people could continue from where they left off. He then announced that the PNDC was working on proposals for the establishment of a national secretariat as well as regional and district secretariats and that the outcome of modalities being worked out would be announced in a week. Clearly the students were to be a part of an already designed scheme. Unlike 1979, which saw the students seizing the initiative to be at the forefront of the “revolution”, the events of the first week of January 1982 revealed a project design that had the students as “canon-fodder”. When NUGS suggested that the students should go to schools to teach and that being in university they knew enough to function as teachers, NUGS was, in fact, pleading with the PNDC to limit the scope of work to one, more suited to the scholarly inclinations of students. Had the student leadership been consulted in advance, the “appeal” would not have been contained in the statement issued by its central committee. Another fact that bears out this view is that during the speech, Lt Kusi expressed the hope “that students would co-operate for the success of the onerous task ahead”. It is unlikely that this would have been the case if the students had agreed to be a part of this programme. What it is most suggestive of, is that the students were being presented with a *fait accompli*. Indeed, there was no evidence of broad support from students in general, although there was enough to suggest that the leadership of NUGS had condoned the plan to put students from the three universities and other higher institutions to work as conscripts.

6.9.1.8 The mobilization was extended to the other regions as evidenced by this announcement in the *Daily Graphic*:

All students from the universities and diploma awarding institutions under the GES and IPS who live in and around Ho are requested to meet at the Urban Council Hall, Ho, at 10 am this morning for the inauguration of the Volta regional task force. Similar exercises in the districts would be announced in due course.

6.9.1.9 Regional Co-ordinators were also appointed to administer the programme as evidenced by these newspaper reports a few days later:

Certificates of participation are to be awarded to students who will diligently take part in the mass mobilization programme in the current revolution to help improve the living conditions of the people. The Eastern Regional Co-ordinator, Mr Carl Kpetakpa disclosed this at

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Koforidua on Wednesday at the inauguration of the students task force for the region. He hinted that the certificates would in future be a major factor in determining the justification for the continued free education for the students in higher institutions. The decision was aimed at checking students who would take advantage of the closure of the country's three universities to pursue their selfish and individual interest rather than the promotion of the ideals of the revolution. He appealed to all students to diligently participate in the programme to avoid any embarrassment to themselves. He told the students that they would be mobilized alongside other units to help cart cocoa and foodstuffs and would also undertake road construction and other development projects. Students would be assigned to schools where their talents would be required.¹¹⁹

The same point was made by the following:

The regional co-ordinator of the Student Task Force for Greater Accra has lined up a number of projects such as road rehabilitation, community health, garbage collection and fertilizer bagging due to begin today. A statement by PNDC said students within the Greater Accra Region had been grouped into zones for the implementation of the projects.

Students living in and around the Airport area , Madina, Legon, Achimota and Kanda would constitute zone 1. And students at Nima, New Town, Kotobabi, and Alogboshie zone II ...Students living in areas not specified should join the nearest zone and buses would be provided to pick them up from the various city express bus stops in their zones to the project sites.¹²⁰

6.9.1.10 The Cape Coast branch of the Student Task Force was inaugurated at Cape Coast by H S Brew, Regional Administrative Officer. The group numbering about 300, cleared rubbish and drains in Cape Coast after the inaugural ceremony.¹²¹

6.9.1.11 As the students were taken off the campuses, it became necessary to involve officials of the education system and, therefore, the following announcement was placed in the dailies:

The following persons are to meet the PNDC co-ordinator on youth and student affairs at the office of the former Council of State (State House) at 9am today. They are the Director-General GES, and a representative of the Council for Higher Education, 2 Representatives of NUGS, a representative of GNAT and a representative of Ghana Association of University Teachers.¹²²

¹¹⁹ *Daily Graphic*, Vol. 9705 Friday, 15th January, 1982, back page.

¹²⁰ *Daily Graphic*, Vol.9706 Saturday, 16th January, 1982, back page.

¹²¹ *Daily Graphic*, Vol. 9711 Friday, 22nd January, 1982, p.1.

¹²² *Daily Graphic* Vol. 9702 Tuesday, 12th January, 1982, p.5.

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The next day's newspaper carried a report that explained the purport of the previous day's announcement:

A national education committee, which is to examine the task of nation building in the use of the youth and students held its inaugural meeting at the State House in Accra yesterday under the chair of Lt Kusi. Organizations represented were the GES, National Council for Higher Education, and GNAT. Others were NUGS, UTAG and the Press. Lt Kusi called on the organisations represented on the committee to work as hard as they could to spread the message of nation building throughout the length and breadth of the country. He recalled Rawlings speech which said PNDC felt that the fresh energies of the youth of the country could be most taxed in nation building, the students and lecturers constituted a wealth of important talents to deal with the problems of the country. Lt Kusi said the committee on education would have branches in the various regions. The liaison officer made it clear that ... there could be no time wasting on the part of the committee.

After suggestions from members of the committee it was agreed that the meeting reconvene next week to work out the details of how the students and the youth were going to be used. The organizations were also to carry out a lot of homework and present memoranda on the issue. Representatives of NUGS said students would have to forgo most of the comforts because they would be involved in a national exercise of considerable importance.¹²³

At that meeting it was also announced that the involvement of students in teaching would initially last three months and that: "Provision would be made in the programme for the continuation of any project when the students return to the classroom."

6.9.1.12 Contrary to what the students had been told about being used to fill classrooms, the following news item appeared in the newspaper:

The PNDC announced that the 'Student Task Force of NUGS' would mount a nationwide cocoa evacuation exercise from Monday January 18th and that "the exercise will begin in Achiase, Asamankese, Kade, Akroso, Ofoase, Akim Oda and Akim Techiman all in the Eastern Region.¹²⁴

6.9.1.13 Subsequently, on 16th January, the *Daily Graphic* reported that the task forces had started their work, and in the days that followed the newspapers carried report after report of the activities of the task forces. For instance, on 20th January, the newspaper carried the following report:

¹²³ *Daily Graphic*, Vol. 9703 Wednesday, 13th January, 1982, p.1.

¹²⁴ *Daily Graphic*, Vol.9706 Saturday, 16th January, 1982, p.4.

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About 1000 students yesterday left Accra for Akim Oda to evacuate locked up cocoa in the Birim district of the Eastern Region. Students in very high spirits travelled in 7 Tata buses released by the States Transport Corporation and a Bedford bus provided by the CMB. Gardiner told newsmen that the secretariat initially planned for 450 but 1000 of them turned up at the Accra Community Centre to participate in the exercise ... The leadership had contacted the PNDC to provide more ration to supplement what has been earmarked for the exercise. Seventeen towns and villages will be covered in a three -phase programme in the Eastern Region. In all a total of 28,000 tonnes of cocoa is [sic] expected to be evacuated in six weeks.¹²⁵

The newspapers tracked the progress of the Students Task Force, as well as the various organizations which were donating money for the upkeep of the students.

6.9.1.14 The insistence that there was a shortage of manpower in the country became a little difficult to appreciate when the following notice appeared:

The PNDC has asked private farmers requiring the services of student labour to apply to the office of the youth and student affairs at the State House today. Applications should describe the type of farm, location number of students and the nature of work students would be required to perform. Where it would be inconvenient to submit labour applications direct to the office, such requests should be made through the various regional and district administrative offices for submission to the national co-ordinator for youth and student affairs by January 18.¹²⁶

6.9.1.15 The students in Accra were also sent out to undertake a clean-up exercise that lasted six hours according to a newspaper report¹²⁷. At the end of the programme, the students converged at the Nicholson Stadium at Burma Camp where they were addressed by the NUGS President, Philip Gardiner, and the Chairman of the PNDC. Gardiner was reported to have affirmed students support for the PNDC and warned that NUGS would force the removal of any imperialist agent who might be appointed to work with the PNDC. Gardiner made it clear that PNDC should not stand in their way if they wanted to change the country for the betterment of the ordinary people. The NUGS President then reminded students of their responsibility to the underprivileged and declared, “if we fail to use our education for the betterment of the people then we are traitors”. To the PNDC, he gave the caution that it should be wary of imperialists because they would do everything humanly possible to obstruct the success of the revolution. To this end, the NUGS President advised the PNDC to stay away from the old way of doing things. As a first step, it was to avoid appointing to high office any persons who could be shown to have subscribed to the past ideals of ruling the country and that no “person with a

¹²⁵ *Daily Graphic* Vol. 9709 Wednesday, 20th January, p.1.

¹²⁶ *Daily Graphic*, Vol. 9707 Monday, 18th January, 1982, p.1.

¹²⁷ *Ibid.*

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provable history of links to western imperialists” was to be allowed to control the council.

6.9.1.16 The Chairman of the PNDC then took over and addressed many issues of national importance. He reminded students of their responsibility within the society and urged them to use their creative powers, and abilities for the benefit of their citizens. He urged them to set the right tempo to enable Ghana assume her proper place in Africa and in the world at large, and exhorted them thus: “Your intellectual and physical power is mighty and must be harnessed to project the creative ability of the individual”. “ You are the consciences of this society and you must unearth the creative power in you for the development and growth of this our beautiful nation.” He ended by cautioning students not to permit themselves to be “disorganized by the detractors of the revolution”.¹²⁸

6.9.1.17 The news report makes interesting reading especially as the NUGS followed up on the threat by issuing a statement when certain personalities it did not approve of were appointed to head some Ministries a few days later. The newspaper reported the news thus:

The NUGS yesterday asked PNDC to revoke the cabinet appointments of 4 persons because they represent ‘the enemies of the people’. In a strongly worded statement reacting to the composition of the PNDC cabinet, students stated that they had been extremely disappointed in the inclusion of J A Kufuor, Obed Asamoah, Alhaji Mahama Iddrissu and K B Asante in his cabinet. It described the 4 persons as reactionaries, anti-people Ideologues and active political party functionaries. [The] Students’ body observed that the appointment did not reflect a broad sample of political tendencies but a simple amalgamation of rank reaction and ‘representatives of foreign interests’.

The NUGS explained that the action of December 31 in which several soldiers lost their lives was a move to destroy a situation with which a few political party tycoon of the same basic mould collaborated to rule this country in the interest of foreign imperialist powers to the detriment of the working people. The Statement made it clear that all political parties had the same interests and performed the same functions. This is why the military take-over made sense, rather than waiting for the next election for Ghanaians to vote an alternative party into power NUGS stressed. The statement said the union saw in the appointments the return of political power to the same group of politicians and their foreign masters.

The 31 December uprising appeared now as just another palace coup d’etat replacing PNP government which at least was popularly elected with its opposite party the (APP) All Peoples Party. NUGS observed that the character of PNDC government was a wholesale adoption of a

¹²⁸ *Daily Graphic*, Vol. 9707 Monday, 18th January, 1982, p.1.

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programme of the 'National Government' proposed by the professional bodies association and the Bar Association two bodies who have shown continually that they are on the side of the enemy. The student body asked the PNDC to resist the intense pressures of the agents of imperialism to dictate policy even through the Council. NUGS thereby warned PNDC to clearly make an alliance either with the people as it promised or with the enemy. There is no middle way. This national government will simply lead to a lack of direction and inertia which will allow ousted forces to consolidate their power and stage a complete come back. It said the composition of the cabinet was like a group within which the one or two popularly acceptable people would be paralysed and made incapable of fruitful contribution. In the interim, NUGS warned that it would advise itself on possible courses of action should satisfactory resolution to its demand not be immediately forthcoming. It called on workers, farmers, and students to come out and denounce the move in very clear terms.¹²⁹

6.9.1.18 In March, 1982, prominence was given to a statement by a group of students who attended a National Task Force Conference in Kumasi and resolved to continue the work "instead of rushing back to campus". The tell-tale signs of dissent among the students on their continued stay off-campus were visible when this group described those agitating for a return to campus as "anti-revolutionaries".¹³⁰ Two days later, the news item was featured again, leaving the strong impression that their position reflected the official position. The following week, students organized under Zone Eight Task Force, issued a statement reacting to the resolution passed at the Kumasi Conference and attributed it to NUGS and maintained that since they had been made to believe that they would be allowed to return to campus in April, the extension of the programme would affect their psychological well-being.¹³¹ The *Daily Graphic* wrote an editorial on the conflict among the students, and urged the PNDC to intervene to resolve the conflict amicably. This cleavage began to show the non-voluntary nature of the Task Forces, as the leadership of the students appeared to be more worried about who would fill the vacuum created by the departure of the students, than they were with the welfare of their membership.

6.9.1.19 The Task Forces did not just evacuate cocoa, etc, but were reported to be effecting arrests of officials who had allegedly defrauded the state,¹³² enforcing price control on goods, and even demanding the dismissal of "corrupt" officials. They were also involved in checking smuggling and other unhealthy economic practices.

¹²⁹ *Daily Graphic*, Vol. 9712 Saturday, 23rd January, 1982, pp.1,4-5.

¹³⁰ *Daily Graphic*, Vol. 9758 Thursday, 18th March, 1982.

¹³¹ *Daily Graphic*, Vol. 9764 Thursday, 25th March, 1982.

¹³² *Daily Graphic*, Vol. 9728 Thursday, 11th February, 1982; *Daily Graphic*, Vol.9917 Saturday, 25th September, 1982, p.5.

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6.9.1.20 NUGS was subsequently awarded the “Order of the Star of Ghana (Civil Division)”, for the work of the Students Task Force. The award, which was presented to NUGS at the closing session of the 18th Annual Congress of NUGS at Cape Coast, was received by Philip Gardiner, then out-going President of NUGS, on behalf of the students.¹³³

6.9.2 STUDENTS’ TASK FORCE IS RE-NAMED

6.9.2.1 When the university students returned to the campuses and the secondary schools re-opened for the new academic year, the Students Task Force continued to function. However, it was clear at this point that those left to carry on the work of the Task Force were no longer students, as all “students” had returned to their various campuses. Consequently, those who had just ceased to be “students”, as well as other out-of-school youth were recruited to continue the activities, and so the group was then re-named ‘Students and Youth Task Force’ or just ‘Youth Task Force’.¹³⁴ The Task Forces in their new form, continued from where the others left off. They conducted vigilante activities to effect arrests; performed anti-smuggling operations; and performed police duties, such as criminal investigations.¹³⁵

6.9.2.2 Eventually, the Students and Youth Task Force was converted into the National Mobilisation Programme, that was used to absorb the many young Ghanaians who had been deported from Nigeria in 1983, by forming them into work-gangs known as “mobi-squads”.

6.9.3 OTHER ACTIVITIES OF STUDENTS

6.9.3.1 The Ghana Bar Association (GBA) announced after its Annual Conference on 24th September, 1982, that it had no intention of appearing before the Public Tribunals for stated reasons. A group calling itself “Future Leaders Organization”, said to be composed of students and youth numbering “several hundreds”, took to the streets chanting revolutionary songs and accusing lawyers of arrogance.¹³⁶ Although the report was careful to name a “Master Abu Mohammed Lawal, a form four student of West Africa Secondary School” as one of the leaders, the demonstration seemed somewhat contrived.¹³⁷ The newspaper backed the action of the “students aged between 14 and 18” with a cutting editorial, stating that:

If progressive and honest lawyers do not make their own individual decisions, it seems quite clear that the Bar Association will bring the

¹³³ *Daily Graphic*, Vol. 9871 Monday, 2nd August, 1982.

¹³⁴ Vol. 9951, Thursday, 4th November, 1982, p.5.

¹³⁵ *Daily Graphic*, Vol. 9961, Tuesday, 16th November, 1982, back page.

¹³⁶ *Daily Graphic*, Vol. 9922, Friday, 1st October, 1982, p.1.

¹³⁷ *Ibid.*

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noose down the entire institution faster than the revolution would determine.¹³⁸

These were chilling words indeed, from the national newspaper, giving credence to the suspicion that the students' demonstration was organized with official approval.

6.9.3.2 On the same day, the *Daily Graphic* carried an ultimatum from a group of youth associations in Koforidua calling itself "The Progressives of Eastern Region" to lawyers in Koforidua ordering them to close down their chambers within three days from September 30, or face reprisals. This order was in reaction to the decision of the GBA to boycott the Public Tribunals. One week later, the "Progressives in the Eastern Region" were reported to have besieged five chambers of lawyers in private practice taking away their "law books and legal documents during a four-hour operation code-named 'Operation Close Down'".¹³⁹ In the days following, lawyers' chambers were attacked and their properties destroyed in a bid to force them out of business.

6.9.4 "INTERNATIONAL BRANCHES"

6.9.4.1 This period also saw the development of a new phenomenon: overseas branches of NUGS. The newspapers began to report on programmes organized by the United Kingdom branch of the NUGS. This was a strange bit of news as this branch had not been known to be in existence before this time. Thus, NUGS had not only assumed a supra-institutional character, but had allegedly developed international branches as well.

6.9.4.2 NUGS had also acquired permanent off-campus offices at the offices of Ministry of Youth and Sports in 1980. Since permanent offices required permanent staff, NUGS appointed some persons, who were former student leaders as staff to run the secretariat. NUGS therefore began to rely on persons who had ceased to be students, to run the offices as full-time staff. These were developments that changed the character of NUGS to a significant extent as it became possible for former student-leaders to retain their influence over the NUGS long after they had ceased to be students.

6.9.5 NUGS MOVES INTO OPPOSITION

6.9.5.1 By the beginning of December, 1982, the students' disenchantment with the government had begun to spill over. The government and its allies in the labour movement had mooted the idea of students being sent off from campus for up to two years to assist in the reconstruction effort. The students on the various campuses began to protest the policies of the PNDC. On 14th December, some students of the University of Ghana under the leadership of the SRC, went on a demonstration against the government

¹³⁸ Ibid., "Comment".

¹³⁹ *Daily Graphic*, vol. 9928 Friday, 8th October, 1982.

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on the campus, echoing a call by the Religious Bodies for the government to hand over power to a National Government. They carried placards, some of which read “DOWN WITH DICTATORSHIP”, “PNDC HAND OVER TO NATIONAL GOVERNMENT”, “NO MORE DETENTION WITHOUT TRIAL”. Another group of students calling itself “Concerned Students” held a counter-demonstration. The *Daily Graphic* account headlined “LOYAL WORKERS FORCE ANTI-GOVT STUDENTS TO RETREAT AT LEGON” described the confrontation as follows:

Suddenly the WDC members of the university also arrived on the scene carrying placards and chanting war songs in support of the PNDC under the leadership of Flt Lt J J Rawlings. They then took control of all vantage points of the university. Sensing danger, the anti-government student demonstrators started retreating in small groups to escape the wrath of the workers. The workers and the ‘concerned students group’ then marched to the various halls warning that minority group of students calling on the government to hand over to a national government to stop what they described as evil deeds.¹⁴⁰

6.9.5.2 The confrontation so affected the atmosphere on the campus of the University of Ghana, that the Executive Committee of the University closed the session a few days early, citing the students’ apprehension about their safety on the campus.¹⁴¹

6.9.5.3 The same type of confrontation occurred at UST and with the kitchens and canteens closed by reason of the workers action, the students had to leave the campus for the Christmas vacation a few days early as there was no food.¹⁴² The anti-government students began to be described by such epithets as “reactionaries” and “imperialist agents”, and were accused of being in the pay of “crooked politicians”. The University of Cape Coast also had its “concerned students” group that issued an 11-point resolution in Accra, criticizing the demands of their colleagues as unreasonable, whilst they remonstrated with the workers to be more understanding of the students. NUGS, under its new President, K Amoah Labi, stoutly defended the students’ position and insisted that it was not reactionary, but that its new position had been born out of their experience on the Task Forces earlier in the year.

6.9.5.4 From this point onwards, it appeared that the alliance that had been forged between the students and workers at the beginning of the year was broken. The workers of the University of Ghana persisted in their calls for the university to be closed down and for the students to be put to work to assist in national reconstruction, whilst the students stoutly resisted this demand. It had become clear that the workers resented the students for enjoying privileges funded by the tax-payer, whilst being unwilling to sacrifice for the comfort of the underprivileged in the country.

¹⁴⁰ *Daily Graphic*, Vol. 9986, Wednesday, 15th December, 1982, p.1.

¹⁴¹ *Daily Graphic*, Vol. 9987, Thursday, 16th December, 1982, p.7.

¹⁴² *Daily Graphic*, Vol. 9988, Friday, 17th December, 1982 p.7.

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6.9.5.5 The year 1983 was a difficult year for NUGS, as its anti-government stance widened the breach between the government and university workers on the one part, and students on the other. At the urging of the workers, a proposal was mooted to extend the National Service Scheme to two years instead of the original one year, because students ought to contribute more to national development. NUGS resisted this idea, maintaining that it was doing enough. NUGS renewed its call for the PNDC to hand over power so that a civilian government could take over the reigns of government.

6.9.5.6 As if on cue, there was a newspaper publication two weeks later to the effect that the leadership of NUGS and the Association of Recognised Professional Bodies (ARPB) had met an agent of the Central Intelligence Agency (CIA) of the United States of America and assisted the agent to collect sensitive information about Ghana.¹⁴³ Those leaders were also accused of secretly circulating the report of the Special Investigation Board to foreign embassies. These accusations, coming in the middle of an anti-CIA campaign that demonized the agency in Ghanaian eyes, had very grave implications for the persons concerned as anti-student sentiments had been whipped up among workers. Stephen Asamoah Boateng, one of the student leaders concerned, denies this alleged NUGS link with the CIA, maintaining that it was he who, as the NUGS officer in charge of international relations, sent those materials in person to foreign embassies as part of NUGS strategy to fill a perceived leadership-vacuum and to keep the wider world informed about the goings-on in Ghana.¹⁴⁴

6.9.5.7 On 4th May, 1983, the NUGS Annual Congress, meeting at UST, was disrupted by a demonstration by workers of Obuasi Mines. The miners had been transported to the campus in a large number of buses by the Ashanti Regional Secretary, Kwame Dwemoh-Kessie, to UST ostensibly to demonstrate in favour of the Workers Defence Committee (WDC) of the University. Why it was that it was miners from Obuasi, rather than other workers of Kumasi itself, who travelled on a working day to demonstrate on the university campus in solidarity with the workers of the university is not immediately obvious. However, what is not surprising is that the students read this as an attack on them on their own campus and a violation of their “territory” and fought off the miners. The miners thus got the worse of the encounter as the terrain was unfamiliar to them and so they could not make a speedy exit. About five persons were injured, and one of their vehicles was set ablaze by the students.¹⁴⁵ The next day, TEWU of University of Ghana issued a press statement in which it condemned the students of UST whilst congratulating the miners for demonstrating on the university campus. The government also issued a statement in which it condemned the students of UST¹⁴⁶ and the stage was thus set for a showdown between the students on the one hand, and the government and workers on the other.

¹⁴³ *People's Daily Graphic* Vol. 10104 Friday, 6th May, 1983, p.1.

¹⁴⁴ Memorandum to National Reconciliation Commission.

¹⁴⁵ Ibid.

¹⁴⁶ *People's Daily Graphic*, Vol. 10105, Thursday, 7th May, 1983, p.1.

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6.9.5.8 On 6th May, 1983, students of the three universities went on demonstrations against PNDC in Accra, Kumasi and Cape Coast, asking the government to hand over power to the Chief Justice in preparation for a civilian government. The students of University of Ghana led by the NUGS leaders, Arthur Kennedy and Asamoah Boateng carried placards, some of which read: “JJ WE HELPED YOU IN AND WE SHALL HELP YOU OUT” and “WE DETEST MILITARY RULE”, and marched to the centre of town. At the Makola area, they burnt the effigy of the Chairman of the PNDC. They then re-grouped and set off for the offices of Graphic Corporation and the New Times Corporation to demonstrate their displeasure at the uncritical support the press was lending to the government. The march turned violent when the students were ambushed on the New Times Corporation area which is a narrow corridor linking Ring Road East to the Industrial Area of Accra, and attacked by soldiers and persons suspected to be thugs. According to eye-witness accounts, the fleeing students were chased to offices of businesses in the area where they had sought refuge, dragged out and subjected to severe beatings. Many students suffered various degrees of injury. The *People’s Daily Graphic* report gave a slightly different account of the incident, maintaining that the protesting students banged on a passing military vehicle and the occupants fired warning shots. The newspaper account did not explain why the occupants of the military vehicle abandoned their journey and chased the students from office to office.

6.9.5.9 Following this incident, the National Defence Committee (NDC) and the TEWU of University of Ghana met and passed a resolution asking for the universities to be closed down. Some workers of the university also arrested a vehicle belonging to the American Embassy, suspecting it of espionage on the campus, manhandled the Ghanaian driver, and sent it to the Graphic Corporation to show it to the press. They urged the government to close down the universities for five years, after which the students were to be made to re-apply for admission.¹⁴⁷ At Cape Coast, the students of UCC also marched to the offices of ‘Graphic Corporation’ and ‘New Times Corporation’ at Cape Coast and seized about 800 copies of *People’s Daily Graphic*.

6.9.5.10 A group calling itself the Progressive Students Front of University of Ghana issued a statement dissociating itself from the demand of NUGS and accused Arthur Kennedy and the other NUGS leaders of being in league with reactionaries to derail the revolution. The statement, signed by its leader, Marlon Anipa, criticized the NUGS for its “reactionary posture” and that the NUGS leadership was only representing its own self and no one else.¹⁴⁸ The statement further alleged that Sam Okudzeto and William Ofori-Atta, two veteran Ghanaian politicians described as “bankrupt politicians”, participated fully in the NUGS Congress and suggested that it was these personalities who had influenced the adoption of the anti-government stance. This statement from the Progressive Students Front, showed a split in the student front at a time it was engaged in a life and death struggle with the government. The NUGS leadership was subsequently isolated politically, and it was no surprise when it was reported in the newspapers in June

¹⁴⁷ *People’s Daily Graphic*, Vol 10105 Saturday, 7th May, 1983, p.1.

¹⁴⁸ *People’s Daily Graphic*, Vol 10106 Monday, 9th May, 1983 p.5.

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that the President of NUGS, Arthur Kennedy and another student, Stephen Asamoah Boateng were on the run. Unfortunately for one other student leader, Hans Djaba, a medical student, he was arrested and detained in prison.

6.9.5.11 On 9th May, 1983, Accra-Tema Central WDC and workers of University of Ghana took over the university following a *People's Daily Graphic* report that the students claimed to have access to arms, and were determined to use petrol bombs against the workers. The situation was so chaotic that the university authorities sent the students home. The JFM hailed the closure of the universities by the workers as a good step that would let the students stay at home and also experience the kind of suffering that workers had had to undergo. The campus of the University of Ghana was occupied by “cadres of the revolution” to undergo a “course” using the university’s lecture rooms and Halls of Residence.

6.9.5.12 On 16th May, 1983, the government issued a statement that the universities should remain closed indefinitely, and that consultations would take place with the university authorities and representatives of workers on the future of the two universities.¹⁴⁹ Subsequently on 2nd June, 1983, the University of Cape Coast was also closed down following clashes between the pro-NUGS and pro-Government student groups.¹⁵⁰ Although Civil society organizations, in particular UTAG and the Religious Bodies¹⁵¹ mounted pressure on the government to re-open the universities, they remained closed for ten months. As time passed and there was no word from the government, parents and students began to experience frustration. Meeting after meeting between the authorities of the universities and the government yielded no result. Finally, after eight months, with one set of school-leavers waiting at home for the old academic year to be completed so that they could also enter university, the government began to relent. The government agreed to reopen the universities on condition that the students would reapply for admission.

6.9.5.13 On 12th January, 1984, the Committee of Vice-Chancellors of the three universities met and issued a notice informing the students to re-apply for admission. The application had to contain the following pledge:

- “I of the Department ofin the University of do hereby apply for re-admission into the University. I make this application on the understanding that
- (1) I will not at any time engage in any activities which could have the effect of disturbing the academic life of the university.
 - (2) I will behave responsibly in accordance with the University’s statutes and regulations as well as the laws of the land.

¹⁴⁹ *People's Daily Graphic*, Vol 10112 Monday, 16th May, 1983, p.4.

¹⁵⁰ *People's Daily Graphic*, Vol. 10128 Thursday, 3rd June, 1983, p.9.

¹⁵¹ See *Ghana Bishops Speak*, National Catholic Secretariat, Accra, 1999.

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Date..... signed"

Each student was expected to fill this form, sign and return it to the registrar of the university concerned.

6.9.5.14 The universities were finally allowed to reopen at the end of March 1984. The University of Ghana, which suffered the take-over by “occupation forces” lost a great deal through theft, involving even some of the university’s own employees, rough use of facilities by the cadres”¹⁵² and sheer vandalism. It is officially estimated that this eventually cost the university the equivalent of \$4 million because during “the sojourn of the ‘occupation force’”, a lot of damage was done to public and private property.

6.9.4.15 By the time of the re-opening, many students had found placement abroad in foreign universities. Sixth Form leavers had to wait one year before entering university and so they were put on National Service in order to use the wait-time profitably. Those who had options to attend school outside Ghana exercised the option and thus began the practice of students aiming for foreign universities and filling application form after application form in order to attend a university – any university – outside Ghana. The workers of the universities had by this time, managed to press their demand to be represented on the governing councils of the universities. Consequently, in February 1984, the university councils were dissolved and reconstituted with worker and student representation.

6.9.4.16 The clashes did not end. In 1986, the government announced a planned withdrawal of subsidies from the Second and Third cycle institutions. This caused tension between the students and the government. The students began to agitate against the government. In the course of such agitation, the Secretary of NUGS, Kakraba Cromwell, was arrested allegedly on charges of being involved in drug trafficking. A statement by Kwamena Ahwoi indicated in a public statement that Cromwell was arrested at the airport in 1982, for attempting to smuggle marijuana out of the country and that he had since been on bail. He had also been implicated in a marijuana smuggling case in Dakar, Senegal, and that his name was on the list of international drug traffickers. This explanation did not sit well with the students since no attempt had been made to pursue the charges until he became a student leader. Eight students of the university and one from the Ghana School of Law, who had met with government on the Kakraba Cromwell issue, reported the proceedings to the student body. Their report led to a boycott of lectures by the students of University of Ghana.

6.9.4.17 The government reacted by dismissing them from the university, claiming that they had so skewed the report that they had misinformed the student body on campus about what had happened at the meeting with government. The affected students were: Kwame Akyianu, Kofi Ofori Yeboah, Kofi Gyamfi, Bedu Ansah, Abeku Brew, Amoah Larbi, Kweku Paintsil and Arthur Kennedy. In addition to this order, Amoah Larbi,

¹⁵² Agbodeka, op.cit supra, p.230.

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Arthur Kennedy, Tony Akoto-Ampaw and Augustina Agyirigah were ordered to report at the Nima Police Station on the following 9th May, 1987, and were also barred from entering any educational institution in the country. On 8th May, 1987, however, the government closed down the university¹⁵³, and issued a statement in which it alleged that the disturbances on the campus were the result of “activities of political agitators and agent provocateurs as well as people hiding behind the cover of the student movement to perpetrate criminal and subversive activities.”¹⁵⁴ The government statement further stated that it:

“would not tolerate the adventures of infantile leftists who would under the hypocritical guise of championing legitimate causes, were seeking to create conditions for the paralysis and destruction of certain vital national structures. The permanent closure of the university is only one of their callous designs on the insane and simplistic premise that universities are breeding grounds for elitism, reactionaries and the bourgeoisie.”¹⁵⁵

6.9.4.18 The government seemed to be addressing particular persons, and the inclusion of Tony Akoto-Ampaw, a prominent member of the New Democratic Movement (NDM) in the list of persons banned from entering any educational establishment was very revealing for more than one reason. First, the statement cast the dispute in the old mould of the struggle for control of the revolution that occurred between the intellectual Left and the leadership of the PNDC. This appeared to be the last phase of the struggle since the leadership of the PNDC had, by this time, abandoned all trappings of leftist ideology. Second, it was revealing because the government had a substantial number of past student leaders amongst its own ranks, and must have been familiar with the political agenda of student leaders.

6.9.4.19 The *People’s Daily Graphic* followed this blistering statement from the government with a diatribe of its own in the form of an editorial on the front page entitled “Dishonest Poison”.¹⁵⁶ This editorial, remarkable for its personalised use of invective against the individual student leaders and their intellectual mentors with swipes against some family of their members in a state-owned newspaper, was remarkable in other ways. It stated that:

This nation is presently having to examine the extent to which the fabric of our revolutionary process has been contaminated by the unprincipled, dishonest poison of little minds which have been turned sour by empty ambition.

We are referring to those who, on our university campuses have been focal points of misinformation and distortion and have spread their own

¹⁵³ Agbodeka, op. cit supra, p.231

¹⁵⁴ *People’s Daily Graphic*, Vol.11345, Thursday, 8th May, 1987 p.1; also, *West Africa*, vol. 3640 18th May, 1987, p.983.

¹⁵⁵ Ibid.

¹⁵⁶ *People’s Daily Graphic*, Vol. 11347 Monday, 11th May, 1987 ‘Front Page Comment’.

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poison to young minds in a bid to destroy that which they cannot control".¹⁵⁷

It proceeded to further explain its position on the closure of the university thus:

When the government closed down the University of Ghana and dismissed certain students last week, many people may have thought this was a harsh step.

Others who have been more aware of the activities of the past and present student leaders may, on the other hand, have wondered why the government has been so tolerant for so long, and why it has gone to considerable lengths [sic] to avoid publicizing and holding up for public ridicule and condemnation the carefully orchestrated game which they have been playing. It is about time, we consider, that their tactics were exposed.

6.9.4.20 The newspaper editorial then took to task some named persons described as “pseudo-intellectuals, the super leftists, the pretentious talkers who have become campus fixtures over the past decade” behind the students’ action. Accusing them as a “super radical clique”, they were blamed for having corrupted many “good cadres by poisoning their minds.” In specific terms, blame for the 1982 misadventure of Sgt Alolga Akata-Pore that led to his departure from the PNDC was laid squarely at the door of these “infantile leftists.” The newspaper also stated that it was these same “super radicals” whose impractical theories had led to confusion in the Interim National Coordinating Council (INCC) of the PDCs/WDCs and that it was their influence that had so misled the PDCs/WDCs that they had to be changed to Committees for the Defence of the Revolution (CDR). The *People’s Daily Graphic* editorial left one in no doubt, by the way it attacked the “super radicals”, that the 1987 student-government clash was known to be a part of the 1982-84 struggle for ideological supremacy that caused the extreme leftists in the PNDC to attempt to usurp power in 1983, and that also immobilized and destroyed the INCC.

6.9.4.21 Akoto-Ampaw denies this link between the two events and explains that the NDM had nothing to do with Akata-Pore’s problems with the PNDC; but that the link was drawn in an attempt to discredit all the leftists by lumping unrelated events together.¹⁵⁸ Be that as it may, a cryptic notice appeared in the *Daily Graphic* of 15th July, 1987, requesting all persons in the TUC, NDC, INCC, NDM and KNRG to hand over all weapons and ammunition in their custody to the Inspector-General of Police for registration by the 16th of July.¹⁵⁹ The inference from this notice is that some civilians were provided with arms and ammunition without proper registration procedures being respected. However, Akoto-Ampaw denies this, and maintains that the notice was part of

¹⁵⁷ Ibid.

¹⁵⁸ Memorandum to National Reconciliation Commission.

¹⁵⁹ *People’s Daily Graphic* Vol. 11391 Thursday, 16th July, 1987.

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the intimidatory tactics adopted against them, and that they had never been provided with arms and ammunition as the notice claimed.¹⁶⁰ It is uncertain whether he could make this denial on everyone's behalf since it is unlikely that he knew what everybody in those named groups had been involved in within the relevant period.

6.9.4.22 The end to this saga came when the student leaders, with the exception of Akoto-Ampaw, failed to report to the police and instead, fled into exile. From this point on, NUGS became even more disaffected with, and estranged from the PNDC and actively worked to see a return to constitutional rule. In May, 1991, it organized a demonstration at Cape Coast after a meeting of its central committee, to protest the membership of the Consultative Assembly. Some of the placards the students carried, read "What do HAIRDRESSERS, MECHANICS AND BUTCHERS KNOW ABOUT CONSTITUTIONS?", "PNDC HAS DESTROYED THE ECONOMY", "NO REFERENDUM".¹⁶¹ At Tamale, a week later, another demonstration, obviously under the auspices of NUGS took place. The placards there read: "JJ STEP DOWN", "PNDC ENOUGH IS ENOUGH" and "NUGS CALLS ON PNDC TO QUIT".¹⁶² What is worthy of note is that such demonstrations no longer took place in Accra, nor were they reported on the front page of the state-owned newspapers where such action used to be a few years earlier.

6.9.4.23 A few months later, NUGS joined a group known as the Coordinating Committee of Democratic Forces (CCDF) that organized press conferences, beginning from 6th August 1991, to take a stand on the need for a return to civilian rule. The group was said to be open to "all independent organizations that stand for *multiparty democracy, respect for fundamental human rights, the rule of law and the sovereignty of the people of Ghana.*"¹⁶³ (emphases in original). The need to form the group was made manifest "by the continued intransigence of the PNDC in the face of popular and democratic demands and by the need to unite all democratic forces to press forward, with greater effect, the struggle for democracy in Ghana and the assertion of the sovereignty of her people".¹⁶⁴

The group was made up of the following organizations:

1. The Movement for Freedom and Justice
2. The National Union of Ghana Students
3. The Danquah-Busia Memorial Club
4. Our Heritage
5. Great Unity Club
6. Ex-PP Group
7. The Kwame Nkrumah Welfare Society

¹⁶⁰ Memorandum to National Reconciliation Commission.

¹⁶¹ *People's Daily Graphic*, Vol. 12591 Monday, 20th May, 1991, p.9.

¹⁶² *People's Daily Graphic*, Vol. 12597 Monday, 27th May, 1991, p.3.

¹⁶³ Joint Declaration of Democratic Forces on the Process of Transition to Democratic Rule in Ghana, Issued at a Press Conference, Accra, 6th August, 1991.

¹⁶⁴ Ibid.

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8. The Ashanti Youth Association
9. The Gold Coast Ex-Servicemen Union
10. The Kwame Nkrumah Revolutionary Guards
11. The New Democratic Movement.

The NUGS had thus come full circle when it joined other democratic forces in the struggle for a return to constitutional government and multi-party rule.

6.9.4.24 1992, NUGS condemned the transitional timetable of the PNDC, the continued detention of political prisoners, as well as the inclusion of indemnity provisions in the Draft Constitution. NUGS expressed its opposition thus:

It is a paragon of bunkums for the PNDC to have convicted and punished innocent Ghanaians since 1981 through its own kangaroo court viz. the Citizens Vetting Committee only to turn round to indemnify itself against the due process of justice. Is it not ironic to extend the indemnity to the coup plotters of 1966 and 1972 when their leading members have already been killed by the incumbency? Of better profit to them would have been for the PNDC to wish them “rest in peace”.¹⁶⁵

NUGS also asked for a general amnesty to be declared, to enable political exiles to return home.

6.9.4.25 Following the disagreement over the results of the Presidential elections in 1992, NUGS adopted a resolution on 26th December, declaring a boycott of the 29th December, 1992 Parliamentary Elections, complaining that it was a subtle attempt to “return this country to a one-party dictatorship”, because the Voters Register was flawed.¹⁶⁶ NUGS thus shares the credit for the victory that pro-democracy forces achieved, when they enabled Ghana to return to constitutional rule in January, 1993.

6.10 CONCLUSION

6.10.1 The student movement was active in national politics throughout the mandate period. It co-operated with the military rulers and was always in the forefront of public demonstrations of support for every usurper-government. However, the students were usually, also the first to publicly oppose the government. This usually marked the government’s decline and subsequent inability to hold on to power.

¹⁶⁵ National Union of Ghana Students Statement on the Transitional provisions of the Constitution in *Ghana’s Political Transition 1990-1993 Selected Documents* Kwame Ninsin (ed) Freedom Publications Accra, 1996, p.141.

¹⁶⁶ National Union of Ghana Students Resolution Declaring a Boycott of the 29 December Parliamentary Elections in *Ghana’s Political Transition 1990-1993 Selected Documents*, supra, p.165.

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6.10.2 It is obvious that the student movement played a big role in national affairs during the mandate period. It was also observable that the role got even larger during periods of unconstitutional government than during periods of constitutional rule. During the AFRC days in 1979, it became a partner of government as it put its numbers behind every policy of the government. It participated actively in the events that resulted in massive human rights abuses. The student movement will never live down the moment when it made the call “Let the blood flow”, in agitation for more executions. During the first few days of 1982, it was also counted on as a base for support when the PNDC came to power.

6.10.3 The leaders of the student movements also suffered harassment and detentions in much the same way as the politically-active members of the general population did. During the SMC I days, students did a lot to bring down that government.

6.10.4 The anti-government position it took up early in the life of the PNDC, gave the government the impetus to break up the body so that it could be neutralized. It could be stated that a government that started its life with past student-leaders as its basic human resource, ended its life as an implacable enemy of the student movement.

CHAPTER SEVEN

THE YOUTH MOVEMENTS

7.0 INTRODUCTION

7.0.1 The task of the Commission was to determine whether or not the youth movements had contributed to the violation or protection of human rights during the mandate period. The chapter has chronicled the activities of the politically-inclined youth movements of the mandate period. In the main, these were the Boy Scouts and Girl Guides Movements; Ghana Young Pioneers movement (GYP); the National Youth Service Corps (NYSC); the June Four Movement (JFM); the People's Revolutionary League of Ghana (PRLG); and the Movement on National Affairs (MONAS). The chapter endeavours to shed some light on their activities, mode of organization and funding. In addition, the impact of their activities on the human rights terrain is also highlighted. In this regard, the fate suffered by their leaders and other prominent activists when the governments that sponsored them were removed from office. It also discusses the nature of the relationship between members and leadership of these movements and government during their period of office.

7.0.2 The chapter is organized to reflect the historical chronology of their life as youth movements under particular regimes, and the part they played in sustaining the regime. The hope is that the public would better appreciate the whys and wherefores of these movements, as well as the importance of their contribution to the socio-political history of Ghana; be provided with the reasons for change and continuity in these movements; and understand why the movements underwent a transformation or ceased to exist altogether, during the mandate period.

7.1 PRE-INDEPENDENCE

7.1.1 Mobilisation of the youth had always been a part of traditional society, and the youth had a place within the social and political arrangements of traditional society.¹ "Youth" was not necessarily a reference to people of a certain chronological age, but of social standing as well.² Consequently, those referred to as "*nkwan kwaa*" or "youth"

¹ David Kimble, *A Political History of Ghana, The Rise of Gold Coast Nationalism*, Clarendon Press, Oxford, 1963; Richard Rathbone, *Nkrumah & the Chiefs, the Politics of Chieftaincy in Ghana 1951-60*, James Currey, F. Reimmer, Ohio University Press, 2000, Chapter 2.

² As Richard Rathbone ably demonstrates, "youth" was a poor translation of the Akan words '*nkwakwaa*' or '*Mmerantee*' that literally meant 'young men' but that connoted much more than chronological age in

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were the “commoners” or non-royals. Youth movements began to be a feature of the national landscape as a result of the introduction of the modern political economy, the subsequent urbanization and post World War II social developments that released young people from traditional control without putting in place any measure to include them in the new political arrangements.

7.1.2 The part played by the youth in the independence movement and the place of the youth in the formation of the CPP put the youth at the centre of the socio-political arrangements of the country after Independence.³ A start was made to organize the youth soon after Independence with the formation of the CPP Youth League which was made up of young people with affiliation to the CPP.⁴ It functioned as the youth wing of the CPP and it had the same aims as the mother-party. However, it was formally abolished in 1959.

7.1.3 BOY SCOUTS ASSOCIATION AND GIRL GUIDES ASSOCIATION

7.1.3.1 The Boy Scouts Association was incorporated in England by a Royal Charter granted on 4th January, 1912. The Association of Girl Guides was also incorporated as the Girl Guides (incorporated), on 24th September, 1915. Branches of these associations were started in the Gold Coast by the instrumentality of Lord and Lady Baden Powell. They were given statutory recognition under the Boy Scouts Association Ordinance, 1918 (Cap 265), and the Girl Guides (incorporated) Ordinance, 1922 (Cap 271), respectively.

7.1.3.2 These associations organized young boys and girls of the Gold Coast and taught them how to use their leisure hours profitably for self-development and service to others.

7.2 **6TH MARCH, 1957- 23RD FEBRUARY, 1966:**
CONVENTION PEOPLE’S PARTY (CPP) GOVERNMENT

7.2.1 BOY SCOUTS ASSOCIATION AND GIRL GUIDES ASSOCIATION

7.2.1.1 Upon the attainment of Independence, the two associations were re-named the Ghana Boy Scouts Association and the Ghana Girl Guides association (Incorporated) on 16th December, 1960, and 13th February, 1960, respectively. The Associations began to come under pressure when nationalists began to criticize them for not teaching nationalism to the Ghanaian children and holding out foreign role models for Ghanaian

his book , *Nkrumah and the Chiefs, The Politics of Chieftaincy in Ghana, 1951-60* F. Reimmer, Accra; Ohio Univ. Press, Athens; James Book Services, Currey, Oxford, 2000, p.23.

³ Mike Oquaye, “Youth, Politics and Society in Ghana” in *Civil Society in Ghana* F K Drah and M Oquaye (eds) Accra, Friedrich Ebert Foundation, 1996; chapter 10, pp.163-167.

⁴M N Tetteh, *The Ghana Young Pioneer Movement*, Ghana Publicity Ltd., Accra, 1999, p.53.

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children. There was even a suggestion on the floor of Parliament that it should be abolished in favour of an indigenous youth movement.⁵

7.2.1.2 The members of the associations were used at public functions to perform errands, assist in crowd control, etc.⁶ When the GYP was born, the associations fell into official disfavour as the GYP tried, with official backing, to supplant them in schools. The roles performed by them at functions were given over to the GYP and the associations were so side-lined that they lost their vibrancy, although they were never formally abolished.

7.2.1.3 Following the 1966 coup d'état, efforts were made to restore both associations to their former status, as the GYP had been banned. The Scouts and Guides Decree, 1969 (NLCD 399), was passed to regulate the activities of the associations. For the first time, the objects were put on statutory footing. Some of the objects were specific to Boy Scouts and some to Girl Guides. The two shared the following objects:

- (a) to encourage loyalty, thoughtfulness to others and good citizenship among boys(or girls) and help develop their character;
- (b) to promote the physical, mental and spiritual development of boys (or girls), and
- (c) to encourage international goodwill and understanding by establishing friendly contact with boys (or girls) of other nations.⁷

The objects that were specific to the Scouts were as follows:

- (a) to train boys in habits of observation, obedience and self-reliance;
- (b) to teach boys services useful to others and handicrafts useful to themselves.

The Guides on their part, had these specific objects:

- (a) to train girls in habits of courtesy, obedience and service to others;
- (b) to develop in girls an interest in homecraft, health, social service, love of nature and traditional arts and customs.

7.2.1.4 The members of these associations were specifically prohibited from claiming or pretending “to be or to act as the police force or of the Armed Forces or any agent or officer of the Government.”⁸ They were also specifically prohibited from engaging in any:

attempt by virtue of wearing any uniform or badge token of
either association or appearing to be such, to enforce or exercise

⁵Statement by Hon. Regina Asamany MP from Volta Region (CPP) 9th May 1961, vol. 23 *Parliamentary Debates*, p.451.

⁶ Statement by Hon. B F Kusi MP for Atwima Nwabiagya (UP), 9th May, 1961, vol. 23 *Parliamentary Debates*, supra, p. 468.

⁷ Section 2 NLCD 399.

⁸ Section 4 NLCD 399.

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authority otherwise than in accordance with and as authorized by the bye-laws, rules or orders of either association.

7.2.1.5 Once the State formed its own Youth Association, the associations reverted to their roles of character-moulding and the cultivation of useful leisure hour activities, as well as service to others.

7.2.2 THE GHANA YOUNG PIONEER MOVEMENT (GYP)

7.2.2.1 After Independence in 1957, a need was felt to attack attitudes born of the socialization produced by a state of mind derived from colonial subjugation. The need to improve the education of young people and to mobilize them for national development was also keenly felt. The CPP Youth League was largely made up of children of CPP members and was restricted to a few urban areas. One truth that was not lost on the leadership of the CPP, was that anyone who wished to influence the future with new ideas, had to get to young children and introduce those ideas to them. The need to inculcate patriotism of the new country called “Ghana” into its newly-liberated citizens meant that the youth had to be targetted if the changed relationship between the citizen and the State as well as the new responsibilities inherent in the changed relationship were to be properly appreciated. Subsequent governments found the youth a ready vehicle to reach impressionable minds and harness their energies in favour of the government’s policies.

7.2.2.2 The Ghana Young Pioneer movement (GYP) was founded on 14th June, 1960, as a youth movement to “inculcate in the children of Ghana a feeling of pride for the country. It would also seek to foster physical fitness, respect for manual work, self-discipline, sense of duty and of responsibility and above all love for and a strong desire to serve the country”.⁹ The model for its formation was derived from the findings of a delegation sent on a study tour to various countries to study their mode of youth training. The delegation was made up of Kofi Baako; Krobo Edusei; Professor William Abraham; Kofi Batsa; Mowbray Elliot; and Reverend J S A Stephens.¹⁰ The group brought home a recommendation that, based on what they had seen, the most appropriate models for youth training were those of East Germany and the USSR. There was close collaboration between Russian Committee of Youth Organization and the leadership of the movement. Indeed, many of the leaders were sent to Russia under the aegis of the Russian Komsomol Schools and to other institutions in Eastern Europe to study youth training. At the time of the overthrow of the CPP Government in 1966, many GYP members were in Eastern European countries undergoing training in youth leadership, and other academic

⁹ M N Tetteh, *supra*.

¹⁰ M N Tetteh, *The Ghana Young Pioneer Movement*, *supra*, 1999. Foreword by Reverend Dr. J.S.A Stephens, p.xii .

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disciplines, and their scholarships were withdrawn. Consequently, many of them got stranded in Europe.

7.2.2.3 At the formation of the GYP, the Ministry of Finance was requested to make £G5,000 available for the administration and organization of the movement;¹¹ and so it was a fully-funded state organization. In 1961, it was put on a statutory footing by being made a part of the Ghana Youth Authority (GYA) under an Executive Instrument, the Ghana Youth Authority Incorporation Instrument E I 130. The National Organiser of the GYP was also appointed the Chief Executive of the GYA,¹² and although the GYP was to operate under the general direction of the GYA this was a cosmetic provision since the chief executive of the authority was also the National Organiser of the GYP.

7.2.2.4 Even though the GYP began in Accra as a voluntary movement, it was soon introduced nationwide by order of the President, into schools for children and young people aged between four years and twenty five years. It also covered out-of-school youth, and was reported by the *Evening News* to have a membership of 20,500 within a year of its formation;¹³ and according to official reports, had ballooned to 500,000 within two years of inauguration. According to a post-Nkrumah Government of Ghana publication, the GYP reported to the President in September, 1964, that its membership had risen to one million children and young people, and it was operating 3000 centres in various districts. It was organized by age-group in four categories,¹⁴ each with its focus. Group I was known as Young Party League, consisting of ages twenty one years to twenty five years, and these were given various forms of technical and ideological training both in and outside Ghana. Group II known as “Nkrumah Youth” consisting of ages seventeen years to twenty one years, focused on providing technical and ideological training for mostly out of school youth. Group III known as ‘Young Pioneers’ was made up of ages 8 years to sixteen years, and concentrated on cultural activities such as drama and artistic crafts. Group IV, the “African Personality” group, was for children aged between four years and seven years.¹⁵ The main activity of this group was to sing and recite poems about “The Great Osagyefo”.¹⁶ School teachers were recruited as organizers and instructors and there was a code of discipline which was rigidly enforced.

7.2.2.5 The GYP was fully funded by the State though supposed to be a wing of the CPP. The Minister of Education and Social Welfare justified the state expenditure by declaring that “The C.P.P. is Ghana, and Ghana is the C.P.P.”¹⁷ Although membership was said to

¹¹ See *Parliamentary Debates*, Official Report First Series vol. 23 18th April – 23rd June 1961 p.445; statement by Hon. A J Hammond on the Ghana Young Pioneer Movement.

¹² Section 5(2) of E I 130.

¹³ *The Evening News*, Thursday, 8th June, 1961.

¹⁴ John S Pobee, *Kwame Nkrumah and the Church in Ghana 1949-1966*, Asempa Publishers, Accra, 1988; and Ebenezer Obiri Addo, *Kwame Nkrumah, A Case Study of Religion and Politics in Ghana*, University Press of America Inc Lanham, Maryland, 1999, list three categories.

¹⁵ *Nkrumah's Subversion In Africa* official Ghana Government Publication, 1967, pp.49-52.

¹⁶ Obiri Addo, *supra*, p.143.

¹⁷ *Parliamentary Debates*, *supra*, p.469.

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be voluntary, this was not its mode of organization in reality. At least for children in the rural areas, membership was compulsory for all school children and was enforced by school authorities as such. When the Hon Miss Regina Asamany¹⁸ suggested in Parliament that “it is wise to abolish such youth movements as the Boy Scouts and other similar organizations”,¹⁹ the Minister’s response was that the suggestion was “too true”, and that a Bill was going to be put before Parliament to ensure that Boy Scouts and Girl Guides movements were abolished. A little later on, the President directed that the GYP, having been “constituted as the sole youth authority in Ghana”, had the responsibility to ensure “that all organizations of youth are conducted in accordance with our national directives and not in relation to any foreign directives.”²⁰ This was obviously a reference to the Boy Scouts and Girl Guide movements which had their roots in British colonialism.

7.2.2.6 With support from the highest political authority in the land, the GYP developed a fearsome reputation. Heads of institutions who were not keen to promote it in their schools suffered punitive action.²¹ There were also whispered allegations of how public criticism of the movement could lead to one’s detention under the Preventive Detention Act. By the time it celebrated its third anniversary, the President could order that its programmes be made compulsory for all youth groups. This was a clear indication that the government was not in support of the existence of any other youth groups. The President justified the new policy thus:

The youth of Ghana should stand together in singleness of purpose in order to meet loyally and boldly this supreme challenge of our time. We can no longer afford to see the energies of our youth dissipated and their loyalties confused, as a result of protracted membership of a variety of organisations, the aims and policies of which, however worthy they may be, are not always in our national or cultural interest.²²

7.2.2.7 Thus young people lost their freedom to freely associate or not to associate and parents their right to determine what activities their children could engage in, or to what ideas their children could subscribe.

¹⁸ CPP Member for Volta Region.

¹⁹ See *Parliamentary Debates* National Assembly, Official Report First Series vol. 23 18th April – 23rd June, 1961, p.451; statement by Hon.Miss Regina Asamany on the Ghana Young Pioneer Movement.

²⁰ Dr. Kwame Nkrumah, “The Fight on Two Fronts. On assumption of office as General Secretary and Chairman of the Central Committee of the CPP” 1st May, 1961, in *Selected Speeches of Kwame Nkrumah*, Samuel Obeng (ed) vol 2 Afram Publications, Accra, 1997, p.83 at p.92.

²¹ It is reported that the late Reverend W.G.M. Brandful was removed from his position as Headmaster of Mfantsipim School under a forty-eight hour- ultimatum for failing to attend the inauguration of a branch of the movement in his school in 1964. This was by no means a unique occurrence. See John S Pobee, *supra*, p.131, and Obiri Addo, *supra*, p.146.

²² Dr Kwame Nkrumah, “Third Anniversary of Ghana Young Pioneers” 14th June, 1963 in *Selected Speeches of Kwame Nkrumah*, Samuel Obeng (ed) vol 5 Afram Publications, Accra, 1997, p.51.

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7.2.2.8 GYP programmes were held after school and even during school hours, and all children had to attend or face punishment in school. Red silk scarves with borders in the colours of the CPP had to be worn by school children. Many people felt that the movement was a vehicle for indoctrination of children and the promotion of a personality-cult of the President.²³ For instance, M N Tetteh corroborates allegations of blasphemous acts taught to children, although he blames enemies of President Nkrumah, whom he described as “fascist secret agents within the movement with a definite mission to destroy the image of the movement and its founder”.²⁴ According to him, these “fascist agents” “were reported to have gone to one selected centre in a region and actually orchestrated the blasphemous act of dropping some sweets and food items from a ceiling of a Pioneer Centre while calling on Nkrumah in a mock prayer”. Thus the blasphemy lay in the fact that according to contemporary accounts, the ability of the President to supply the children’s wants by having “sweets and food items” rain down during a mock prayer was contrasted with the inability of God to do likewise since nothing happened when they called upon God. These accusations were denied at the time, and the denial is supported by Pobee who states that “in our researches we have not come across any youngster who experienced it”. It is thus somewhat surprising that one of the officials who ought to know the truth would recount the incident many years later and blame “fascist agents” who had been planted on the GYP.

7.2.2.9 The GYP also had sentences extolling the greatness of the President that had to be recited by school children everyday. For instance, the Young Pioneer Pledge was seen as a vehicle for indoctrinating the children and building up a personality cult around the President. This criticism had some justification as the text reproduced below, of the pledge that was to be recited any time the youth met, suggests:

“YOUNG PIONEER CODE AND PLEDGE”

- I sincerely promise to live by the ideals of Osagyefo Dr. Kwame Nkrumah, Founder of the State of Ghana and Initiator of the African Personality;
- to safeguard by all means possible, the independence, sovereignty and territorial integrity of the State of Ghana from internal and external aggression;
- to be always in the vanguard for the social and economic reconstruction of Ghana and Africa;

²³ See Parliamentary Debates of National Assembly, Official Report First Series vol. 23 18th April – 23rd June 1961 pp.457-469 statements by Hon E N Ocansey (CPP) Osudoku), Hon. B.F Kusi (UP)Atwima-Nwabiagya).

²⁴ Tetteh, supra, p.108.

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- to be in the first ranks of men fighting for the total liberation and unity of Africa, for these are the noble aims guiding the Ghana Young Pioneers;
- as a young Pioneer, I will be a guard of workers, farmers, cooperatives and all other sections of our community;
- I believe that the dynamic Convention People's Party is always Supreme and I promise to be worthy of its ideals."²⁵

7.2.2.10 Some of the sentences such as: "Nkrumah does no wrong"; "Nkrumah is our Leader"; "Nkrumah is our Messiah"; and "Nkrumah Never Dies", were thought by many to be an undue indoctrination of school children and the creation of a personality cult around the President. Some of the lyrics of popular GYP songs had images borrowed from the Bible. One of such songs was:

If you follow him, If you follow him,
Kwame Nkrumah, he will make you fishers of men, fishers of
men, fishers of men, he will make you fishers of men if you
follow him.

Other songs had secular lyrics but put to tunes of church, especially Hymns, were viewed as an attempt to imbue the personality of the President with Christ-like qualities since the phrase "fishers of men", was derived from the Biblical story of the calling of the first disciples by Jesus Christ. Indeed, in some elementary schools, the practice was for the leader of the Young Pioneers in the school to conduct a parade and raise the GYP Flag and the Ghana Flag during the school's Morning Prayer assembly while the school's teachers looked on.

7.2.2.11 Opposition to the movement was strong, being largely spear-headed by the churches, but largely covert as any expression of open opposition at the time could portend detention for the particular person or deportation for a foreigner as the experience of Anglican Bishop Reginald R. Roseveare, Chairman of the Christian Council, amply demonstrated. He was deported as a result of an address he gave at the Anglican Annual Conference in 1962. In that address, he criticized the movement in the following manner:

Not only myself, but the heads of churches in Ghana, are shocked by the godlessness of this movement and by some of its phrases and songs for the children to repeat or to sing. We made our views known to the Minister of Education last April, saying that we found it impossible to give our support and co-operation in the development of the movement as at present constituted. It is an affront to our age-long traditions that, in Ghana of all countries a national institution for the training and development of boys and girls should entirely ignore the existence

²⁵Obiri Addo, *supra*, pp.143-144.

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and claims of Almighty God. Moreover, it seems that the movement confuses the work and example of a great man with divine acts which are unique in history. The incipient atheism is quite foreign to the traditional concepts of African Personality. Surely it is our duty to ask that some consideration be given to convictions of loyal citizens of Ghana who, by virtue of their Christian Faith, desire that nothing shall hinder their children from growing up to be loyal and faithful Christian men and women. Is there a finer basis for citizenship than this?²⁶

7.2.2.12 Bishop Roseveare was promptly deported as being a person whose “presence in Ghana was not conducive to the public good”, after being subjected to name-calling in the state media as “the neo-colonialist Lucifer”. He was also criticized for being a part of an “ungodly clique and quislings”, who did not appreciate that: “God does not like imperialist chicanery, religious sabotage and anti-national manoeuvres (sic), nor is he impressed by chauvinistic Christian ballyhoo or hypocritical and deceptive Synod addresses”.²⁷ He was accused in CPP quarters of stabbing the President in the back since he had had dinner with the President the night before the Synod.²⁸ He was eventually allowed back into the country only after he had apologized and had formally applied to be allowed to return. From then on, there was no indication that the church ever openly criticized the GYP.

7.2.2.13 The motivation to inculcate patriotism in children of school-going age was a good idea, but the implementation was problematic. There was no doubt that the organizers of the GYP were overly high-handed in their treatment of dissent, but this was in line with the culture of those days. Blaming “fascist agents” from within for the excesses of the GYP, is obviously a disingenuous attempt at blame-shifting and revisionism since the same Tetteh himself admits that at some point in time, stories that reached the President caused him to set up a five-member committee to study the situation and submit a report,²⁹ and that the report led to the adoption of some reforms.³⁰ Since, in those days, it took much less than obvious subversion of the government for a person to be detained under the Preventive Detention Act, it is somewhat curious that no one was punished as a “fascist agent”, when the committee submitted the findings upon which reforms were initiated.

7.2.2.14 The GYP attracted other types of criticism such as it being a means by which parental authority was being weakened in favour of loyalty to President Nkrumah. The movement was alleged to be encouraging children to spy on their own parents. M.N. Tetteh denies this, though he asserts that the children were asked to join the search for the bomb-throwers who were maiming and killing some of their colleagues. Therefore if any

²⁶ Pobee, *supra*, p.131; Obiri Addo, *supra*, p.145.

²⁷ Pobee, *supra*, p.132.

²⁸ M.N. Tetteh, p.xvii.

²⁹ *Ibid.*, p.96.

³⁰ *Ibid.*

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parent happened to be a bomb-thrower, then it was in response to this patriotic duty that the children informed on them.³¹

7.2.3 Bomb Outrages

7.2.3.1 The GYP came under physical attack when many of its members became victims of the bomb-throwing incidents that became a feature of Ghana's politics as certain persons alleged to be members of the opposition, in a bid to assassinate the President or cause disaffection for the government, detonated bombs and other explosives at public gatherings when the Young Pioneers would be in attendance. Many children, not necessarily Young Pioneers only, were killed on such occasions, and others maimed for life. At least on three of such occasions, twice at Accra Sports Stadium and at Arena in Accra, Young Pioneers attending functions at which the President was to be present were prominent among the victims when the explosive devices were detonated. Ms Elizabeth Asantewa, Master Ayikwei Hammond and Ms Elizabeth Hammond were prominent among such victims of each of those incidents.

7.2.3.2 At Kulungugu in the Upper East Region, an assassination attempt was made on President Nkrumah, and it was alleged that a number of GYP children were killed. Indeed, contemporary accounts of the time indicated that the source of the bomb was a bouquet presented by a young girl who was consequently killed in the blast. As recounted by Tetteh, "a member of the movement in the infants division was blasted to death in cold blood by a bomb which was secretly planted in a bouquet which a young lass was given to present to the President"³². However, this account of the incident is contradicted by an eye-witness, Gariba Ndego Tijani, then a 12-year old boy at the time, and now a graduate of the University of Ghana and a tutor at Bolgatanga Secondary School:³³

I had to struggle with adults on a tree top to catch a glimpse of President Nkrumah on the first day of his arrival from Accra (Saturday, 30th August) en route to Haute Volta (now Burkina Faso). Tree trunks along the road through the village were whitewashed before the day since the President was to make a stop over in Kulungugu before proceeding to Burkina Faso. He arrived after twelve noon on 29th August amidst shots of gun salutes [sic]. I could not see the sequence of events around the President since the crowd of adults shielded him from my view. And after about thirty minutes, the President proceeded across the border into Burkina Faso [then Upper Volta].

It was the following day that the President returned from Burkina Faso [then Upper Volta] at about two o'clock p.m. and after welcome formalities, (again blocked from my view by adults) the President started walking with a large number of followers towards a parade of school

³¹ Ibid., pp.107-108.

³² Ibid., p.103.

³³ Memorandum to National Reconciliation Commission.

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children and young pioneers. He was waving his left hand with a white handkerchief in it while holding a walking stick in the right hand. He wore an ashy-white political round-necked suit.

Suddenly, I heard a huge bang just close to the President's left hand side. I mistook the sound for a gun salute because it followed a warning shout from somebody close to the President's right arm. The person was in a khaki-looking suit. He fell flat on his belly, pulling the President along, before the bomb blast was heard. All these happened in my clear view although I was standing on a vehicle with some adults at a distance of about sixty metres.

Within some seconds, the atmosphere was filled with a thick and dirty-black smoke. I could not understand why the teeming crowd (it was a market day) suddenly started running helter-skelter until I saw a large number of people lying on the ground. Prominent to me amongst them were a policeman of the village police station whom we had given the name "Lorso", and a young boy of the village called Parisu.

Realizing that almost everyone was gone, I also took to my heels towards my house. By the end of the day, news reached us from the Presbyterian District Hospital at Bawku that the young boy from the village had died of his wounds, and that one schoolboy called Laale Braimah was also wounded by the bomb blast and had been hospitalized at Bawku.

The following day, it was discovered that one boy in the village called Sampani Bonku could not be found among the dead or wounded, and as at the time of writing this report, the boy has not yet been found.

Some days later, all houses in the village were burnt to ashes by the police at dawn when domestic animals were still indoors. All foodstuffs in barns and living rooms were also burnt. Many people including my grandfather and uncles were arrested and taken away to Bawku township.

7.2.3.3 It would thus seem that the entire township of Kulungugu suffered greatly from the event and not just Young Pioneers, as the entire community suffered police brutalities as a result of the event. This version of events is supported by the version related by Genoveva Kanu (nee Marais), a well-known close confidante of President Nkrumah at the time, who states that she got her version from the President himself.³⁴

³⁴ Genoveva Kanu, *Nkrumah The Man*. Delta Publication Ltd. Enugu, Nigeria p.129.

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7.5 **13TH JANUARY, 1972-3RD JUNE, 1979:**
NATIONAL REDEMPTION COUNCIL (NRC)/
SUPREME MILITARY COUNCILS (SMC) I & II

7.5.1 NATIONAL SERVICE SCHEME (NSS)

7.5.1 Following the withdrawal of the Loan Scheme for students of the universities and the restoration of full scholarships, it became clear that students had to offer some service in reciprocal generosity. The National Redemption Council (NRC) initiated discussions towards the involvement of university students in nation-building as their contribution to a nation that had provided them free university education. The original proposal was for military training for the university students to improve their level of discipline.³⁷ However, further discussions with the student leadership resulted in the institution of the National Service Scheme, as it currently exists.

7.5.2 GHANA NATIONAL RECONSTRUCTION CORPS (GNRC)

7.5.2.1 The NRC government found it necessary to mobilize unemployed young people to support the “Operation feed Yourself” programme. Under the leadership of Sarpong Kumankumah, young people were mobilized to go into farming, and were settled on some of the State Farms that used to be operated by the Workers Brigade. They were fully funded by the State, but they did not make the desired impact on the food supply situation.

7.5.2.2 Many of the GNRC members were involved in the Unigov campaign, and were involved in the physical attacks that were perpetrated on some citizens. Indeed the GNRC was listed among the political organizations that the GBA demanded to be banned after the referendum.

7.6 **4TH JUNE, 1979 – 23RD SEPTEMBER, 1979:**
ARMED FORCES REVOLUTIONARY COUNCIL (AFRC)

7.6.1 The AFRC was in power for a very short time, however, the youthfulness of its leaders inspired many young people to flock to them in response to the call for the youth to save their country. Under its youthful Chairman, Flt Lt Jerry John Rawlings, and its Spokesman, Capt Kojo Boakye Djan, the AFRC itself was, in many respects, a Youth Movement.

³⁷ Kabral Blay-Amihere *Fighting for Freedom* (The Autobiography of an African Journalist) Trans Afrika News Ltd, Accra, 2001, p.54.

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7.6.2 Before the end of its short tenure of office serious differences had emerged, splitting the AFRC into two factions led by Flt Lt Rawlings and Capt Boakye Djan respectively. These factions had their following in the young civilians who associated themselves with the AFRC and it led to the birth of three Youth Associations, all claiming leftist ideological leanings: the June Fourth Movement (JFM); People's Revolutionary League of Ghana (PRLG); and the Movement on National Affairs (MONAS), that were to influence the politics of the nation for many years.

7.6.3 MOVEMENT ON NATIONAL AFFAIRS (MONAS)³⁸

7.6.3.1 This organization was formed and inaugurated on 22nd September, 1979, two days before the inauguration of the Third Republic when the AFRC handed over power to President Hilla Limann. It was inaugurated by the Spokesman for the AFRC, Maj Boakye Djan at the Accra Technical Training College (ATTC) at Kokomlemle in Accra.

7.6.3.2 It was formed as an organization to structure a front for political activities by students workers and youth in the country. The group was made up of students, workers and youth organizations either as individuals, or as corporate members. For instance, the following examples would suffice to show who the members were:

1. Labour Movement – Peter Arthiabah (Administrative Secretary of TUC); and Opare Ababio – (of the Public Services Workers Union (PSWU))
2. Youth elements who used to be members of Socialist Revolutionary Youth League of Ghana, an organization registered with the National Youth Council as a youth movement - Yaw Adu Larbi, Nat Ayivor, Kweku Baako (Jnr).
3. Groups - Pan African Youth Movement (PANYMO).

7.6.3.3 At about the beginning of September, 1979, about two weeks before the end of the rule of the AFRC, Maj Boakye-Djan met with the above-named persons at the Star Hotel in Accra to plan the formation of a movement that would assist in consolidating constitutional democracy. This was made up of persons who had actively supported the Uprising of Junior Military Officers against the Senior Officers on 4th June, 1979, but who also firmly believed that the soldiers had no role in governance after a civilian government had come into place, and therefore, they were to return to barracks and remain there, playing their traditional role of ensuring internal and external security.

7.6.3.4 This group had emerged because in the course of AFRC rule, there were cleavages based on ethnic, ideological and political differences. One of the causes most central to the cleavage was whether or not there should be a handing-over at all. Although every one on the AFRC publicly supported the handing-over, the story was different in private. Consequently, two factions developed: the Rawlings faction; and the Boakye-

³⁸ Memoranda to the National Reconciliation Commission.

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Djan faction. The former emerged because some people were opposed to the handing over of power after such a short period of time to civilian politicians. They therefore conspired to disrupt the handing-over ceremony and so abort the entire process. In order to effectively counteract the activities of the Rawlings faction, the Boakye Djan faction made up of persons in favour of the return to civilian rule re-grouped and sought ways of thwarting the objectives of the Rawlings faction. Intense rivalry between the two factions developed and it is alleged that it was when the more powerful Boakye Djan group won the day, that the handing-over occurred.

7.6.3.5 MONAS was thus formed and inaugurated as part of the strategy to provide support for the return to a constitutional order in the course of the struggle for power between the two factions. It was also intended to ensure the survival of constitutional rule by providing a platform for constructive criticism of the government and its policies although its commitment to the maintenance of constitutional rule was beyond question.

7.6.3.6 MONAS was headquartered at Labone at the residence of the late Kofi Baako – a prominent Minister of State in the First Republic and the father of one of the members, Kweku Baako (Jnr).

**7.7 24TH SEPTEMBER, 1979 – 30TH DECEMBER, 1981:
THIRD REPUBLIC PEOPLE’S NATIONAL PARTY
(PNP) GOVERNMENT**

7.7.1 The Genesis Of The Youth Groups Of The Revolution

7.7.1.1 After the handing-over to the civilian administration in 1979, it was felt in many sections of the country that the civilian government would be unable to protect the “gains” of the 4th June Uprising on account of the fact that some of the “nation wreckers” and “corrupt politicians” had jumped on the political bandwagon of the PNP. Some students, former student leaders and out-of-school youth, formed various associations either to protect “the gains of the revolution”, or to defend the concept of constitutional government. These groups attained some pre-eminence on the political landscape as events on the political landscape began to unfold, leading eventually to the toppling of the PNP from political power.

7.7.1. 2 The roots of some of these groups lay in the events that produced the 4th June Uprising (usually referred to as the “June 4 Revolution”), and the subsequent modes adopted for addressing the fallout of that event. After the AFRC handed over power to the PNP administration, the problem was what to do with these young army officers and other ranks, amongst whom were twenty-two year-olds who had to be rehabilitated in order to protect the cohesion of the army. This was because problems affecting Command and Control within the military had been created by the fact that Senior Military Officers had been obliged to pay respects to very junior officers and other ranks on account of

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their membership of the AFRC. This turned the Army's traditions upside down and greatly affected morale on both sides of the Command Structure. Another major problem was the great factionalism that had been spawned by differences - both personal and ethnic - between the Chairman of the AFRC, Flt Lt Rawlings, on the one part and the Spokesman and Number-Two man of the AFRC, Maj Boakye-Djan, on the other. These differences split the AFRC down the middle, and spawned two major factions both within and outside the Armed Forces. The government took a decision to offer the AFRC members a resettlement package to go abroad for further education. Many of them, including Maj Boakye-Djan, accepted the offer and left Ghana, but Flt Lt Rawlings is said to have turned down the offer of resettlement, and remained in Ghana.

7.7.1.3 The respective decisions by Maj Boakye-Djan to leave Ghana, and Flt Lt Rawlings to remain in Ghana had consequences for their respective factions. The Boakye Djan faction became orphaned, whilst the Rawlings faction grew from strength to strength. Notable among the latter faction were personalities such as Kwasi Adu, Tony Akoto Ampaw, Augustus "Gussie" Tanoh, Yao Graham, Nicholas Atampugire, etc. Some members of the two factions formed the People's Revolutionary League of Ghana (PRLG); and others in the Rawlings faction split up into two groups, the June Fourth Movement (JFM) and the New Democratic Movement (NDM).

7.7.1.4 These groups were instrumental in shaping the direction of Ghanaian politics after 1979. Even the overthrow of the Limann government was an act endorsed by the leftist youth groups of the time. An event occurred on 3rd October, 1981, that was to prove the watershed for the continued survival of the Third Republic. On that date, there was a Forum of leftist youth and workers organizations at Labone Secondary School. Most of these were groups such as: NUGS, MONAS, JFM, PRLG, NDM, Socialist Society of Ghana (SSG), African Youth Command (AYC), African Youth Brigade (AYB), Pan African Youth Movement (PANYMO). The convenors of the "Labone Forum" were Osei Poku the editor of *Evening News*, and S S Baffour-Awuah of the African Youth Command (AYC). The Forum, attended by senior members of the PNP ("Old Guard"), deliberated on the state of the nation and arrived at the consensus that the government of the PNP had veered off the path of socialist ideology. The Forum also articulated the view that the constitutional regime no longer represented the aspirations of the people, and its downfall would have popular support. Many of those who participated in the Forum and who were outspoken in their criticism of the lack of ideological direction of the PNP Government, ended up being a part of the structures of the PNDC when the constitutional government was overthrown two months later.

7.7.2 THE JUNE FOURTH MOVEMENT

7.7.2.1 The June Fourth Movement (JFM) was a leftist movement made up largely of young people, workers, radical young academics and students that began after the AFRC handed over power to the civilian government of President Limann. Before the handing over, there were concerns that the aims of the "June Fourth Revolution" would not be

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pursued by the incoming government and that whatever the revolution had achieved would be lost. Therefore this movement was born in order to defend the “gains of the revolution” and it was no surprise that the Vice-President of National Union of Ghana Students (NUGS) in 1979, became one of its early General Secretaries. The JFM was vociferous in its opposition to the call by Maj Boakye-Djan for a probe into AFRC affairs. It is alleged that originally, Flt Lt Rawlings was not a member of the JFM, but became a member after his forced retirement from the Armed Forces in 1979.³⁹

7.7.2.2 The Movement was organized along Marxist lines and propounded ideas as to how Ghana could be governed after the fashion of Marxist countries such as Cuba and Libya. Within the Movement, there were Revolutionary Committees modelled after the Libyan system. According to Emmanuel Hansen, Flt Lt Rawlings paid a visit to Libya in the summer of 1980, and came into contact with this organizational structure, and adopted it.⁴⁰ He further maintains that the Revolutionary Committees formed the basis for the organisation of the People’s Defence Committees and Workers’ Defence Committees that were introduced into this country in early 1982, after the Provisional National Defence Council (PNDC) came to power.

7.7.2.3 The JFM published a newspaper, the *Workers Banner*,⁴¹ that contained this notion of PDCs /WDCs and that is credited with radicalizing some of the soldiers who took part in the coup of 1981, to participate in the process.⁴² However, Shillington maintains that “His [Rawlings] forced retirement from the Air Force notwithstanding, his leadership of the JFM brought into the organization a number of useful radical soldiers, especially from among the non-commissioned ranks.”⁴³ In the editorial of 14th-20th July, 1981, the *Workers Banner*, the organ of the JFM, wondered whether indeed, there was a revolution under way or we were merely engaged in a “reform”. The *Workers Banner* insisted that “if we were in a revolution we should be seeing activity at Teshie firing range, even identifying, by name, possible targets.”

7.7.2.4 The pre-eminence of the JFM in the plot to overthrow the constitutional order of the Third Republic as well as the initial direction of the government that was established thereafter cannot be underrated. According to Shillington:

The JFM, NDM and other left-wing movements of the period were important in providing the ideological rationale for the 31 December revolution ... as well as providing a corps of dedicated cadres who could implement a revolutionary programme on a national scale... [T]he JFM

³⁹ Kevin Shillington, *Ghana and the Rawlings Factor*, Macmillan Press Ltd, London and Basingstoke, 1992. pp.76-78.

⁴⁰ Emmanuel Hansen, *Ghana Under Rawlings – the Early Years*, Malthouse Press Ltd., African Political Science Association, London, 1991 p.34.

⁴¹ *Workers Banner*, vol. 1 No.1 1st August, 1981.

⁴² Hansen, *supra*; also Chris Bukari Atim, Letter of resignation from the PNDC dated 15th December, 1982.

⁴³ Shillington, *supra*, p.77.

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in particular, provided Rawlings with a public platform from which to 'sensitise' people and to hold the government accountable.⁴⁴

7.7.2.5 Indeed it was under the auspices of the Movement that the most public of the threats against the government of President Limann were uttered during a speech to celebrate the first anniversary of the June Fourth Uprising. Little wonder that it was represented on the PNDC by no less a person than Chris Bukari Atim, then the General Secretary of the JFM. According to Hansen, the move to make the JFM visible on the PNDC was to bind the JFM, the student movement and the youth to the revolutionary initiative.⁴⁵ At the 17th Annual Congress of NUGS, fraternal greetings sent by the JFM and the PRLG ended with "REVOLUTION OR DEATH".⁴⁶ "The JFM was crucial in providing the link between the military who had staged a coup and the civilians who would turn it into a revolution."⁴⁷

7.7.2.6 The JFM came to the attention of national security during the Third Republic as it was suspected of plotting subversion. The JFM started a farm at Katamanso, which land was procured through the instrumentality of the President of the Nungua Branch in order to go into farming in fulfillment of its belief in the dignity of farming. However, National Security thought otherwise, and insisted that far from it being an attempt to take to farming, the JFM was using the place as a training ground for revolutionaries to subvert the government. The JFM was also associated with the activities of a foreign revolutionary then known as Wilhelm Harrison Buller, and later as Albert Odinga, a national of Belize (former British Honduras), who had been expelled from his own country for subversive activities.⁴⁸ He was suspected of carrying on subversive activities by giving military training to some young Ghanaians for purposes of overthrowing the government and was arrested for overstaying his visa. Although the government could not prove the allegation of subversion and subsequently deported him, the suspicion of untoward activities hung around the JFM until the coup occurred on 31st December, 1981.⁴⁹ As subsequent events proved, the suspicions were not unfounded.

7.7.3 MOVEMENT ON NATIONAL AFFAIRS (MONAS)

7.7.3.1 One week after the handing over of power, Maj Boakye-Djan left Ghana in fulfillment of an agreement between the AFRC Government and the new administration of the PNP, leaving the group somewhat orphaned, but it carried on its activities. In its role of supporter of the constitutional order, it needed to collaborate with institutions of

⁴⁴ Ibid.

⁴⁵ Hansen, *supra*, p.25.

⁴⁶ *Citadel Daily* _vol. 2 No. 4 Wed. 13 May – Wednesday, 20 May, 1981, p.4.

⁴⁷ Shillington, *supra*, p.84.

⁴⁸ Jacob Jabuni Yidana, *Who Killed The Judges?* Bismi Enterprise, Accra, 2002, pp.38-40.

⁴⁹ It is significant to note that this same Buller returned to Ghana and remained in the country until 2001, when he was again arrested by officials of Ghana's National Security in a house owned by the State, again for overstaying his visa. He was deported from Ghana in 2003.

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state to concretize the support. MONAS therefore formed official and organized links with the state security agencies, the Youth Wing of the People's National Party (PNP) and Members of Parliament, all with a view to ensuring that the regime could serve its first term, and thereafter give the people of Ghana a chance to use the ballot box to decide the way forward. MONAS also published a newspaper known as "*The Message*" in which it espoused its beliefs. The movement was also in the forefront of public criticism of the decision by the National Olympic Committee in 1980 to boycott the 1980 Olympic Games in Moscow.⁵⁰ In 1980, the movement was described in a newspaper as:

"a clique... which describes itself as 'a mass research organization – for whatever that means – but believed in student circles to be working closely with Mr. Kofi Batsa of the PNP.'"⁵¹

This view of MONAS as a PNP government-influenced outfit seems to be supported by the admission by one of its leaders that since their avowed aim was to support constitutional government, they co-operated with the Intelligence system.

7.7.3.2 Early in 1982, MONAS attempted to facilitate the organization of a counter coup and so the leaders were arrested and detained for periods ranging between six months and two years initially in military guardrooms, and later in State prisons.

7.7.3.3 The long period of incarceration of the leaders, coupled with infiltration by national intelligence made it difficult for a meeting to be called. MONAS therefore fizzled out as a mass movement and its influence as an active player on the political scene effectively ended.

7.7.3.4 Funding

7.7.3.4.1 MONAS was funded from various sources. Contributions were obtained from Maj Boakye-Djan, the family of Kweku Baako (Jnr), Nana Okutwer Bekoe, Chairman of the PNP and other "friends" of the society.

7.7.4 PEOPLE'S REVOLUTIONARY LEAGUE OF GHANA (PRLG)

7.7.4.1 The PRLG was another leftist group that was also active on the youth front. It was related to both MONAS and JFM because it shared common membership of some of the organisations already named as being members of MONAS. Born during the AFRC rule, its membership was eventually split between the MONAS and JFM. In August, 1979, the President of the Central Committee of the PRLG was Kweku Baako (Jnr), later of MONAS, whilst T Kojo Nubour Ababio, the General Secretary, later became a member of the JFM. The PRLG considered itself a group to the extreme ideological left.

⁵⁰ *Ghanaian Times*, vol. 6, 989 Tuesday, 3rd June, 1980, p.1.

⁵¹ Ibid.

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For instance, in October, 1979, when an Accra High Court reviewed and granted bail to some convicts of the AFRC 'People's Courts' and ordered their release, the PRLG that took to the streets to demonstrate against the reviews, ending at the Castle where the leaders, Kweku Baako (Jnr), Nubour Ababio and Quaynor-Mettle, presented a petition to the Vice-President.

7.7.4.2 Late in 1979, a leaflet appeared attributed to Military Intelligence in which allegations of tribalism were made against Flt Lt Rawlings. Some members of the PRLG such as Kweku Baako (Jnr), Riad Hozaifeh, Nubour Ababio and Flt Lt Rawlings planned a counter-strategy of producing counter leaflets to refute the allegations and distributing them at various places, including Burma Camp, and at other military installations. In the course of distributing the leaflets in the Military Hospital area, some of the members were arrested for carrying on subversive activities in a restricted area.

7.7.4.3 A split in the PRLG occurred when in February, 1980, Maj Boakye-Djan and Maj Mensah Poku, both members of the former AFRC, paid a visit to Ghana, and held a press conference at the Ambassador Hotel to refute some allegations of corruption levelled against them. This was on account of the fact that the newspapers had begun publishing various allegations of misconduct on the part of AFRC members. At the press conference the two ex-military officers asked for two things:

1. A commission of enquiry into the affairs of AFRC in order to investigate allegations of personal misconduct of AFRC members and even supporters; and
2. A fact-finding commission to find out whether in the course of dispensing revolutionary justice, some miscarriage of justice occurred so as to give a basis for a review of the Transitional Provisions in the Constitution.

7.7.4.4 The request by the two men to clear their names was supported by some of the members of PRLG, and they gave their support to the request publicly. The reason for the support, according to them, was that some effort was being made by some persons to set aside decisions made by the People's Revolutionary Court in respect of certain persons.⁵² For instance, a letter from the "Office of the Chairman of AFRC, Arakan Barracks Burma Camp to the Director of Prisons copied to The Chairman, Special Tribunal, State House" dated 19th October, 1979, asking for the "setting aside of the sentence of J W K Harlley by the authority of the People's Revolutionary Court." This letter, ostensibly signed by Squadron Leader E K Dargbe, the President of the erstwhile People's Court, and written nearly one month after the AFRC ceased to exist as a legal entity, suggested that there were clandestine efforts to review some of the sentences even after the AFRC handed over power to the government of the Third Republic. Such clandestine efforts were tantamount to an admission that not all the decisions of the People's Court were unassailable, and created sufficient doubt that the call to re-open the cases was well-founded. The public support given to the call for a public probe, did not go down well with the Rawlings faction. The tensions between the two factions boiled over into the

⁵² See Memorandum to the National Reconciliation Commission.

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public domain, as those members of the Boakye-Djan faction who had given public support to the request were accused of betraying the cause publicly opposed by the PRLG, ie the review of the decisions of the AFRC People's Court. Those members of the PRLG in question were therefore announced to have been dismissed, but this occurred at the same time as they also claimed they had resigned their membership. A break between the PRLG and MONAS then occurred, as those who had been "sacked"(or who had "resigned") were mostly those who belonged to MONAS as well.⁵³

7.7.5 RIVALRY BETWEEN THE FACTIONS (MONAS AND JFM)

7.7.5.1 In 1981, Maj Boakye-Djan, member of the former AFRC and patron/founder of MONAS returned to Ghana with Capt K. Baah Achamfour, another member of the former AFRC, and repeated the earlier request for a probe into the affairs of the AFRC. At this time, Flt Lt Rawlings was reported to be still going to the barracks to intervene in Command and Welfare problems, thereby undermining the Military Chain of Command. The soldiers still called him "Chairman" and deferred to him more than to the legitimate political authority. These acts were obviously incompatible with his status as a subordinate officer of the Ghana Armed Forces, and the information was brought to the attention of President Limann. Members of MONAS believed that the President had by then, cultivated such a cordial relationship with Flt Lt Rawlings that he did not take appropriate action. They also contend that the President's apparently inexplicable conduct was occasioned by wrong information that Maj Boakye-Djan was the one planning a coup against his government, and that this contradictory information became a distraction such that even warnings by Military Intelligence as to the danger presented by Flt Lt Rawlings to the stability of the regime were ignored by President Limann. However, Professor Nabila, then Minister for Presidential Affairs, contests this information, and maintains that the lack of action was caused by indecisiveness and "too much 'buck passing' " by the professionals within the national security apparatus".⁵⁴

7.7.5.2 The JFM dominated NUGS, as many of its members were in the leadership of NUGS. It had become one of Rawlings' platforms, although he himself did not become a member of JFM until 1980. The political positions of NUGS were therefore more in alignment with the JFM than with MONAS. The battle between the two groups was carried on in the press. In the "*Citadel Daily*", a newspaper published by Dan Lartey and edited by Nubuor Ababio, the attacks on the person and character of Maj Boakye-Djan was a constant theme, as well as articulating the political position of NUGS. This attitude was understandable since the editor of that newspaper was also the General Secretary of JFM, and also a former leader of NUGS. The newspaper also published articles that

⁵³*Daily Graphic*, Vol. 9151 Wednesday, 26th March, 1980. The newspaper reported that the six members had resigned, but also that "the central executive directorate of the league, acting under the authority of the central committee has 'purged' Mr. Kweku Baako Kakraba from the league for what it termed "gross revolutionary indiscipline."

⁵⁴ Naa Professor John S. Nabila, "Development of the Office of the National Security Coordinator: Challenges of the Transition in Limann's Regime" in *Reflections on Security African Security Dialogue And Research*, Legon, Ghana, 2001, p.17.

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damned the civilian administration, that is, the Executive and Parliament, and called for a revolution. MONAS disagreed with the position of the Leftist forum and this completed the break between it and the other groups such as the JFM.

7.7.5.3 The rivalry between the two groups was very much in evidence on the university campuses and this divided the front of the student leadership.

7.7.5.4 On 1st January, 1982, Sgt Alolga Akata Pore, a member of MONAS, is alleged to have paid a visit to his MONAS friends, to persuade MONAS members to join Flt Lt Rawlings who had overthrown the constitutional government the previous day. This was a surprising development since he was a member of MONAS. Clearly some of its members had not been faithful to the objectives of the movement, and the personal animosities that had developed between the MONAS and JFM had rendered the group very vulnerable. Their position was made more difficult because Maj Boakye-Djan had granted an interview to the British Broadcasting Corporation (BBC) radio on 1st January, 1982, condemning the takeover. MONAS drafted a three-paragraph statement that was non-committal and designed to buy them time.

7.7.5.5 The statement did not achieve the desired result, because Nana Okutwer Bekoe, Chairman of PNP and one of financiers of MONAS, while in custody at Gondar Barracks, had allegedly stated that Maj Boakye-Djan had accepted a bribe of US\$200,000 from the PNP to share among his “boys”.⁵⁵

7.7.5.6 The members of MONAS were arrested and detained for periods of up to two years, when information leaked to the authorities that they were involved in a plot to subvert the new regime. The battle for supremacy between the two AFRC protagonists appeared to have ended with the emergence of Flt Lt Rawlings as the unchallenged leader in 1982, and the JFM as the most-favoured youth group.

7.7.6 THE JFM

7.7.6.1 On 3rd January, 1982, barely forty-eight hours after the PNP Government had been overthrown, the JFM led a group of workers to demonstrate in support of the revolution. As part of their demonstration of support, they paid a visit to the Graphic Corporation to threaten the journalists there not to publish negative news about the revolution because the workers would not suffer that to happen. The spokesmen of the group, Kwasi Adu and Quaynor Mettle, both former student leaders and recent graduates of the University of Ghana, complained about the hardship in the country and accused the *Daily Graphic* of unfair editorial slant against the June Fourth Uprising on account of

⁵⁵ This news item was reported in the *Daily Graphic*, Vol. 9715 Wednesday, 27th January, 1982, p.1. as “Djan, Poku had \$200,000” There seems to be a discrepancy between the \$200,000 that was reported in the newspaper, and the \$100,000 allegedly told to the leaders of MONAS by Maj Boakye-Djan.

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the publication of negative stories about the event. The newspaper quoted Kwasi Adu as saying: “We shall meet the enemies pen for pen and boot for boot.”⁵⁶

7.7.6.2 The JFM and the NDM were put in charge of giving direction to the PDC/WDC concept by the formation of an Interim National Coordinating Council (INCC) because this was largely a JFM idea. Shillington blames ideological conflicts between the two groups as largely responsible for the absence of clear direction and proper organization of the PDCs. Chris Atim was instrumental in establishing WDCs all over the country and was constantly on the move, inaugurating the committees. These PDCs/WDCs were to be made up of junior staff and working class people. Managers and other persons of high social standing in the communities were not allowed to be members. This resulted in a bisecting of Ghanaian society into “people” and “citizens”. The need for the PDCs/WDCs to be brought under more central control was amply demonstrated by the amount of power that those who were involved in their organization had managed to accumulate within a short space of time. The implementation of the concept also demonstrated the importance of a mass movement organized from the local level upwards for purposes of political control of the country.

7.7.6.3 JFM is also credited with proposing Dr. Kwesi Botchwey, a member of the NDM, as a member of the Economic Management Team that was formed, before he eventually got appointed as the Secretary for Finance and Economic Planning, as well as influencing the initial socialist policies of the PNDC.⁵⁷ Indeed on 21st July, 1982, the Association of Recognized Professional Bodies (ARPB) held a press conference at which it read a Resolution which, among other things, urged the PNDC to hand over to a “Government of National Unity”, while making arrangements to return the country to a constitutionally elected government by 1983. The association buttressed its proposal by making a complaint that “Not even the June Four Movement (JFM) was altogether certain about what the nation had embarked upon.” This statement suggested the importance of the JFM in giving direction to the new government. A member of the Steering Committee of the JFM, Kwasi Adu, promptly accused the association of double standards. In particular, he criticized the Ghana Bar Association for being behind the Resolution adopted by the ARPB, and accused the lawyers of starting a reactionary campaign against the revolution, since they were the same people who had aggressively defended the AFRC convicts.⁵⁸

7.7.6.4 The end came for the extreme leftists in the JFM when they were accused of plotting to depose Flt Lt Rawlings as leader of the revolution and they were purged from the leadership. It is alleged that led by Sgt Alolga Akata-Pore, the leftists made a move to oust the Chairman of the PNDC, Flt Lt Rawlings, because they began to feel that the revolution was losing leftist impetus. As they erroneously believed that their control of the “grassroot organization” could be exploited to their political advantage, they sought to use their influence to isolate the Chairman and to effect his removal. Chris Atim, the

⁵⁶ *Daily Graphic*, Vol. 9695 Monday, 4th January, 1982, p.5.

⁵⁷ Shillington, *supra*, p.98.

⁵⁸ *Daily Graphic*, Vol.9713 Monday, 25th January, 1982 pp. 1,4&5.

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mouthpiece of the ideologues at the time, categorically denied this assertion and stated in his letter of resignation to the Chairman of the PNDC that those of his friends so accused, had been framed by their political enemies in order to get rid of them. Whichever version of events represents the true situation, there were interesting developments after he resigned from the government. He left the country and went into exile.

7.7.6.5 After the purging of the leftists, the JFM was heard of mostly when the anniversary of the 4th June event was approaching, when they issued statements glorifying the event and organized public activities and programmes. The political power of the JFM within the revolutionary movement, became greatly diminished although the appearance of importance and influence was maintained by the leadership of the revolution.

7.7.6.6 In 1986, the PNDC announced that it was going to celebrate the 4th June anniversary as a national event. The day was declared a public holiday, and an elaborate programme of celebration was drawn up. The tri-colour flag of the JFM was hung on all major streets and a carnival of events was launched. The JFM was a central piece of this celebration of its “birthday”, and the day became the occasion when route-marches were held by the Security Services, fiery revolutionary lectures were delivered, and glamourised versions of the events of 4th June, 1979, were recounted. Nugent observes that by 1986, the “revolutionary banner” had become an illusion even though the leadership tolerated the behaviour of the cadres who were inclined to behave as if the revolution was still on-going.⁵⁹

7.7.7 OTHER YOUTH GROUPS

7.7.7.1 Early into the rule of the PNDC, several youth groups made their presence felt by issuing messages of support. Whilst the Akropong Youth Association urged the PNDC to nationalize all lands,⁶⁰ the Dagomba Youth Association thanked the PNDC for releasing some of the Ministers from custody, and indicated that that act had demonstrated the good intentions of the PNDC.⁶¹

7.7.7.2 A decision was later taken to establish a National Youth Organising Commission (NYOC) to replace the National Youth Council following a two-day seminar on the youth, that was organized at the University of Ghana. A 15-member Commission made up of individuals as well as representatives of some youth groups was appointed to help organize the youth. The individuals were Dr. Kwesi Botchwey, Kwesi Pratt (Jnr), Shaibu Ahmed Gariba, Ms Belinda Agoe, Ms Cynthia Nuamah and Obliteyfiio Akwettey, President of NUGS. The other nine who were not named, were to be representatives of

⁵⁹ Paul Nugent, *Big Men, Small Boys and Politics in Ghana. Power, Ideology and the Burden of History*, 1982-1984 Asempa Publishers, Christian Council of Ghana, Accra, 1996, p.157.

⁶⁰ *Daily Graphic*, Vol.9702 Tuesday, 12th January, 1982, back page.

⁶¹ *Daily Graphic*, Vol.9706 Saturday, 16th January, 1982, p.5.

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the then nine regions⁶². Kwesi Pratt (Jnr) was the first elected Secretary of the NYOC and the task was to form a mass youth movement on the lines of the GYP. However, the objective was not achieved, and many of its leaders left it to take up other responsibilities such as the Finance and Economic portfolio for the Chairman, etc.

7.7.7.3 The Democratic Youth League of Ghana (DYLG) was a “mass youth movement” that was launched in Accra on 19th November, 1982.⁶³ Its first major statement was to criticize the students of the universities who had begun to oppose the government on some of its anti-student policies.⁶⁴ However, it does not appear to have achieved any purpose and was never a major player on the political field.

7.7.8 BOY SCOUTS ASSOCIATION AND GIRL GUIDES ASSOCIATION

7.7.8.1 In 1982, the Boy Scouts entered into public life again, perhaps in answer to the call for mass mobilization for national development. In September, 1982, the Scouts held a meeting at Baden Powell Hall in Accra to discuss how to mobilise the youth to play vanguard roles in national reconstruction. Consequent upon these deliberations, the Scouts set up a committee to enable the association play a vanguard role in national reconstruction.⁶⁵

7.7.8.2 Despite the stated objects of the association, Scouts joined the revolutionary organs in activities of law-enforcement. Without proper authority, they began to enforce curfew regulations and to engage in acts of vigilantism. In rural communities, they were accused of harassing traders and were involved in the policing of curfew-compliance, the enforcement of price controls leading to the locking out of women from markets,⁶⁶ whipping of market women, and enforcement of sanitation laws of district authorities. At the Border areas, they joined in border patrols to help check anti-smuggling activities. Indeed, some saw themselves as, and acted the part of, a uniformed branch of the PDCs and Students and Youth Task Force.

7.7.8.3 In consequence of the complaints engendered by these acts of vigilantism, a one-day seminar was organized for them by the Military authorities at Ho, under the theme “The role of Scouts and Girl Guides in the Revolution”.⁶⁷ The seminar, reported to have attracted over 400 members of the associations, was intended to educate the membership of the associations to respect the human rights of the citizenry even though they were expected to assist in exposing economic saboteurs.

⁶² *Daily Graphic*, Vol. 9751 Wednesday, 10th March, 1982, p.5.

⁶³ *Daily Graphic*, Vol. 9965, Saturday, 20th November, 1982, p.1.

⁶⁴ *Daily Graphic*, Vol 9989, Saturday, 18th December, 1982, p.5.

⁶⁵ *Daily Graphic*, Vol. 9900 Monday, 4th September, 1982, p.5.

⁶⁶ Takyiwaa Manuh, “Women, the State and Society under the PNDC” in *Ghana Under PNDC Rule*, E. Gyimah-Boadi (ed) CODESRIA BOOK SERIES, 1993, p.176 at p.181.

⁶⁷ *Ghanaian Times*, vol. 7,713, Monday, 11th October, 1982, p.3.

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7.7.8.4 The acts of vigilantism brought the Scouts into conflict with the communities in which they operated. In 1983, an alleged smuggler was killed because he allegedly threatened a Scout on border patrol with a knife.⁶⁸

7.7.8.5 It is uncertain how long this para-military posture of the association was maintained, but what is certain is that, in the communities in which they operated, the Scouts lost their image as a friendly civil society organization.

7.8 CONCLUSION

7.8.1 No youth movement has ever been given the place and prominence that the GYP enjoyed in its heyday. The National Youth Council was revived, and in 1967, it regained its seat on the International Youth Council lost in 1961, as a result of the formation of the GYP as the sole organization for young people. Every government found it imperative to organize the youth, particularly the out-of-school youth and those without employable skills. Other political interests found the idealism of the youth a fertile ground on which to sow ideas of societal change. As the post-Independence population increased, the significance of the youth in national politics became more and more obvious.

7.8.2 The Youth Associations that were born out of the 4th June, 1979 Uprising, brought together young people with energy and drive, who defended the idea to which they had given their support. They were behind many of the human rights violations and abuses that occurred, as, in their youthful exuberance, they urged “revolutionary” punitive measures against “enemies of the revolution”. They competed for control over power at the national level, with deadly consequences for some of its members.

7.8.3 Other youth groups that were meant to provide moral training for young people, such as the Boy Scouts, corrupted their mission and perverted their existence by joining in activities that resulted in the perpetration of human rights abuses on the communities in which they operated, particularly against women traders.

⁶⁸ *Ghanaian Times* vol. 7,791 Thursday, 13th January, 1983, back page.

CHAPTER EIGHT

THE ROLE OF CHIEFS - COMPLICITY OR RESISTANCE TO HUMAN RIGHTS ABUSES FROM 6TH MARCH, 1957 -- 6TH JANUARY, 1993

8.0 Introduction

8.0.1 This chapter deals with the role that chiefs have played in the political history of Ghana between the period 6th March, 1957, and 6th January, 1993. The assessment of the role of chiefs is done with specific reference to their efforts in the protection or otherwise, of human rights. One fact that became obvious from the work of the Commission was that, the chiefs themselves were often victims of human rights abuses, and that the chieftaincy institution suffered human rights abuses more than any other institutions, during the mandate period.

8.0.2 Land ownership in Ghana since colonial days has been in the hands of families, clans, and traditional rulers or chiefs. The latter's position on land ownership supersedes the rest in most Ghanaian societies. The chiefs were seen as holding economic power, controlling, as they claimed to do, access to land and the people who worked on the lands, as well as what could be grown on it, dug out of it, and the labour to do all these works¹. By and large, not until the establishment of the 1992 constitution, all lands in the Northern, Upper East and Upper West Regions of Ghana were vested in the Government of Ghana. On the other hand, from Brong-Ahafo Region down to the coastal regions of Ghana, lands are in the hands of families, clans and traditional rulers.

8.0.3 Those in charge of these lands usually release them to individuals who want to invest on the land and in return these people pay royalties or some kind of compensation or rent. One could obtain a parcel of land for a project by lease or outright purchase from the land owners. However, the acquisition of land and its management is bedevilled with a myriad of problems, ranging from double sale of a parcel of land; improper documentation, encroachment by unauthorised individuals or groups or families; litigations and disputes. Along side these, most lands compulsorily acquired by government; and its agencies, little or no compensation has been paid to the owners of these lands. Where compensation has been paid, the land has been left

¹ See Richard Rathbone, op cit.

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unattended to for so many years, allowing all kinds of peoples, individuals and families to claim ownership.²

8.1 Pre-Independence

8.1.1 In modern times whatever role chiefs have played in the governance of Ghana, has depended very much on the attitude of the nation to the chieftaincy institution. In Ghana, the interference in the exercise of powers by chiefs formally began with the signing of the Bond of 1844, under which some chiefs claimed protection from the British and agreed to respect British authority in respect of the adjudication of specified crimes. As Kumado put it, “the British convinced themselves with the cumulative effect of the treaties like the bond and the various Annexation and Protection Orders in the Council to mean that they have vested in them, the power to administer the areas”.³

8.1.2 One major legislation that created some kind of uncertainty with regards to some of the powers of the chiefs, was the introduction of the Supreme Court Ordinance of 1876 and Native Jurisdiction Ordinance of 1878⁴. These laws facilitated and regulated certain powers and jurisdiction of the chiefs and more so the power to dismiss chiefs, but with prior approval from London⁵. In 1883, the 1878 Ordinance was repealed, after some chiefs had protested.⁶

8.1.3 In 1904, the Chiefs’ Ordinance was passed, and this provided a situation whereby chiefs could apply to the Governor for the confirmation of their election and installation.⁷ The confirmation by the governor determined the lawfulness of the applicant’s status as chief in his traditional area and the colony. As Kumado observed, “by 1910 the central government had, through legislation, weakened the authority of the chiefs, by making their position dependent both in law and on central government prop”.⁸

8.1.4 As the process of colonisation crystallised, the chiefs gradually lost their judicial and military roles, since the defence of the territory became the prerogative of the colonial government. In addition, more and more disputes were adjudicated upon in courts set up by the colonial government as the authority of the chiefs’ courts was pared down by legislation. By the time the colonial government introduced Indirect Rule as a formal administrative policy in the Gold Coast in the early part of the twentieth century, the subjugation of the chiefs to British authority had become complete and the political and judicial roles of the chiefs had become circumscribed.

²³ CEK Kumado, “Chieftaincy and the Law in Modern Ghana”, (1993-95) , Vol XIX, pg.197.⁴ Kimble David, *A Political History of Ghana 1850-1928*, Claredon Press, Oxford ,1963, p.460.⁵ Kimble, *ibid*.⁶ Kimble , *ibid*.⁷ The Chiefs’ Ordinance No 4 of 1904, Cap 21 1 Laws of the Gold Coast 1928, p 151.⁸ See CEK Kumado, *op.cit*, *supra*.

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8.1.5 The history of Ghana is replete with cases, in which several courageous chiefs stood up to colonial governors and challenged their authority. In 1866, for instance, King Aggrey of Cape Coast refused to recognize the authority of the Governor of Cape Coast Castle beyond the bounds prescribed by the Bond of 1844. King Aggrey considered himself to be the lawful enthroned King of Cape Coast, for which reason the Governor had no right to set limits to his powers as king, and to set free, persons he himself had tried and imprisoned. The dispute between the King and the Governor led to the dethronement and exile of the King to Sierra Leone⁹.

8.1.6 Some chiefs attained prominence within the colonial administration of Sir Hugh Clifford and Sir Gordon Guggisberg as Governors. Chiefs, such as Nana Sir Ofori Atta I, Nene Sir Azu Mate Kole, Togbi Sri and Nana Sir Tsibu Darko even served as members of the Legislative and Executive Council in the Gold Coast¹⁰. The Guggisberg Constitution of 1925 introduced the Provincial Council of Chiefs. Through this council, the chiefs of Gold Coast had the opportunity to participate in government at the highest possible level as it was the first organised group to be consulted by government on major issues¹¹.

8.1.7 The struggle against the colonial government as to whether it had the authority to interfere in the chieftaincy institution continued well into the twentieth century and those chiefs who maintained their opposition to the colonial government were marginalized.

8.1.8 The picture was somehow different in the northern part of Ghana. In the Northern Territories, even though kingdoms existed, their political authority had been weakened on account of the activities of the slave raiders, before the impact of colonialism and formal politics in Ghana was felt. Treaties concluded with the British government were signed during the closing years of the 19th century bringing those areas under the protection of the British Government.

8.1.9 By 1911, Northern Ghana had been subdued by the British with the use of the Gold Coast Police Force. Having consolidated their control of the area, the British decided to involve chiefs in their administration just as they did with the chiefs in Southern Ghana. At that time, Northern Ghana had two categories of political groups – the acephalous and the centralized groups. The acephalous political groups lacked a centralized authority and machinery of governance, whilst the centralized political groups had chiefs. On account of possessing more identifiable political authorities, the authorities of the centralised groups were easier to locate and appoint as agents of the colonial government, than were those of the acephalous groups where the exercise of political authority was more diffuse in nature of political authority.

⁹ See Kofi Baku, “Chieftaincy in Historical Perspective”, in *Chieftaincy, Traditional Leadership and Development in Africa*. Preliminary Edition of Lecturers’ Notes, African Studies Courses AFST231-2001.

¹⁰ See Kofi Baku op cit.

¹¹ see Kofi Baku op cit.

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8.1.10 The weakness inherent in the absence of a centralised authority was further accentuated by slave-raiding activities of Samori and Babatu. Even in the centralised states, the slave raiding activities contributed to undermine the authority of the chiefs, but the effects were worse on the acephalous groups. A further significant factor was the incidence of intra-state and inter-state wars in the late 19th century. The result of all these factors that weakened the chiefdoms was that chiefs were unable to control the people who were supposed to be their subjects. This situation was even worse for the non-centralized groups. Once they had no institution around which to rally, the British took advantage and created new political organisations with the chiefs of the centralised communities as heads. The introduction of indirect rule in the northern part of Ghana empowered some chiefs to be political authorities, and brought whole areas under their control. This was done by putting smaller and independent chiefs under bigger ones and then creating paramountcies out of the bigger polities. Consequently chiefs, who were previously autonomous were forced to come under these paramount chiefs. Prominent among such Paramount Chiefs were the Nayiri of the Mamprusi, Ya Na of the Dagomba, the Yagbumwura of the Gonja, the Wa Na of the Wala, and the Krachi Wura of the Krachi.¹²

8.1.11 The British Government empowered the chiefs to exercise their authority within the new political organisation. They also had to create chiefs in the acephalous areas that had no chiefs. State power was put at the disposal of the new paramountcies and new chiefs used State power to suppress all resistance from new subjects. Consequently, the foundation on which the chief's power rested in the northern part of Ghana was in the hands of the "white man." With the outbreak of the First World War, and the withdrawal of colonial officials for service outside their stations, the weaknesses in the new system began to show, as the chiefs became vulnerable in the absence of colonial support.

8.1.12 As a result of these developments, a fundamental contradiction in local administrative policy in Northern Ghana became evident. The chiefs had become agents of colonial rule, many, with little or no claim to traditional authority, or to the status of chiefs, and were thus completely dependent on the colonial administration. This situation made them vulnerable to manipulation by the colonial government.

8.1.13 When partisan politics became prominent in Northern Ghana in 1954, the two main political parties, Convention People's Party (CPP) and the Northern Peoples' Party (NPP) began to court the support of the chiefs. The parties realized that they could not make any progress among the people, who were still under the effective control of their chiefs. During the 1954 and 1956 Elections, the NPP was regarded as the party of chiefs and the CPP was seen as being anti-chief. In the 1956 elections, the CPP recognised the necessity to find and field candidates with chiefly backgrounds in order to make an impact. Though the two parties courted the support of chiefs, the

¹² N.J.K. Brukum, "Chiefs, Colonial Policy and Politics in Northern Ghana, 1897-1956", in *Transactions of the Historical Society of Ghana* New Series, No 3 University of Ghana, Legon 1999.

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NPP had more support from the chiefs and this showed in the massive support that the NPP enjoyed. It thus became imperative for politicians, who wanted votes in Northern Territories, to court and win the support of chiefs first. This phenomenon has remained in Ghana's political life till the present time.

8.2 Chiefs And Land**8.2.1 Pre-Independence To 1957**

8.2.1.1 The British Colonialist was reticent and even more cautious when it came to regulating Gold Coast's (now Ghana) economic resource, land. There were many discussions about the importance of land reforms, but no such reforms were ever to take place. So far as the vast majority of Ghanaians were concerned, land allocation mostly in the form of confiscation, taxation and rights were matters controlled by chiefs and their council.

8.2.1.2 The British then passed the Native Jurisdiction Ordinance (NJO) in 1883, which entrenched them in Southern Ghana and reduced the traditional rulers and their people from the status of protégés to that of subjects of the British¹³. The Ordinance also set up democratic local councils, which took over certain lands in the Colony (the south) and in the Ashanti Region onto their care. As a result, the chiefs lost control of what were traditionally stool lands, and even if the general ownership of those lands remained vested in the stools and hence, the communities which owed allegiance to those stools¹⁴.

8.2.1.3 In 1900, the Concessions Ordinance was enacted to regulate the granting of concessions for the exploitation of timber and mineral resources¹⁵. The law was made to certify as valid a concession, granted by the persons having authority to do so and which protect the customary rights of the people living in the area. The concession rent was to be paid to a treasurer appointed by the Governor and distributed to the entitled individuals.¹⁶ It thus meant that, the revenue from these lands, derived from local taxes on farmers, land and concession sales as well as from royalties on timber from the forest and minerals, which was the ancient basis of chiefly inheritance, was to be collected by the newly created local councils, as one element of local revenue. Chiefs were no longer at liberty to alienate stool lands without the assent of local councils.

8.2.1.4 From these reforms, the revenue accruing from stool lands and from native courts went directly to the treasuries of local councils, and they appropriated the

¹³ Boahen, A A , Ghana: *Evolution and Growth in the 19th and 20th Centuries*, London, Longman, 1975, p.60.

¹⁴ See Richard Rathbone, op cit.

¹⁵ Ordinance No 14 of 1900 as amended, Cap.27. Laws of the Gold Coast Colony 1928, p 260.

¹⁶ Ibid Sections 12 14 and 32.

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annual grants to chiefs for their administration and for the maintenance of their retinues.

8.2.1.5 Although the NJO met with the resistance and protests from chiefs, it was the protest over land that was to channel all such dissidents into a single protest movement in the late 1890s, led by the Aborigines' Rights Protection Society (ARPS). The ARPS protest against the Land Bills of 1894-1897, centred on the contention that there was no waste land or public land which could justifiably be taken over by the government; and secondly the claim that the bill would reduce all the chiefs to mere squatters and lead to the abrogation of their ancestral rights.¹⁷ In view of this, the ARPS appeared to be right to assist the chiefs, and successfully, they protested against the Land Bills that would have vested all vacant lands in the Crown. From then on to the late 1950s, governments have invigorated their effort to acquire lands through series of legislations

8.3.0 Post-Independence Governments

8.3.1 Like the colonial governments before them, post-colonial governments of Ghana also recognised the importance of chiefs in the mobilization of their subjects. The post-colonial governments, however, sought through legislation to control the chieftaincy institution and the personalities that occupied those offices. Post-Independence governments made development projects dependent on loyalty to government. Chiefs were in effect, forced to do the will of government in order to attract development projects to their traditional area, otherwise, the chiefs risked facing the displeasure of their subjects for the absence of such projects.

**8.4. 6TH MARCH, 1957 -- 23RD FEBRUARY, 1966:
CONVENTION PEOPLE'S PARTY**

8.4.1 Nkrumah And The Chiefs

8.4.1.1 One scholar has said: "Dr. Kwame Nkrumah rode partly on the back of discontent against chiefs to gain political victory in 1951 and subsequently through all pre-independence elections until independence was attained in 1957". This discontent of Dr. Nkrumah and his followers was directed against chiefs, because they were perceived as "agents of the colonial government."¹⁸ Nana Ofori Atta II observed that in victory, and after independence, Dr. Nkrumah and his supporters waged war against chiefs, and in some instances, he openly taunted chiefs saying that those of them who refused to conform and would not do business with the CPP Government "would run away and leave their sandals behind."¹⁹

¹⁷ A A Boahen, *Ghana: Evolution and Growth in the 19th and 20th Centuries*, Longman, London, 1975, p.62.

¹⁸ See Kofi Baku, *supra*.

¹⁹ *Ibid*.

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8.4.1.2 The CPP Government realized the need to take a firmer control over the chieftaincy institution. It therefore devised a way of ensuring that only people whose support it could count on, could become chiefs. The first Chieftaincy Act of the Parliament of Ghana, the Chieftaincy Act, 1961 (Act 81), stipulated that government recognition was required to validate the enstoolment/enskinment and destoolment/deskinment of chiefs. The clear result of this was that persons who did not support the government were never given the necessary recognition, notwithstanding the fact that they had been customarily nominated, selected and enstooled/enskinned as chiefs. This Act thus compelled loyalty of those chiefs who did not wish to fall foul of government and excluded from office, those who did not support the government.²⁰

8.4.1.3 By operation of Act 81, the Government of Dr. Nkrumah was able to give recognition to supporters and sympathisers, while it removed from office those chiefs, who identified themselves with the opposition. In the Ashanti Region where the CPP had the biggest opposition, it was reported that the Government considered the position of 27 chiefs, who were to be officially recognised through a publication in the *Government Gazette*.²¹ In a similar situation, the government withdrew its recognition of the Okyenhene, Nana Ofori Atta II, Chief of Akyem Abuakwa. This was on the grounds that the Okyenhene was a staunch supporter of the National Liberation Movement (NLM)²², which was then the opposition party. In fact, in August of 1958, the Okyenhene was destooled. A *Ghana Gazette* notice declared the Okyenhene, Nana Ofori Atta II, as destooled with effect from June 13, 1958²³. Following the report in the *Daily Graphic*, Nana Ofori Atta II was evicted from his palace²⁴.

8.4.1.4 Soon after independence, the government mounted an assault on some of the structures through which the chiefs were exercising power under colonial rule. Dr. Nkrumah was reported to have said: “The Chiefs’ Regional Officers had had their day.” He further claimed, that the chiefs “often found themselves in the difficult

²⁰ The Chieftaincy Act (Act 81) of the 1961 gave power to the executive to grant recognition to chiefs. Section 1 of the Act provided: A chief is an individual who
has been nominated, elected and installed as a chief in accordance with customary law, and

(a) recognised as a chief by the Minister.

The section went on that: (2) The Minister may by executive instrument at anytime withdraw recognition from a chief, if (a) the chiefs have been destooled and his appeal against the destoolment has been dismissed or the period allowed for appealing has elapsed without an appeal having been brought or

(b) the Minister considers it to be in the interest to withdraw recognition.

²¹ *Daily Graphic*, Vol.2,082 Monday, 3rd June 1957, p12.

²² *Daily Graphic*, Vol. 2,200 Thursday, 17th October, 1957, p1.

²³ *Daily Graphic*, Vol. 2452 Monday, 11th August, 1958, p1.

²⁴ *Daily Graphic*, Vol.2,491 Thursday, 25th September, 1958, p1.

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position as Civil Servants endeavouring to carry out duties which are really appropriate to a member of government.... it is therefore necessary to abolish the posts of Chiefs Regional Officers.”²⁵ In a memorandum dated 2nd April, 1957, to the Cabinet, Dr. Nkrumah decided to have in each region, political representatives of the government and as Chief Executive Officers of the government.²⁶ This immediately deprived the chiefs of revenue that was going to them for the administration of those offices.

8.4.1.5 The role of chiefs came under attack when it was announced that they were going to be restricted to their “local administrative duties.” The Joint Provincial Council, which was then the mouthpiece of the chiefs, formally disapproved of the impending change, and as a result, sent a letter to the then Minister of Local Government. A portion of this letter described the planned change as “an insidious attempt on the part of government to subvert the office of the heads of the regions and place them under an effective control of party interest.”²⁷ The policy pursued by Dr. Nkrumah’s Government was one that tended to treat chiefs with disdain, and this was particularly directed towards chiefs, who either opposed or attempted to oppose government. In the infamous statement that “the chiefs would run away and leave their sandals behind” if they continued to oppose his government, Dr. Nkrumah showed that he meant to get tough with chiefs who were supporting the opposition. The chiefs realised that soon after Independence they had to ensure their own survival. It was reported that the then Ga Mantse, Nii Tackie Kome II, on behalf of the Joint Provincial Council of chiefs, submitted a 29-point memorandum to the government on the “role of chiefs in self-governing Ghana”.²⁸ Earlier on, the council had forwarded a 21-point resolution of protest to the government after meeting at Dodowa in reaction to the government’s plans to appoint or create Regional and District Political Commissioners, to take charge of government programmes. According to the resolution, the government’s decision regarding these appointments was to be regarded as acting “ultra vires.”²⁹ The chiefs viewed the imposition of district political authorities over them as an attempt by the government to usurp their power over these district authorities.

8.4.1.6 The creation of Regional Commissioners led to the reduction of financial aid from central funds to traditional authorities. Subsequently, the then Minister of Local Government, Mr. Kofi Baako was alleged to have made some remarks at Kade saying: “We are only accountable to God and the people and not to those who continue to classify themselves as occupants of this stool or that stool.”³⁰ The chiefs perceived this pronouncement as an indication of the CPP Government’s intention to sideline the chieftaincy institution.³¹ Mr. Kofi Baako was also reported to have said, “A chief is a

²⁵ See Richard Rathbone, *Nkrumah and the Chiefs*, Accra, Athens, Oxford. 2000.

²⁶ NAG ADM 13/2/37.

²⁷ *Daily Graphic*, no. 2,090, Wednesday, 12th June, 1957.

²⁸ *Daily Graphic*, no. 2,523 Saturday, 1st November 1, 1958, p.3.

²⁹ *Daily Graphic*, no. 2,090 Wednesday 12th June 1957, p.7.

³⁰ *Daily Graphic*, no. 2,141, Friday, 9th August 1957, p.16.

³¹ See Richard Rathbone, op. cit.

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chief, because the government recognised him as such.”³² Sensing danger, the chiefs met on 18th October, 1957, to discuss the position of chiefs in the country.³³ The then President of the Joint Provincial Council, Nene Annorkwei II, lamented that the future looked bleak for the chiefs. Subsequently, the chiefs held discussion with the Prime Minister, Dr. Nkrumah, at his office,³⁴ on a number of issues, concerning the chiefs and the withdrawal of recognition by the government from the Okyenhene.

8.4.1.7 In view of this development, some chiefs saw that continuing to oppose the government was a risk. The majority of the chiefs therefore, began to succumb to or soften their stand when it came to dealing with the CPP Government. The impact of all of this upon vulnerable chiefs was predictable. Many chiefs began their courtship with the CPP Government. For instance, on 29th October, 1957, the Omanhene of Abura, speaking at an emergency meeting of the Abura State Council, decided that it was now his “civic duty to support the government in power.”³⁵ Following this, the Omanhene of Assin Attandansu, Nana Tsibu Asare X, also said, “it is my duty to support the government in power.”³⁶ Since these developments many chiefs have felt obliged not to be critical of the government on issues considered to be political.

8.4.1.8 It could be said therefore, that the situation in Ghana during the administration of the First Republic, was one in which chiefs could not fight against the human rights violations that were perpetrated by the government. Some chiefs were, in fact, themselves victims of human rights abuse, under the recognition clause of Act 81 and the Preventive Detention Act, 1958.

8.4.1.9 In order to streamline the institution of chieftaincy, the CPP Government set up the National House of Chiefs in November, 1958, by an Act of Parliament. This national body replaced the territorial assemblies of chiefs namely, the Asanteman Council, the Joint Provincial Council, and the Northern Territories Council. The first President of the National House of Chiefs was Nana Kwafo Akoto III, who was then the Omanhene of Akwamu Traditional Area. In his maiden address, he admonished all chiefs to refrain from politics, and cooperate with the government³⁷. The Omanhene of Western Nzema, Nana Amakye III, described those who opposed the Prime Minister, Dr. Nkrumah and his CPP as no more than “tittle-tattle.”³⁸ The term “doing politics” became a phrase synonymous with expressing opposition to government policy, whilst expressing support for the government was viewed as responsible leadership.

8.4.1.10 These changes in attitude were precipitated by the fear of the government’s power to recognize and/or withdraw its recognition of a particular chief. Throughout

³² *Daily Graphic* no. 2,143, Monday, 12th August 1957, p.12.

³³ *Ashanti Pioneer*, no.5598, Friday, 18th October 1957, p.1.

³⁴ *Ashanti Pioneer*, no. 5,599, Saturday, 19th October 19,1957.

³⁵ See Richard Rathbone, op. cit.

³⁶ See Richard Rathbone, op. cit.

³⁷ *Daily Graphic*, no. 2526 Wednesday, 5th November, 1958, p.3.

³⁸ *Daily Graphic*, no. 2542 Monday, 26th November, 1957, p.5.

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Dr. Nkrumah's era, rumour persisted that chieftaincy would be abolished, and this went a long way to cause many chiefs to sway allegiance and focus their interest on the CPP Government. Chiefs who were regarded as "good boys" were promoted to the status of paramountcy. In like manner, some sub-chiefs were also made paramount chiefs, thus making them equal in status to their traditional overlords.

8.4.1.11 The carving out of Brong-Ahafo Region from Ashanti for administrative purposes without affecting customary allegiances, also created a situation where chiefs in the Brong Ahafo Regional House of Chiefs owed allegiance to Asantehene in Ashanti Region, thus creating split loyalties. This has left a legacy of conflict within that Region.

8.4.11. 12 It could be said that Dr. Nkrumah and the CPP dealt a heavier blow to chiefs and chieftaincy by the introduction of Regional Political Representatives, Reduction of funds, the recognition clause, and the introduction of Preventive Detention Act, than any acts of the colonial government. The only way for the chiefs to survive was for them to openly support the government in power or to keep silent, even in the face of human rights abuses and violations.

8.5 24TH FEBRUARY, 1966 – 30TH SEPTEMBER, 1969 NATIONAL LIBERATION COUNCIL (NLC)

8.5.1 Chieftaincy And NLC

8.5.1.1 The treatment meted out to chiefs during the Nkrumah regime was to focus the attention of Ghanaians on the proper role that must be assigned to the chiefs in our society when the regime was overthrown in 1966³⁹. Legislation was passed by the NLC Government, ostensibly to correct the problems afflicting the chieftaincy institution. The NLC therefore promulgated the Chieftaincy (Amendment) Decree, 1966 (NLCD 112), Chieftaincy Decree, 1967 (NLCD 136), Chieftaincy Decree, 1967 (NLCD 203), and Chieftaincy Decree, 1968 (NLCD 287).

8.5.1.2 In passing these Decrees, it was hoped that the chieftaincy institution would be healed of the abuses committed against it by the CPP Government. In other words, the aim was to restore tradition to its correct and respectable place. Under these Decrees, people who had become chiefs, apparently because they were party faithfuls were removed; and those who had been raised were also to be reverted to their former positions. A newspaper report categorically stated: "All chiefs who were elevated to the status of paramount chiefs during the Nkrumah's regime were to be restored to their original status by the N.L.C Decree."⁴⁰ The newspaper report went further to state that all those who were enstooled/enskinning in place of non-CPP chiefs were also

³⁹ See Kumado, op cit.

⁴⁰ *Daily Graphic*, vol. 5,031 Thursday, 1st December, 1966, p.1.

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to lose government recognition. In the report, it was stated that the NLC could not rectify illegal acts of removal with proper judicial process that was why recognition was to be withdrawn from all chiefs, who were made chiefs in place of those removed without proper judicial process. Subsequently, there was another newspaper publication, which carried the caption: “133 Nkrumah Chiefs sacked.”⁴¹ The report stated that the NLC had withdrawn recognition from 133 persons who were made chiefs by the Nkrumah regime in place of those who were lawfully and customarily elected by their people and were opposed to the previous government. The newspaper also carried the list of sacked and demoted chiefs as provided under the Second Schedule of NLCD 112.⁴² The regional breakdown was as follows:

- Eastern Region - 42;
- Central Region - 3;
- Western Region - 1;
- Ashanti – 35;
- Brong Ahafo – 18;
- Northern – 1;
- Upper Region – 25; and
- Volta - 9.

8.5.1.3 The Decree was not without its own difficulties. According to Kumado:

the Schedule to the Decree which was to effect the NLC policy made the Kukuom (located in the Brong Ahafo Region) chief, a sub-chief to the Asantehene. But the chief refused and he was prosecuted. The Kukuom chief argued that by custom, he was independent chief of the Asantehene and therefore refused to pay customary allegiance to him. The battle between the customary constitutional position as it was claimed under the Kukuom Constitution and Statutory scheme of things contained in NLCD 112, was resolved interestingly in favour of the Kukuom Constitution.⁴³

8.5.1.4 Some chiefs and traditional councils in the country joined in the public condemnation of the wrong done by the deposed CPP Government. These condemnations were largely done through newspapers, of which one of the captions read: “Chiefs back the big revolution.” This particular quote is attributed to the Eastern Regional House of Chiefs, during an emergency meeting of the House, held at Dodowa. At this same meeting the Eastern Regional House of Chiefs also expressed its profound gratitude to the Ghana Armed Forces and the Police for delivering Ghana from the tyrannical rule of Dr. Nkrumah and his henchmen. Nana Kwafo Akoto III, then the Omanhene of the Akwamu Traditional Area and the President of the House, said chiefs had been deprived of their resources and subjected to indignities, which were shameful to recount. He said that chieftaincy, which was entrenched in the Constitution of Ghana, was actually being abrogated step by step. Recounting the

⁴¹ *Daily Graphic*, vol. 5,035 Tuesday, 6th December, 1966, p.1.

⁴² *Daily Graphic*, no. 5,035, Tuesday, 6th December, 1966, pp. 6-7.

⁴³ See CEK Kumado, *supra*.

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numerous hardships chiefs had experienced under Dr. Nkrumah, Nana Akoto said that after Dr. Nkrumah had come to power, he amended the Constitution, removed heads of regions and replaced them with Regional Commissioners. He further complained that laws were made to take over proceeds on stool lands and this rendered the chiefs very poor; and chiefs who spoke against these actions of the CPP Government were threatened with removal and detention. Subsequently, the House passed a resolution pledging its wholehearted support to the NLC.⁴⁴

8.5.1.5 The Ashanti Regional House of Chiefs on its part, sent a congratulatory message to the NLC for appointing various Commissions of Enquiry to look into the malpractices of the deposed regime of Dr. Nkrumah. The Asantehene, Otumfuo Sir Osei Agyeman Prempeh II, declared the wholehearted support of the Ashanti Regional House of Chiefs for the overthrow of Dr. Nkrumah and his regime.⁴⁵ This stance of the Asantehene also revealed that he had to sacrifice his linguist, Baffour Osei Akoto, to save the Ashanti Kingdom from being destroyed by Dr. Nkrumah and his CPP Government.⁴⁶ According to the Asantehene, Dr. Nkrumah threatened to put him in detention if he failed to renounce Baffour Akoto. In view of this, he had no alternative, but to give up Akoto to save the Ashanti nation from destruction, because Dr. Nkrumah had the power to destroy the Ashanti nation.

8.5.1.6 All over the country, chiefs expressed their support for the overthrow of the CPP Government. In the Volta Region, Togbe Adedza II, Awomefia of Anlo, who was also then President of the Volta Regional House of Chiefs was reported to have led about eight thousand jubilant supporters, including chiefs, to a mock burial of two officials of the deposed CPP Government.⁴⁷ Nana Kwaku Kwaah II, Omanhene of the Atebubu Traditional Area and the President of Brong Ahafo Regional House of Chiefs, on behalf of his people congratulated the NLC Regime. The Omanhene, together with the chiefs and people of Brong Ahafo pledged their total co-operation and full support for the efforts being made by the NLC Government to restore to Ghana, true liberty and democratic freedom.⁴⁸ In addition, the Brong Ahafo Regional House of Chiefs sent a 26-point petition, which was signed by twelve paramount chiefs of the House to the NLC Government to allow the Brong Ahafo Region to continue to remain autonomous. The Chiefs supported the NLC because they believed the NLC Government was the surest means to retain the dignity of chiefs and preserve the chieftaincy institution. In the petition, were allegations that Brong Ahafo Region had been neglected in the award of scholarships and in the provision of development projects. They also complained that paramount chiefs had been placed under sub-chiefs in Ashanti.⁴⁹

⁴⁴ *Daily Graphic*, no. 4,809 Wednesday, 16th March, 1966, pp. 3, 6-7.

⁴⁵ *Daily Graphic*, no. 4,810 Thursday, 17th March, 1966, pp.1&3.

⁴⁶ *Daily Graphic*, no. 5,005 Tuesday, 1st November, 1966, p.1.

⁴⁷ *Daily Graphic*, no. 4,807 Monday 14th March, 1966, p.1.

⁴⁸ *Daily Graphic*, no. 4,992 Thursday 24th February, 1966, p.1.

⁴⁹ *Daily Graphic*, no. 5,062 Monday, 9th January, 1967, p.3.

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8.5.1.7 The chiefs and people of the Ga Traditional Area, in a message signed by the Ga Mantse and President of the Ga Traditional Area, Nii Amugi II, pledged that they would do everything possible to assist the NLC to right the wrongs, which the former government had for fifteen years, inflicted on the people of Ghana.⁵⁰

8.5.1.8 The views expressed by these traditional councils, showed that they wholeheartedly supported the NLC Regime. There was thus no room for them to criticize the undemocratic means by which the NLC Government had taken over power from a constitutional government. Indeed, most of the reports criticized the previous CPP Government and not the existing government of the NLC. The negative feelings the chiefs had towards the CPP made it impossible for them to even condemn detentions without trial in the form of protective custody as well as the ill treatment that CPP activists suffered at the hands of the Government of the NLC.

8.5.1.9 This support also manifested itself in the condemnation that greeted the coup attempt of 17th April, 1967, in which Lt Gen Emmanuel Kwasi Kotoka was killed. After the failed coup attempt, several newspaper publications and reports showed that the chiefs were in full support of the NLC Government. Some chiefs called for action to be taken against all persons, be they military or civilian, who were involved in the coup act against the NLC. To this end, the Eastern Regional House of Chiefs sent a three-point resolution to the NLC, through Nana Kwafo Akoto III, the Akwamuhene.⁵¹ Several traditional councils and chiefs in the country also made donations to the NLC and signed the Book of Condolence. Among such chiefs were, Nana Akuamoah Acheampong, Omanhene of Kwahu Traditional Area,⁵² and Nana Ofori Atta II, Omanhene of Akyem Abuakwa.⁵³ The Chief of Juaben also donated cash to Kotoka's family,⁵⁴ and when the Asantehene went to the Christianborg Castle to express his condolences upon the death of Lt Gen Kotoka, he made a cash donation to the NLC.⁵⁵

8.5.1.10 Although the NLC had pledged not to meddle in chieftaincy affairs, it however got involved in the Yendi Skin Affairs. In November, 1968, the NLC supervised the enskinment of Mion-Lana as Ya-Na Andani III. This move of the NLC was approved and supported by the District and Regional Administration, and by local units of the Army and Police.⁵⁶ The Abudulai family, however, protested against this to the NLC Government, and a committee was appointed under the chairmanship of Nene Azu Mate Kole, Konor of Manya Krobo to investigate the Yendi Skin affairs. The terms of reference for the committee was for it to ascertain the customary procedure for the selection and installation of a Ya Na, and also to determine if Ya-Na Andani III had been properly selected and installed or not. The committee was also to

⁵⁰ *Daily Graphic*, no. 4,996, Tuesday, 1st March, 1966, p.1.

⁵¹ *Ghanaian Times*, no. 2,743 Saturday, 26th January, 1967 p.3

⁵² *Daily Graphic*, no. 5,134 Tuesday, 4th April, 1967 p.4.

⁵³ *Daily Graphic*, no. 5,150 Saturday, 22nd April, 1967 p.1.

⁵⁴ *Daily Graphic*, no. 5,165 Wednesday, 10th May, 1967 back page.

⁵⁵ *Ghanaian Times* no. 2,845 Monday, 8th May, 1967 p.3.

⁵⁶ Paul Ladouceur, "The Yendi Chieftaincy Dispute and Ghanaian Politics", *The Canadian Journal of African Studies* VII (1972), 97-115.

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determine whether or not, if the said installation was unduly influenced by the presence of armed soldiers and policemen as well as the District Administrative Officers in the area.⁵⁷

8.5.1.11 While the committee was at its work, the NLC Government concurrently gave Ya-Na Andani III de facto recognition. As a follow up to this action, representative of the government paid a courtesy call on the Ya Na in early December 1968, and Ya-Na Andani III also received the salary of a Ya Na.⁵⁸ This move clearly prejudiced the outcome of the committee's investigations and led to a protest by fourteen chiefs of Dagbon.⁵⁹ It, however, won for the NLC some influence with the Ya Na.

8.5.1.12 The committee eventually declared the installation of Ya Na Andani III null and void but by this time Ya Na Andani III had died. Members of the Andani family occupied the palace of the Ya Na and refused to leave. Government troops sent to evict the occupants, fired on them, and in the ensuing melee, 23 members of the Andani family were killed and about 40 of them wounded.⁶⁰ Members of the Andani Family put the number of their dead at 36. On account of the fact that there was no judicial inquiry into the killing of at least 23 citizens, it is impossible to know for certain how many really died in that incident. This event has left a legacy of bitter feuding between the two Gates of the royal family.

8.6 1ST OCTOBER, 1969-12TH JANUARY 1972: THE SECOND REPUBLIC (PP GOVERNMENT)

8.6.1 Aliens Compliance Order And “Apollo 568”

8.6.1.1 The main issues of controversy during the time that the Progress Party (PP) was in power under the leadership of Dr. Kofi Abrefa Busia were the government's policy on the Aliens Compliance Order; and the dismissal of 568 public servants now known as “Apollo 568”. Perhaps the silence of chiefs on human right abuses during the Progress Party government might have emanated from the fact that it was an era of democratic governance, and for which reason, the affected persons had many avenues and the opportunity to seek redress for their grievances. This notwithstanding, there were no opposing views from the chiefs, especially on the Apollo 568, which definitely affected some of their own subjects.

⁵⁷ *Local Government Bulletin* No 55, 14th December, 1968.

⁵⁸ *Daily Graphic* vol. 5656, Thursday, 5th December, 1968, p9.

⁵⁹ *Daily Graphic* vol. 5663, Friday, 13th December 1968 p.1.

⁶⁰ *Evening Standard* vol. I No 160, Wednesday, 10th September, 1969, p.1.

VOLUME 4 CHAPTER 8**8.6.2 The New Chieftaincy Act**

8.6.2.1 In 1971, a new Chieftaincy Act, Chieftaincy Act, 1971 (Act 370), removed the recognition clause from the definition of “Who is a chief.” The removal insulated chiefs from having to court government support.

**8.7 13TH JANUARY, 1972 – 3RD JUNE, 1979 NATIONAL
REDEMPTION COUNCIL / SUPREME MILITARY
COUNCIL (SMC) 1&II**

8.7.1 Chiefs and NRC policies

8.7.1.1 The Military Government of the National Redemption Council (NRC), which later evolved into the Supreme Military Council (SMC) I & II, overthrew the PP Government on 13th January, 1972. In spite of the initial lukewarm attitude to the coup, the NRC received public acceptance as it gave redress to the various interest groups that were in dispute with the PP Government. The new government announced a war on hunger with the new policy ‘Operation Feed Yourself’. Chiefs all over the country openly expressed support to the NRC. The Asantehene, Nana Opoku Ware II, for instance, paid the new Military Government of the NRC a visit at the Castle, where he expressed support for the government and its policy of “Operation Feed Yourself”, and pledged the readiness of his chiefs to make lands available for farming to ensure the success of the “Operation Feed Yourself” programme.⁶¹ Just as in the past, messages of support for the NRC came from chiefs throughout the country.

8.7.1.2 Several other chiefs also paid visits to the Chairman of the NRC. The Ga Mantse met the NRC Chairman and pledged the support of the Ga Traditional Area to the NRC.⁶² The National House of Chiefs, then headed by Nene Annorkwei II, the Paramount Chief of Prampram and President of the Eastern Regional House of Chiefs, presented a resolution, which the House had adopted in support of the NRC. The Chairman of the NRC⁶³ at an emergency meeting held in Kumasi received the resolution of the House.

8.7.1.3 In order to win the favour of the chiefs in Ghana, the NRC issued a statement that the NRC Government would not meddle in chieftaincy affairs.⁶⁴ The Chairman of the NRC, Col Ignatius Kutu Acheampong, re-affirmed the government’s position when he addressed a delegation of eighteen chiefs from the National House of Chiefs at the Burma Hall in Accra, in July, 1972. The Chairman also told the chiefs that the action taken by the Armed Forces on 13th January, was not against chieftaincy. The chiefs were so delighted by the NRC Chairman’s statement that they also registered

⁶¹ *Ghanaian Times*, no. 4,456, Friday 24th March, 1972, p.1.

⁶² *Daily Graphic*, no. 6634, Thursday 3rd February, 1972, p.9.

⁶³ *Ghanaian Times*, no. 4409, Saturday, 29th January, 1972, back page.

⁶⁴ *Ghanaian Times*, no. 4410 Monday, 31st January, 1972, p.1.

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their unflinching support for the NRC government and wished it well. The chiefs further asked the NRC to deal ruthlessly with those involved in an alleged coup plot that had just been announced. After this meeting between the NRC Chairman and representatives of the National House of Chiefs at Burma Hall, the Central Regional House of Chiefs condemned the plot to unseat the NRC. Nana Akyin IV, Omanhene of Ekumfi Traditional Area also accused Dr. Busia, the deposed Prime Minister of the PP government, of masterminding an alleged coup plot to overthrow the NRC. This statement was followed by similar ones from Nana Kwaku Boateng II, Omanhene of New Juaben in Koforidua and Togbe Adom II, Chief of Akoefe Zorko in the Volta Region.⁶⁵ In all these messages, the chiefs called on the NRC government to request the British government to extradite Dr. Busia to Ghana to stand trial for treason.

8.7.1.4 In order for the NRC to win complete allegiance of the chiefs, the government adopted the bulk of the 1971 Chieftaincy Act and re-enacted it in a Decree. Under the Decree, chiefs in the Traditional Councils, the Regional House of Chiefs and the National House of Chiefs were assigned the following statutory functions:

- a. The settlement of chieftaincy disputes with final appeals, not to the political authorities but to the Court of Appeal; and
- b. Advising the Central Government on, and helping the revision of customary laws.

This Decree appeared to have gone down well with the chiefs, perhaps that is why the NRC had support from the National House of Chiefs. However, contrary to the NRC's declared policy of not meddling in chieftaincy affairs, the chiefs of Akyem Kotoku and Wenchi were removed by Decree by the NRC regime.⁶⁶

8.7.1.5 In 1975, the NRC was transformed into the Supreme Military Council (SMC). During the campaign for Union Government (UNIGOV), the SMC committed a series of human rights violations. In all these instances of human rights abuses, the chiefs were silent. On the contrary, they trooped to the Castle and pledged "unflinching support" to Gen Acheampong and praised Unigov as a divinely inspired concept to cure the ills of partisan politics.

8.7.1.6 Gen Acheampong was overthrown in a palace coup by his colleagues, and the Supreme Military Council II was formed under the chairmanship of Gen Frederick W K Akuffo.

⁶⁵ *Ghanaian Times*, no. 4,555, Friday 21st July, 1972, back page.

⁶⁶ Wenchi Paramount Stool Affairs Decree, 1976 (SMCD 64); Wenchi Stool Property (Restoration) Decree, 1976 (SMCD 68); Wenchi Queenmothers Stool Property (Seizure) Decree, 1977 (SMCD 74) See also Kwame Arhin, *Traditional Rule in Ghana, Past and Present*, Sedco Publishing Ltd, Accra, 1985.

VOLUME 4 CHAPTER 8**8.8 4TH JUNE, 1979 – 23RD SEPTEMBER, 1979 ARMED FORCES EVOLUTIONARY COUNCIL (AFRC)****8.8.1 Chiefs And AFRC Policies**

8.8.1.1 On 4th June, 1979 a section of the Ghana Armed Forces, mutinied and the Government of SMC II fell. The AFRC was formed under the chairmanship of Flight Lieutenant Jerry John Rawlings of the Air Force.

8.8.1.2 The AFRC Government under the policy of “house-cleaning” perpetrated and permitted the perpetration of serious of human rights violations and abuses, during its short tenure of office. Notable among such acts were: the execution of eight senior military officers including three former Heads of State; killings; the public flogging of Ghanaian citizens, some of whom were stripped naked; seizure and the destruction of property; the demolition of houses, markets and market stalls; rampant searches of citizens for acts of hoarding; and detentions without due process. All these acts of human rights violations and abuses, demanded public or institutional protests or at least criticism, but there was none.

8.8.1.3 Newspaper reports of the period show several appeals made by chiefs to their subjects, requesting them to adhere to the “control price” policy. The chiefs, however, failed to say anything concerning the atrocities that were meted out to their subjects by the AFRC Government. Apart from declaring their support, some of the chiefs also asked the AFRC Government to extend the “house cleaning” exercise to all manner of people.

8.8.1.4 In reaction to the price control enforcement exercise, farmers and market women refused to sell food items in the urban areas. The chiefs stepped in to encourage their subjects to take their wares to the market centres and sell them at control prices. Some of the chiefs supervised the sale of foodstuffs at the Kwahu District in the Eastern Region.⁶⁷ In the Central Region, Nana Mbrah V, Omanhene of the Oguuaa Traditional Area, visited a number of villages to educate the farmers and market women on the need to send their goods to the market and sell at reasonable prices.⁶⁸ In Accra, the Ga Mantse, Nii Amugi II, also appealed to market women in Accra and its environs to forget about any molestation they might have suffered soon after the 4th June Uprising, and bring out their wares for sale at control prices.⁶⁹

8.8.1.5 Other chiefs expressed support for the aims of the 4th June Uprising, because they saw the event as the panacea to Ghana’s problems. The then Kadehene, Barima Appiawia II, was reported to have called on the village development committees in his area to mobilise the rural people for them to give their best towards the success of the new regime. In like manner, Nana Osei Kwadwo II, Omanhene of Bekwai, told his

⁶⁷ *Ghanaian Times*, no. 6,730 Monday, 30th July, 1979, p.1.

⁶⁸ *Ghanaian Times* no. 6,724 Monday, 23rd July, 1979, p.5.

⁶⁹ *Daily Graphic*, no. 8953, Saturday, 4th August, 1979, back page.

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people that no traditional ruler would go to the aid of any person who fell foul of the new regime, if that person made himself a stumbling block in the way of the revolutionary process.⁷⁰

8.8.1.6 In support of the new regime, Otumfuo Opoku Ware II, the Asantehene, stressed that civilians could not escape blame for the harassment and molestation allegedly meted out to them by some soldiers, and he proceeded to ban sixteen traders from selling in any market in Kumasi. These traders had been brought before the Kumasi Traditional Council for allegedly selling foodstuffs at prohibitive prices. Otumfuo also warned traders that anyone of them found selling at unapproved prices would forfeit his or her stalls, be banned from selling in any market and would then be handed over to the military.⁷¹

8.8.1.7 Admittedly, the short stay in power by the AFRC Government was full of apprehensions; yet the chiefs did not speak out, except to urge their subjects to respect the price control laws.

8.9 24TH SEPTEMBER, 1979- 30TH DECEMBER, 1981: THE THIRD REPUBLIC

8.9.1 Chiefs and the Third Republic Constitution

8.9.1.1 The 1979 Constitution guaranteed the institution of chieftaincy, as it exists under customary law. Further, article 205 (6) entrenched the clause by providing that it could not be amended except by referendum. This constitutional provision was of great advantage to the chiefs, because it removed the power of governments to interfere in chieftaincy affairs. During the previous regimes the lack of acknowledgement of chiefs prevented even the best of them from being independent arbiters between government, or senior statesmen and the people in times of conflicts.

8.10. 31ST DECEMBER, 1981 – 6TH JANUARY, 1993: PROVISIONAL NATIONAL DEFENCE COUNCIL (PNDC)

8.10.1 Chiefs And PNDC Policies

8.10.1 The 31st December 1981 coup d'état brought into power the Provisional National Defence Council Government, headed again by Flt Lt Jerry John Rawlings. The PNDC, like any of the previous military regimes, sought to establish a good relationship with chiefs. One of the steps it took to realize this goal was to reinstate some chiefs, who had been removed by the NLC, under NLCD 112. To this end, the

⁷⁰ *Ghanaian Times*, no. 6,734 Friday, 3rd August, 1979, p.5.

⁷¹ *Ghanaian Times*, vol. 6,743 Tuesday, 14th August, 1979, p.1.

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PNDC passed the Chieftaincy (Restoration of Status of Chiefs) Law, 1983(PNDCL 75). The preamble to this law states in part:

...And Whereas the Provisional National Defence Council having considered the circumstances of the withdrawal of recognition by the then Government of the National Liberation Council of the persons named in Part I of the Schedule to this Law as chiefs is satisfied that the said person having been lawfully enstooled or enskinned as chiefs should be restored to the original status as chiefs of the places specified respectively in relation to them....

On the basis of this law therefore, the PNDC Government purported to restore to their respective stools and skins, those chiefs that the NLC had removed.

8.10.1.2 The PNDC abrogated the 1979 Constitution, but retained the definition of chief contained in article 181 of the 1979 Constitution⁷². Despite this retention, the early sign was very disturbing. There was the Osu Stool Property (Seizure) Law authorised the Accra City Mayor, to take possession of Osu Stool Property.⁷³ Other legislative instruments were laid down to affect places like Nungua and Winneba Traditional Areas.

8.10. 1.3 PNDCL 75 appears to have been an attempt by the government to restore some chiefs to the *status quo ante* NLCD 112. However, the exercise failed to do so for all as it was limited to only sixteen of such chiefs, all from the Upper East Region, out of the 133 chiefs that were removed under NLCD 112. It is unclear what criteria the PNDC government used to reinstate the 16 chiefs. What is clear, however, is that it marked a return to the old way of doing things, and was bound to have a ripple effect on the chiefs since it encouraged them to foster closer links with the government of the day.

8.10.1.4 Upon assuming power, the PNDC Government declared a “Holy War” to clamp down on *kalabule*,⁷⁴ and in the process, perpetrated widespread human rights violations and abuses. These violations included killings, disappearances, the violent seizure and occupation of private and public property respectively, the beating up and harassment of citizens, the detention of political opponents, torture of suspects and the wrongful dismissal of hundreds of people from their employment. Notable among the human rights abuses of the period was the kidnap and murder of three High Court Judges and a retired Army Officer. In all these cases, soldiers and/or other agents of the PNDC Government were to a large extent, the perpetrators of these violations.

8.10.1.5 As had happened during previous military takeovers, chiefs openly expressed support for the PNDC coup. For this reason, the chiefs were not able to speak against

⁷² The Provisional National Defence Council (Establishment) Proclamation, 1981 as amended by PNDC Law 42, section 53 (2).

⁷³ PNDCL 38.

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the myriad of human rights abuses that occurred during the era of the PNDC Government. There is no evidence that chiefs complained about the numerous human rights violations that took place during PNDC era.

8.10.1.6 The few chiefs who spoke out, concerned themselves only with the criticism of *kalabule* traders, the establishment of community farms and expressions of support for the cocoa evacuation exercise. Chiefs were exhorted by some of their own colleagues not to sit on the fence, but to mobilise their subjects to play an effective role in the PNDC Revolution. One of the chiefs who made such a call was Nana Kyei Baffour, the Omanhene of Twifo Hemang Traditional Area in the Central Region. According to him, the “Holy War” declared by Flt Lt Rawlings was to be seen as Ghana’s salvation from her economic and social woes.⁷⁵ The chiefs and people of Abura Dunkwa in the Abura Traditional Area also declared their unflinching support for the PNDC and charged the PNDC to uproot *kalabule* once and for all, from the Ghanaian society.⁷⁶ Some of the chiefs concerned themselves with the cocoa evacuation exercise that took place during the era. For instance, the Omanhene of the Akyem Kotoku Traditional Area, Okofrobuo Agyeman Attafuah IV, together with his elders, led a team of about 200 young men to give a helping hand to the Student Task Force, to evacuate tons of cocoa from Akim Oda in the Eastern Region.⁷⁷

8.10.1.7 Some of the chiefs did not urge only their subjects, but indeed, all Ghanaians to embrace the 31st December Revolution. Nana Kusi Appiah, Omanhene of Manso Nkwanta in the Ashanti Region, urged Ghanaians to accept the December 31st Revolution and make it work. He summed up his call as follows: “If we have been sitting on the fence, let us now remove ourselves from that position. After all the gains of the revolution will be for us all.” Nana Kusi Appiah delivered this message after he had led his people to clear a 300-acre land earmarked for a local community farm.⁷⁸ The Asantehene, Otumfuo Opoku Ware II, also pledged support to the PNDC. He assured the PNDC Government of the readiness of all the chiefs under him to assist in making the revolution a success. Consequently, he urged chiefs to freely release land for the establishment of community farms.⁷⁹

8.10.1.8 It is to be noted that the activities for which the chiefs supported the PNDC Government were not bad in themselves. Indeed, it was morally binding on them to help the government of the day succeed. What was regrettable, however, was that they all appeared to be interested in championing the cause of the new government, to the neglect of the human rights abuses suffered, both by themselves and some of their subjects at the hands of the very government to whom they had made pledges of support. Even though the chiefs appeared to be acting in favour of national

⁷⁵ *Daily Graphic*, vol. 9704, Wednesday, 13th January, 1982, p.8 back page.

⁷⁶ *Daily Graphic*, vol. 9717, Friday, 29th January, 1982, p.1.

⁷⁷ *Daily Graphic*, vol. 9712 Saturday, 23rd January, 1982, p.1.

⁷⁸ *Daily Graphic*, vol. 9752 Thursday, 11th March 1982, p.1.

⁷⁹ *Daily Graphic*, vol. 9760 Saturday, 20th March, 1982, p.1 & 4.

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development and aspirations, they failed to speak up for those who were undergoing abusive treatment.

8.11 Chiefs And Land**8.11.1 Post-Independence 1957-1993**

8.11.1.1 In the late 1950s, and during the First Republic (early 1960s), Dr. Nkrumah in his haste to develop the newly independent nation socio-economically and industrially, embarked on massive projects including the construction of new roads and bridges, and improvement/upgrading of existing ones, schools, colleges, hospitals and clinics. Others were irrigation and hydro-electric dam, large housing estates, manufacturing (import substitutions) and industrial estates, and the establishment of state farms which demanded large tracts of land.

8.11.1.2 The newly acquired independent State with powers and new conception of the nature and role of the Ghanaian State resulted in massive compulsory acquisition of land, sometimes for purposes which were not demonstrably public. Governments have controlled land use throughout the country, and have manifested the control by the promulgation of a number legislation, each of which reduced the level of the chiefs' control over their lands.

8.11.1.3 Most of the lands that were "acquired" by the state, for the purposes outlined above, were taken from skin/stool, families or private land owners. The state at that time, in taken the land, took the position that land acquired (for public use) was in the public interest. The State Land Act, 1962 (Act 125)⁸⁰, provided the power for the government to acquire land compulsorily and thereby control its use as owner. In some cases, the government declared the state land or stool land, to be a selected area for a specific purpose,⁸¹ such as the Accra International Airport, Achiase Jungle Warfare training sites, etc.

8.11.1.4 Some traditional rulers have also entrusted stool lands in the care of the government, for the stools concerned and directed that the whole community be beneficiary of the revenue accruing thereof. Such moves marked the first bold attempt by governments to assert power over the management and administration of the customary proprietorship.⁸² Beside, the government can take over the ownership of concessions created on stool lands in trust for the stool concern⁸³. Again, for the consolidation of laws relating to land administration and to introduce uniformity in the system throughout the country, an Act was passed on 1962, which sought to split ownership such that legal ownership in vested land passed on to the state, while the

⁸⁰ State Lands Act, 1962 (Act 125).

⁸¹ The Public Conveyancing Act, 1965 (Act 302).

⁸² The Ashanti Stool Land Act, 1958, and Akim Abuakwa (Stool Revenue) Act, 1958.

⁸³ The Concessions Act, 1962 (Act 124).

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beneficial ownership remained in the stool⁸⁴. More so, the ownership and control of lands endowed with mineral deposits, has been vested in the care of the President in trust for the people of Ghana⁸⁵. All these were done to control land use by governments towards an effective and efficient sustainable land management and administration in Ghana.

8.11.1.5 The problems associated with these acquisitions of land are many and these leave much to be desired. In some cases, little or no effort was made by the state agencies effecting such acquisition, to follow the legal procedures, and properly register the lands. There were instances where no compensation at all was paid. In others, what was paid to the land owners was grossly inadequate. It must be admitted that in some instances, no compensation was paid largely because, there were disputes as to ownership, over who were to the rightful recipients of compensation. There were instances where site plans for acquired areas were found to be inaccurate, due to mistakes in surveying or other technical difficulties.

8.11.1.6 This has led to delays in payment of compensation and commencement of development projects, as disputes have had to be litigated in court, and over very long periods of time. Such unfortunate situations have often resulted in the extensive encroachment on these lands by individuals, families and groups who felt that the land belonged to them, because they were never paid the appropriate or adequate compensation.

8.11.1.7 Some individuals, families and chiefs in their bid to protect their lands, have engaged land guards, to whom they paid huge sums of monies (sometimes they also sold plots of land), to drive away prospective investors and developers, on their acquired lands. The land guards have many times destroyed building structures, and even, maimed and sometimes killed innocent people who they perceived to be encroaching on the lands that belonged to their bosses.

8.12 CONCLUSION

8.12.1 Various governments have ruled Ghana since 1957. Through the promulgation of Decrees and Acts, these governments made it impossible for chiefs to be independent of central government control. The dependence of chiefs on the central government was also partly due to the relative powerlessness of the chiefs themselves, as they were not able to exert themselves enough to protect their independence. The situation was such that while chiefs were supposed to be independent from government control, they had no power of their own to be so. This was the dilemma in which chiefs found themselves, during both constitutional governments and military regimes, starting from 6th March, 1957 to 6th January, 1993.

⁸⁴ The Administration of Land Act, 1962, (Act 123).

⁸⁵ The Mineral Act 1962 (Act 126).

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8.12.2 The CPP Government, led by Dr. Nkrumah, was able to get its supporters to become chiefs by means of the recognition clause in Act 81, as this clause enabled the government to give or withdraw official recognition to the claimants of stools or skins at will. Consequently, after the overthrow of the First Republic in 1966, the new military government, the NLC purported to correct the situation by enacting legislation such as NLCD 112, NLCD 136, NLCD 203 and NLCD 287 designed to remove chiefs who were described as “CPP Chiefs”, and also to restore stools and skins to their proper customary positions.

8.12.3 Part of the chieftaincy dilemma in Ghana during the period under review (from 6th March, 1957, to 6th January, 1993), was that, chiefs were permitted to engage in partisan politics. Thus, it was not at all easy to keep politicians and chiefs in two separate worlds. The problem was exacerbated during periods of military rule.

8.12.4 During the mandate period, the governments, especially the military ones, courted chiefs for support, and chiefs courted government for development projects.⁸⁶ Many chiefs sought partnerships with the government of the day with the hope of using their contacts to secure projects for their respective traditional areas.⁸⁷ Accordingly, chiefs usually expressed full support for a government as soon as the old government was overthrown. They thus rendered themselves liable to the tag of collaborators of whatever human rights abuses were perpetrated by the various governments.⁸⁸

8.12.5 Another consequence of such act of collaboration was that it weakened the independence of the chieftaincy institution, and created a situation where the individual chiefs could not be critical of sitting governments, and therefore could not offer their subjects any protection when it came to government-sponsored human rights violations and abuse.

8.12.6 The chiefs, families and individual land owners have constantly protected their land since colonial days and continue till date. However, where it matters most legislation by successive governments have rendered such protection ineffective, and some of these land acquisitions cases have also been battled in the corridors of the judiciary. More over, seeking legal action against families, individuals, chiefs or the state has not always been successful, since none of them seeking the relief may have proper title to the lands in question.

8.12.7 Within the mandate period, chiefs did not exert their collective influence to protest against any of the violence and excesses that emanated from military regimes

⁸⁶ Dr. Henry Seidu Daannaa “Ghanaian Chieftaincy In Retrospect – An Examination of Chieftaincy Since Independence” (Unpublished paper) Chieftaincy Secretariat, Accra

⁸⁷ Interview with Odencho Gyapong Ababio II, President of the National House of Chiefs, 13th August, 2003 West Fijai Ridge, Takoradi.

⁸⁸ Professor George Hagan, “Chieftaincy and the Abuse of Human Rights In Ghana.” (Unpublished) Paper presented to National Reconciliation Commission by the Chairman, National Commission on Culture, 14th July, 2003.

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nor did they confront civilian governments on issues of human rights violations. The Regional and National Houses of Chiefs still remain an untapped asset for strengthening the influence of chiefs in the governance of the country.

VOLUME 4 CHAPTER 9**CHAPTER NINE****THE ROLE OF RELIGIOUS BODIES –
COMPLICITY OR RESISTANCE TO
HUMAN RIGHTS ABUSES****9.0 INTRODUCTION**

9.0.1 The interventions of religious bodies on matters of social concern, especially socio-political issues, have always carried weight. Therefore, the protest or silence by these bodies or institutions, on human rights violations and abuses influences the perceptions of many people in Ghana. To facilitate the assessment of the role, if any, of religious bodies regarding the complicity or resistance to human rights violations from 6th March, 1957 to 6th January, 1993, the Commission focused its work on the Churches¹ in Ghana, the Islamic religion, both the Orthodox and the Ahmadiyya Muslim Mission, the Traditional Religious groups with reference, particularly, to the Afrikania Mission.

9.0.2 The religious bodies are the conscience of the nation. In this regard, they are expected to be able to point out abuses, and work to protect and defend the rights of all Ghanaians, with a view to bringing about improvement and progress in socio-political life. religious bodies can transform individuals in society, and bring about social change that prevent human rights violations and abuses. Consequently, the following roles are expected of them

- to provide prophetic witnessing;
- to oppose human rights abuses in society;
- to build awareness on morality and human rights issues;
- to provide moral education;
- to seek moral transformation through advocacy;
- to speak clearly and without equivocation and provide moral direction on important moral issues; and
- to counsel, exhort, warn or commend the leaders and general citizenry, as and when the occasion demands.

It is expected that these roles would be performed through constant prayer regular calls for prayers, positive use of their moral authority and effective social actions.

¹ The Churches were grouped mainly as follows: Christian Council of Ghana with fourteen member churches mainly orthodox and missionary established, the Catholic Bishops' Conference with three Archdioceses and sixteen Dioceses; the Ghana Pentecostal Council with one hundred and thirty nine churches and several hundreds of churches most of whom were independent and of African origin.

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9.0.3 The focus of this chapter is to examine the role of religious bodies in spearheading resistance to human rights abuses, contributing to the promotion of respect for human rights, as well as the impact that these activities had on the human rights landscape during the mandate period. The chapter also highlights the significance of statements, communiqués, pastoral letters, Press releases etc, from these religious bodies, at the critical times when they were issued. It is hoped that the religious bodies would be strengthened to keep up with their advocacy role and continue to provide moral guidance to the nation.

9.0.4 The chapter is divided into three parts, based on the three main religions represented in Ghana, namely Traditional Religion, Islam and Christian religion. The discussion is organised in the chronological order of the various political eras within the mandate period.

9.1 ABOUT THE THREE MAIN RELIGIONS IN GHANA

9.1.1 THE TRADITIONAL RELIGIOUS GROUP

9.1.1 History

9.1.1.1 Traditional Religion is the oldest religion in Ghana. It is not organized in the manner of Christian or Islamic religions. The nature and history of the Traditional Religious group is quite different from other religious groups. It has no organised hierarchy or association to spearhead its activities at the national level and so its influence on national politics has been minimal. In 1985, the late Osofo Okomfo Damuah, a Roman Catholic Priest, left the Catholic Faith to establish the Afrikania Mission² of Ghana. This Mission, for the first time, provided a mouthpiece for the various traditional religious groups that had come together to form the Mission.

9.1.1.2 The practice of Traditional Religion has different cults that deal with specific issues or aspect of life. For example, there are fertility cults, healing or medicine cults, war cults, protective cults, prosperity cult, witchcraft cults, etc. Secondly, Traditional Religion is the belief system underlying the Ghanaian culture, and could be described as the belief or spiritual substructure of Ghanaian culture.³ This is because some aspects of this religion are practised at the sub-conscious level, such that even though the average Ghanaian might not be an adherent of the practices of Traditional Religion, its belief system pervades the entire culture as reflected in the use of language, names, naming and burial systems, etc.

² A religious sect that practises and believes in combining values of Traditional Religion and Christian worship.

³ Memorandum to the National Reconciliation Commission.

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9.1.1.3 The role that traditional religion played in human rights abuse was an indirect one. Rumours of rituals for protection have become part of our socio-political culture. The phenomenon of ritual murder has been part of the Ghanaian system of cultural beliefs, and has, in fact, gained prominence in legends and folktales. This phenomenon has also served as explanation for strange or extraordinary homicide cases in the country.

9.1.1.4 There was also an Akan belief that a messenger must accompany a dead chief on his last journey to the land of his ancestors. Someone therefore had to be killed to serve that purpose. The murder of Akyea Mensa (Apedwahene), a case popularly referred to as “Kyebi Murder Trial” was purported to have served as a ritual sacrifice, to accompany a dead paramount chief of Kyebi. The deceased was killed and buried on a riverbed, after the murderers had diverted the course of the brook and redirected the same brook to conceal the grave⁴.

9.1.1.5 Another belief system relates to the acquisition of power through the use of *juju*. This involves rituals performed with human blood or body parts. On 23th February, 1988, Nana Twene, Krontihene of Abesim, and his wife, Susana Ameyaa, together with four others at Abesim near Sunyani, in the Brong Ahafo Region⁵, kidnapped and murdered a 38-year old housewife, Madam Lamley Sampah. During the trial by the tribunal sitting in Sunyani in the Brong-Ahafo Region of Ghana, it was revealed, inter alia that, the Krontihene wanted the blood and some body parts of the named victim to enable him secure power, so that, no one could challenge him⁶ when he spoke.

9.1.2 Traditional Religion In Relation To Ritual Killing For Political Power

9.1.2.1 In the 1960s, rumour was rife, that office holders carried out ritual killings to consolidate their political power. In 1967, for example, during the abortive coup in which Lt-Gen Emmanuel K Kotoka lost his life, it was widely rumoured that the fetish priests who made juju for his successful coup the previous year, were the same ones whom the coup makers from Ho Mortar Regiment approached. This therefore accounted for the ability of the coup makers to overcome Lt-Gen Kotoka. Whether these rumours were true or not, they are alleged to have been the basis for the elimination of some fetish priests many years later. A case in point is the killing of the popular fetish priest, Akakpovi Ahiaku, a.k.a Yeye Boye of Atidzive near Abor⁷. There was evidence before the Commission that the fetish priest was arrested by soldiers at his village in March, 1982, and taken to the Residency of the Volta

⁴ West Africa Court of Appeal Volume 11, February 15, 1945 – This was a murder case involving the Abontendomhene Asare Apietu, Kwasi Pipim, Kwame Kagya, Kwaku Amoako Atta, Opoku Afwennee, Kwadjo Amoako, Aaron Eugene Boakye alias Yaw Boakye and Owusu Akyem Tenteng, tried in court.

⁵ *Ghanaian Times*, vol.9,628, Saturday, 6th August, 1988, p.3.

⁶ Memorandum to the National Reconciliation Commission.

⁷ *News Bulletin*, Association of Recognised Professional Bodies, Vol.2 No. 2; July 1982.

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Regional Administration at Ho, ostensibly to be transported to Accra to meet with the political authorities. He was later found dead, with his body partially burnt. His home containing his shrine was vandalised and burnt to ashes, as were also the homes of the elders of the cult.

9.1.2.2 Traditional Priests were also believed to have power to assist persons plotting to destabilize governments of the day, through the use of magico-religious powers. They therefore featured in every allegation of coup plot in the mandate period.

9.1.3 Traditional Religion In Relation To Killing For Ritual Purposes

9.1.3.1 Traditional religion has also been linked to human rights abuse on account of the widely-held belief that through the use of human parts, rituals could be performed to affect the material circumstances of the individual making the request. Consequently, some individuals were killed for purposes that must have been related to the performance of rituals. The circumstances surrounding certain killings that occurred, and the way the dead bodies were found, lent credence to the suspicion that they were not ordinary murders. Very often the bodies were found mutilated with some vital parts missing. A number of murder cases reported in some parts of Ghana in the 1980s fall into this category. For instance, in January, 1981, the body of Kingsley Ackaah, alias Kwame Kaya, a fifteen-year-old schoolboy and native of Baakrom near Sefwi Bekwai, was found without his head⁸. Again, in November, 1981, the body of nine-year old Kwasi Gyimah was found at the outskirts of Sefwi Bekwai without his head⁹. Similarly, in November, 1984, Kwaku Nkrumah, a sixty five-year old palm wine tapper of Sefwi Bekwai, was found dead in the bush without his head.¹⁰ Also, in May, 1986, thirteen-year old Akwasi Ampomaning, a schoolboy from Sukusuku near Sefwi Bekwai was found dead with his arms missing¹¹. Again, Kumade Mensah Zormelo was killed for a sacrifice that is required annually, in accordance with traditional practices, to enable the fishermen of Kedzi, to have bumper fishing season.¹² All these killings are believed to have been committed to serve ritual purposes.

9.1.3.2 There is also the quest for wealth. For this reason, there are some people who believe that through the use of *juju*, their state of poverty can change for the better. Thus, with the hope of becoming rich overnight, the drive to commit ritual murder has been noted among certain categories of persons. In one murder case, which took place in Sefwi Bekwai in the Western Region of Ghana, the killers were the victim's uncle and three other men, who were promised a reward of an amount of c3 million as "contract fee". Similarly, the Chief, Nana Agyei who was charged together with the

⁸ *Joy Ride Magazine* Vol. 93, November, 1988, pp.3-14.

⁹ *Ibid.*

¹⁰ *Ibid.*

¹¹ *Ibid.*

¹² *Azametsi v The Republic* [1974] GLR 228, CA at pp394-402

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killers, was said to have been the one who requested a human head, to send to a shrine located along the Ghana - Côte d'Ivoire border in the Western Region for it to be changed into cash¹³.

9.1.4 The Perpetrators Of Ritual Murder

9.1.4.1 There are two main categories of perpetrators – namely, those who hire the services of others to do the killing on their behalf, and those who do the killing themselves. Many a time, the people who are arrested or charged on murder cases appear to be poor people, struggling to make ends meet. They are hired by the well-to-do in society to do the killing on their behalf, such as the case of the Sefwi Bekwai murder case. Nana Agyei, one of the culprits, was said to have engaged the services of the four others charged, in return for a certain amount of money, if the plan was well executed. In other instances, the well-to-do actually took part in the ritual killing.

9.1.4.2 Some fetish priests and herbalists are also believed to be involved in ritual murder. Some fetish priests have been accused of using human body parts and blood to prepare *juju* for their clients. Where these body parts and blood were secured from, is yet to be ascertained. However, one of the rumoured charges against some traditional priests tortured and killed in the Volta Region, was the allegation of murder against them. In April, 1982, for instance, soldiers arrested Avorga Ahiagba of Wlite near Akatsi, for possessing human skulls. He was alleged to have pleaded that the skulls were ancestral property. Possessing no other evidence to the contrary, the court fined him ₵700.00. Subsequently, Ahiagba mysteriously disappeared, after his release from prison-custody, but was later found dead with his body partially burnt, near the Ho stadium.¹⁴

9.1.4.3 In all the known ritual murders tried in the courts, women have been conspicuously missing in the list of alleged perpetrators. There was, however, one instance in which a woman was involved, and in which the victim was a woman.¹⁵

9.1.4.4 One other fact that also needs to be mentioned is that some of the perpetrators either know their victims or have close blood relations with them. In the case of Kofi Kyinto in the Sefwi Bekwai murder case, it was his uncle, Benjamin Affi, a 28-year old farmer, who lured him to be killed. Benjamin Affi witnessed the actual execution of his nephew.

9.1.5 Trokosi

9.1.5.1 *Trokosi* is a traditional religious practice, which evolved among the Ewes and Dangmes and which prevails in shrines where there are deities. In the past, the essence

¹³ *Daily Graphic* Tuesday, 10th November, 1987, No 11504 p:4

¹⁴ Ibid.

¹⁵ *Ghanaian Times*, no 9,628 Saturday 6th August, 1988, p.3.

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of the deity was to protect the community, and the fundamental problems and questions of everyday life were also addressed to these deities. In those societies, it is to the shrines that a large number of people turn for resolution of life's problems – be they physical, mental or spiritual.¹⁶ The exact period when the *Trokosi* system began is unknown. Oral tradition estimates that the practice could have started in the 17th century.¹⁷ The first original *Trokosis* in Eweland were, Torgbui Adzima, Tornui, and Sui.¹⁸ The practice of giving up of vestal virgins by families as payment to the shrines for an infraction committed by one of its members evolved from these original *Trokosis*. A *Trokosi* is also sometimes called *Fiasidi*,¹⁹ meaning “a marriageable King's initiate.” Many reasons have been put forward to explain why young girls and occasionally young boys, are committed to the gods. Foremost among these reasons is that it forms part of the administration of justice and maintenance of law and order within the particular society. The practice also involves pledges made to the gods in time of war to ensure victory.

9.1.5.2. *Trokosi* practice is now mainly regarded as a means of averting the wrath of the gods. This is done by invoking the gods for mercy, in cases where an offence has been reported to the shrine. It is also a traditional judicial system, but one fraught with serious human rights violations, as the practice involves the incarceration and abuse of innocent young women. The practice of *Trokosi* is now recognized to be akin to slavery. The predominant modern view is that the *Trokosi* system is obnoxious, inhuman and a violation of the human rights of the persons involved, and therefore must be stopped.²⁰

9.1.5.3 There are 51 known shrines where the practice of *Trokosi* still goes on in the country. The composition and the geographical spread of the practice in Ghana show that the Volta Region accounts for forty three out of the fifty one shrines, Greater Accra Region, five and Eastern Region, three. In the Eastern and Greater Accra Regions, the shrines are concentrated in the Dangme East and Dangme West Districts. The 3 shrines in the Eastern Region seem to be related to those in the other regions. There are three shrines in the Yilo Krobo area, three in the Dangme West, and 2 in Dangme East²¹. The victims of the practice are mostly female, although on rare occasions, males are also involved. It was estimated that by 1998, there were about four thousand and forty two *Trokosi* in bondage, out of whom only about ten were male.²² There are both priests and priestesses who administer the various cults.

¹⁶ Report of the National Workshop on *Trokosi* System in Ghana, International Needs, Ghana, April 27-28, 1998.

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ *The Spectator*, no 1416 Saturday 15th July, 1995, p. 5.

²⁰ Three –Day Workshop on *Trokosi* (April 27-29, 1998), organised by International Needs, Ghana, Sponsored by the British Council.

²¹ Report of the National Workshop on *Trokosi* System in Ghana, International Needs, Ghana, April 27-28, 1998. International Needs, an NGO in Ghana dedicated to the eradication of the practice.

²² Ibid.

VOLUME 4 CHAPTER 9**9.1.6 Witches' Camps**

Belief in witchcraft is widespread in Ghana. People are sent to shrines to be “de-witched” after being accused of being witches, often by their close relations. Sometimes, the formal “outing” of a witch is done by a fetish priest(ess) of a shrine in the locality. The practice of ostracising such persons from their community, and confining them in hopes of eliminating their evil influence, has been identified as a cultural practice in parts of northern Ghana. In Gambaga and Gnaani in the Northern Region, the site of two major Witches' Camps, there are to be found, people, mostly women, who have been chased out of their communities for practising witchcraft. On arrival at the camp, they are sent to the chief or the elder, who performs rituals on them to “de-witch” them. Thereafter, they are absorbed into the community, and although permitted to return to their original homes if they so desire, the hostile social milieu and stigmatisation, discourage such re-entry. Most of these women are poor and elderly women, and the practice removes them from the support, financial and material that old age requires. This therefore violates their right to a peaceful old age and the right to live with their families.

9.1.7 Summary

9.1.7.1 Traditional religious practices have been labelled as being obsolete, thus, crimes such as the serial killing of women, which took place in Ghana in the later part of 1999, have been explained away by some people as ritual killings.

9.1.7.2 Again, so long as it is believed that the acquisition of power and wealth accords one instant respect and the best treatment wherever one finds oneself, and the fact that this can be achieved through the use of *juju*, the drive to commit ritual murder may continue to persist.

9.1.7.3 The impact of legends and folktales on the belief systems and motives of traditional religion may drive some people to resort to such practices that invariably trample upon peoples rights.

9.2 THE ISLAMIC RELIGIOUS GROUP**9.2.1 Historical Background**

9.2.1.1 There are two main branches of Islam in Ghana, namely, the Orthodox Islam, and the Ahmadiyya Muslim Mission. The inception of Islam in the country was through the efforts of traders and itinerant Islamic clerics and teachers. There are

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many Orders in Orthodox Islam.²³ The two best known in Ghana are the Qadiriyya, founded by Abdal Qadir,²⁴ and the Tijaniyya, founded by Ahmad Tijani in Algeria.²⁵

9.2.1.2 In 1921, a movement was introduced into the Gold Coast, known as the Ahmadiyya Movement. This movement originated from the Indian sub-continent, and was founded by Mirza Ghulam Ahmad in the nineteenth century; it began as a reform movement within Islam.²⁶

9.2.2 Government-Muslim Relations

9.2.2.1 Successive governments since the colonial era have tried to influence the leadership and organizational structure of the Muslim community. They did so either in the name of uniting the Muslims or soliciting their loyalty in the implementation of their programmes.

9.2.2.2 Since the inception of multi-party politics in Ghana, various Muslim communities have allied themselves with different political parties that they believed would best protect their interests.²⁷

9.2.2.3 Prior to agitations towards Independence, the Muslim community was apprehensive that its right to exist might not be recognized. In view of this, the only way for the community's existence to be guaranteed was to come together as a unified body. This, they did by forming the Moslem Association Party (MAP) in 1954, that assumed a violent anti-CPP stance.²⁸ The MAP was later banned, when the CPP government promulgated the Avoidance of Discrimination Act²⁹ in 1957.

9.2.2.4 The Gold Coast Moslem Association (GCMA) was among the early Muslim organizations to emerge. Its leaders were Imam Abass (Chief Imam) and Alhaji Amadu Baba (Zongo Chief of Kumasi). GCMA's objectives were to harness the material resources of the Muslims, and also to cater for the social and religious needs of the Gold Coast Moslems. The GCMA departed from its social objectives to actively participate in politics in 1939, after the earthquake in Accra. The Muslims felt that

²³ A Religious Order is a group that is centred around the teachings of a leader, whose path the believers follow.

²⁴ Geoffrey Parrinder "The Religions of Africa" in *Africa South of the Sahara*, (20th Edition) Epworth Press, 1991, p.91.

²⁵ A Religious Order is a group that is centred around the teachings of a leader, whose path the believers follow.

²⁶ Official publication of Ahmadiyya Muslim Mission, Ghana, p.1; Mohammed Affum, "The Ahmadiyya Movement" *Daily Graphic* vol. 9278 25th August, 1980, p.3.

²⁷ Interview with Hon Alhaji Bin Salih, on 3rd February, 2003.

²⁸ J.H. Price, 'The role of Islam in Gold Coast Politics' In West African Institute of Social and Economic Research proceedings of Third annual Conference 1954 (Ibadan).

²⁹ Avoidance of Discriminating Bill (December 1957), forbade the existence of parties on regional, tribal or religious basis.

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there was unfair distribution of building materials to the affected Muslim communities. Thus, it was GCMA's social concern for Muslims that pushed it into politics. When it turned to politics, an Accra lawyer, Mustapha Awoonor Renner, and a Kumasi lawyer, Cobbina Kessie, became its leaders. The GCMA later metamorphosed into the MAP in the early 1950s.

9.2.2.5 The Nkrumah administration saw the emergence of this party as a threat to his effort to win more Muslim support, and to increase CPP membership. Consequently, Dr. Nkrumah established the Moslem Youth Congress (MYC) of Ghana to serve as the mouthpiece of Muslims. It was believed that the formation of the MYC was intended to undermine the leadership of the GCMA, and to limit its political influence in the country. In addition, Muslim leaders considered the establishment of the MYC as an imposition, since the government handpicked the leaders. The MYC was therefore not only seen to be opposed to the GCMA, but also a wing of the CPP.

9.2.2.6 The leadership of the MYC gradually gained prominence and political influence. For example, Z B Shardow, who was the co-Chairman of the Muslim Youth Congress, became the National Organiser of the Ghana Young Pioneer movement (GYP).³⁰ In the same way, Mallam Futa was made the Imam of Accra, after Dr. Nkrumah had removed Mohammed Abass from that office in 1959. Both the MYC and the GCMA became ineffective and lost their prominence after the overthrow of the CPP Government in 1966.

9.2.2.7 In reality both the GCMA and the MAP were anti-CPP, because they thought the policies of CPP were a threat to the people they represented. By adopting this anti-government position, the leaders of these two Muslim groups lost some rights and privileges. In addition to these, the deportations of some of their leaders and the removal of the Imam from office, coupled with detentions under the Preventive Detention Act silenced them and reduced their influence in national affairs.

9.2.3 6TH MARCH, 1957- 23RD FEBRUARY, 1966 : CONVENTION PEOPLE'S PARTY (CPP)

9.2.3.1 The MAP

9.2.3.1.1 In the late 1950s the MAP, was dismembered by a series of Deportation Orders made by the government, as the leaders were alleged to be of Northern Nigerian extraction. Over a period of time the number of people within the leadership of the MAP who were deported was as follows: 68 in 1957, 62 in 1958, 75 in 1959, and 54 in 1960³¹. The issue of the deportations raised some moral questions in their application. There were allegations of riots among the various Muslim groups, that

³⁰ *Daily Graphic*, vol. 4522 Tuesday, 13th April, 1965, p.12.

³¹ Geoffrey Bing, *Reap the Whirlwind; Annual Report on the Treatment of Offenders* 1962, Accra, 1965.

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made them liable to the charge of violence, and the CPP Government resorted to the deportation of some of the Muslim leaders. Those who were deported were known allies of the National Liberation Movement (NLM).³²

9.2.3.1 2 Later, the MAP merged with others to form the United Party, when the Avoidance of Discrimination Act, 1957 (CA 38) prohibited the existence of religious-based political parties.

**9.2.4 24TH FEBRUARY, 1966 – 30TH SEPTEMBER, 1969:
NATIONAL LIBERATION COUNCIL (NLC)**

9.2.4.1 The National Liberation Council (NLC), which toppled the CPP Government on February 24, 1966, banned the GCMA and the MYC of Ghana, due to their anti-CPP and pro-CPP rivalry.

9.2.4.2 The issue of human rights abuses during the NLC against certain individuals that raised public concerns were the public ridicule of Boye Moses, one of Dr. Nkrumah's security aides, who was paraded in a cage on the streets of Accra³³, the strike involving the mine workers of Ashanti Goldfields in Obuasi, during which three of the workers were shot dead by the police³⁴, and the decision of the government to ban most of the leading members of the former CPP from contesting the 1969 general elections.³⁵ All these violations did not elicit any comment from the Muslim communities and their leaders at the time. In short nothing much can be said about the activities of Muslim Organizations under this regime.

**9.2.5 1ST OCTOBER, 1969 – 12TH JANUARY, 1972
THE SECOND REPUBLIC**

9.2.5.1 In 1969, the efforts of the Busia Government to unite the Ghana Muslim Mission and the Ghana Muslim Community led to the creation of the Supreme Council for Islamic Affairs. Some Ga Muslims and Muslims in the northern part of Ghana formed the council. Alhaji Haruna Attah, then a Minister in the Second Republic, inaugurated the council in April 1970 at Tamale. In his inaugural speech, Alhaji Attah praised Muslims for coming together to form the council to deal with Islamic Affairs. He urged them to render genuine services, adding that by their unity, they would be laying a firm foundation for a better administration of the affairs of Muslims.

³² John Pobee, *Kwame Nkrumah and the Church in Ghana 1946-1966*, Asempa Publishers, Ghana 1988, p.161.

³³ *Daily Graphic*, Vol.5075 Tuesday, 24th January, 1967, p.1.

³⁴ Ninsin, K.A. and Drah, F.K. *Political Parties and Democracy in Ghana's Fourth Republic*, Woeli Publishing Services, Accra, 1993.

³⁵ Buah, F.K. *A History of Ghana* Macmillan Education Ltd, London and Oxford, 1998.

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9.2.5.2 One of the most significant landmarks of this regime was the enforcement of the Aliens Compliance Order.³⁶ Many Muslim immigrants were affected by this Order. The implementation caused great suffering, and there were many pathetic scenes as the deportees scrambled for transport to locations that were completely foreign to some of them. For instance, according to an eye-witness account, a man committed suicide by slashing his throat on the steps of a bus, while he and others were being transported to Upper Volta (now Burkina Faso), because he had no idea where he would stay in Upper Volta, having been born and bred in Ghana.³⁷

9.2.5.3 There was also the dismissal of 568 civil servants that became known as ‘Apollo 568’³⁸ and caused unease in the era. This too might have affected some families of the Muslim community. There were no such petitions or protests from the Muslim groups or their leaders.

**9.2.6 13TH JANUARY, 1972 – 3RD JUNE, 1979:
NATIONAL REDEMPTION COUNCIL (NRC) AND
SUPREME MILITARY COUNCIL (SMC) I & II**

9.2.6.1 Ghana Muslim Representative Council (GMRC).

9.2.6.1.1 Colonel Ignatius Kutu Acheampong came to power on 13th January, 1972, as Chairman of the NRC and Head of State. He received pledges of support from the Muslim leadership. In the same year the NRC set up the National Islamic Committee to settle all disputes among Islamic organizations in the country and to ensure unity among Muslims. The NRC was of the view that, it was only reconciliation and unity of purpose that would restore to the Islamic groups the influence that they had lost³⁹.

9.2.6.1.2 On 10th October, 1972, Alhaji Mahmoud Lampitey, an Imam of the Armed Forces who was the chairman of the committee presented to the NRC Government, a report on the proposals for a Muslim organisation in the country. The Report was received on behalf of the government by Major Roger J A Felli, who congratulated the Committee for a good work done and said it was the aim of government to unite all Islamic organisations in the country⁴⁰.

³⁶ Aliens Compliance Order was a government policy to compel foreigners to regularise their stay in accordance with the Immigration law within 14 days, or leave Ghana.

³⁷ Memorandum to the National Reconciliation Commission .

³⁸ “Apollo” is a reference to the nickname given conjunctival infection that affected some people after the successful space mission, Apollo 11 in 1969. Most of the people affected were quarantined to avoid the spread of the disease. The term was applied to the 568 Civil Servants, who were sacked during the era of the Second Republic.

³⁹ *Daily Graphic*, vol. 6765 Friday, 7th July, 1972, back page.

⁴⁰ *Daily Graphic*, vol. 6847 Wednesday, 11th October, 1972, p.11.

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9.2.6.1.3 The efforts of the NRC Government in ensuring peace and harmony among Muslim bodies gave birth to the Ghana Muslim Representative Council (GMRC). It was inaugurated on 23rd March, 1973, at the Accra Community Centre by the Commissioner for Information, Lt Col Chumogo D Benni. In a special message to Muslims on the occasion, the Head of State, expressed his happiness for the country, that a distinct body had succeeded in settling amicably, all disputes among Muslims.⁴¹ On the Muslim front, Alhaji Dauda Otoo praised the government for its contribution to the unity of the Ghana Muslim Community, the Ghana Muslim Mission and the Supreme Council for Islamic Affairs, a goal that had been impossible to achieve over a period of 20 years by previous governments⁴².

9.2.6.1.4 Indeed, the GMRC after its formation became the mouthpiece of all Muslims in national politics. The council was very instrumental in the campaign for the adoption of the Union Government (UNIGOV) concept, which was proposed by the SMC in the late 1970s. Alhaji Mohammed Alhassan, who was of the GMRC declared in a seminar that: “it will be suicidal for the country to return once more to the game of party politics which has no respect for old age and which had sowed seeds of dissension in the country”⁴³. The GMRC also represented the Muslim Community in the 1979 Constituent Assembly, which drafted the 1979 Republican Constitution. Alhaji Bashiru Futa, a legal practitioner, represented the Council.

9.2.6.1.5 On 6th February, 1979, a press conference was held in Accra by a number of Muslims, who claimed to represent the entire Muslim community. At the press conference, they rejected the idea of party politics, which “once divided the Islamic religion by the formation of the erstwhile Muslim Association Party.” Therefore they embraced the idea of UNIGOV. In a statement read on behalf of the Muslim chiefs by their secretary, Alhaji Ramadan Ibrahim, they said:

We overwhelmingly embrace the proposed Union Government, which is in line with the basic principles of the Islamic concept that all men are equal and united.⁴⁴

9.2.6.1.6 In another development, Sheikh Ibrahim Amartey of the council urged Ghanaians to eschew their apathetic attitude to the proposal of UNIGOV and unite to support the government in the search for a suitable government for the nation.⁴⁵

9.2.6.1.7 The statement was typical of the several statements that came from various Muslim groups between January and March, 1978. For instance, a nine-member committee led by Chief Adama Damaley, head of the Sabon Zongo community in

⁴¹ *Daily Graphic*, vol. 6986 Saturday, 24th March, 1973, p.2.

⁴² *Daily Graphic*, vol. 7397 Wednesday, 24th July, 1974, p.1.

⁴³ *Daily Graphic*, vol.8104, Monday, 8th November, 1976, p.6

⁴⁴ *Ghanaian Times*, vol. 6706 Monday, 7th February, 1979, p.1.

⁴⁵ *Daily Graphic*, vol. Monday ,3rd December, 1979, p.

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Accra, urged all religious people to vote ‘Yes’ at the 30th March, 1978 Referendum, to ensure progress and stability⁴⁶. Also, Alhaji Yakubu Tetteh, founder and National Organiser of the Muslim Association asked an audience at Zenith Hall, Sekondi, to support UNIGOV, because Islam and the Holy Quran stressed, in essence, unity.⁴⁷

9.2.6.1.8 A fact worthy of note is that some of the Muslim chiefs were also politicians. For example, Alhaji Salihu Maikankan was the Chairman of the Darkuman branch of the Ghana Peace and Solidarity Council.⁴⁸ That body was a political wing of General Acheampong’s Unigov campaign. Therefore, suggestions that some of them were involved in politics in the name of religion, cannot be ruled out of discussions on this issue.

9.2.6.1.9 Having openly declared their support for UNIGOV, they were not in a position to criticise the human rights abuses that the regime indulged in, during the campaign for the referendum on Unigov.

9.2.7 **4TH JUNE 1979 – 23RD SEPTEMBER 1979:**
ARMED FORCES REVOLUTIONARY COUNCIL (AFRC),

9.2.7.1 The AFRC under the chairmanship of Flt Lt Jerry John Rawlings. replaced the ruling Supreme Military Council government on 4th June, 1979. The government proceeded to deal ruthlessly with people it perceived to have committed various offences. These atrocious actions of the AFRC government included public caning, especially of market women stripped to near-nakedness, arbitrary dismissals, seizure of property and indiscriminate killings by soldiers men.

9.2.7.2 Such actions of the military government elicited public outcry from civil society, religious bodies and other organisations. However, the GMRC, under the leadership of Alhaji Dauda Otoo commended the AFRC’s decision to despatch those found guilty by revolutionary courts⁴⁹.

9.2.7.3 The Ahmadiyya Muslim Mission in Wa suffered abuse of its rights, when soldiers seized many bags of grains meant for the poor in the area.⁵⁰ It was thus only the Ahmadiyya group that spoke vehemently against the arbitrary seizure of property of which it had fallen victim.

⁴⁶ *Ghanaian Times*, vol. 6303 Monday, 13th March, 1978, p.8.

⁴⁷ *Ghanaian Times*, vol. 6316 Wednesday, 29th March, 1978, back page.

⁴⁸ *Ghanaian Times*, vol. 6268 Tuesday, 31st January, 1978 p.1.

⁴⁹ *Ghanaian Times*, Vol. 6706 Monday, 2nd July, 1979, p.1.

⁵⁰ *Ghanaian Times*, no. 6742 Monday, 13th August, 1979, p.1.

VOLUME 4 CHAPTER 9**9.2.8 24TH SEPTEMBER, 1979 – 30TH DECEMBER, 1981:
THE THIRD REPUBLIC**

9.2.8.1 The political influence of Hajia Amina Baby Ocansey, the National Women's Organiser of the People's National Party (PNP), brought about the formation of the National Assembly of Muslim Women in 1981. This Assembly was established to organise and co-ordinate the activities of Muslim women. Although, the GMRC was still the official mouthpiece of the Muslims, it was not vibrant.

**9.29 31ST DECEMBER, 1981 – 6TH JANUARY, 1993:
PROVISIONAL NATIONAL DEFENCE COUNCIL (PNDC)**

9.2.9.1 The GMRC continued to champion the cause of Muslims and constituted the official mouthpiece of all Muslims until the 31st December, 1981 coup. This coup brought into power the PNDC, again under the chairmanship of Flt Lt Jerry John Rawlings. A number of Islamic associations such as the United Ghana Muslim Representative Council (UGMRC) and the National Muslim Task Force, emerged after the coup. The National Muslim Task Force was under the leadership of Alhaji T.B. Damba, and it aimed at mobilizing Muslims towards the National Economic Recovery Programme of 1982.

9.2.9.2 Attempts by the PNDC Government to unite the GMRC and the UGMRC led to the establishment of the National Islamic Secretariat in 1985. Again, when Colonel Muammar-al-Qathafi of Libya paid a visit to Ghana in 1985, he made a call for Muslim unity. This brought about the formation of the Federation of Muslim Councils in 1987. In response to PNDC Law 221, to monitor the activities of religious bodies in the country, *Din-il-Islam*⁵¹ was also established in Ghana in 1989, to register under this law, "as the superstructure" for all orthodox Islamic associations, as one religious body in the country.

9.2.9.3 The way and manner, these organizations were set up, coupled with the fact that, the initiatives were not generally from the Muslim masses, limited their activities. The new organisations failed to receive the mandate of the general Muslim body, and this situation led to the manipulation of the organisations by a few, in the name of all Muslims, particularly in its dealings with the central government.

9.2.9.4 Thus, rivalry developed between the GMRC and the UGMRC in championing the destiny of Islam and Muslims in the country and this situation led to calls from individuals, Islamic institutions, Islamic and Arab Missions and government for peace and unity in the Muslim community. Among these were personalities such as Hajia Amina Baby Ocansey, National Assembly Women's Organiser, Sgt Muhammed Alidu

⁵¹ *Din-il-Islam* meaning Association of Islam.

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Upper East Regional Organising Assistant of Police, in-charge of Committee for the Defence of the Revolution (CDR), and the Royal Embassy of Saudi Arabia.

9.2.9.5 Ultimately an accord between the GMRC and the UGMRC was signed on 7th July, 1985, in Accra, and led to the formation of the National Islamic Secretariat as an umbrella body for all Muslim organizations (Sunni) in the country. Each of the two bodies had five representatives on the National Islamic Secretariat with Alhaji Dauda Otoo and Alhaji B A R Braimah, as the first two National Co-ordinators.

9.2.9.6 Colonel Muammar-al-Qathafi's call for Muslim unity as a means of promoting the advancement of the 31st December Revolution was accompanied by his pledge of Libya's preparedness to provide financial support to the Islamic Council. The pledge was redeemed in January, 1987, when a Libyan delegation participating in the 5th Anniversary of the 31st December Revolution, made a presentation of items worth ₵22 million to the National Islamic Secretariat. The delegation also extended an invitation to the leadership of the National Islamic Secretariat to attend an International Islamic Conference to be held in Tripoli⁵².

9.2.9.7 Thereafter in 1987, the National Islamic Secretariat sent a high-ranking delegation of over 30 Muslim leaders, to participate in the 3rd National Islamic Conference of West African Countries held in Tripoli, Libya. The Ghanaian delegation held a series of discussions with the World Islamic Call Society (WICS). These discussions led to the signing of the Tripoli Accord between the two parties. One of the issues contained in the "Tripoli Accord" was that the National Islamic Secretariat, be replaced with the Federation of Muslim Councils. This was to serve as the General Secretariat, and it was to be run by the heads of the various Islamic Councils in the ten regions of Ghana.

9.2.9.8 On the 4th April, 1987, Chairman Rawlings inaugurated the Federation of Muslim Councils in Accra. In his inaugural speech, Flt Lt Rawlings made it clear that the Federation of Muslim Councils would not by itself guarantee the hopes and aspirations which led to its formation, unless Muslims, as individuals, and as a group, were prepared to support the Federation to achieve its goals, with singleness of purpose, understanding and tolerance.⁵³

9.2.9.9 Alhaji Dauda Otoo, again, served as the first National Co-ordinator of the Federation of Muslim Councils. The structure of the Federation of Muslim Councils was not different from that of National Islamic Secretariat, thus constituting a departure from the Tripoli Accord.

⁵² *Daily Graphic*, vol.11264 Monday, 2nd February, 1987, p.5.

⁵³ *Daily Graphic*, Vol. 11318, Monday, 6th April, 1987.

VOLUME 4 CHAPTER 9**9.2.10 Summary**

9.2.10.1 Looking at the facts presented above, it can be seen that, since Independence, various Muslim communities have allied themselves with different governments, which they considered would best protect their interests. Political parties in government have also used Muslim communities to further their own sectoral goals.

9.2.10.2 By and large, there have been many attempts to institute a Muslim council, which would act as the umbrella organization for all Muslims, but the attempts have not always been successful. There is now in existence the Office of the National Chief Imam and the Head of Ahmadiyya Muslim Mission. These are all attempts to establish an identifiable national identity and give Muslims a voice in national affairs.

9.2.10.3 Generally, the Muslim communities feared that colonial rule would impose Christianity on them. This led the Muslim communities in Ghana to isolate themselves from active participation as a group to react to issues, which bordered on human rights abuses against either them or other people in society.

9.2.10.4 It could therefore be said that Muslims in Ghana had, never as a group, championed any cause, when it came to issues of public agitation against human rights violations and abuses. During military takeovers in Ghana, people were maltreated, maimed, whipped, killed and some properties were seized, but none of these produced official comment from the Muslim Community. This is not surprising since at most times the leaders of the new Muslim unity organizations were handpicked by the government of the day. The result of this silence has been the marginalization of Muslims in issues relating to the protection of human rights. Apart from a few Muslims in politics, the Muslim communities have not been politically active in terms of formal protests or endorsement of government policies and directives. The Ghana Muslim Mission was not in favour of the Preventive Detention Act, yet because of its non-political stance, the Mission could not officially and openly condemn the Act, although some of its members suffered under it.⁵⁴

9.2.10.5 The Ghana Muslim Mission has stated that because of its non-political stance, it did not make any official protest against the effects of the PDA. It is unclear what “non-political” means, because the refusal to comment on the arrest and deportation of its own members on account of non-political stance would appear to be an abdication of the organization’s social responsibility to its own members. It is fair to conclude that the organization did not get involved for fear of reprisals.

⁵⁴ Memorandum to National Reconciliation.

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9.2.10.6 The implementation the Deportation Act to get rid of prominent leaders of the Muslim community⁵⁵ during the CPP regime, helped to silence the Muslim community.

9.2.10.7 Neither the Ahmadiyya Muslim Mission nor the Orthodox Muslims supported brutalities, killings, seizure of property and other related human rights violation. However, although they frowned on human rights violations such as flogging in public, detention without trial and the parading of human beings in iron-cage, they did not openly protest those atrocities.

9.3 THE CHRISTIAN RELIGIOUS GROUP**9.3.1 Historical Background**

9.3.1.1 Christianity came to Ghana, then Gold Coast, through Christian Missionary work in Elmina. It all started with the arrival of the Portuguese in 1471, and from that time to date, a lot of churches have sprung up. Notable among them are the Presbyterian Church, the Methodist Church, the Anglican Church, the Roman Catholic Church, and several Pentecostal and Charismatic Churches.⁵⁶

9.3.1.2 The Christian Church has had a great impact on the Ghanaian society and has shaped a number of our modern national institutions. This is as a result of the nature of the missionary activity, such as formal education, that brought Christianity to Ghana. Although in principle, the colonial government practised the modern theory of separation between church and state, its *modus operandi* inadvertently propagated and infused Christian ideals and values into national institutions. Ghana was therefore regarded as a Christian nation, not by virtue of numbers, but by institutional affinity and residual Christian ideals and values in our society. The close relationship between the Christian church and colonialism, whether by default or design, gave the Christian Church a great social recognition in the socio-political life of this country.

9.3.1.3 In Ghana, some leaders of the various Christian religious groups have been vocal in drawing government's attention to what is seen as human rights violations abuses in Ghana's political life. Christian religious bodies and successive governments have sometimes collaborated in various areas, especially on issues of socio-culture interest, because in Ghana there has not been a clear distinction between the sacred and the secular.

⁵⁵ Deportation Act of 1957 enabled the government of CPP to deport people perceived as opposition to the government.

⁵⁶ Asiedu M.K. Thomas, (1993), *State and Church Relation under Provisional National Defence Council* (Unpublished) Long Essay submitted to the Department for the Study of Religions, Univ. of Ghana.

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9.3.1.4 The rapid socio-cultural and political transformation of Ghana, made it necessary for adjustments to be made in such collaborations between Church and State in the post-Independence Ghana. Consequently, when Christian religious bodies got involved in politics, they did so not as a matter of civic duty, but mainly on the basis of certain ideologies, laws, and pronouncements by certain personalities, which were perceived as blasphemies and in contravention of international human rights laws.

**9.3.2 6TH MARCH, 1957 – 23RD FEBRUARY, 1966:
CONVENTION PEOPLE’S PARTY (CPP)**

9.3.2.1 From the time of Independence, ie from 6th March, 1957 up to at least 1962, it was clear that majority of the people of Ghana supported Dr. Kwame Nkrumah; the reason being that he had created order, after the chaotic campaign for independence. Through this feat also, he won respect for Ghana from the international community. For many Ghanaians, Dr. Nkrumah had saved them from unemployment, personal degradation and humiliation. Even, foreign powers saw him as a force to be reckoned with.

9.3.2.2 The first sharp conflict between the State and the Christian Church occurred, when Bishop Reginald Richard Roseveare, the Anglican Bishop of Accra, criticized the formation of the Ghana Young Pioneer movement (GYP). Bishop Roseveare was subsequently deported after having been vilified in the press. Although he was later allowed to return, the church had been sufficiently cowed. Rev Fr Vincent K. Damuah of the Catholic Church, was also briefly detained for criticising the government over Bishop Roseveare’s deportation and other church-related issues. It took the personal protest of Archbishop John Kodwo Amissah, Catholic Archbishop of Cape Coast, to secure his release.

9.3.2.3 Again, some of the heads of educational institutions owned by the Christian religious groups displeased the government when they failed to show support for the formation of the GYP movement in their institutions. For example, the Headmaster of Mfantshipim School in Cape Coast was dismissed, and the Headmistress of St Monica’s Girls Secondary School Mampong, Ashanti, came under official pressure, when they would both not support the formation of the GYP in their respective schools.⁵⁷

9.3.2.4 In general, the relationship between Christian religious bodies and governments has been fairly respectful and cordial. Since Independence, Christian religious leaders have been accorded a high position in the Ghanaian socio-political context, and they have been influential in various areas, particularly in the provision of schools and the moral formation of the citizenry.

⁵⁷ Pobee, *supra*, p.131.

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9.3.2.5 There were a few occasions when the churches openly protested actions that they believed to be blasphemous, during President Nkrumah's administration. In particular, the churches were unhappy with the messianic ascriptions that were used in adulation of the President. After his statue of about 20 feet had been erected in front of the Old Parliament House in Accra, with the inscription, "Seek ye first the political kingdom and all other things shall be added unto you", the Christian Council, found it necessary to challenge this. This was because the inscription was an adaptation of the biblical quotation, "But seek ye first the kingdom of God, and his righteousness; and all these things shall be added unto you."⁵⁸ The Christian Council of Ghana sent a letter, dated 28th April, 1958, to the Minister for Works, E. K. Bensah, asking him to remove the quotation from the statue of Dr Nkrumah and substitute it with a non-biblical inscription. Threats were issued from the government that such an action from the Christian Council was an offence against the provisions of the Avoidance of Discrimination Act. The government further tried to silence the Christian Council by accusing it of carrying out a political agenda.

9.3.2.6 On 1st July, 1960, the programme for the celebration of Republic Day included the pouring of libation to solicit spiritual protection. The Christian Churches considered this as idolatry and unacceptable and therefore protested against it, even though Ghana was a secular State. The churches felt that if spiritual protection had to be sought, then it had to be according to Christian practice and teachings.

9.3.2.7 There were many instances in which people sought to deify Dr. Nkrumah. In fact, there emerged a cult of President Nkrumah that was nurtured by the CPP. Part of the practices of this cult in its deification of Dr. Nkrumah was to ascribe several appellations to Nkrumah. Such appellations included "Osagyefo"⁵⁹, "Kantamanto"⁶⁰, "Oyeadeeyie"⁶¹, "Kasapreko"⁶², "Asuo'dumgya"⁶³, and even "The Messiah." The churches frowned on these appellations, which seemed to elevate President Nkrumah above other mortals.

9.3.2.8 The people of Ghana were subjected to propaganda that suggested that President Nkrumah's emergence was more extraordinary than the emergence of Buddha, Jesus Christ and the Prophet Mohammed. In an editorial of the *Evening News*⁶⁴ was the inscription, "All day, all night we are reinforced in our belief that the whole phenomena [sic] of Dr. Nkrumah's emergence is second to none in the long history of the world messiah from Buddha, Mohammed and Christ." To enhance that image, there were continued appellations in the media and on various platforms. For example, Dr. Nkrumah was alleged to have gone to the wilderness for spiritual

⁵⁸ *The Holy Bible* (King James Version) Matthew Chapter 6 verse 33.

⁵⁹ 'Conqueror in battle'.

⁶⁰ 'One who does not go back on his word'.

⁶¹ 'One who sets right what is wrong'.

⁶² 'One whose word is final'.

⁶³ 'Water that is powerful enough to quench a raging fire'.

⁶⁴ *Evening News*, vol. III, no 636, Monday 21st March, 1960, p.2.

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exercise just as Jesus Christ did. Again, according to the *Evening News*, just as John the Baptist heralded the Mission of Christ on earth, Dr. Nkrumah's emergence was also said to have been foretold by Dr. Kwegyir Aggrey. The *Evening News* in a report captioned: "The Seven Days in the Wilderness", and "Nkrumah in the Hour of Transfiguration"⁶⁵, graphically compared Dr. Nkrumah and Christ. Dr. Nkrumah was also considered martyr par excellence by J R P Marutle in the following poem:

For your sake he was imprisoned;
 For your sake he deliberately plunged himself into supreme sacrifice
 by declaring Positive Action at a time he knew fully well the
 imperialists would hit back;
 For your sake he suffered shame and degradation;
 For your sake he abandoned law and came at the call of the UGCC;
 For your sake he has incurred the hatred of imperialist hypocrites and
 all who do not want the common man to have a place under the sun;
 For your sake he was tortured, suffered persecution, libel cases,
 contempt of court and all sorts and manners of injustices;
 For your sake his residence at New Town was bombarded by an
 executive officer... of the opposition.⁶⁶

This poem is just an extended parody of the biblical exhortation, "For your sake, he was crucified." Some began to sing Dr. Nkrumah's praises by substituting some words of the Canticum "*Te Deum Laudamus*". All these acts of deification offended the churches.

9.3.2.9 On 24th May, 1961, the CPP Member of Parliament for East Nzema, J A Kinnah, announced that a "shrine" should be built to the name of President Nkrumah, in Nkroful, President Nkrumah's hometown, in the Western Region of Ghana. These ideas did not sit well with the Christian Council of Ghana⁶⁷, especially as P K K Quaidoo, CPP Member of Parliament for Amenfi Aowin, who spoke against the erection as being premature was described as a "Catholic slave and hypocrite". The shrine received visits from many people who believed they were on a pilgrimage.⁶⁸ In 1962, about 100 members of the GY P from all the regions of Ghana went on pilgrimage to the shrine where they kept an all-night vigil, and organised a route march.⁶⁹ The Christian Council felt that the adulation of the President had gone too far and was becoming idolatry. The last straw that broke the camel's back was when President Nkrumah was called "The Messiah" and children of the GYP were seen as being indoctrinated into a cult that upheld the immortality and infallibility of the President.

⁶⁵ *Parliamentary Debates*, First Series, National Assembly Official Report, 1960-61 session, 18th April-23rd June, 1961, pp877-882, 891-898; *Evening News* vol. III, no. 637, Tuesday, 22nd March, 1960, p.1.

⁶⁶ Pobee, op. cit.

⁶⁷ Ibid.

⁶⁸ Ibid.

⁶⁹ *Evening News*, vol.V, no.1396, Saturday, 1st September, 1962, p.1.

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9.3.2.10 Between 1957 and up to the overthrow of the CPP Government in 1966, the Christian religious bodies mainly played a human rights advocacy role under the name of the Christian Council of Ghana. The Catholic Church also later joined in this crusade. During this era, the issues of concern included the introduction of the Preventive Detention Act (PDA), the Deportation Act and the bomb-throwing outrages that resulted in many deaths, especially those of GYP, in the 1960s.

9.3.2.11 The Christian Council put in a lot of effort to stop Parliament from passing the Preventive Detention Bill, but the Bill was rushed through Parliament in July and passed. Later, in a letter dated 7th January, 1960, Rev G Thackray Eddy, the retiring Chairman of both the Christian Council of Ghana and of The Methodist Church, Ghana, wrote to the Prime Minister, Dr. Nkrumah, indicating the council's concern over the PDA. Indeed, later that month of January, 1960, Reverend Eddy wrote another letter stating the following:

The council believed the bill to be contrary to natural justice, which requires that any accused person should be given an opportunity to defend himself face to face with his accusers. The letter further indicated that the bill would discourage free and honest criticism and that it would cause people to live in apprehension.

The Prime Minister in response stated:

I am satisfied that my party and government have taken their stand in this matter from a realistic point, and I am unable to advise them to shift their ground. I think that if the Christian Council and the churches want the Preventive Detention Act to be withdrawn, it should be their duty first of all to take positive steps to remove the causes, which led to the passing of the Act. As long as they have not done so, my colleagues and I cannot see that you and your colleagues have any right at all, moral, or otherwise, to intervene in this matter.

Dr. Nkrumah thus rejected the concern expressed by the Christian Council.

9.3.2.12 In 1962, the Christian Council expressed the concern of its members on the assassination attempt made on President Nkrumah. A press release by the council after he escaped assassination at Kulungugu read in part as follows:

The Christian Council of Ghana meeting at Accra on the September 14, 1962, reaffirms the Majesty and the Lordship of Jesus Christ, realizing that he is still in control. The Council rejoices in the President's escape from assassination. The Council strongly condemns the recent acts of violence and has shown their sympathy in a practical way by giving the sum of (£G150) One Hundred and Fifty Ghanaian Pounds towards the relief of those who suffered. The Christian Council recognizes the right of the churches to affirm its conviction that the church has its duty to speak on any

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issue, which affects the spiritual and moral welfare of its members and the nation in general.

9.3.2.13 The Christian Council followed up with a personal letter to the President on his lucky escape, and the following response was received a few days later:

Donation for the relief of Kulungugu victims: I am directed by Osagyefo to acknowledge on his behalf receipt of your letter dated September 15, 1962. Osagyefo also wishes me to convey through you the Christian Council of Ghana an expression of his deep gratitude for its very handsome contribution towards the relief of the Kulungugu victims.

9.3.2.14 In the early part of 1960, Bishop Andrew van den Bronk, the Catholic Bishop of Kumasi, fell foul of some people due to his utterances, perceived to be anti-government. He was attacked in the press as indulging in “crook politics”. In a write-up captioned “Bishop Bronk Must Go,”⁷⁰ Rev V G Kobina-Mensah, of the Church of Africa, Accra, urged his expulsion from Ghana. It is also believed that some people, even of the Catholic Church, wanted an indigene as bishop of Kumasi, were therefore behind the political situation of the time, to compel his departure. His house was actually attacked with dynamite on one occasion. He eventually became a victim of the Deportation Act. There is no evidence that the Christian Council offered any visible support to the beleaguered Bishop.

9.3.2.15 However, when in October, 1962, the Deportation Act was used against Rt Rev Roseveare, the Christian Council took up the matter. A letter was sent to President Nkrumah pleading for Roseveare’s return. The result was his return to Ghana in November, 1962, upon which the Christian Council sent the following telegram of gratitude:

On behalf of Ghana Christian Council, we request you to kindly convey to Osagyefo the President warmest gratitude for graciously granting council’s humble petition and permitting Bishop Roseveare’s return. This most generous gesture will rejoice the heart of multitudes of Christians throughout Ghana and in many other Lands. We pray for the Almighty God’s continued guidance, support and blessing for Osagyefo.⁷¹

9.3.2.16 The Christian Council of Ghana, in collaboration with the Joint Provincial Council and the Asanteman Council, also protested the deportation of some Muslims leaders including Alhaji Amadu Baba, Lardan Lalemie⁷², Salami Lagos, Aliu Allao, Musa Derikikiyi, Idris Braimah and Sam Moshie⁷³.

⁷⁰ *Ghanaian Times*, Vol. 1182 Friday, 22nd December, 1961, p.7.

⁷¹ Memorandum to the National Reconciliation Commission.

⁷² *Daily Graphic* Vol.2154 Saturday, 24th August, 1957, p.8.

⁷³ Richard Rathbone, *Nkrumah and the Chiefs, the Politics of Chieftaincy in Ghana 1951-1960*, Reimmer-Accra; Ohio University Press-Athens, 2000, p.105.

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9.3.3 24TH FEBRUARY, 1966 - 30TH SEPTEMBER, 1969
NATIONAL LIBERATION COUNCIL (NLC)

9.3.3.1 In March, 1966, the Christian Council of Ghana held a non-denominational service at the Accra Sports Stadium, following the overthrow of the CPP Government by the NLC. It was a Thanksgiving Service to thank God for liberating the country from the one-party rule of the CPP Government. This gesture and the accompanying message of the Christian Council was, undoubtedly, a show of support for the coming into power of the NLC.

9.3.3.2 Following the overthrow, CPP office holders and other government functionaries were detained without trial. Indeed, one of the security men of President Nkrumah, Boye Moses, was put in a cage and paraded through the principal streets of Accra, amidst public ridicule. The security apparatus of the President had been so feared and hated, that no one gave a thought as to what ill-treatment was being meted out to those who constituted it; and so no one, not even the Churches, condemned this undignified treatment of a human being, and the violation of Boye Moses' human rights, in particular.⁷⁴

9.3.3.3 On 17th April, 1967, there was an attempt to overthrow the Government of NLC and as result Lt-Gen Kotoka , Capt Cephas Y. Borkloe, Capt Anthony Avevor and Sgt Osei Grushie, the personal Orderly of Lt-Gen Kotoka, were killed. The leaders of the attempted coup, Lt Samuel B Arthur and Lt Moses Yeboah, were subsequently executed in public on 9th May, 1967. This was the first public execution to be carried out in Ghana. The Christian Council protested against the public execution of Lt Arthur and Lt Yeboah. An excerpt of the letter of protest sent by the Christian Council to the NLC read as follows:

Sir,

Holding of Executions in Public: At a meeting of the Executive Committee of the Christian Council, on May 16,1967, the subject was discussed and we were made aware that many members of the churches and of the general public, were profoundly distressed that the public should have been involved to witness the execution of the Lieutenants Arthur and Yeboah on May 9. There was no questioning of the verdicts and sentences on these men, but the Executive agreed with the view that holding the executions in public encourage crude demonstrations of hatred and excites morbid curiosity in the on-lookers and in the public at large.

⁷⁴ *Daily Graphic*, Vol.5075 Tuesday, 24th January, 1967, p.1.

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9.3.3.4 In view of the possibility of other executions, the Executive Committee asked that these views should be made known to the NLC in a letter to be presented by a delegation of church leaders. In reply to the above, the NLC sent the following:

Dear Sir,
I am directed to acknowledge with thanks, the receipt of your memorandum on the above subject dated 30th May 1967, and to assure you that the council has no intention of carrying out, in the near future, any execution in public.

There were no further public executions during the NLC regime.

**9.3.4 1ST OCTOBER, 1969 – 12TH JANUARY, 1972:
THE SECOND REPUBLIC PROGRESS PARTY (PP) GOVERNMENT**

9.3.4.1 The leaders of the Christian religious bodies did not approve the overthrow of the Government of the Progress Party under Dr. Busia. This was because Dr. Busia was generally considered to be a good Christian and a God-fearing leader. However, a few incidents occurred which called for critical comment from the churches, such as the mode of implementation of the Aliens Compliance Order, and the dismissal of the 568 senior civil and public servants. There is no evidence of the churches' official protest to these events that caused such human suffering.

**9.3.5 13TH JANUARY, 1972 – 3RD JUNE, 1979:
NATIONAL REDEMPTION COUNCIL (NRC) /
SUPREME MILITARY COUNCIL (SMC) I & II**

9.3.5.1 Soon after Col Acheampong seized power from the government of the Second Republic in 1972, his style of administration became suspect in the eyes of the leaders of the Christian religious bodies. The government launched the "Operation Feed Yourself" programme which was very popular with the entire citizenry. Members of the NRC also embarked on a programme of instilling discipline in the Ghanaian body politics. Although this entailed the use of force and unorthodox methods, such as military-style drills, the churches did not disapprove because falling standards of discipline within the Ghanaian social life had been one of their constant themes since 1966.

9.3.5.2 As the same economic problems that led to the overthrow of the Progress Party re-emerged, opposition to the continued stay in office by the Military began also began to coalesce. In addition, to the economic mismanagement, the growth of *kalabule* and the attendant degeneration in moral standards roused the Christian religious bodies to action. They began to send Memoranda and Joint Pastoral Letters to the government, expressing concern over the emerging social problems. They also began to preach against the immoral lifestyles that were emerging and the social consequences of such immorality.

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9.3.5.3 The change in structure of National Redemption Council to Supreme Military Council merely changed the membership but not the policies or the lifestyles of which the churches had been so critical. The Chairman of NRC and the new SMC, now General Acheampong, began to court the disfavour of the Orthodox Churches.

9.3.5.4 The Christian Council of Ghana, and the Ghana Catholic Bishops' Conference opposed Gen Acheampong's proposal for the formation of a Union Government (Unigov). This was to be a constitutional government, which was to have representation of the Armed Forces, the Police and civilians. The two religious bodies saw it as an attempt to perpetuate military rule in the country. As time went by, anti-military sentiments of the church leaders became more vehement, because of serious human rights abuses then being perpetrated by the government.

9.3.5.5 As wanton arrests and beatings continued, heads of the Christian Council and the Catholic Bishops' Conference issued a joint memorandum of protest, after a meeting with Gen Acheampong in which they protested against acts of arbitrary arrests. They specifically, protested the arrest and detention of K Addai-Mensah, National Secretary of the Ghana Bar Association, in Kumasi on 21st February, 1978; the brutal beating up of Peter Owusu Donkor, Headmaster of Opoku Ware Secondary School, as well as the Assistant Headmaster and students of Opoku Ware Secondary School; and students of Mfantipim School in Cape Coast respectively, by supporters of the concept of Unigov. The Memorandum also protested the denial of such basic human rights as the freedom of speech and of association to the citizenry.

9.3.5.6 A pastoral letter by the Catholic Bishops' Conference condemned the human rights violations perpetrated by members of the security forces;⁷⁵ and more particularly, complained about the denial of freedom of expression to such civil society organization as the People's Movement for Freedom and Justice (PMFJ) during the months preceding the referendum on the Unigov concept. The repression of the PMFJ was criticised as being the antithesis of government pronouncements on public education on the concept of Unigov, since the law-enforcement agencies should have been the ones to give protection to the PMFJ, and not the ones to lead in the molestation of citizens expressing their dissent. The pastoral letter also protested against the biased nature of the campaign, which was supposed to educate people on the impending referendum, as evidenced by the fact that members of the government and other personalities were either openly campaigning on behalf of Unigov or the so-called National Government.

9.3.5.7 In order to promote the concept of Unigov and to give it some spiritual backing in order to hoodwink the ordinary citizen of its divine origin, Elizabeth Clare Prophet, also known as Mother Prophet, of the Summit Lighthouse of the Keepers of the Flame Fraternity of Southern California, was invited to Ghana by Gen Acheampong's

⁷⁵ See *Ghana Bishops Speak* supra, pp. 20-24.

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government in January, 1978. She re-defined and expounded the Christian doctrine of the Trinity in terms of Unigov. She urged that the Unigov was to be accepted, because it demonstrated the Christian doctrine of the Trinity. The Armed Forces represented God the Father, the Police represented God the Son, and the Civilians represented God the Holy Spirit, leading people to confer the nickname 'APC' ⁷⁶ on her version of the Unigov concept.⁷⁷ She even discovered a "fourth person of the Trinity" in the Mother of God, represented by the Women of Ghana⁷⁸. She therefore exploited the Christian religion to support the new political concept of governance of General Acheampong. The Christian Council vehemently expressed disagreement with Mrs. Clare Prophet and on 14th February, 1978, issued the following statement:

The Christian Council wishes to express its disagreement with the religious and constitutional opinions of Mrs. Clare Prophet ...She was ill-advised to make a statement about Christian belief which has no basis in the Bible and in the tradition...We deplore that whereas the place of the army and the police in any future government is a controversial issue, Mrs. Clare Prophet took the opportunity to claim on behalf of the soldiers and police among others a "divine right", no less, to participate in government. The Christian Council wishes to declare that no individual or section of the public has any divine or other right to participate in government except by the choice of the electorate freely expressed through the ballot box.

In the light of this, the orthodox churches boycotted all activities of Mrs. Clare Prophet's two-day seminar⁷⁹.

9.3.5.8 The role of the Christian Council of Ghana and the Ghana Catholic Bishops' Conference, established the Orthodox Churches also as credible reconcilers of warring factions in society as was evident during Gen Acheampong's regime. For example, their mediatory role in the clash between the Ghana Registered Nurses Association and the government, and between university students and the government,⁸⁰ showed them in a positive light. They, on many occasions, established themselves as the voice of the voiceless, pleading for the cause of political detainees, and in this role earned the wrath of Gen Acheampong. According to the Christian organisations, "the church's task is to protect and defend the rights of every human being and to protest against the violation of these rights by any fellow man or woman."⁸¹ It is possible to conclude from the events of those days that during the Acheampong regime, the orthodox churches were by virtue of circumstances, dragged into the political life of the country⁸². In a nutshell, when the orthodox churches opposed General

⁷⁶ APC is a common analgesic in Ghana.

⁷⁷ Mike Oquaye, *Politics in Ghana 1972-1979*, Tornado Publications, Accra, 1980, p.86.

⁷⁸ *Ghanaian Times*, Vol. 6,256, Tuesday, 17th January, 1978, pp.1&3.

⁷⁹ *Ghanaian Times*, Vol. 6,250 Tuesday, 10th January, 1978, pp.1.

⁸⁰ Pobee, op cit supra.

⁸¹ See *Ghana Bishops Speak*, pp. 20-24.

⁸² Memorandum sent to the Government by the Christian Council of Ghana and the National Catholic Secretariat on 7th March, 1978.

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Acheampong's regime, they were accused of meddling in politics. The same accusation was, however, not heard when the orthodox churches intervened on behalf of the government in disputes.

9.3.6 GEN ACHEAMPONG'S RELATIONSHIP WITH THE NEW PENTECOSTAL CHURCHES

9.3.6.1 It was impossible for General Acheampong to influence and win the support of the leadership of the Orthodox Churches of Ghana, during his campaign to popularize the Unigov idea. He therefore turned his attention to the new Pentecostal Churches. He found ready allies in the leaders of the "spiritual churches." He went as far as attending their church services and this gave him the opportunity to launch his campaign on the Unigov either personally from the pulpits of these churches, or through the church leaders⁸³.

9.3. 6.2 As a result, some individual religious leaders were driven by personal ambition to seek public office. In view of this, some of the spiritual church leaders were placed in high positions and this enabled them to campaign for General Acheampong's Unigov. For example Rev Dr Blankson Amankwa, leader and founder of the Bethany Church of Ghana, and Presiding Director of the National Christian Ministers' Union, also belonged to *The Friends*, one of the pro- Unigov political organs of Gen Acheampong,⁸⁴ was appointed Chairman of the University Council of the University of Science and Technology, Kumasi. When in 1974, Bishop Peter Kwasi Sarpong, Catholic Bishop of Kumasi, declined to serve on the Charter of Redemption Committee, it was Rev Charles Yeboah-Koree, founder and leader of F'Eden Church, and an ardent supporter of Unigov, who was appointed in his stead⁸⁵ as a member of the National Committee of the Charter of Redemption. Rev Yeboah-Koree at the Easter Convention of his church at the Jackson Park in Koforidua, asked his congregation to endorse Unigov, since it was divinely inspired. They were also to use divine wisdom and power to influence the next constitutional committee⁸⁶. He went on to say:

To balance the moral and political imbalance of the present and the past, Ghanaians must be committed to the search for God's divine plans, for, in it alone can one enjoy lasting peace.

9.3.6.3 On several other occasions, Rev. Yeboah Koree went on national television to proclaim Unigov during his televised sermons. There were many others in the pentecostal churches, who saw Unigov as a revelation from God. Examples of these were Rev Dr KO Thompson, one of the leaders of the Cherubim and Seraphim Church

⁸³ *The Pioneer*, March, 1977.

⁸⁴ *Ghanaian Times*, vol.6250, Tuesday, 10th January, 1978, p.1.

⁸⁵ Pobee, op cit supra.

⁸⁶ *Ghanaian Times*, vol. 6315, 28th March, 1978, p.16.

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of Ghana, Takoradi⁸⁷, and Rev Francis Walters of the African Religious Congress.⁸⁸ Some also joined secular groups to campaign for the concept of Unigov.

**9.3.7 4TH JUNE, 1979 – 23RD SEPTEMBER, 1979:
ARMED FORCES REVOLUTIONARY COUNCIL**

9.3.7.1 The 4th June, 1979 coup brought untold hardship to many Ghanaians for the first time in the annals of Ghana's political life. The AFRC regime lasted for only three-and-a-half months, but it perpetrated widespread human rights violations dubbed 'house cleaning', in the nature of killings, beatings, flogging in public, seizure of property and detentions. Some religious leaders pledged open support for the "house cleaning" exercise by the AFRC Government, and even called for its extension to other social sectors.

9.3.7.2 However, the Catholic Bishops' Conference and the Christian Council of Ghana hoped that the AFRC would not resort to unreasonable force in the execution of the 'house cleaning' campaign. Other individual church leaders such as Bishop Dominic Andoh showed concern about the acts of atrocities committed by the AFRC. The Catholic Church denounced violence of all kinds and protested vehemently to the arbitrary killings that took place. There was also a strong affirmation that each Ghanaian had the right to security of life and legitimate prosperity. Each Ghanaian was bound by the divine commandment, "Thou Shall Not Kill." In a joint memorandum, submitted to the AFRC in July, 1979, however, the Catholic Bishops' Conference and the Christian Council merely expressed the hope that the 'house cleaning' exercise embarked upon by the AFRC would be pursued without recourse to acts of vengeance and violence.

9.3.7.3 The AFRC executed eight Senior Military Officers, including three former Heads of State, in two batches. After the second batch of executions, the leaders of the Christian Council and the National Catholic Secretariat were among the other civil society groups that appealed for justice to be tempered with mercy. However, there were other members of the clergy, who supported the execution. Such supporters included priests such as Rev Fr Dr. Vincent Kwabena Damuah of the Catholic Church, who wrote:

We do not love those executed less but we love our country more. Why all the fuss about execution? I believe that the A.F.R.C has the right to exact capital punishment for the common good of the country. We hope and pray that the number is not too large. Christ died on the cross to save mankind. We hope and pray that those who have to die, accept the challenge courageously and prayerfully to save Ghana.⁸⁹

⁸⁷ *Ghanaian Times*, vol. 6247 Friday, 6th January, 1978, p.2.

⁸⁸ *Ghanaian Times*, vol. 6249 Monday, 9th January, 1978, p.3.

⁸⁹ *The Standard*, Sunday 29th July, 1979, p.3.

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9.3.7.4 *The Standard*, a Catholic Weekly, also expressed similar views on the executions as a way of ensuring social justice in the future. In an editorial under the heading: “The Great Lesson,” it stated the following with reference to the executions at the Teshie Range

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The sordid history surrounding the notorious second military regime, which put itself in power in 1972, has come to a close. The disciplinary action has been taken by the Armed Forces Revolutionary Council in public to serve as deterrent to anybody who goes about clinging on to power to amass illegal wealth and put Ghanaians into the economic predicament in which we find ourselves today.⁹⁰

9.3.7.5 The seizure of assets of a large number of people, the demolition of private houses and the establishment of “People’s Courts” to try people in secret for various alleged crimes against the state, received public support. Although there was very little information on the operations of these “People’s Courts,” no one demanded an open trial for the supposed offenders.

9.3.7.6 The AFRC Government had the shortest life-span in the annals of governance of this country. However, the atrocities perpetrated under this regime were phenomenal. The killing of the Senior Military Officers, the public flogging of people, some of whom were stripped naked, the seizure and destruction of people’s property, were enough instances of human rights violations that caused great concern in the country. In the main, the Christian Religious Bodies protested against such acts of inhumanity.

**9.3.8 24TH SEPTEMBER, 1979 – 30TH DECEMBER, 1981:
PEOPLE’S NATIONAL PARTY (PNP) GOVERNMENT**

9.3.8.1 There were very few occasions on which the churches had cause to protest against government action. One of those occasions was when the government mounted overt surveillance Capt Kojo Tsikata. *The Standard* criticised the flagrant violation of the rights of Capt Tsikata.

**9.3.9.0 31ST DECEMBER, 1981- 6TH JANUARY, 1993
PROVISIONAL NATIONAL DEFENCE COUNCIL**

9.3.9.1 The Government of PNDC under Flt Lt Rawlings initiated what he described as “Holy War” on vices. The spate of violence, terror, arbitrary imprisonment and

⁹⁰ *The Standard*, Sunday, 24th June 1979, p.4.

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torture that characterized the early stages of the revolution attracted sharp criticism from various quarters, notably, the Christian Council of Ghana and the Catholic Bishops' Conference.

9.3.9.2 Early in the life of the PNDC, certain events occurred that caused the religious leaders to express disagreement with the government. The Catholic Church's unequivocal stand against human rights abuses was contained in a joint pastoral letter of the Catholic Hierarchy of Ghana on "Moral Conversion and National Reconstruction," issued on the occasion of the 1982 Easter celebration. This was to serve as the church's reaction to the political situation in the country at that time⁹¹. The Catholic Church denounced violence of all kinds, including the arbitrary killings that were going on, emphasizing that each Ghanaian has the right to security of life and legitimate prosperity. The church, once again affirmed that each Ghanaian is bound by the divine commandment: "Thou Shalt Not Kill".

9.3.9.3 In separate memoranda, the Christian Council of Ghana and the Catholic Bishops' Conference called on the PNDC Government to publish the interim report submitted to the Attorney General by the Special Investigation Board, which investigated the kidnap and murder of three High Court Judges, and a retired Army Officer on 30th June, 1982. They also urged the government to consider the immediate possibility of handing over power to a representative government.

9.3.9.4 It was clear, during the PNDC period that the terror unleashed by the regime was such that only established bodies such as the Christian Council of Ghana, the Catholic Bishops' Conference and Association of Professional Bodies were capable of collectively expressing condemnation of the regime's excesses. One Christian leader has remarked that, "It was a miracle that the leaders of the Christian Council of Ghana and the Ghana Catholic Bishops' Conference were able to exhibit such courage during the early 1980s and to survive the fury of Rawlings' regime." This, according to him, was due to the grace of God.⁹²

9.3.9.5 Rev Dr Vincent Kwabena Damuah, a Catholic Priest, became a member of the PNDC and took active part in most of the decisions during that time.⁹³ A few Ghanaian priests spoke against the membership of Rev. Damuah on the PNDC, such that social commentators were divided on the issue of the involvement of religious leaders in politics. While some believed that priests should eschew politics, others were convinced that the appropriate role for the clergy was in the advisory capacity.⁹⁴ Rev. Dr. Joseph Osei-Bonsu, then a lecturer at the University of Ghana, Legon,

⁹¹ See *Ghana Catholic Bishops Speak*, p.59.

⁹² Memorandum to National Reconciliation Commission.

⁹³ *The Standard*, Sunday, 24th January, 1982, p.3.

⁹⁴ *The Standard*, Sunday, 31st January, 1982, p.1.

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indicated that although the inclusion of a Catholic priest on the PNDC was indicative of the regime's recognition of the important contribution which the church could make to the development of the country, it would have been better if he had been appointed to an advisory role, as such participation in the government could cause a rift in his congregation. The official position of the Catholic Church was to suspend him from priestly duties.

9.3.9.6 In November, 1982, the Catholic Bishops' Conference in its Statement on the State of the Nation, condemned the "cold-blooded, cowardly murder" of the three High Court Judges and a retired Officer of the Ghana Army, and also expressed the hope that those found guilty of the savage act would be punished.⁹⁵ The Statement further expressed concern about the lawlessness in the country and recklessness of the People's Defence Committees in sowing seeds of discord and bitterness in the country; the unrestrained violence of the security forces that had claimed many lives and maimed others; and the situation of insecurity created for every one⁹⁶ in the country.

9.3.9.7 In a Memorandum from the member Churches of the Christian Council of Ghana to the PNDC, the churches entreated the government, in the name of the Lord Jesus Christ, to listen and pay attention to the cries of the people. The memorandum mentioned the following atrocities:

...the numerous kidnappings, confiscation of properties, buildings, and cars without adequate enquiry or even any investigation at all...Detentions without trial of politicians and other citizens and increasing violence by progressive organizations...

9.3.9.8 In a document entitled, "20 Points for Study," The Christian Council of Ghana mentioned other concerns including the following:

Never before in our history have so many Ghanaians disappeared in suspicious circumstances as in the period since December 31, 1981. The cases of the three judges and a retired major are typical of the other incidents including two hundred listed on the 28 July 1982 by the Association of Recognised Professional Bodies.⁹⁷

These criticisms did not go down well with the government.

9.3.9.9 *The Standard* also consistently criticised the government on the atrocities of the time. The government took umbrage at these criticisms and expressed its displeasure by banning the newspaper on 13th December, 1985.⁹⁸

⁹⁵ See *Ghana Bishops Speak*, p.75.

⁹⁶ See *Ghana Bishops Speak*, p.74.

⁹⁷ "The Christian Council and the Revolution," Christian Council press releases dated 25th November, and 1st December, 1982.

⁹⁸ See *Ghana Bishops Speak*, pp. 115-116.

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9.3.9.10 In 1989, the government sought to control religious bodies by requiring that all religious bodies should be registered under the Religious Bodies Registration Law, 1989 (PNDCL 221). The Catholic Bishops' Conference and the Christian Council informed the Chairman of PNDC, by a joint memorandum on 11th August, 1989, of their displeasure at that law and refused to register under the Law. The message explained to the Chairman and members of the PNDC that the law constituted an infringement on the fundamental human rights of the basic freedom of worship as stated by article 18 of the Universal Declaration of Human Rights. The message further alleged that the Law also contravened article 8 of the African Charter on Human and Peoples' Rights, and even the government's own enabling Law, the Provisional National Defence Council (Establishment) Proclamation (Supplementary and Consequential Provisions) Law 1982, (PNDCL 42). Section 1(b) of PNDCL 42 which provided as follows: "Respect for fundamental human rights and for the dignity of human persons are to be cultivated among all sections of the society and established as part of the basis of social justice." The religious bodies believed that the registration requirement was the first step in a bid to deny legal existence to those bodies that the PNDC might not favour. The Christian Religious Bodies in keeping with the ethics of rendering "service to mankind" protested against all the above-mentioned incidents of human rights abuses.

9.3.9.11 In the same year of 1989, four religious groups made up of the "Jehovah's Witnesses", "The Church of Jesus Christ of Latter Day Saints", "The Lord is My Shepherd" Church, Kumasi and Prophet Ekwam's Church at Gomoa Budumburam were proscribed. The Orthodox Churches protested in meetings with the government, on their behalf. In particular, the ban on those groups demonstrated the importance of resisting the registration requirements being introduced, since that would have given power to governments to determine questions of doctrine and religious orthodoxy.

9.4 CONCLUSION

9.4.1 The CPP Government was generally regarded as dictatorial. The NLC Government was therefore described as a "liberator," when it overthrew the CPP Government. Even though it was an unlawful take-over of power by force of arms, the Christian religious organizations supported it.⁹⁹

9.4.2 Even though numerous acts of brutality took place during the initial period of the NLC regime, public protests against such acts were minimal. Furthermore, a number of laws were promulgated to disqualify some people from contesting or holding public office. Notable among these laws were the Elections and Public Officers Disqualification Decree, 1968 (NLCD 223), and the Public Officers Disqualification Decree of 1969 (NLCD 332), which disqualified 152 CPP

⁹⁹ *Christian Messenger* March, 1966.

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functionaries from holding public office for ten years, and prevented them from contesting elections to public office. The failure of Ghanaians in general, and Christian Religious Bodies in particular, to protest against these discriminatory and unduly punitive laws gave the impression that these laws were justified.

9.4.3 During this period, a number of laws were made that took retrospective effect, but this did not elicit any protest.

9.4.4 The religious bodies did not have open clashes with the Governments of the Second and Third Republics. There was, however, at various times, tension between the Christian Religious Bodies notably, the Ghana Catholic Bishops' Conference and the Christian Council of Ghana on the one hand and on the other, the Governments of NRC, SMC, AFRC and the PNDC.

9.4.5 From the facts outlined above, it is clear that Christian religious bodies have clashed with various governments that ruled Ghana. This was because of the particular stance that they took on certain human rights abuses perpetrated by these governments. In pursuance of their advocacy role, the religious bodies have engaged in activities in the form of issuing protest letters, communiqués, memoranda, pastoral letters etc. For example, the Christian Council of Ghana, and the Ghana National Catholic Secretariat have often spoken with one voice on matters that they considered worthy of such joint action.¹⁰⁰ It is worth noting that, not much has been heard from the Islamic Religious groups in an advocacy capacity, and the Traditional Religious groups have played no advocacy role at all.

9.4.6 Religious bodies have members in every stratum of society. Consequently, the opinions and actions of the leaders of these bodies shape public morality and behaviour. The 'culture of silence' that pervaded the political fabric of Ghana during the days of the PNDC, had a serious impact on the advocacy role of the Christian religious bodies. All the same, the Christian religious bodies especially, the Christian Council of Ghana and the Catholic Bishops' Conference were always persistent and consistent in criticizing governments on human rights issues.

9.4.7 Instances of religious groups seriously engaging governments in terms of protests and other actions on human rights issues have been commendable, even though on a few occasion such protests fell short of expectation. On issues such as the Preventive Detention Act, the bomb outrages of the 1960s, the killing of the Senior Military Officers, the flogging of citizens in public, the demolition of public properties, the disappearance of certain individuals, and the abduction and gruesome murder of the three High Court Judges and a retired Officer of the Ghana Army, have all elicited protest from them.

¹⁰⁰ See *Ghana Bishops Speak*, Department of Social Communications (DEPSOCOM) of the National Catholic Secretariat from 1968-1990, 1999), pp. 43.

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9.4.8 It is hoped that now that some of the traditional religious groups are organized under the Afrikania Mission, they would be more vocal in speaking out on national issues as well as reforming some of their practices that constitute human rights abuse.

9.4.9 The Muslim groups should also be heard more on matters of human rights, so that the task of infusing morality into our governance would not be left to the Christian groups only. Already there are hopeful signs that the need to ingratiate themselves with ruling government has become a thing of the past, and so this should enable them to criticize the government whenever the need arises.

VOLUME 4 CHAPTER 9**LIST OF ABBREVIATIONS**

NRC	–	National Reconciliation Commission
MAP	–	Muslim Association Party
CPP	–	Convention peoples Party
GCMA	–	Gold Coast Muslim Association
NRC/SMC	–	National Redemption Council/Supreme Military Council
GMRC	–	Ghana Muslim Representative Council
UGMRC	–	United Ghana Muslim Representative Council
UNIGOV	–	Union Government
PNP	–	Peoples National Party
AFRC	–	Armed Forces Revolutionary Council
WISC	–	World Islamic Call Society
PDA	–	Preventive Detention Act
NLC	–	National Liberation Council
NLCD	--	National Liberation Council Decree
PMFJ	–	Peoples Movement for Freedom and Justice
NPP	–	Northern Peoples Party
PNDCL	–	Provisional National Defence Council Law

CHAPTER 1

RECOMMENDATIONS FOR RECONCILIATION AND INSTITUTIONAL REFORM

3.0.1 International law as well as domestic law oblige government to protect its citizens, and provide redress for those whose human rights are abused, impose sanctions on those whose conduct caused the violation, and prevent a re-occurrence of the conditions that produced the violation.

3.0.2 To this end, the Parliament of Ghana passed an Act, the National Reconciliation Commission Act 2002 (Act 611), to establish a National Reconciliation Commission.. The main function of the Commission was to investigate abuses and violations that occurred particularly during periods of unconstitutional rule, and to seek and promote national reconciliation among the people of the country by recommending appropriate redress for persons who have suffered any injury, hurt, damage, grievance or who in any other manner have been adversely affected by the violations and abuses of their human rights arising from the activities or inactivities of public institutions and persons holding public office during periods of unconstitutional government. The Commission was also to make recommendations that would ensure the non-repetition of the conduct that produced the injury or violation.

3.0.3 The Commission is expected to do the following:

- Produce proper documentation establishing the nature and causes of serious violations and abuses of human rights;
- Provide an accurate historical record of matters investigated by the Commission;
- Identify victims of violations and abuses of human rights;
- Recommend the specific needs of each victim or group of victims;
- Suggest measures to prevent and avoid the repetition of such violations and abuses;
- Recommend reforms and other measures whether legal, political, administrative or otherwise needed to achieve the objects of the Commission;
- Promote healing and reconciliation; and
- Recommend the setting up of a Reparation and Rehabilitation Fund.

3.0.4 The Commission investigated the social background of the human rights abuses under the following sectoral themes:

- The Security Services;
- The Legal Profession (including the Judiciary);
- The Media (both print and electronic);
- The Labour and Students Movement;
- The Professional Bodies (other than Legal) and civil society groups; and
- The Religious Bodies and Chieftaincy Institution.

3.0.5 These thematic researches provided a kaleidoscopic view of the human rights terrain since Ghana attained Independence, and the information obtained has formed the basis of the recommendations made.

3.0.6 The recommendations for healing and reconciliation are set out first, followed by the institution-specific recommendations for reform, and then the general recommendations. The institution-specific recommendations for reform are also arranged in the order in which the Commission has published the reports in Vol. IV of the Commission's Report

3.1 RECOMMENDATIONS TO PROMOTE HEALING AND RECONCILIATION

3.1.1 All Ghanaians are obliged to seek and promote the good of Ghana, whatever our particular circumstances. We must recognise and accept that nation-building requires effort, sacrifice, self-sacrifice, time and patience. For the sake of our nation's future, we must endeavour to make our individual contributions to the nation-building effort so that we shall leave "footprints in the sands of time".

3.1.2 Many Ghanaians have suffered great wrongs at the hands of fellow citizens as well as the State itself through its office-holders at various points in time. The record of the Commission's work has told a miserable tale of the grievous wrongs and heinous crimes that have been perpetrated on Ghanaians by fellow Ghanaians. Office-holders have wielded the power of the State with little compassion, with the result that a lot of harm has been done to many Ghanaians. Many have suffered and many homes have been destroyed. Some Ghanaians have been killed with impunity, some have disappeared and families, to date, do not know whether they are dead or alive. Some Ghanaians have suffered severe tortures, both physical and psychological, from which they died, or have emerged with serious physical disabilities or mental illness. Some Ghanaians have suffered detention without trial, some for many years, for no just cause. Women, the mothers of the nation, have been humiliated in public and suffered acts of indignity that disgraced womanhood, and many prosperous businesses have collapsed, leaving their owners with debts from which they have been unable to recover. "Might makes right" has been the dominant philosophy of the leaders, "Keep yourself out of trouble" has been that of those who were in a position to make a difference to the victims of the atrocities. The recital of past woes could go on, until it drowned out hopes of a brighter future.

3.1.3 We must not be tied down to our past mistakes or misfortunes. Doing so would produce nothing but further suffering. Instead, we have to make serious efforts to put all the pains behind us, and help to build a new Ghana where the conditions that produced such pain and suffering would not be permitted to recur. Every Ghanaian must make a personal pledge that 'NEVER AGAIN!' shall such wrongs be a feature of governance or a feature of life in this beautiful land of our birth.

3.1.4 The State of Ghana must acknowledge the wrongs perpetrated against some of its citizens in its name, and in a spirit of true reconciliation, take steps to right the wrongs, however late or inadequate such measures might be. "It is never too late to mend" must be our nation's guiding principle as we seek to lay the ghosts of the past to rest.

3.1.5 The Commission therefore makes the following recommendations, fully mindful of the difficulties ahead, but assured that Ghanaians appreciate the need to make reparation for what has been suffered, and to initiate reforms that would enhance the sense of well-being and citizenship that many Ghanaians have lost.

3.1.6 Certain events have traumatised the spirit of the nation and have produced shocks within the system whose impact transcend the time and place of their occurrence, as well as even the generations of Ghanaians affected by them. The effects of the Preventive Detention Act of the early years of Independence, the Protective Custody Decrees and Protective Custody Law of NLC, NRC, SMC I, SMC II and PNDC eras, will take a long time to wear off. So also would be the effects of the cataclysmic events of the 112 days of AFRC rule as well as the abduction and murder of many citizens including three Judges of the High Court of Ghana, and a retired Military Officer on 30th June, 1982.

3.2 Specific Recommendations

3.2.1 The President, as Head of the Executive and Commander-in-Chief of the Ghana Armed Forces, should make a formal apology to all victims of violations and abuses perpetrated by holders of public office from 6th March, 1957 to 6th January, 1993.

3.2.2 Proposals for reparation to be made and those requiring medical treatment or institutional care have also been made, in the hope that the apology would be made real in the lives of the affected persons.

3.2.3 The three High Court Judges and the retired Army Officer were murdered on 30th June, 1982, on the orders of the highest Executive authority in the land. The Executive branch must make a full and unqualified apology to the families of the murdered Judges and the retired Army Officer.

3.2.4 An apology is owed to the families of all those who were killed, as well as those who have disappeared and whose whereabouts, to date, are unknown.

3.2.5 The Police Investigation Team that investigated the incident swiftly and thoroughly must be given national Honours for their persistence in carrying out the investigations to the end, in the face of official harassment and intimidation.

3.2.6 Members of the Police Investigative Team who suffered victimisation must be rehabilitated. Those still in exile must be assisted to return home and resettled. This would send clear signals to the Police that the State of Ghana expects, and appreciates professionalism and dedicated service from its Service men and women.

3.2.7 RECOGNITION OF MERITORIOUS SERVICE

3.2.7.1 Reactions of the Ghana Armed Forces to take-overs of constitutionally elected Governments by groups of Servicemen have been reprehensible:

- (a) On 13th January, 1972, there was no resistance against the coup;
- (b) On 4th June 1979, the Army Commander, Maj-Gen Neville Odattey-Wellington put in a respectable resistance but lacked support and was killed-in-action;
- (c) On 31st December 1981, 2Bn from Takoradi mobilised and moved to Accra, on the initiative of the Commanding Officer, Lt Col Samuel Ofori-Appiah, to fight the insurrection in the effort to defend the Constitution of Ghana and the lawfully constituted Government of the day.

3.2.7.2 It is significant to note that no other Unit from 1 Brigade in the Accra- Tema Garrison could be mobilised to resist the insurrection.

However, in both the 1979 and 1981 coups, a few Officers and Men demonstrated acts of leadership, bravery and loyalty in fighting the insurrections.

RECOMMENDATIONS FOR NATIONAL HONOURS AND AWARDS

3.2.7.3 The Commission deems it appropriate to accord recognition to these Officers and Men for their meritorious services and hereby recommends that they should be appropriately honoured with State Awards.

3.2.7.4 Citation – 1979 Loyal Officers and Men

3.2.7.4.1 The Late Maj-Gen Odattey Wellington: Then Army Commander, he displayed daring leadership, when leadership was urgently needed and got killed in action during the June 4th operations.

3.2.7.4.2 Major Abubakar Sulemana: As the Commanding Officer, Recce, he proved his worth as a brave and loyal Commander when he led the Recce Regiment to resist the June 4th rebellion, barely two weeks after he had bravely led a similar operation to quell the 15th May, 1979 uprising.

3.2.7.4.3 Major Abraham Reida: Then of Recce Regiment, he showed courage and dedication to duty during the June 4th operation. At the time when the other ranks were calling for the killing of all senior Officers, he stayed and fought bravely alongside the Recce troops.

3.2.7.4.4 Captain Ben Duah: An officer of Field Engineers, he showed loyalty and dedication to duty when as a Lieutenant, he decided during the June 4th revolt to fight alongside the loyal forces in defence of the established order against his own peers. He bravely fought and saved the lives of many senior Officers during that operation. He again showed loyalty to the State when he tried to resist the 31st December revolt. This act cost him his career in the Ghana Army.

3.2.7.4.5 Major Mahmoud Sita: An Officer Commanding a Recce Squadron, he displayed loyalty and total dedication to duty during the 4th June 1979 operations. He fought bravely to save the lives of many of his superiors at Recce Regiment.

3.2.7.4.6 WO I Joseph Mensah: Was the RSM, Recce Regiment at the time of the June 4th uprising. He remained loyal and totally committed to the profession. He fought bravely alongside Major Sulemana's loyal troops. He suffered greatly in the hands of the PNDC.

3.2.8 Citation – 1981 Loyal Unit, Officers and Men

3.2.8.1 The 2nd Battalion of Infantry must be recognised for:

- a. The conduct of the Officers and Men of the unit, from the moment the Warning Order for the operations in Accra was given at 07:30 hours, up to the time battle was joined in Accra at about 1900 Hours;
- b. The high standard of discipline shown by the Men in following their Officers into the operation without questioning, as trained soldiers must always maintain. Normally this would not have been unusual. However, this was the period when the Men in other units refused to take orders from their Officers. Some units did not fight back because the Officers knew the men would not follow them if they ordered them to fight; and
- c. Their unflinching loyalty to the State and the government of the day.

3.2.8.2 Lt Col Samuel Ofosu-Appiah: As the Commanding Officer, 2Bn, he showed courage, extreme loyalty and extraordinary dedication to duty when he led his battalion, the 2Bn from Takoradi to Accra to resist the 31st December revolt.

3.2.8.3 The late Major Omani Collison: Then OC 1 Recce Regiment, he displayed extreme courage and dedication to duty when in the heat of battle, he decided to brace all odds and run into the enemy arc of fire to pick an armoured car to resist the 31st December 1981 revolt. He unfortunately got killed-in-action.

3.2.8.4 Late Major Dassana S. Nantogma: Then the Brigade Major, 1 Bde HQ was picked up and cruelly murdered some days after he had resisted the 31st December revolt.

3.2.8.5 Captain Atta Mahmoud: Though a non-combatant from Base Ordinance Depot, he showed rare leadership and bravery when he led a band of soldiers to resist the 31st December 1981 revolt. It cost him his career and forced him into exile.

3.2.8.6 Capt. Charles Doughan to be honoured for the role he played in leading the force that was to attack the Gondar Barracks in 2Bn in the effort to foil the coup. Even though he did not reach his target because he was ambushed at the 37 Military Hospital roundabout, he managed to reorganise his troops again and planned for their successful escape from the ambush area, thus avoiding further casualties to his men.

3.2.8.7 Lt. Col J. M. Nyande: A Lieutenant of 2Bn to be honoured for leading his troops in an effort to capture the Ghana Broadcasting House that night. He showed bravery and great loyalty.

Inadequate forces and lack of timely support however made it impossible for him to defend the place when it was counter-attacked by armoured cars from Gondar Barracks.

3.2.8.8 WO I Kingsley Sarpong to be honoured posthumously for:

- a. His dedication to the service
- b. His loyalty to command
- c. His professionalism

3.2.8.9 R.S.M. Sarpong contributed greatly to build the 2nd Battalion into what made it rise to the occasion when it mattered most, i.e. the defence of the legitimate government of the country. He was shot in cold blood at the Barracks in Takoradi by one of the coup plotters from 2Bn, after he (the plotter) had been released from Nsawam Prisons on the success of the 31st December 1981 coup.

3.2.8.10 The Late Sgt. Seidu Azar: Then of the MI, he was gunned down in the early hours of the 31st December 1981 revolt by the mutineers while trying to gather intelligence for the loyal forces.

3.2.8.11 The Late Sgt. Kwaku Addai: Was one of the first soldiers to be contacted by Flt Lt Rawlings while planning the revolt, which had originally been scheduled for 24th December 1981. He showed loyalty by reporting the coup plot by Flt Lt Rawlings to the authorities. This led to the arrest of the conspirators in 2Bn. He further joined Lt Col Ofosu-Appiah to Accra to fight Flt Lt Rawlings and his band of mutineers. He was indeed a brave and loyal soldier. He ended up in exile and shortly after he had appeared before the NRC, he died.

3.2.9 AWARDS

3.2.9.1 It is recommended that

- a) A commemorative Statue be erected at 2Bn Barracks in Aprembo, Takoradi; and
- b) Appropriate National Awards be presented to these officers, WOs and SNCOs.

3.2.9.2 The existence of indemnity clauses under the Transitional Provisions to the 1992 Constitution has remained a sore point with many whose rights were abused by the PNDC government and its appointees. These clauses were not permitted to be debated by the Consultative Assembly in 1992 before insertion into the Draft Constitution. Although the Draft Constitution was later subjected to a referendum, the mode of its handling made it impossible for those who wished for a return to constitutional government, but who disapproved of the clauses, from expressing that preference. A stable constitutional order cannot be founded on injustice and impunity on the part of wrong-doers, matched by a deep sense of grievance by many citizens. The indemnity clauses must be subjected to a referendum once again, so that the democratic mechanisms might assist the nation to resolve this matter for all time.

3.2.9.3 The Commission strongly recommends the establishment of a Trauma and Counselling Centre in every Regional and District Hospital.

INSTITUTIONAL REFORMS

3.3 THE SECURITY SERVICES

THE GHANA ARMED FORCES

3.3.1 Working Relationship between Political and Military Authorities

It is imperative that the working relationship between the Political and Military authorities at the top echelon of Command and Control should be cordial at all times. It is important that there is mutual understanding and respect between

- a) The Commander-in- Chief and the military High Command
- b) The Minister of Defence and the Chief of Defence Staff (CDS); and
- c) The CDS and his Service Commanders.

To this end, it is recommended that orientation and training be given to the Commander-in-Chief and Ministers on the one hand and the CDS and his Service/Unit Commanders on the other. Joint training sessions should be encouraged to enable each group appreciate the mode of working of the other.

3.3.2 Upholding Military Chain of Command

It is important that Political Authority, in the exercise of control over the Armed Forces and should know, respect and uphold the Military Chain of Command to avoid undermining Command Authority, and avoid undue interference. The Minister of Defence should appreciate the necessity of dealing with the Military through the established Command Structure, and discourage contacts with other levels of the Military Hierarchy, except as prescribed by the Chain of Command.

3.3. 3. Cohesion of the Command Structure and the Officer Corps

3.3.3.1 Breakdown of discipline in the Armed Forces resulting from the collapse of the Command Structure and the Officer Corps generated a reign of terror and the many acts of brutalities that the civilian population was made to suffer at the hands Junior Ranks, during periods of military regimes.

3.3.3.2 Collapse of Command and Control was also evident in the insecurity that was bred when allegations of coup plotting were made in such a fashion that trust and confidence among troops were undermined, with severe consequences for morale.

3.3.3.3 It is extremely important that in the supreme interest of the nation, cohesion of the Command Structure and the Officer Corps should be guarded in all circumstances to provide leadership and maintain discipline.

3.3.4 Operational Imperatives

3.3.4.1 It is imperative that appropriate measures are taken by the CDS and his Service Commanders to ensure that under no circumstance; in particular, in times of operational crises and emergencies, such as the situation of 31st December, 1981, should the command structure be allowed to disintegrate, to the extent that the CDS loses complete contact with his Service Commanders.

3.3.4.2 Contingencies to militarily contain or oppose, by the use of force, any attempt to destabilize the State by a coup, should be well planned and instituted. Procedures for activating these contingencies should be fully detailed and understood and rehearsed by appropriate Commanders and Principal Staff Officers who ought to know about the existence of such contingencies and the procedures to activate them.

3.3.5 Use Of Intelligence

3.3.5.1 The success of an attack on the system, as happened on the 31st December, 1981, would be determined largely by the absence of effective coordination among the political authorities, security establishments and the Military High Command. Intelligence is supposed to provide the necessary information to produce coordinated action. Therefore use of intelligence should be given top-most priority.

3.3.5.2 Systems should be instituted to enable intelligence to be shared by all parties requiring same, for action to be taken. It is important that all Intelligence Reports, especially those that affect the security of the State, be thoroughly investigated and the results shared with the relevant

security institutions, to enable appropriate and coordinated action to be taken. No Intelligence Report pertaining to threats to State security should remain un-investigated, however apparently trivial. Failure to handle Intelligence information with despatch, should be treated as a major dereliction of duty, and sanctioned accordingly.

3.3.6 Political Education

3.3.6.1 Officers, Men and Women in the Armed Forces require political education as part of their training. They should be educated to understand that the Armed Forces operate under civilian political authority as represented by the President of the Republic as the Commander-in-Chief, and the Minister of Defence as the Government's political representative in the Armed Forces.

3.3.6.2 Training Curricula should be developed to effect a re-orientation. Such Training should aim at educating them on the role of the Military in constitutional governance; inculcate in them respect for the Constitution; emphasize traditional Military values of loyalty to the State; and cultivate respect for civilian authority.

3.3.6.3 In designing the Curricula and training, use should be made of the expertise of experienced retired Military personnel and resources in existing educational institutions.

3.3.7 Discipline

3.3.7.1 Members of the Armed Forces should be made to appreciate the value of the existing Military Regulations against non-participation in partisan politics. These Regulations should be strictly enforced by the Military High Command. Service personnel should be constantly reminded that those interested in holding political office, must resign from Service.

3.3.7.2 Military personnel should be educated to understand that they are subject to the civil law and so must conduct themselves in an orderly manner outside barracks. Military Police should perform their policing duties with diligence, to control behaviour of Service personnel, especially outside barracks.

3.3.7.3 Commanders at all levels should enforce Military Discipline in barracks in order to maintain the image of the Ghana Armed Forces as a disciplined Institution.

3.3.7.4 Misuse Of Military Personnel By Civilians

3.3.7.4.1 Service personnel involved in irregular interventions in civilian matters should be severely disciplined.

3.3.8. Communication

3.3.8.1 It is important that good channels of communication are established within the Security Institutions to promote better understanding between the High Command which constitutes the decision-making echelon and the rest who implement the decisions. The holding of Durbars by Commanders with their Officers, Men and Women should be made an administrative imperative and practised regularly.

3.3.8.2 Mechanisms for providing redress for grievances should be respected and implemented.

3.3.8.3 It is equally important that the Parliamentary Oversight Committee responsible for Defence interact more often with the Armed Forces to promote better understanding and to enable Parliament to have better knowledge of the operations of the Ghana Armed Forces.

3.3.8.4 In the same vein the Armed Forces, Police and Prison Councils should establish procedures to enable them have better information on the workings and state of affairs of the Security Institutions over which they have oversight responsibilities.

3.3.9. Recruitment

3.3.9.1 Detailed vetting of prospective soldiers should be conducted in all recruitment exercises to ensure that only the best are recruited. Positive vetting, as practised in the Police Service, should be carried out in the Armed Forces during recruitment. Candidates selected for training as Service personnel, should be subjected to serious high level security screening before commencement of Recruit Training.

3.3.9.2 Selection of candidates for training as Officers should take into account moral quality, as well as a thorough screening and verification of individual's character before being accepted for training as Commissioned Officers.

3.3.10 The Need To Maintain Ethnic And Regional Balance

3.3.10.1 To ensure the maintenance of ethnic balance in the GAF, regional quota system for recruitment of Officers, Men and Women should be implemented. This is best facilitated by recruitment undertaken at the regional centres.

3.3.10.2 There should be a conscious policy to address issues of ethnicity and nationhood to improve the "national aspects" of military personnel. Educational programmes to address the dangers of ethnic biases and prejudices in a national army, should be developed to build morale better esprit de corps and patriotism within the institution..

3.3.11 Training

3.3.11.1 It is the duty of the Armed Forces to have good training schools with efficient instructors. Adequate training facilities should be made available to train Armed Forces personnel. Training schools should be equipped with modern gadgets to enable trainees benefit from their training. Advantage should be taken of advanced technology, to bring soldiers up to world-class standards. Anything short of this will spell disaster for the Armed Forces, as there is no shortcut to efficiency.

3.3.11.2 Training of Officers should inculcate into them good leadership, qualities of courage, competence and ability to exercise initiative, make decisions, and to take responsibility for them.

3.3.11.3 A policy of continuous character assessment should be pursued throughout the training period. An Officer Cadet assessed to have a questionable character should be withdrawn from training at the Military Academy.

3.3.11.4 Continuation or in-service training should go on for as long as the Officer, Men and Women continue to serve. This is vital to help him/her cope with his or her assignment as he or she progresses in the service and assumes more weightier responsibilities.

3.3.11.5 Training for Officers, Men and Women should cover the sensitive but important issues of Lawful Order. Other Ranks, in particular, should be educated enough to appreciate what order is lawful or unlawful and be capable of differentiating between the two.

3.3.11.6 The culture of bullying and abuse of the vulnerable in military training institutions should be discontinued.

3.3.11.7 Training should reflect humanitarian values and therefore include courses on the Geneva Conventions on Humanitarian Law as well as Rules of War regarding the treatment of civilians and Prisoners of War. Early introduction to certain aspects of Military Law, Criminal Law and Civics would be beneficial.

3.3.12 Service Conditions

3.3.12.1 Salary

3.3.12.1.1 It is important that in view of the enormous risks that service personnel face in the performance of their duties, they should be adequately remunerated, relative to prevailing salaries in the country. Discontent over salary and other conditions of service open service personnel up to temptation.

3.3.12.1.2 Service personnel are not permitted to unionise. Therefore, a mechanism for periodic review should be put in place to ensure that there is no room for agitation occasioned by stagnation in salary levels.

3.3.12.2 Accommodation

3.3.12.2.1 Suitable accommodation in barracks should be provided to all service personnel. This is to ensure that service personnel are reasonably settled and that the burden of running around to settle their families is eliminated to enable them to concentrate on the official duties.

Accommodating service personnel in barracks would also facilitate general mobilization in times of emergencies.

3.3.12.3 Counselling

3.3.12.3.1 The risks to which Service personnel are exposed on a daily basis, require the intervention of counsellors. Counselling services, especially trauma counselling, should be instituted to address the mental health of Service personnel.

3.3.12.3.2 Specialised career-guidance services within the Service should be made available to enable personnel pursue fulfilling careers and thus eliminate career-related frustration, and burnouts that produce substance-abuse.

3.3.12.4 Promotions

3.3.12.4.1 Regulations on promotions should be strictly adhered to, in order not to create disaffection within the Service.

3.3.12.5 Compensation For Deaths And Injuries

3.3.12.5.1 To motivate Armed Forces personnel to perform their duties conscientiously, and with total loyalty and commitment, compensations paid to them and their beneficiaries when death occurs and when serious injuries are sustained on national duties should be adequate. Regulations governing such compensations should be regularly reviewed to ensure that they retain realistic values.

3.3.12.6 Release

3.3.12.6.1 Armed Forces Regulations make provision for releasing from service, those who cannot pass their promotions examinations, and those who have been overtaken in rank by their subordinates. The Regulations should be strictly enforced such that those who are required to be released, would be so released without delay. This will prevent those who are frustrated on account of lack of promotion from continuing to remain in the service, and adversely affecting morale. Such service personnel also constitute a danger as they become open to negative external influences.

3.3.12.6.2 All officers and men who display incompetence, or exhibit frustration, disaffection or discontentment, must, in accordance with the Armed Forces Regulations, be released immediately from the Armed Forces.

3.3.12.6.3 Commanding Officers should appreciate the value of Discharge Books, and should complete the documentation with due sense of responsibility. Discharge books should accurately reflect the reasons and circumstances for the premature release of service personnel.

3.3.12.7 Resettlement And Rehabilitation

3.3.12.7.1 Pre-release counselling should be instituted as an integral part of release and resettlement procedures.

3.3.12.7.2 The existing policy of resettlement and rehabilitation of officers, men and women should be implemented with consistency. In this regard, it is absolutely essential that those who lack employable skills be re-trained and thereby offered the opportunity for easy re-integration into civil life.

3.3.12.8 Messes And Canteens

3.3.12.8.1 It is strongly recommended that life in the officers' messes and the WOs, SNCOs and Other Ranks (ORs) canteens should be reactivated. This will help bring the service men and women together and thereby strengthen the esprit de corps within the Units, Bases and Stations. Service Commanders and Commanding Officers should ensure their reactivation, and encourage patronage.

3.3.12.9 Schools For The Children Of Service Personnel

3.3.12.9.1 To a very large extent, there are good facilities for the education of children and dependents of Service personnel, but there is plenty of room for improvement. When children of service personnel have good schools to attend in barracks, parents are free to concentrate on their job of defending the nation.

3.3.13 Secondment To Civil Institutions

3.3.13.1 The practice of seconding officers and SNCOs to civilian organizations should be discouraged. The bearing and orientation of military personnel tend to be adversely affected when they are placed in civilian establishments which have different work culture and orientation.

3.3.13.2 The enjoyment of the perquisites of civilian office had adverse effects on their fellow soldiers who did not have access to such facilities. This bred envy and destroyed morale in the Service.

3.3.15 Human Resource Issues And Logistics

3.3.15.1 It is the responsibility of Government to ensure that the GAF have adequate manpower and logistic support, especially transportation, communication, engineering, and medical equipment, maintenance facilities, clothing and other important operational stores to professionally execute their functions as enshrined in the Constitution and prescribed in National Defence Policy.

3.3.16 Officer-Man Relationship

3.3.16.1 Officers should ensure that their relationship with Other Ranks is good. The Men and Women constituting the Other Ranks must first and foremost be treated humanely. The officer should ensure that the welfare of the service personnel and their families is well taken care of.

3.3.17 Use Of Intelligence

3.3.17.1 Intelligence gathering organizations of the Security Services in the country should critically and meticulously check information received and when found to be fabricated, the originators of such false information should be severely dealt with. Training of Personnel for Intelligence duties should emphasise the need to treat information with circumspection until its veracity has been confirmed.

3.3.18 Military–Civilian Relations

3.3.18.1 The military as an institution should intensify its efforts in improving relations between it and the civilian population. Open days should be held more often to afford civilians an opportunity to experience life in the Armed Forces and to better appreciate their role as their protectors and not their oppressors.

3.3.18.2 Seconded military personnel also undermined the work the culture of the civilian organisations into which they were introduced, with the result that they became the objects of hatred. These negative feelings were this extended to the military institution as a whole

THE POLICE SERVICE

3.3.19 Modernisation Of The Police Service-Justice Archer Commission

3.3.19.1 Since Independence, the Police Service has not undergone any major transformation. It is imperative that the Report of the Justice Archer Commission on the structure, organization and operation of the Ghana Police Service be reviewed and the recommendations implemented.

3.3.20 Decentralisation Of Police Command

3.3.20.1 The Police Service is over centralized with over-concentration of power in the hands of the Inspector General of Police (IGP). This must be reviewed and decentralisation embarked upon with power, authority and responsibility devolving on the Regional Commanders to police their own regions. The Police Headquarters should become the centre for policy formulation and analysis and monitoring of the Regional Commands.

3.3.20.2 Decentralisation must impact on the decision-making mechanism and sharing of responsibility with local and administrative authorities at the Regional and District levels.

3.3.20.3 Decentralisation of operational Command must be pursued. For instance, the situation on 31st December 1981 when the Armoured Car Unit of the Police Service could not be mobilized to fight in support of Government because the IGP was not available is strategically and operationally unacceptable. The command structure should be reviewed and decentralized to make it possible for one of his deputies to assume Operational Command responsibility.

3.3.20.4 The inclusion of the IGP on the Advisory Board which also considers promotions creates concentration of power in one person's hand. This should be reviewed.

3.3.20.5 The promotion of Junior Ranks in the Police Service should not involve the IGP directly although he may remain the authority to whom complaints of unfair dealings and appeals in respect of promotions may be made.

3.3.21 Recruitment

3.3.21.1 A National Police Service

3.3.21.1.1 Efforts must be made to ensure that the Police Service has representation from every ethnic group in the country, as policing involves every community. Marginalised groups should be identified and given special encouragement to provide suitable candidates for enlistment.

3.3.21.2 Vetting Of Candidates

3.3.21.2.1 All persons entering the Police Service must undergo Positive Vetting to ensure their moral integrity.

3.3.22 Training And Education

3.3.22.1 With the rapid social transformation and democratic governance in our contemporary times, the Police Service must be aware of the necessity to provide good, qualitative and professional training and awareness programmes, if the personnel are to properly fulfil their mission. Training should educate Police Officers, Men and Women that he or she is the custodian of the law and not above it and it is expected of them to conduct themselves within the law.

3.3.22.2 The training curriculum must be redesigned to include intelligence gathering, awareness and training modules more closely linked to social realities, such as ethnic relations, human rights,

common local problems of chronic lawlessness, street delinquency, domestic violence and youth problems.

3.3.22.3 The existing poor training infrastructure and facilities must be replaced with modern and up-to-date equipment to provide for a healthy training environment.

3.3.22.4 Re-training and other forms of in-service training should be instituted to ensure that all serving personnel are equipped with skills and up-to date information on modern policing.

3.3.22.5 Training For Senior Police Officers

3.3.22.5.1 There is the requirement for a senior training institution to provide Senior Police Officers with the requisite professional skills and knowledge which will prepare them to effectively and efficiently assume Senior Command and Staff Appointment in the Police Service. It is important to review the social content within Police Training Institutions, which inculcate the culture of abuse of power in service personnel.

3.3.23 Service Conditions

3.3.23.1 Salary

3.3.23.1.1 Police personnel are not permitted to unionise, nor to embark on industrial action. Therefore, a mechanism for periodic review of salaries allowances and other emoluments should be put in place to ensure that they keep pace with economic trends in the country.

3.3.23.2 Accommodation

3.3.23.2.1 The state of police accommodation in this country is deplorable. Efforts must be made to provide suitable accommodation, and also keep maintained, premises for the use of Police personnel. This is to ensure that Police personnel are reasonably settled, particularly in rural areas or other difficult locations. There should be more construction of barracks, as living within the community provides too many opportunities for corruption and poor enforcement of the law.

3.3.23.3 Counselling

3.3.23.3.1 The risks to which Service personnel are exposed on a daily basis, require the intervention of counsellors. Counselling services, especially trauma counselling, should be instituted to address the mental health of Service personnel, and reduce the incidence of substance-abuse.

3.3.23.4 Promotions

3.3.23.4.1 Regulations on promotions should be strictly adhered to, in order not to create disaffection within the Service.

3.3.23.5 Compensation For Deaths And Injuries

3.3.23.5.1 To motivate Police personnel to perform their duties with diligence and commitment, compensations payable to them and their beneficiaries when death occurs and when serious injuries are sustained on national duties should be reviewed to ensure that the provisions of the Workmen's compensation Law adequately respond to the emerging needs of the Service.

3.3.23.6 Discharge

3.3.23.6.1 The Regulations governing discharges should be strictly adhered to, in order to prevent abuse of the system and other forms of victimisation being perpetrated against personnel.

3.3.23.6.2 Superior Officers should appreciate the value of Discharge Books, and should complete the documentation with due sense of responsibility. Discharge books should accurately reflect the reasons and circumstances for the discharge of personnel.

3.3.23.7 Resettlement And Rehabilitation

3.3.23.7.1 A policy of resettlement should be designed for serving personnel. Arrangements should be made to enable those who are unsuitable for active service to be discharged and resettled. Counselling should be instituted as an integral part of life in the Police Service, to reduce the number of burnt out personnel whose activities bring dishonour to the Service.

3.3.24 Professionalism And Police Ethics

3.3.24.1 Identification of role of the Police Service as a public service, in accordance with democratic values, must transcend all organizational levels and demonstrate a professional ethic based on accountability, impartiality, Police dignity and recognition of the value of their work.

3.3.24.2 Abuse of power continues to be a problem. The training of officers should emphasise the importance of respecting the bounds of their authority and using the power conferred on them by the State responsibly.

3.3.24.3 The raising of unauthorised barriers for the purpose of extorting money from drivers and passengers as well as the use of Police vehicles to facilitate the commission of crime are problems that must be tackled by the Police administration in earnest. Officers-in-charge of areas where unauthorised barriers are found must receive official censure for inadequate supervision of subordinate staff.

3.3.25 Corruption

3.3.25.1 Corruption in the Police Service is a major obstacle that must be overcome in working towards an efficient and responsive Police Service. The inefficacy of laws are traceable to poor enforcement occasioned by corruption. Strenuous efforts must be made to tackle this problem. Police authorities must devise mechanisms for monitoring the lifestyles and conduct of Police personnel to ensure that the transaction costs of corruption would be raised to levels that would discourage corrupt practices.

3.3.25.2 A new Code of Conduct must be formulated to check corruption. The Police administration must establish an office of Internal Policing. This office, whose existence should be widely publicised, should be tasked to receive complaints of corruption and extortion from the general public, and act on them.

3.3.25.2 It is further recommended that regular spot-checks must be instituted by the Police Administration at the various barriers to check extortion and corruption.

3.3.25.3 Service personnel must be motivated with improved conditions of service, including provision of adequate equipment and emoluments, to improve their self-respect and institutional loyalty.

3.3.26 Standing Orders

3.3.26.1 The Police Standing Orders must be reviewed in the light of the history of Human Rights violations and abuses in Ghana and the need to nurture democratic culture.

3.3.26.2 Modern techniques on crowd control and conduct of Police Investigations should be studied and incorporated into the reviewed Standing Orders.

3.3.26.3 Live ammunition should not be used to control crowds, and the Standing Orders must prohibit this.

3.3.27 Community Partnership

3.3.27.1 New community and problem-solving approaches to policing, based on closer contact and co-operation with society, through institutions, community organizations or the citizens themselves, must be encouraged and sustained.

3.3.27.2 The Police Service should open to the public to improve police-public relations, and thereby improve policing in general.

PRISON SERVICE

3.3.28 Human Rights Education For Prison Officers

3.3.28.1 Prison Officers should be given human rights education to enable them to appreciate the rights of prisoners. They should also be trained to perform their duties in a humane manner.

3.3.29 Enhancing Career Prospects For Prison Officers

3.3.29.1 The Prison Service has enough well-trained personnel to run the institution at its highest level. Care should therefore be taken in introducing into the Service, persons from other institutions who block the career progression of professional Prison Officers, and thereby affect institutional morale.

3.3.29.2 Persons introduced into the Service from other institutions tend to bring with them orientations different from those of the Prisons Service, as well as a lack of appreciation of the essence of the Prison system.

3.3.30 Advanced Training For Senior Prison Officers

3.3.30.1 Facilities should be developed for the training of the senior core of the Prison Service and the practice of sending Senior Prison Officers to train with the Military in the Senior Staff Course should be discouraged in order to enhance institutional self-confidence and identity.

3.3.30.2 Home grown programmes for the formation of the Senior Command should be developed to facilitate the managerial competence of the Superior Officers.

3.3.31 Service Conditions

3.3.31.1 Salary

3.3.31.1.1 As all persons in the Security Services, Prison Service personnel are not permitted to unionise. Consequently, there should be a mechanism for periodic review of salaries allowances and other emoluments to ensure that they keep pace with economic trends and with those of the other Security Services in the country.

3.3.31.2 Accommodation

3.3.31.2.1 Accommodation for Prison Officers must receive attention as the nature of the job requires that they live close to the prison facility. Existing accommodation facilities are in a poor state and must be refurbished to improve morale in the Service.

3.3.32.3 Counselling

3.3.32.3.1 The risks to which Prison Service personnel are exposed as a result of the now more sophisticated nature of the prison population, require the intervention of counsellors. Counselling services should be instituted to address the mental health of personnel, and thereby reduce the incidence of substance-abuse.

3.3.32.3.2 The modern system and philosophy of Prisons would require that Prison Officers be properly equipped with the necessary counselling skills to be able to help in the reform and rehabilitation of prisoners in their care.

3.3.32.4 Promotions

3.3.32.4.1 Regulations on promotions should be strictly adhered to, in order not to create disaffection within the Service.

3.3.32.5 Compensation For Deaths And Injuries

3.3.32.5.1 An appropriate compensation system should be designed for Prison Officers who get injured on duty, such as injury resulting from handling prison riots, jailbreaks and dealing with violent inmates.

3.3.32.6 Discharge

3.3.32.6.1 The Regulations governing discharges should be strictly adhered to, in order to prevent abuse of the system and other forms of victimisation being perpetrated against personnel.

3.3.32.7 Resettlement And Rehabilitation

3.3.32.7.1 A policy of resettlement should be designed for serving personnel. Arrangements should be made to enable those who are unsuitable for active service to be discharged and resettled.

3.3.32.7.2 The provision of trade skills training should not be limited to prisoners, but be open to Officers as part of a resettlement scheme to enable those who ought to be discharged from the service, to take advantage of existing facilities. There is the need for more re-training resources.

3.3.32.8 Transportation

3.3.32.8.1 There is a need to provide adequate transportation facilities for all Prison establishments. Reliance on private taxis for transporting prisoners to court, opens up Prison Officers to unnecessary risk.

3.3.32.8.2 Lack of transportation in prison Establishments for conveying Service personnel as well as prisoners to hospitals must be urgently addressed.

3.3.33 Medical Facilities

3.3.33.1 Facilities in prisons do not create atmosphere for good and quick medical response. Provision of adequate transportation facilities and manpower to cater for the medical needs of prison inmates, including prisoners, detainees and those on remand, especially for their movement to and from hospitals should be addressed as a matter of utmost urgency.

3.3.33.2 Clinics attached to various Prison establishments should be re-activated to offer health services to both Officers and prisoners. The State should revisit the idea of providing a full complement of Medical Staff at the major Prison Clinics, which have all the necessary basic structures such as Out Patient Department, Laboratory, Dispensary, Consulting Rooms, Theatre and Wards.

3.3.33.3 Joint medical and judicial teams should be put in place and charged with the sole responsibility of moving around all the prisons, and police cells, within the country, once or twice a year, not only to ascertain the health condition of inmates, but also to survey the facilities.

3.3.33.4 Visits To Prisons

3.3.33.4.1 The Prison-Visiting Committee programme must be re-activated to enable judicial oversight of prisoners and prison conditions to ensure humane conditions in the Prisons. Visits of this Committee also enable longstanding, sometimes even forgotten, cases of remand prisoners, to be brought to the attention of appropriate authorities.

3.3.35 Burial Of Executed Persons

3.3.35.1 Until capital punishment is formally abolished in Ghana, specific rules and regulations should be observed to make the execution of death sentences by hanging or execution by firing squad, as humane as possible. These regulations must be in conformity with the United Nations Minimum Standards on Treatment of Prisoners.

3.3.35.2 Even in death, those executed deserve the ultimate respect and dignity required in burial rites forms; i.e. burial in coffins, in properly marked graves and according to properly accepted customs and religious sensitivity.

3.4 LEGAL PROFESSION (INCLUDING THE JUDICIARY)

3.4.1 Human Rights education should form part of Continuing Judicial Education to make them more sensitive to human rights issues.

3.4.2 Judges need to appreciate the role of the courts in a new nation so that they would be able to maintain the necessary balance between the government and the citizen.

3.4.3 Judges need to appreciate their role in maintenance of constitutional government. They should not swear any usurper into office. The usurpation of State power must remain an illegitimate act for all time.

3.4.4 Lawyers need to appreciate the role of the courts in governance so that they do not lead the way in ousting the jurisdiction of the courts.

3.4.5 The Ghana Bar Association (GBA), and its leaders deserve commendation for remaining steadfast in pointing out the need to respect the human rights of the citizenry, and for helping to defend those rights, particularly for the indigent.

3.4.6 The GBA deserves commendation for instituting the Martyr's Day celebration, and maintaining it in the face of official harassment and intimidation.

3.4.7 Lawyers, particularly ambitious young lawyers, have often been the ones who flocked to the banner of usurpers and lent them the image of legitimacy. In turn, such young lawyers also attained prominence out of proportion with their personal achievements in the profession. Accepting an appointment to serve in a usurper government must be condemned as an immoral act, and an affront to the Ethics of the profession. All such persons must be sanctioned when constitutional government is restored.

3.4.8 Lawyers, in particular the GBA, should be encouraged to make their voices heard even during periods of constitutional rule, so that the government would receive necessary direction and dispassionate criticism in its conduct of governance, and its respect for human rights.

3.4.9 Discipline from within an independent arm of government, is better for the maintenance of institutional independence, than discipline from outside the institution. The Office of the Chief Justice should institute effective mechanisms for policing the conduct of Judges and Magistrates and instituting disciplinary measures. This is necessary in order not to make the discipline of Judges and Magistrates an item on the political agenda of any government.

3.4.10 Judges, especially Judges of the Superior Courts, should live above reproach to prevent putting themselves in the power of the Executive, and so being open to improper influences by the Executive.

3.4.11 Appointments to the Judiciary must involve a good and objective system of assessment of character, as the requirements of fair adjudication demand a high degree of personal integrity.

3.4.12 The convention regarding assumption of positions in the Judiciary by seniority, should be respected and adhered to, as far as the requirements of efficiency would permit, as such conventions remove the incentive for ambitious juniors to jockey for positions by currying favour with the Executive.

3.4.13 The Law Reporting systems should be overhauled to enable judgments to be available for comment and criticism within a reasonable time. Reporting judgments within a reasonable time

provides an invaluable mechanism for learning by Judges as well as for self-criticism in pursuing the difficult task of adjudication.

3.4.14 Merit should be the means for upward progression and not political patronage. To this end, mechanisms for fair assessment of output should be devised, instituted and applied in a transparent manner. In like manner, those found to be consistently below standard should be removed or permitted to take early retirement. This would ensure the maintenance of standards that retain the respect of the citizenry.

3.4.15 Continuing judicial education involving emerging socio-economic trends, should be instituted to improve the knowledge-base, intellectual approach of Judges and familiarity with emerging social issues and socio-economic trends in the country. This is necessary as many Judges tend to live secluded lives that are shielded from the realities of the lives of ordinary citizens.

3.4.16 Respect for Law should be cultivated in the legal profession, through legal education.

3.4.17 Speedy gazetting of new legislation serves a useful function, and should not be abandoned as a means of publicizing the effective date of application of new legislation. It is difficult to believe that a Law purportedly made on 3rd December, 1991 would be gazetted only on 12th February, 1993.

3.4.18 Access to justice is a basic right in a democracy, and so all facilities needed to reduce the length of delay that cases suffer should be instituted as a measure to improve Judiciary-citizen relationship.

3.4.19 There should be better accountability within the Office of Attorney-General, for the use of ministerial discretionary such as the decision to prosecute or not prosecute a case, as well as the use of nolle prosequi to discontinue prosecutions. Some of these powers have been abused, usually for personal profit, and caused disaffection for the legal system in general, and the system of criminal justice in particular.

3.4.20 The Parliament that re-enacted the PDA deserves censure for failing to keep a check on the Executive, when it became clear that the PDA was a dangerous weapon in the hands of the Executive.

3.4.21 The exercise of the Prerogative of Mercy should be done with circumspection so as not to feed notions of impunity among members of the Security Services.

3.4.22 The rights of accused persons should be respected at all times. The maxim "It is better for ninety-nine guilty persons to escape, than for one innocent person to suffer" should be remembered at all times, and therefore securing a conviction at all costs must not be seen as a virtue, as this encourages the resort to unorthodox methods to secure same.

3.4.23 Torture in all its manifestations must be outlawed within the legal system by specific municipal legislation as Ghana is signatory to the United Nations Convention Against Torture.

3.4.24 The use of torture to extract confessions must be seen as a means that is unworthy of a civilized legal system. The rules on admissibility of voluntary confessions should be strictly upheld and applied, in order to remove the incentive for investigators to use unorthodox methods to extract confessions.

3.4.25 There should be more accountability of the BNI for the suspects processed by the institution. To this end, there must be a system of reporting between the BNI and the courts, to ensure that anyone processed but not charged, would feature on the Returns that must be made to the courts,

in much the same way as the Police are required to do under the Criminal procedure Code, 1960 (Act 30). This would reduce the extent of abuse of the BNI's powers of detention

3.4.26 In making laws, lawmakers should observe the tradition and practices in existence and ensure that all legislation, particularly penal legislation, is prospective. Although Article 107 of the Constitution, 1992, prohibits retroactive legislation, the importance of it must be generally accepted and appreciated by the citizenry, that justice requires that laws do not take retrospective effect. Such acceptance would ensure that the constitutional provision is respected in its letter and spirit.

3.4.27 Laws have to be given their own numbers instead of being tagged onto others. For instance PNDCL 305 is the Illegal Seizure of Ivorian and Ghanaian Farms (Abatement of Proceedings) Law, 1992; PNDCL 305A is Patents Law, 1992; PNDCL 305B is Food and Drugs Law, 1992; PNDCL 305C is Veterinary Surgeons Law, 1992 and 305D is Refugees Law. These Laws have nothing in common and should have been dignified with numbers of their own. Such practice would also preserve the appearance of orderliness in the drafting of legislation.

3.4.28 Laws have to be numbered serially, according to the chronological order of when they were made. This would ensure the appearance, again, of orderliness in the drafting of legislation. It should never happen for an earlier enactment to take a number subsequent to one that was purportedly made later, as in the case of PNDCL 315 purportedly made on 3rd December, 1991 whilst all the preceding ones were made in 1992 or early 1993. Nor should it be the case that a later law would bear an earlier number as in the case of Trustees Incorporation (Amendment) Law, 1993 (PNDCL 311), made on 6th January, 1993 but, Council for Indigenous Business Association Law, 1993 (PNDCL 312) purportedly made on 5th January, 1993 and Ghana Institute of Management and Public Administration Law, 1993 (PNDCL 318) also made on 5th January, 1993.

3.4.29 Laws targeted at particular individuals, i.e ad hominem legislation should not be the feature of a civilised legal system. The governments of NLC, SMC and PNDC passed too many such Decrees and Laws. They are a blot on the statute-books.

3.5 RECOMMENDATIONS/ REFORMS – MEDIA (BOTH PRINT AND ELECTRONIC)

3.5.0.1 The Media is known as the 'Fourth Estate of the realm'. This means that it has a role in governance just as the Executive, Legislature and the Judiciary. It is the platform on which and through which the citizenry express approval or otherwise of how it is being governed; it is the means through which the populace can make known to politicians and to each other its concerns and convictions in matters of the common good in democratic governance; it is the political estate which informs the public of its rights and responsibilities; and above all; it is charged with the constitutional mandate to hold government accountable.

3.5.0.2 It therefore requires safeguards of its rights and tutelage of its responsibilities. It also, therefore, requires actors – media women and men – who know these human and social rights and responsibilities and are prepared to uphold them at all costs.

3.5.0.3 On the current media landscape, thanks to the existence of the National Media Commission and the repeal of the Criminal Libel law, the media are safe from threats of human rights violations and abuse that past practitioners suffered, in the course of executing their professional duties. and to the imminent enactment of the Freedom of Information Bill,

3.5.0.4 What remains to be done is how to help the media make responsible use of the various freedoms, rights and means given them towards upholding the common good of the citizenry and enhancing democratic governance. The enactment of the Freedom of Information Bill should also advance this cause.

Recommendations/ Reforms

3.5.1 The passage of the Freedom of Information Bill (FOI) be hastened to give journalists access to official information to disseminate to the public because government business is public business and the public have a right to know.

3.5.2 Courts should appreciate the work of journalists so as not to issue orders that may have the effect of gagging editors and preventing them from publishing information aimed at exposing corruption or human rights violations by officialdom.

3.5.3 The UN Declaration of Human Rights that allows persons to receive and disseminate information must be respected. People must be encouraged to provide accurate information to journalists, whilst at the same time discouraging false and malicious information, in order to facilitate the performance of their role in holding government to account.

3.5.4 The government, as the dominant player in the economy, should not use advertisement as a tool to intimidate editors of independent media houses either by refusing to place advertisement in their media or stop placing them in a bid to influence their editorial policy.

3.5.5 The government, as the dominant player in the economy, should also be seen to be supporting the development of the privately-owned media as they provide alternative perspectives to government and to governance issues

3.5.6 To prevent vilification and de-legitimization of constitutional governments in power, it is suggested that journalism training institutions intensify teaching of constitutional principles and the importance of constitutional governance and its processes.

3.5.7 The Management of Media Organisations must be seen providing support to journalists who offend the government in the course of their work. Leaving journalists alone to face the might of the Executive can offer no incentive to good investigative journalism, or the exhibition of courageous journalism.

3.5.8 The teaching of media social responsibility must be strengthened to produce journalists, conscious of the need to exercise discretion and responsibility in the publication of news items that can undermine national stability in a young and developing democracy. Ultimately, however, the sense of ownership and patriotism should inform the exercise of the media's social responsibility.

3.5.9 The curricula of journalism training institutions should be reviewed to include human rights education, as well as the value of a free and independent press.

3.6 RECOMMENDATIONS /REFORMS ON LABOUR

3.6.1 Trade Union leaders must recognize that they function better under constitutional rule as there is little effort to emasculate or undermine them. Consequently they should be slow to encourage disruptions in the due political procedures in their fight for their rights, as Labour Unions form an indispensable part of civil society in a developing country.

3.6.2 Workers in dispute with the government should be encouraged to respect the rules relating to strikes, sit-down actions, etc.

3.6.3 Trade Union leadership must strive to maintain their independence from government, and be mindful of co-optation strategies that governments might adopt to neutralize their activities. Co-optation by governments undermine their ability to properly represent their constituency.

3.6.4 Trade Union leaders must ensure that they do not lose touch with their constituency, as they represent the hope of workers that they have protection against employer-mistreatment and Executive-high-handedness.

3.6.5 Court cases involving public and civil servants should be speeded up as delays in adjudication

tend to cause hardship to persons on interdiction on account of the trial, and so embarrass administrative procedures on discipline.

3.6.6 The government should improve its mechanism for consultation with Trades Unions on major economic policies to secure their understanding and cooperation.

3.6.7 Schemes such as the Workers Brigade and National Reconstruction Corps concept have value in providing opportunities for employment of unskilled persons. However, such schemes have ended up being a mere drain on the national coffers, and have therefore been avenues for pursuing partisan and parochial interests. A properly designed scheme would augment food production, and offer opportunities for skills training

3.6.8 Rampant strikes to pressurise government for salary increases have been blamed for undermining the economy at critical periods, such as the pre-referendum period in 1978 and the pre-election period in 1992.

3.6.9 The process of referring labour disputes and grievances to arbitration or conciliation should be made more efficient to avoid unnecessary labour unrest. In this respect, rules regarding the handling of labour disputes and grievances must be adhered to as provided under the relevant labour laws and Collective Bargaining Agreements.

3.6.10 Dismissals by government by radio and television announcements should be a thing of the past. This mode of removing persons from public office undermines loyalty to the State, creates insecurity in every public officer and destroys reputations that individuals concerned have built over time. Proper procedures for accountability in office and for disciplining senior public officers should be developed if the existing ones are inadequate, and they must be evenly applied to avoid destroying careers without just cause.

3.6.11 The Management in Public institutions should respect procedures for discharge of inefficient employees to ensure that there would be no opportunity for victimisation.

3.7 RECOMMENDATIONS/REFORMS - PROFESSIONAL BODIES (OTHER THAN THE LEGAL PROFESSION) AND CIVIL SOCIETY ORGANISATIONS

3.7.1 Professional bodies should not confine themselves to the pecuniary interests of their respective associations only, but also avail themselves of the opportunity to make human rights interventions whenever necessary. Professional bodies should make human rights education and protection an integral part of their professional responsibility and ethics.

3.7.2 Engineers, particularly those employed by the State, must supervise the work of contractors properly. The country has not always derived value for money for construction projects undertaken, thus rendering governments unpopular for the poor state of infrastructure and impoverishing the country further.

3.7.3 Professionals and technicians in the control room in utility companies have also been cited as deliberately sabotaging governments by cutting power and supplies at critical times to make the governments unpopular. Persons with such responsibilities must appreciate the national security implications of such sabotage.

3.7.4 Human Rights education should be made mandatory at all levels of the country's educational system, both civilian and military, from primary to the highest level, with a view to entrenching in generations of Ghanaians deep respect for human life and all other fundamental rights of the person.

3.7.5 The findings of the Commission should be used as teaching materials and scripts for drama, film-making, etc., to educate the nation to avoid similar human rights abuses in the future.

3.7.6 Evidence before the Commission testifies to the fact that there is a general lack of knowledge and consciousness and respect for human rights in the country. This defect should be remedied by a sustained programme of public education by Commission on Human Rights and Administrative Justice (CHRAJ) and National Commission for Civic Education (NCCE).

3.7.7 The CHRAJ which has a human rights advocacy function, should not only be adequately resourced to uphold human rights and fight human rights abuses, but also empowered through legislation to effect expeditious redress whenever and wherever human rights violations occur in Ghana.

3.7.8 The NCCE under the 1992 Constitution should give human rights education priority attention. Its mandate should be properly defined to focus purposefully on human rights education.

3.7.9 There is the need for institutional reform in the Political Parties to reduce corruption and other types of conduct that produce public disaffection towards political activists.

3.7.10 There must be intensive public education so that the importance of Political Parties in governance would be appreciated by all. Evidence before the Commission showed that some communities were, in the past devastated by partisan politics. Consequently, it is no surprise that partisan politics and Political Parties are perceived as destructive forces. This perception must be altered to encourage more citizens to participate in governance and competitive politics.

3.7.11 Practitioners of party politics also need serious education and training in order to know, respect, uphold and defend human rights in the art and practice of Party politics for the development of the citizenry.

3.7.12 Parties should be compelled to provide appropriate structures for achieving internal democracy, as intra-party fighting increases public disaffection for politicians and partisan politics in general.

3.8 RECOMMENDATIONS ON STUDENTS, STUDENT MOVEMENTS AND TERTIARY INSTITUTIONS

3.8.1 Policies that impact upon student/government relations are usually the cause of unrest. Lack of institutional facilities that government is expected to provide creates tension between students on the one part, and government on the other. Absence of services which government is supposed to provide, makes students begin to compare what they get to what they perceive members of government to be enjoying, and this leads to disaffection towards the government and produces public protests. Governments must strive to provide basic facilities necessary for the efficient running of the institutions.

3.8.2 Policies on education that increase the pressure on students such as changes in syllabuses, etc, are bound to be resisted because the younger generation is always suspicious that the older generations do not want them to achieve the same heights that they achieved. Academic Boards of tertiary institutions should be sensitive to this reality in making changes to existing academic programmes and the formulation and design of new programmes.

3.8.3 Policies deemed to attack future job outlets and opportunities, such as the placement of products of new programmes on the job market, create unhappiness and resentment. In the global village, any attempt to reduce stature on the international market will produce resistance. Consequently care must be taken in formulating policies whose net effect would be to lower the prestige associated with particular academic qualifications, especially those that eventually affect international marketability. Therefore the eventual use to which new programmes would be put on the job market, must be thought through and worked out before the introduction of the programme so that expectations are not unjustifiably raised.

3.8.4 Students act as the informed mouthpiece of the youth in general, because they consider themselves as spokespersons for the rights of the future prospects of the youth. Consequently, students tend to associate themselves with labour issues because upon completing their programmes, they would become new entrants on the labour market.

Policy makers should be conscious of this fact and involve the student movements in broad consultations on policies that could affect the prospect of future generations.

3.8.5 Each of the student leaders interviewed admitted that with the benefit of hindsight, their actions were often born of inexperience, and that given the chance again, they would do things differently. Student leaders also expressed amazement about how much older persons who ought to have known better deferred to them on important national issues even when they were wrong. Student leaders also conceded that opposition politicians often used them to achieve their political ends, particularly during unconstitutional periods when the opposition could not operate legally. Students and their leaders should be aware of the potential for politicians (both civilian and military) and both in government and in the opposition, to use them for their own political ends, rather than the national interest.

3.8.6 There does not appear to have been sufficient democracy within the student movements. Consequently it was easy for particular interest groups to hijack the movements and implement their own political agenda. Institutions should ensure that the student movements develop and maintain intra-movement democratic structures and processes to enable them offer appropriate representation to the entire student-body.

3.8.7 There should be more transparency and accountability within the set-up of the student movement. Student leaders should learn good habits of probity and respect for ethics in public office, because their stint in office as student leaders often becomes the training ground for their participation in national governance.

3.8.8 The various stakeholders in education would need to be proactive especially in revision of conditions of service for staff of educational institutions to forestall unnecessary agitation as these tend to disrupt the academic year and affect national progress and development.

3.8.9 Students are entitled to free expression and activity. However, such expression and activity should be in conformity with the rules and regulations of the universities and other tertiary institutions, and within the limits allowed by the law. The universities and other tertiary institutions should not compromise on disciplining those who flout their rules and regulations. Effective ways of communicating and disseminating information on the campuses of institutions, should be put in place so as to improve information-flow and so minimize the exploitation of student-ignorance by disgruntled persons.

3.8.10 During student riots, the Police should be more restrained when invited to restore order so that fatal accidents do not occur. The principle of minimum use of force in crowd control should always be observed.

3.8.11 Students need to appreciate the importance of using negotiations as the primary tool for resolving disputes. Demonstrations should be used as a last resort, as its potency as a weapon is higher when threatened, than when resorted to, without much effect.

3.8.12 Student-demonstrations must respect rules of public order, and must be peaceful. Violent demonstrations can lead to unnecessary destruction of property, and even loss of life.

3.8.13 The universities should not allow their campuses to be used as a safe haven for subversionists, and persons who are a threat to national security.

3.8.14 In the past the involvement of academics in treasonable activities on campuses were camouflaged as the exercise of academic freedom. Governments adopted the practice of planting informants on the campuses and in the lecture rooms, to engage in surveillance on lecturers and students. To avoid the recurrence of such practices, there is the need for academics to appreciate the value of academic freedom and to strive to preserve it. They should initiate discussion on issues pertaining to the legitimate exercise of academic freedom and so develop standards that enhance the enjoyment of academic freedom for all.

3.8.15 The development of an independent press has narrowed the space that student leaders had when they were regarded as the alternative voices in the political space. Public space for alternative voices should be preserved so as to reduce the impact of student leaders who concede, years after the fact, that they did not really know what they were playing at when they took a stand against the government.

3.9 YOUTH

3.9.1 Politically-inclined Youth groups are capable of being exploited as a support-base for subversion of the State. The State must show more interest in its youth. Efforts must be made to tackle the problems of out of school youth, so that they would not be available for easy manipulation and exploitation, as unemployed and under-employed youth form a ready source of support for agitators who promise utopia.

3.9.2 NCCE should design appropriate civic education materials for use by youth organisations registered with the National Youth Council. The programmes should help the youth to develop into responsible and patriotic citizens. However, care must be taken in the design, not to lift partisan objectives above national interests.

3.9.3 All youth organisations that handle out-of-school-youth must provide opportunity for such youth to receive civic education. The National Anthem and the National Pledge must be taught to the out-of-school youth

3.9.4 The National Youth Council should be appropriately resourced provided with appropriate direction to enable it serve the purposes for which it was established.

3.10 RECOMMENDATIONS/REFORMS – THE INSTITUTION OF CHIEFTAINCY

3.10.1 It is observed that through legislation, governments interfered with the independence of Chiefs. In spite of this negative history, it is still necessary for Chiefs as the custodians of our cultural heritage, to regain and sustain their political influence as neutral actors in the political domain. Chiefs must be empowered to play their role effectively through education, especially on the Chieftaincy Act, the rights and responsibilities of Chiefs, land administration as well as well basic management skills.

3.10.2 Chiefs, who are regarded as opinion leaders, should be more vocal on issues of human rights violations in the country.

3.10.3 Chiefs should refrain from inordinate lobbying of politicians, particularly those in government, for projects to be sited in their communities. Such lobbying renders the institution vulnerable to manipulation by the politicians, particularly those in Government.

3.10.4 The Regional Houses of Chiefs should strengthen their capacity to handle chieftaincy litigation more effectively. It is desirable for the National House of Chiefs to be proactive in handling matters likely to get Chiefs locked in prolonged and expensive stool and land litigation.

3.10.5 The Traditional Councils should ensure that the selection and enstoolment or enskinment procedures are simplified to avoid litigation and also enable the Chiefs to save resources for the development of their respective communities.

3.10.6 Traditional rulers must ensure that their communities enjoy the benefits of revenue accruing from stool lands.

3.10.7 District Assemblies must honour their financial obligations to the Traditional Councils.

3.10.8 Partisan politics have caused a great deal of pain to royal lineages as some persons have used their political influence at particular times to obtain stools and skins. This bred litigation and destoolment or deskinment when the political atmosphere changed. It must be remembered at all times that chieftaincy is an institution that is traditional in nature; therefore its norms of nomination/election as well as the status of the stool or skin must be determined by cultural norms and usages.

3.10.9 Chiefs should not call upon the government to create paramountcies for them. Chieftaincy is by customary usages, therefore elevation to paramountcy status should not be the work of central government as this renders the status an artificial one dependent upon the will of politicians in power, and makes the occupant beholden to the government that granted such elevation. The National House of Chiefs should work out modalities for elevation of those whose customary usages make no such provision.

3.10.10 The recognition clause must never be re-instituted as it undermines the ability of the Chiefs to represent their people.

There is an urgent need for the lineages of all stools/skins to be published by the Traditional Councils and the Regional Houses to reduce conflict and litigation when vacancies occur.

3.10.11 The issues of land and access to land have not been fully explored. There is the need for a formal national project on land and ownership of land in the various areas. This would minimise litigation arising out of wrongful assumption of ownership over land by chiefs. Chiefs must ensure that all lands under their control are surveyed by properly by qualified surveyors registered with the Ghana Institution of Surveyors.

3.10.12 There must be clear guidelines particularly to the public about the requirements of land acquisition in each traditional area.

3.10.13 Land compulsorily acquired must be promptly paid for to prevent dealings in the land with unsuspecting members of the general public.

3.10.14 The system of land administration must be overhauled. Processes of compulsory acquisition must be made to involve the wider community to prevent unscrupulous persons being able to dispose of the lands after they have been compulsorily acquired.

3.10.15 The Houses of Chiefs should determine for themselves what would be appropriate interaction with the Party in power and with the ruling government so as to curtail the propensity of those who would under the guise of 'hospitality', court favour with politicians. Such actions tend to create disaffection for the Chiefs and encourage detractors to initiate destoolment actions when that particular administration leaves office.

3.10.16 Land problems in Northern Ghana require special study so as to end the inter-ethnic conflicts that erupt frequently, seemingly over trifles. The State should initiate action on this matter as soon as practicable.

3.10.17 Chiefs must remain barred from participation in partisan politics so that they can maintain the dignity of the institution and sustain the unity of his community.

3.11 RECOMMENDATIONS - RELIGIOUS BODIES

3.11.1 Religion and partisan politics must be kept apart as each of them has a capacity for generating conflict. It is therefore advisable that religion, religious bodies and religious leaders do not allow themselves to be used in partisan politics.

3.11.2 Religion and politics have a lot in common, in that they both aim at serving humanity in the attainment of peace and well-being of the individual as well as of the society. They therefore have to work hand in hand. This calls for religion to know the art of politics and politics to know the philosophy of religion.

3.11.3 Religion and religious bodies have a duty towards the body politic, namely to be the conscience of society and the moral guide of the State, lest the good of the individual as well as that of the society be sacrificed on the altar of political expediency.

3.11.4 Human and civil rights are fundamental values of humanity, and so in the context of religion, they are God-given. They must therefore be protected, defended and upheld at all times. This is one of the roles that religion and religious bodies are called upon to play in society vis-à-vis politics.

3.11.5 Religion and religious bodies should guard against being used to give legitimacy to illegitimate regimes and governments.

Religious Bodies have a duty to teach respect for human rights and freedoms, and to be the prophetic voice as well as the voice of the voiceless, when these rights are at risk particularly in the art of governance. It therefore behoves religion and religious bodies to know these human rights and freedoms in order to be able to hand them down to their members and to the general citizenry.

3.11.6 The various religious traditions in the country should educate their membership with regards to the past human rights abuses and violations with a view to helping forestall their re-occurrence in the future.

3.11.7 Religious leaders must be discouraged from seeking political office within a particular administration as this undermines their standing in the eyes of non-adherents, thus creating division among members in that religious body.

3.11.8 Religious leadership should be very circumspect in its involvement in matters of politics, and avoid the pitfalls of being manipulated to condone or even support human rights violations and abuses as happened in the past.

3.11.9 In the name of freedom of religion and freedom of association, religion should not be used to discriminate against sections of the citizenry, nor to oppress as well as deprive certain persons of their fundamental human rights and freedoms.

3.11.10 The Forum for Religious Bodies (FORB) and Ghana Conference on Religion for Peace (GCRP) should be strengthened and made into a strong coalition through which religion can effectively contribute to the tutelage of the fundamental human rights and freedoms of the citizenry.

3.12 GENERAL RECOMMENDATIONS

3.12.1 Formation Of Private Army

3.12.1.1 Any military establishment, such as the defunct Presidential Detail Department (PDD) in particular, the President's Own Guard Regiment (POGR) and the Commando Units, which does not operate under the command of the traditional Security Services, is to be considered a private army. The formation of such an army is against the spirit and letter of the national Constitution, and should, under no circumstance, be tolerated in the country.

3.12.2 Politicisation Of The Security Services (Including the Military Institution)

3.12.2.1 Under no circumstance should the Armed Forces, the Police Service and other Security Institutions be politicized.

3.12.2.2 Service personnel, both in the Armed Forces and the Police Service should be made to understand that if they are interested in holding political office, they can resign and go into politics.

3.12.3 Ideological Indoctrination Of Soldiers

3.12.3.1 The Military High Command should be conscious of the danger of certain ideas in the hands of the untutored. Ideological indoctrination of troops should neither be tolerated nor countenanced.

3.12.3.2 The Officer Corps should be continually monitored and screened and when necessary, released and helped to settle into civilian life. This is desirable as the retention of disgruntled service personnel could negatively influence the morale of troops.

3.12.4 Misuse Of Military Personnel By Civilians

3.12.4.1 Military personnel must know the areas of their competence, and not allow themselves to be used for other purposes, and outside their assigned military duties. The use of military personnel to intervene in purely personal and civilian matters, sometimes resulting in people being subjected to assault and other brutal acts of harassment is unlawful. Civilians should refrain from reporting cases to the military rather than to the police, as maintenance of law and order is the responsibility of the police.

3.12.4.2 The civilian population should be educated and sensitized not to lend their support to military take-overs. Sensitisation programmes should be effected nationwide. The media have an invaluable role to play in this exercise.

3.12.5 Reliable Contact Addresses

3.12.5.1 There should be a definite programme for providing proper residential addresses to facilitate contacts within the country. Reliance on postal addresses is no longer sufficient for purposes of establishing identification and tracing persons or locations.

3.12.6 Creating And Maintaining Institutional Memory

3.12.6.1 The mechanisms for storage of official documents are poor and inimical to the maintenance of proper institutional memory. Public agencies must design appropriate systems for storing documents to enable these to be traced in the future.

3.12.6.2 Every public officer must provide formal handing over notes before moving from any schedule. The repetition of institutional mistakes occasioned by loss of institutional memory must be tackled by proper modes of succession to offices.

3.12.7 Recognition For Meritorious Service

3.12.7.1 Service personnel, who distinguish themselves by demonstrating bravery, loyalty and leadership in the course of their national and service duties should be recognised for such meritorious services and be presented with National Honours and Awards. Such Honours should be awarded on National Days, in particular, on Independence Day.

3.12.7.2 The practice of awarding every service personnel a medal when the military has successfully seized power, is highly deprecated. Medals should be won for activities that bring honour to the country, or to the institution, and on merit, and not as a wholesale measure to buy the loyalty of service personnel.

Distinguished service to the country must be rewarded with National Honours to maintain the principle of meritocracy and engender the spirit of patriotism and public-spiritedness.

3.12.8 Tolerance Of Dissent

3.12.8.1 A culture of tolerance should be developed in this country. Ghanaians should learn that it is acceptable for people, even friends, to disagree. Dissent on issues should be encouraged and there should be space for alternative voices to be heard.

3.12.9 Re-presenting Ghana's History

3.12.9.1 The correct facts of Ghana's history must be taught in schools. To this end, school textbooks should be re-written, to ensure that all the patriots of Ghana's Independence get their rightful place in the nation's history. Historical accounts that glorify only those who attained political power at particular points in time do a disservice to dissenters, and those who sought to fight dictatorship and other evils in governance.

3.12.9.2 NCCE should design appropriate civic education materials for use in schools to inculcate patriotism and voluntarism among pupils and students. The National Anthem and the National Pledge must be taught and used in all schools on a daily basis.

3.12.10 Standards Of Decency

3.12.10.1 Ghanaians must strive to develop common standards of morality and decency. These standards would guide the behaviour of citizens in general, as well as holders of public office.

3.12.10.2 Public institutions charged with the protection of Human Rights as well as societal watchdogs such as the press, should not in their turn perpetrate human rights abuses by abusing their power. In a situation of poverty, some persons within these bodies yield to the temptation to abuse their power for personal profit.

3.12.11 Dealing with Ethnocentrism

3.12.11.1 The maintenance of national cohesion is a subject that should engage the attention of all well-meaning Ghanaians. Persistent denials of the existence of Ethnocentrism in the country in general and in public life in particular, will not make the problems disappear. Ethnocentrism must be acknowledged for the great evil that it is, and the dangers it presents to our nationhood, national cohesion and the equitable distribution of national resources must be constantly attacked. The benefits of our national diversity must be celebrated.

3.12.11.2 Specific policies and programmes targeted at addressing issues generated by ethnic animosities, ethnic stereotypes and ethnocentrism as a basis for discrimination must be vigorously confronted. Anti-discrimination legislation must be adopted to give people a remedy whenever they can prove discrimination on any of the grounds set down in Article 17 of the Constitution of 1992. Some countries have achieved a measure of success in combating such problems, not by pious injunctions and exhortations, but by legislation and the conversion of such conduct into wrongful conduct, entitling a wronged person to damages. Ghana must adopt such methods, for nothing short of frontal assault would be effective in tackling ethnocentrism.

REPARATIONS LIST

NAME
1SGT Adu Godfried

MONETARY (US Dollars)
To be verified

NON-MONETARY

2SGT Paul Frempong	To be verified
3SGT Mensah C.K	1,938.00
4EX-CPL Joseph Mawuyome-Adukpo	1,183.00
5CPL Joseph Mawuyome-Adukpo	1,183.00
6 SGT Robert Ahene Quarcoo	1,167.00
7S/SGT Kofi Adu	1,038.00
8SGT Ofosu Asare	1,026.00
9WOII Issaka	1,020.00
10SGT Salifu William	1,020.00
11S/SGT Kwaku Frimpong Adom	1,014.00
12CPL Joseph Mensah	1,014.00
13CPL Emmanuel Mensah	1,008.00
14EX-CPL Joseph Mensah	994.70
15CPL Edward Bulley	987.40
16S/Sgt Kwaku Frimpong	980.00
17S/SGT Ofei Akwetey	972.00
18S/SGT Job Arthur	946.00
19CPL Antwi Eric K.	928.20
20SGT Yaw Boateng	901.00
21SGT Quartey Paul	900.00
22SGT Paul Quartey	900.00
23CPL Adika Chris	846.00
24CPL Atinga Tongo	823.00
25CPL Dankwa Simon	790.00
26SGT Benfi Peter	774.00
27WOI John Ernest Acheampong	765.00
28W O I Jomo Ghanattah	684.00
29CPL Owusu Ebenezer	682.00
30CPL Ebenezer Owusu	682.00
31SGT Oduro-Fosu K.	

	665.00
32L/CPL Godson Dey	654.80
33W O II (Juliana Mensah for) Samuel Abina	649.00
34CPL Dwira Samuel	646.00
35WOI Buabeng PM	638.00
36CPL Joseph Narh	635.00
37W O II David Asante	621.00
38S/SGT Manu D.	615.50
39S/SGT Martin Otchere	583.80
40SGT Martin Sarfo	576.00
41BDR John Nai-Ako	568.00
42SGT Obedie B.K	540.00
43SGT Mahama Ali	540.00
44SGT Wiredu A.	425.00
45SGT Abraham Wiredu	425.00
46WO I John Owusu-Afriyie	424.00
47S/SGT Okpoti Koney	420.00
48PTE Tabi L.K.	417.00
49W O II Joseph Tetteh	414.20
50WOII Tetteh Joseph	414.00
51SGT Kwesi Pentsil	408.00
52 CAPT M.K. Adama	406.00
53EX-WOI Okwam Samuel	386.00
54EX-WOI William Oduro	376.00
55RQM William Oduro	375.00
56SGT Ali Mahama	360.00
57CPL Summary A. Zabrama	360.00
58CPL Thomas Aryeetey	339.00
59SGT Charles Shiamatey	324.00
60SGT Anthony Dzenyo	

	324.00
61S/SGT Moses Torto Laryea	315.00
62CPL Henry Kwame	313.00
63EX-SGT Ali Mohammed Bawah	309.00
64WO II George Asiedu Ofori	304.00
65SGT Peter Kukubor	252.00
66S/SGT Kofi Hene	252.00
67CPL Samuel Adjei Mensah	210.00
68WOI Gershon Kwame	180.00
69L/CPL Anum Yarboi	175.00
70 EX-SGT Brandeford Addai	165.00
71SGT Evans Poh	65.00
72S/SGT Asafoa Amoah	36.00
TOTAL	44,271.60

NAME	MONETARY (Cedis)	NON-MONETARY
73Boama Panyin	30,000,000	
74Charles Koomson	30,000,000	
75Kyeremeh Djan	30,000,000	
76Mawuli Drah Goka	30,000,000	
77Samuel Charles Aforo	30,000,000	
78Yaw Brefo Berko	30,000,000	
79Cecilia Koranteng Addow	25,000,000	
80Fred Poku Sarkodee	25,000,000	
81Kwadwo Agyei Agyapong	25,000,000	
82Alhassan Aturnab Atuilik	20,000,000	
83Anthony Kwaku Boakye	20,000,000	
84B B Bismark	20,000,000	
85CPO George Kwesi Hughes	20,000,000	
86Ernest Kojo Nyan	20,000,000	
87Ft. Lt. Samuel Asiedu	20,000,000	
88Ft. Lt. William Kofie Domie	20,000,000	Fresh investigation should be conducted after death
89Harrison Boniface Ankrah	20,000,000	

90Joana Essien	20,000,000
91John Kow Tay	20,000,000
92John Ofori Wilson	20,000,000
93John Tei Kugblenu	20,000,000
94Joseph Kesson	20,000,000
95Kwabena Amoah	20,000,000
96Kwaw Tei	20,000,000
97Major Collison	20,000,000
99Major Nantogma	20,000,000
100Meshach Lord Manteaw	20,000,000
104Odame Kissi	20,000,000
105Odiyifo Asare	20,000,000
106Osei Kwame	20,000,000
107Paul Kofi Korang	20,000,000
108Robert Kwasi Ackon	20,000,000
109S. O. Afriyie	20,000,000
110S/Sgt. Seidu Azaar	20,000,000
111Sampson Daniel Quao	20,000,000
112Sgt Nyamekye	20,000,000
114T. T. Anafo	20,000,000
115Torgbui Akakpo Ahiaku	20,000,000
116Torgbui Kpe of Tsiamé	20,000,000
117WOI Kingsley Sarpong	20,000,000
118Alfred Avorgah	15,000,000
119Abu da Costa	15,000,000
120Abdulrahmani	15,000,000
121Amarkei Laryea Amarteifio	15,000,000
122Albert Kpakpo Allotey	15,000,000
123Odartey Lamptey	15,000,000
124Akwasí Acheampong	15,000,000
125Akusaki Azumah	15,000,000
126Kofi Sedefia	15,000,000
127Attah Ahenesa	15,000,000
128Cpl. Samuel Gyimah	15,000,000
129Cpl. Edward Ofei	15,000,000
130Cpl. James Ankomah	15,000,000
131Daniel Emmanuel Abedi Addae	15,000,000
132Daniel Kumasi Dumoga	15,000,000
133Dansuruma	15,000,000
134Diana Konadu	15,000,000

135	Ekow Pete	15,000,000
136	Eku Cobbinah	15,000,000
137	Ekua Bentil	15,000,000
138	Elizabeth Asantewaa	15,000,000
139	Elizabeth Hammond	15,000,000
140	Elizabeth Mensah	15,000,000
141	Emmanuel Asiedu	15,000,000
142	Emmanuel Kofi Dumoga	15,000,000
143	Emmanuel Odartey France	15,000,000
144	Fuseini Ayarka	15,000,000
145	George Bartels (Jnr)	15,000,000
146	George Kobina Okai Grant	15,000,000
147	Gerald Kofi Yawotse	15,000,000
148	Gifti Abla Amegbletor	15,000,000
149	Godfred Achaw	15,000,000
150	Grace Akua Darkoa	15,000,000
151	Grace Lamiokor Adjebu	15,000,000
152	Harrison Tetteh Mensah	15,000,000
153	Ibrahim Mahamadu	15,000,000
154	Isaac Kweku Johnson	15,000,000
155	Ishahaka Halida	15,000,000
156	J. J. Yidana	15,000,000To be promoted to next higher
157	Jackson Kofi Mireku	15,000,000
158	Jacqueline Acquaye	15,000,000
159	Jasper Amoah Owusu	15,000,000
160	John Adjebu Blankson	15,000,000
161	Joseph Ayithey Korkor Quartey	15,000,000
162	Joseph Kwaku Addai	15,000,000
163	Joseph Kwao Larrie	15,000,000
164	Joseph Ocansey Numo	15,000,000
165	Kodwo Damoah	15,000,000
166	Kofi Amponsah	15,000,000
167	Kofi Appiah	15,000,000
168	Kofi Bugaya	15,000,000
169	Kofi Juantuah	15,000,000
170	Kofi Osei	15,000,000
171	Kofi Yentumi	15,000,000
172	Kwabena Adubofour	15,000,000
173	Kwabena Adjei	15,000,000
174	Kwabena Boateng	15,000,000
175	Kwabena Dapaa	15,000,000

176	Kwabena Owusu Ansah	15,000,000
177	Kwabla Danquah	15,000,000
178	Kwadwo Boadi	15,000,000
179	Kwadwo Boahen Fosu	15,000,000
180	Kwadwo Gare	15,000,000
181	Kwadwo Kyei	15,000,000
182	Kwadwo Obeng	15,000,000
183	Kwaku Boah	15,000,000
184	Kwaku Oppong	15,000,000
185	Kwame Agyare	15,000,000
186	Kwame Amevor Korpedo	15,000,000
187	Kwame Boafo	15,000,000
188	Kwame Agbavor	15,000,000
189	Kwame Kumi	15,000,000
190	Kwame Nkrumah	15,000,000
191	Kwame Nsonyameye	15,000,000
192	Kwasi Krobi	15,000,000
193	Kweku Prah	15,000,000
194	L/Cpl. Abbas Sinah	15,000,000
195	L/S Joseph Gyekye	15,000,000
196	Major John Ocran	15,000,000
197	Major. Samuel Okyere Boateng	15,000,000
198	Malone MacStephen Boateng	15,000,000
199	Margaret Kuwornu	15,000,000
200	Mary Ansong's brother Kofi Nkrumah	15,000,000
201	Mary Ansong's son Matthew	15,000,000
202	Michael Hammond	15,000,000
203	Michael Kwadwo Asante	15,000,000
204	Mohammed Ali	15,000,000
205	Mohammed Salisu	15,000,000
206	Moses Kofi Asase	15,000,000
207	Josephine Enninful (Wife of Col Enninful)	15,000,000
208	Nana Owusu Yeboah	15,000,000
209	Napoleon Kofi Kyei	15,000,000
210	Nii Noi Hammond	15,000,000
211	Note Hammond	15,000,000
212	Obimpe(Kwasi Nyarko's brother)	15,000,000
213	Okyeame Kwabena Mensah	15,000,000
214	Patrick Kodzo Dzakpasu	15,000,000
215	Patrick Kwadwo Panti	15,000,000

216	Paul Mpiani	15,000,000
217	Peace Hammond	15,000,000
218	Peter Bimpong alias Kwasi Gyasi	15,000,000
219	Peter Nda Cobbold	15,000,000
220	Provost Sgt. Joe Issaka	15,000,000
221	Pte Henry Obeng	15,000,000
222	Rockson Manu	15,000,000
223	Roger Agbomadzi	15,000,000
224	S. K. Larbi	15,000,000
225	S. K. Nyamebekyere	15,000,000
226	S.K. Boakye	15,000,000
227	Sabina Cobbinah's husband	15,000,000
228	Salifu Bawku	15,000,000
229	Sam Gatro Antor	15,000,000
230	Samuel Atuahene	15,000,000
231	Samuel Kofi Lateef	15,000,000
232	Samuel Kwabena Ntaamah	15,000,000
233	Samuel Tettehfiio Tettey	15,000,000
234	Seidu Salifu	15,000,000
235	Sgt. Edmund Peprah	15,000,000
236	Col Joseph Enninful	15,000,000
237	Andrews Sampana Sominomah	15,000,000
238	Benjamin Obeng	15,000,000
239	Cpl Robert Alhassan Konyibo	15,000,000
240	Sgt. Emmanuel Arthur	15,000,000
241	Anthony Kofi Yeboah	15,000,000
242	Alex Apana	15,000,000
243	Abdul Rahman	15,000,000
244	Alex Aggrey	15,000,000
245	Alhaji Iddrissu	15,000,000
246	Anthony Gyan	15,000,000
247	Awuku Adodoadzi	15,000,000
248	Kwabena Nyamekye	15,000,000
249	Abdulai Mosi	15,000,000
250	Kwaku Prah	15,000,000
251	Charles Namoo	15,000,000
252	Akanpelige	15,000,000
253	Adolikum Asekabta	15,000,000
254	Andrews Kwesi Ampofo	15,000,000
255	Charles Amankrah	15,000,000
256	Agnes Okyere	15,000,000

257	Abdul Samadu Adam	15,000,000
258	Alberta Rockson	15,000,000
259	Akua Badu	15,000,000
260	Sgt. Joseph Aikins	15,000,000
261	Simon Kwame Fetor	15,000,000
262	Solomon Nyarko	15,000,000
263	Stephen Kwame Appiah	15,000,000
264	Stephen Ofori	15,000,000
265	Susan Asaah Mensah	15,000,000
266	Susanna Intsiful	15,000,000
267	Sylvester Tanti Adomogre	15,000,000
268	Theophilus Opare Obuobisa	15,000,000
269	Tom Kuunno	15,000,000
270	William Kpakpo Allotey	15,000,000
271	Wilson Adika	15,000,000
272	Winifred Hagar's son Andrew	15,000,000
273	Yaw Amoako	15,000,000
274	Yaw Asare	15,000,000
275	Yaw Benyin	15,000,000
276	Yaw Gyamra	15,000,000
277	Yinsee	15,000,000
278	A. J. Oppong	10,000,000
279	Abena Tiwaa	10,000,000
280	Abotsi Martei	10,000,000
281	Abu Mahamadu	10,000,000 Medical attention
282	Abubakari O. Hayford	10,000,000 Restore house
283	ACP Michael Kwadwo Adusa	10,000,000 Pension
284	ACP Robert Kwaminga Attipoe	10,000,000 Pension
285	Addai Amoako	10,000,000
286	Adjei Sarpong	10,000,000
287	Adornia Baanaba	10,000,000
288	Adwoa Fordjour	10,000,000
289	Adwoa Nyarko	10,000,000
290	Afia Brago	10,000,000
291	Afuah Serwaah	10,000,000
292	Agibasse Anabila	10,000,000
293	Agnes Welbeck	10,000,000
294	Ahmed Dahamani Gumah	10,000,000

295	Akolgo Akaba	10,000,000	
296	Akua Mansah	10,000,000	
297	Akua Tiwaa	10,000,000	
298	Akwasi Boah	10,000,000	
299	Albert Kweku Cudjoe	10,000,000	
300	Albert Puma Mambil Lebil	10,000,000	
301	Alex Adjei	10,000,000	
302	Alex Kwabena Nsiah	10,000,000	
303	Alex Kwasi Boye	10,000,000	
304	Alexander Con-Nutsugah	10,000,000	
305	Alfred Akortor Adjei	10,000,000	
306	Alfred Niiquaye Amassah	10,000,000	
307	Alhaji A. Sumara	10,000,000	Restore house
308	Alhaji Abubakari Suley	10,000,000	
309	Alhaji Ibrahim	10,000,000	
310	Alhaji Iddrisu Kpabia-Madugu	10,000,000	
311	Alhaji M. Abass Mensah	10,000,000	
312	Alhaji Seidu Bogobiri	10,000,000	Release all assets
313	Alhaji Z. Bawa	10,000,000	Restore house
314	Alice Koomson	10,000,000	
315	Amarkwor Anim	10,000,000	
316	Amepofio Mensah	10,000,000	
317	Amiaku's daughter	10,000,000	
318	Amissah Nunoo	10,000,000	
319	Ampofo Twumasi Ankrah	10,000,000	
320	Anthony Kwabena Appiah	10,000,000	
321	Augustina Marfo	10,000,000	
322	Awudu Alhassan	10,000,000	
323	Ayuba Lamptey	10,000,000	
324	B.K. Busia	10,000,000	
325	Baiden Amissah	10,000,000	
326	Barima Twum Apau	10,000,000	
327	Beatrice Nkrumah	10,000,000	
328	Ben Akoto VI	10,000,000	
329	Ben Edmund Duah	10,000,000	Benefits to be calculated at rate applicable at date of payment
330	Ben Ollett Quansah	10,000,000	
331	Benard Sylvester Sam	10,000,000	
332	Benjamin Kwame Bediako	10,000,000	
333	Benny Eshun	10,000,000	
334	Capt. Joseph Ampaabeng	10,000,000	Pension

Kyeremeh		
335	Catherine Kojo	10,000,000
336	Cdr. Edward Godwin Osei	10,000,000 Pension
337	Cecilia Agyapong	10,000,000
338	Charles Hammond Danso	10,000,000
339	Charles 'Kid' Odumasi	10,000,000
340	Charles N. Opoku-Ware	10,000,000
341	Charles Osah Mills	10,000,000
342	Charles Yeboah	10,000,000
343	Col. Charles Owusu Agyeman	10,000,000 Pension
344	Col. Emmanuel Obeng Nyante	10,000,000 Pension
345	Col. Kobina Quashie	10,000,000 Pension
346	Col. Kofi Abaka Jackson	10,000,000 Pension
347	Col. Paul Nkegbe	10,000,000 Pension
348	Cpl. Timothy Anapalum	10,000,000
349	CSP Hanson Owusu Acheampong	10,000,000
350	CSP Stephen Maxwell Kofi Donkor	10,000,000 Pension
351	Damasus Kwabena Bogee	10,000,000
352	Daniel Bugri Naabu	10,000,000
353	Daniel Emmanuel Ekins	10,000,000
354	Daniel Kwaku Addae Ameyaw	10,000,000
355	Daniel Oheneba Darko	10,000,000
356	Dauda Abubakar	10,000,000
357	De Graft Dapaah	10,000,000
358	Dickson Jeremiah Acheampong	10,000,000
359	Dr. Sylvester Kojo Ankamah	10,000,000
360	Edmund Ocansey	10,000,000
361	Edward Charles Sagoe	10,000,000
362	Edward Nicholas Agyei	10,000,000
363	Edward Somuah Adofo	10,000,000
364	Ekua Kwaayie	10,000,000
365	Elizabeth Boateng	10,000,000
366	Emmanuel Agyekum	10,000,000
367	Emmanuel Asante	10,000,000
368	Emmanuel K. Amissah	10,000,000
369	Emmanuel Kwame Mentor	10,000,000
370	Emmanuel Ofori Sasu	10,000,000
371	Emmanuel Osae Mensah	10,000,000

372	Emmanuel Owired Aboagye	10,000,000	
373	Emmanuel Quarcoo Buami	10,000,000	
374	Erasmus Densu Ofosu	10,000,000	
375	Eric Nanor	10,000,000	
376	Evans Akpabli Asempa	10,000,000	
377	Evans K. Demordzie	10,000,000	
378	Fofo Sasraku	10,000,000	
379	Francis Anku	10,000,000	
380	Francis Kobina Inkum	10,000,000	
381	Francis Oppong Adu	10,000,000	
382	Francis Weremfo Adjei	10,000,000	
383	Frederick Fafanyo Logah	10,000,000	Letter of apology.
384	Fusena Abukari	10,000,000	
385	G/Cpl Edward Yeboah Abrokwa	10,000,000	
386	Gbegne	10,000,000	
387	George Amuah	10,000,000	
388	George Ansah	10,000,000	
389	George Kojo Addai	10,000,000	
390	George Odai Mensah	10,000,000	Medical attention
391	Gershon Ashie Nikoi	10,000,000	
392	Gladys Abla Dogbatse	10,000,000	
393	Grace Ama Abartey	10,000,000	
394	Gyedebi Asamoah	10,000,000	
395	Hassan Jebila Mayaki	10,000,000	Letter of apology.
396	Hayford Ansere Afriyie	10,000,000	
397	Henry Kwaku Afake	10,000,000	
398	Henry Lomotey	10,000,000	
399	Ibrahim Afrifa	10,000,000	To be given employment as Craft Instructor
400	Ibrahim Mahama	10,000,000	
401	Ibrahim Sefa	10,000,000	
402	Isaac Owusu-Boateng	10,000,000	
403	Isaac Torpo	10,000,000	
404	Isaiah Kofi Akumiah	10,000,000	
405	Isako Koto	10,000,000	
406	Issaka Hamidu	10,000,000	
407	J. A. Boadu	10,000,000	
408	J. A. Tonto	10,000,000	
409	Jacob John Atagba	10,000,000	
410	James Charles Akosa	10,000,000	Apology

411	James Fred	10,000,000
412	James Nsiah	10,000,000
413	James William Owu	10,000,000
414	Janet H. Bazawule	10,000,000
415	John Andoh	10,000,000
416	John Christian Hagan	10,000,000
417	John Kofi Amankrah	10,000,000
418	John Kofi Asare	10,000,000
419	John Kofi Manu	10,000,000
420	John Kwame Aidoo	10,000,000
421	John Kwabena Adom	10,000,000
422	Jonathan Tettey Padi	10,000,000
423	Jones Kofi Adjei	10,000,000
424	Joseph Achibald Appiah	10,000,000
425	Joseph Ernest Onyinah	10,000,000
426	Joseph Arthur Hayfron	10,000,000
427	Joseph Kodwo Ampah	10,000,000
428	Joseph Kofi Cobbinah	10,000,000
429	Joseph Kofi Osei	10,000,000
430	Joseph Kwadwo Kankam	10,000,000
431	Joseph Larbi	10,000,000
432	Joseph Mensah	10,000,000
433	Joseph Tweneboa Kodua	10,000,000 Pension, if qualified
434	K. A. A. Brempong	10,000,000
435	K. Wiredu	10,000,000
436	Kalibi Quashie	10,000,000
437	Kingsley Ofosu	10,000,000
438	Kwame Kwakye	10,000,000
439	Kodzo Fomevor	10,000,000
440	Kofi Agusa	10,000,000
441	Kofi Antwi	10,000,000 To be provided with a wheelchair
442	Kofi Nantwi	10,000,000
443	Kofi Owusu	10,000,000
444	Kofi Peter	10,000,000
445	Kojo Atta	10,000,000
446	Kojo Ayigwa	10,000,000
447	Kwabena Bosompra	10,000,000
448	Kwadwo Darko	10,000,000
449	Kwabena Kumi	10,000,000
450	Kwabena Minta Ampofo	10,000,000
451	Kwadjo Afora Egbenu	10,000,000

452	Kwadwo Brenya	10,000,000	
453	Kwadwo Nsia	10,000,000	
454	Kwadwo Ofori	10,000,000	
455	Kwadwo Ohemeng	10,000,000	
456	Kwadwo Owusu Sekyere (former MP)	10,000,000	Apology
457	Kwadwo Sekyere	10,000,000	
458	Kwaku Addai	10,000,000	To be given medical care and benefits paid, loyalty rewarded.
459	Kwaku Attah	10,000,000	
460	Kwaku Danso	10,000,000	
461	Kwaku Manu	10,000,000	
462	Kwaku Nsaakyi	10,000,000	
463	Kwame Adjimah	10,000,000	
464	Kwame Beteh	10,000,000	
465	Kwame Boakye	10,000,000	
466	Kwame Gavu	10,000,000	
467	Kwame N. Acheampong	10,000,000	
468	Kwame Opare	10,000,000	
469	Kwasi Sampson	10,000,000	
470	Kyei Twumasi	10,000,000	
471	L/Cpl. Samuel Amoyaw	10,000,000	
472	DSP Lawrence Kwaku Zikpi	10,000,000	Pension
473	Lawrence Tiagbe Kumatse	10,000,000	
474	Lord Menasher	10,000,000	
475	Lt. Col. Gabriel Amevor	10,000,000	Pension
476	Lt Col. Albert Narh Tetteh	10,000,000	Pension. Gratuity to be calculated as at date of payment
477	Lt Col Emmanuel Joe Dawuni	10,000,000	Pension
478	Mahama Umoru Dumba	10,000,000	
479	Major Mohammed Easah	10,000,000	Pension. Gratuity to be calculated as at date of payment
480	Margaret Nimo	10,000,000	
481	Mary Botwe	10,000,000	
482	Mary Odei Laryea	10,000,000	
483	Matthew Kwadwo Poku	10,000,000	
484	Matthew Narh Tetteh	10,000,000	
485	Maxwell Kwesi Ntiamoah	10,000,000	
486	Matthew Narh-Zikpi	10,000,000	
487	Michael B. Noble Achana	10,000,000	
488	Michael Henry Frimpong	10,000,000	
489	Moustapha K. Sangari	10,000,000	

490	Musa Yakubu	10,000,000
491	Mustapha Kobina Sangari	10,000,000
492	Nana Abaka	10,000,000
493	Nana Kwasi Adokwabo	10,000,000
494	Nana Awotwe	10,000,000
495	Nana Kwasi Duku Asante	10,000,000
496	Ngonibi Nyande	10,000,000
497	Nicholas Nvidah	10,000,000
498	Nii Ayi Plange	10,000,000
499	Afi Madonunawo Dzamesi	10,000,000
500	Odiyifo Maneh	10,000,000
501	Ofosuaa Komeng	10,000,000
502	Olivia Ako Adjei	10,000,000
503	Oluwole Odeinde	10,000,000
504	Osman Halidu	10,000,000
505	P. K. Fokuo	10,000,000
506	PC Stephen Robert Kwawu	10,000,000
507	Prince Osei-Kofi	10,000,000
508	Prosper Tetteh Fansey	10,000,000
509	Raphael Larbi	10,000,000
510	Rev. Joseph Kwabena Gyimah	10,000,000
511	Richard Boateng	10,000,000
512	Richard Todd-Hackman	10,000,000
513	Robert Annang Quartey	10,000,000
514	Robert O. Nayo	10,000,000
515	Robert Owusu Adu	10,000,000
516	Robert Quarshie	10,000,000
517	Rose Obiri-Kumi Owusu	10,000,000Apology from SHC
518	Ruben Yaw Animdee	10,000,000
519	S. B. Osei-Botwe	10,000,000
520	S. K. Antwi-Boateng	10,000,000
521	S. Obeng Kwakye	10,000,000
522	S. S. Songodzagi	10,000,000
523	Sammy Nassar	10,000,000Assets to be defrozen.
524	Samuel Ahulu Korletey	10,000,000
525	Samuel Atiemo Yirenkyi	10,000,000
526	Samuel George Arthur	10,000,000
527	Samuel Obeng Kwakye	10,000,000
528	Samuel Simple Ocran	10,000,000
529	Samuel Yeboah	10,000,000

530	Seidu Iddrissu	10,000,000
531	Seini Abudulai	10,000,000
532	Selina (Comfort Debra's Petition)	10,000,000
533	Seth Ahadzivia	10,000,000Medical Attention
534	Seth Owusu	10,000,000
535	Silas Ampaw	10,000,000
536	Simpson Kwasi Evenyi	10,000,000
537	Sirikatu Dogbe Ajani	10,000,000
538	Sophia Arthur	10,000,000
539	Sophia Prah	10,000,000
540	Sqr. Ldr. George Tagoe	10,000,000 Pension
541	Sqr. Ldr. Samuel Sarbeng Abebrese	10,000,000 Pension
542	Stella Kriba	10,000,000
543	Stephen Bekoe Agyeman	10,000,000
544	Stephen Kwadwo Obeng	10,000,000
545	Stephen Mensah Asare	10,000,000
546	Stephen Yaw Korang	10,000,000
547	Sumbeida Ibrahim	10,000,000
548	Sylvester Adzroey	10,000,000
549	Tennyson A. K. Ahadzie	10,000,000
550	Thomas Boampong	10,000,000
551	Togbe Aba	10,000,000
552	Togbe Agbe IV	10,000,000
553	Umaru Iddrissu	10,000,000
554	Victor Kapambu Iddissah	10,000,000
555	Vivian Amakye	10,000,000
556	Wahrenfried Nukro	10,000,000
557	William Ameldorim Apambilla	10,000,000
558	William Arnold Decker	10,000,000
559	William Dusu	10,000,000
560	William Nsiah	10,000,000
561	William Oduro	10,000,000
562	WO Martin Bediako Frimpong	10,000,000
563	Yakubu Abdurahmani	10,000,000
564	Yao Dunyo	10,000,000
565	Yaw Gyasi	10,000,000
566	Yeboah Nortey	10,000,000
567	Zakari Bawa	10,000,000
568	Zakari Ibrahim	10,000,000

569	Zara Tia	10,000,000
570	Frank Osei Karikari	10,000,000
571	Kwaku Dua No.2(KSI 981)	10,000,000
572	Kwasi Asare alias Nana Baffour Asare	10,000,000
573	Emmanuel Assah Adumoah	10,000,000
574	Nana Kwadwo Obeng II	10,000,000
575	Adam Baanobi	7,000,000
576	Adwoa Achiawaa	7,000,000
577	Afia Samiah	7,000,000
578	Afriyie Ibrahim	7,000,000
579	Agnes Tabase	7,000,000
580	Aku Sebie	7,000,000
581	Akua Ataa Panyin	7,000,000
582	Kwadwo Adu-Gyamfi	7,000,000
583	Albert Agyekum	7,000,000
584	Alfred Kokuvi Adzobgle	7,000,000
585	Benjamin Kojoe Amissah	7,000,000
586	Claudia Ocran	7,000,000
587	Dr. Martin Maxwell Owusu Ansah	7,000,000
588	Efua Abontoako	7,000,000
589	Ellen Ladzekpo	7,000,000
590	J. Kwaku Awuakye	7,000,000
591	Nii Odai Ayiku VI	7,000,000
592	Esi Baawa	7,000,000
593	Francesca Osei	7,000,000
594	George Darko Akoto	7,000,000
595	J. B. Danquah	7,000,000
596	James Cobbold	7,000,000
597	Janet Manu	7,000,000
598	John K. Agbeko-Dedziafa	7,000,000
599	John Kwame Appiah	7,000,000
600	Johnson Kofi Frimpong	7,000,000
601	Juliana Dogbe	7,000,000
602	Juliana Klu	7,000,000
603	Kofi Mensah	7,000,000
604	Kramo Osmanu	7,000,000
605	Kwabena Badu	7,000,000
606	Kwabena Mesu	7,000,000

Gratuity to be calculated as at date of payment

607	Kwaku Kyei	7,000,000
608	Kwaku Nyame	7,000,000
609	Kwaku Oti	7,000,000
610	Kwame Adu	7,000,000
611	Kwasi Boafo	7,000,000
612	Mariama Rockson	7,000,000
613	Lawrence B. Tabase	7,000,000
614	Frederick Amoako Atta	7,000,000
615	Manu Agyakwa	7,000,000
616	Mariatu Alhassan	7,000,000
617	Martin Adane	7,000,000
618	William Thomas Bruce-Tagoe	7,000,000
619	Mbema Mahama	7,000,000
620	Mohammed Shaibu	7,000,000
621	Naaponsah Dodoo	7,000,000
622	Nana Safo Anwona II	7,000,000
623	Negble	7,000,000
624	Noah Boateng	7,000,000
625	Otuo Acheampong	7,000,000
626	Patrick Moffat Kassar	7,000,000
627	Peter Ofori Wiafe	7,000,000
628	Sampson K. Aidoo	7,000,000
629	Samuel Innocent Danso	7,000,000
630	Joseph Ernest Onyinah	7,000,000
631	Josephine Onyinah	7,000,000
632	Thomas Annang Lanquaye	7,000,000
633	Thomas Owusu Ansah	7,000,000
634	Vidal Quist	7,000,000
635	Yaw Ampofo	7,000,000
636	Yusifu Sackey Lamptey	7,000,000
637	Adwoa Pokua(KSI 647)	7,000,000
638	Solomon Kwabena Owusu	7,000,000
639	Adwoa Achiamaa	7,000,000
640	Akua Akyaa(No.2-Kintampo)	7,000,000
641	A. Baffour-Asare	5,000,000
642	Abankwa Yeboah	5,000,000
643	Abdulai Abdulai	5,000,000
644	Abdul-Samed Musah	5,000,000

645	Abena Asantewaa	5,000,000
646	Abena Eduma	5,000,000
647	Abena Mansah	5,000,000
648	Abena Safoah	5,000,000
649	Abiatekum Akalinkosa	5,000,000
650	Adam Yakubu	5,000,000
651	Adolphus Macauley Essuman	5,000,000
652	Adwoa Dede	5,000,000
653	Adwoa Konsiwaa	5,000,000
654	Adwoa Sanoa	5,000,000
655	Afari Agyei	5,000,000
656	Afia Kumah	5,000,000
657	Afua Boatemaa	5,000,000
658	Agbodzalu Montey	5,000,000
659	Agnes Amori	5,000,000
660	Agnes Tettey	5,000,000
661	Agwasse Anabila	5,000,000
662	Akua Afamea	5,000,000
663	Akua Afriyie	5,000,000
664	Kwaku Nyame	5,000,000
665	Akua Akyaa	5,000,000
666	Akua Boatemaa	5,000,000
667	Akwasi Nsiah	5,000,000
668	Alex Kwame Yeboah	5,000,000
669	Alexander Samuel Abbia Kwakye	5,000,000
670	Alfred Kwame Addo	5,000,000
671	Alhaji A. Mohammed	5,000,000
672	Alhaji A. R. Suberu	5,000,000Restore his money
673	Alhaji Abdulai Abu-Jajah	5,000,000
674	Alhaji Abdulai Yakubu	5,000,000
675	Alhaji Alfa Nuhu	5,000,000
676	Alhaji M. A. Salia	5,000,000
677	Alhaji Salifu Tabsoba	5,000,000
678	Alhaji Sirazu Alhassan	5,000,000
679	Alice Asante	5,000,000
680	Ama Amoa	5,000,000
681	Ama Amponsah	5,000,000
682	Ama Manu	5,000,000
683	Ama Serwaa	5,000,000
684	Amadu Bawa Seidu	5,000,000

685	Amadu Douri	5,000,000	All outstanding properties to be returned to him.
686	Ambrose Eddi	5,000,000	
687	Amiaka Anku	5,000,000	
688	Amos Yeboah	5,000,000	
689	Andrews Kwaku Mensah	5,000,000	
690	Andrews Kwame Tre	5,000,000	
691	Andrews Kwasi Oppong	5,000,000	
692	Anthony Erzuah	5,000,000	To be promoted to Inspector
693	Anthony Kofi Asanti	5,000,000	
694	Anthony Osei	5,000,000	
695	Apea Bempong	5,000,000	
696	Asidaahe Naamey	5,000,000	
697	Attu Sakyiamah	5,000,000	
698	Augustina Dankwa	5,000,000	To be provided with a wheel chair
699	Awonzoe Boadi	5,000,000	
700	Kwasi Ntrakwa Ofori	5,000,000	Return properties
701	Awoyo Puplampu	5,000,000	
702	Awubey Quame	5,000,000	
703	Ayishetu Adam	5,000,000	
704	Beatrice Darkwa Boatemaa	5,000,000	
705	Benedict Kwabena Anokye	5,000,000	
706	Benjamin Boamah	5,000,000	
707	Benjamin Ofosu Apronti	5,000,000	
708	Benjamin Samuel Kofi Kwakye	5,000,000	
709	Boas Yaw Anto	5,000,000	
710	Cecilia Cobbina	5,000,000	
711	Charity Koomson	5,000,000	
712	Charles Arthur	5,000,000	
713	Charles Boateng Sampong	5,000,000	
714	Charlotte Rockson	5,000,000	
715	Chris Asher Snr.	5,000,000	Property to be returned to Petitioner.
716	Christian Blukoo	5,000,000	
717	Christian Kaba	5,000,000	
718	Claus Ayitey Tetteh	5,000,000	
719	Comfort Akosua Afrah	5,000,000	
720	Comfort Dedzo-Dzokoto	5,000,000	
721	Comfort Okai	5,000,000	
722	Comfort Quayson	5,000,000	
723	Crowther Kwashie	5,000,000	

Dogbatse		
724	D. C. K. Opoku	5,000,000
725	D.C. Agbadzi	5,000,000
726	Daniel Akuafo Otchie	5,000,000
727	Daniel Boateng-Sampong	5,000,000
728	Daniel Dumah Asima	5,000,000
729	Daniel Kaba	5,000,000
730	Daniel Kofi Yankey	5,000,000
731	Daniel Mensah Doamekpor	5,000,000
732	Daniel Nii Oku	5,000,000
733	David Kobina Andam	5,000,000
734	David Kofi Buahin	5,000,000
735	Davidson Dede Kisi Owusu	5,000,000
736	Dennis Yaw Hamelo	5,000,000
737	Donyina Agyei Kantonn	5,000,000
738	Doris Dodua Quartey	5,000,000
739	Doris Osei Tutu	5,000,000
740	Dr. E. V. C. De Graft Johnson	5,000,000
741	Dr. Nyaho Tamakloe	5,000,000
742	Dwomoh(husband of Juliet Serwaah)	5,000,000
743	E. K. Eshun	5,000,000
744	E. Q. Buami	5,000,000
745	Eddy Cocra Ziblim	5,000,000
746	Edmund Korletey	5,000,000
747	Edward Okai Dontoh's father	5,000,000
748	Elias Issahaku	5,000,000
749	Elizabeth Aniniwaa	5,000,000
750	Elizabeth Owoo	5,000,000
751	Ellison Owusu Fordwuoh	5,000,000Property to be restored
752	Emmanuel Agogo	5,000,000
753	Emmanuel Akrofi	5,000,000
754	Emmanuel Amartey Adjaye	5,000,000
755	Emmanuel Appiah-Dwaa	5,000,000
756	Emmanuel Asamoah	5,000,000
757	Emmanuel Asare	5,000,000
758	Emmanuel Assah Adumoah	5,000,000
759	Emmanuel Awuku Yirenkyi	5,000,000
760	Emmanuel K. Titati	5,000,000
761	Emmanuel Kwaku Owusu	5,000,000

762Emmanuel Kid Abaidoo	5,000,000
763Emmanuel Kweku Appiah	5,000,000
764Emmanuel Osei	5,000,000
765Emmanuel Owusu Aninakwa	5,000,000
766Emmanuel Owusu Kodua	5,000,000
767Emmanuel Sewor Awidi	5,000,000
768Eric Kweku Tawiah	5,000,000
769Eric Paditey	5,000,000
770Esther Frimpong	5,000,000
771Eugene Kwame Bosompem	5,000,000
772Faustina Ardua Aryee	5,000,000
773Felix Ofosu Oduro	5,000,000
774Francis Akese	5,000,000
775Francis E. Amihere	5,000,000
776Francis J. Ocran	5,000,000
777Francis Ketibuah	5,000,000
778Francis Kwadwo Donkor	5,000,000
779Francis Kwame Akorlatse	5,000,000
780Francis Yaw Anokye	5,000,000
781Frank Agyei-Baah	5,000,000
782Frank Okyere	5,000,000
783Frank Owusu Nti	5,000,000
784Fuseini Zakari	5,000,000
785G. K. Debrah	5,000,000
786G. M. Naykene	5,000,000
787Gabriel K. Opoku	5,000,000
788Geoffrey Kumfo	5,000,000
789George Ashitey Abbey	5,000,000
790Gladys Botchay	5,000,000
791Godfrey Ametoglo	5,000,000
792Godfrey Yaafi Kodjoe	5,000,000
793Grace Botchway	5,000,000
794Grace Tetteh	5,000,000
795Grace Yomeley	5,000,000
796Gyan Bediako	5,000,000
797Habibata Amadu	5,000,000
798Hackman Kwadwo Boateng	5,000,000
799Hajia Hawawu Mamudu	5,000,000
800Hajia Rahma Amadu	5,000,000
801Hannah Abena Kyerewaa	5,000,000
802Helena Poku	5,000,000

803	Helena Yorke	5,000,000
804	Huseini Osman Suraqa	5,000,000
805	I. K. Yankson	5,000,000
806	Isaac Bediako Poku	5,000,000
807	Isaac Kwesi Oteng	5,000,000
808	Isaac Opare-Addo	5,000,000
809	Isaac Tetteh Quarcoo	5,000,000
810	Issifu Sulemana	5,000,000
811	J.O. Tetteh	5,000,000
812	J.K Manu	5,000,000
813	Jacob Asiedu	5,000,000
814	Jacob Kwao Baiden	5,000,000
815	James Kwamena Afful	5,000,000
816	James Myers	5,000,000
817	James Ofei Akrofi	5,000,000
818	Janet Osei	5,000,000
819	Jeremiah Ekella	5,000,000
820	Jerome Apenu-Doh	5,000,000
821	John Agidi	5,000,000
822	John Bomo Ackah	5,000,000
823	John Cobbina Ndede	5,000,000
824	John Iddi Nindow	5,000,000
825	John Kwabena Adom	5,000,000
826	John Kwasi Owusu	5,000,000
827	John William Opoku	5,000,000
828	Johnson Kwaku Ofori	5,000,000
829	Jones Sarpong	5,000,000
830	Joseph Baiwie Anaman	5,000,000
831	Joseph Davies	5,000,000
832	Joseph Esmond Polley	5,000,000
833	Joseph Hayford Kwame Osei	5,000,000
834	Joseph Kwabena Asamoah	5,000,000
835	Joseph Kwabena Nkrumah	5,000,000
836	Joseph Kwamena Dadzie	5,000,000
837	Joseph Mensah Asante	5,000,000
838	Joseph Narh	5,000,000
839	Joseph Nelson Onyinah	5,000,000
840	Joseph Nyarko	5,000,000
841	Joseph Peter Horney	5,000,000
842	Joseph Sally Kwofie	5,000,000
843	Joseph Techie Menson	5,000,000

844	Joseph Tedan	5,000,000
845	Joseph Wodzidzro Van-Sagodo	5,000,000
846	Joseph Yinye	5,000,000
847	Yaw Amoako	5,000,000
848	Joyce Agyeiwaa	5,000,000
849	Alice Koomson	5,000,000
850	Ibrahim Sefa	5,000,000
851	Sirazu Mahama	5,000,000
852	Albert Kweku Cudjoe	5,000,000
853	Christina Many	5,000,000
854	F. K. Eshun	5,000,000
855	Ampofo Twumasi Ankrah	5,000,000
856	K. E. Bruce	5,000,000
857	K. Obeng Kyere	5,000,000
858	Kate Ocran	5,000,000
859	Kingsley Kwaku Asare	5,000,000
860	Kodwo Anfam	5,000,000
861	Kofi Agyemang	5,000,000
862	Kofi Agyesa Bassaw	5,000,000
863	Kofi Amponsa Kumah	5,000,000
864	Kofi Asenso-Mensah	5,000,000
865	Kofi Bobie-Ansah	5,000,000
866	Kofi Nyarko (No.1)	5,000,000
867	Kofi Nyarko (No. 2)	5,000,000
868	Kofi Oti	5,000,000
869	Kofi Owusu	5,000,000
870	Kramo Musa	5,000,000
871	Kwabena Adu	5,000,000
872	Kwabena Dadieya	5,000,000
873	Kwabena Osei	5,000,000
874	Kwaku Abboah Asamoah	5,000,000
875	Kwaku Duah	5,000,000KMA to pay for the 1000 blocks.
876	Kwaku Nantwi	5,000,000
877	Kweku Tawiah	5,000,000
878	Kwame Adjei	5,000,000
879	Kwame Ampewoyie	5,000,000
880	Kwame Boateng	5,000,000
881	Kwame Krah	5,000,000
882	Kwame Nsiah	5,000,000
883	Kwame Ofori-Yentumi	5,000,000Benefits to be paid.

884Kwame Oppong Asante	5,000,000
885Kwame Serebour	5,000,000
886Kwao Kondo	5,000,000
887Kweku Tawiah	5,000,000
888Kwasi Aboagye	5,000,000
889Kwasi Nkrumah	5,000,000
890Lamisi Apentiik	5,000,000
891Lawrence Aufei Fianko	5,000,000
892Lucy Abla Afram	5,000,000
893M. Shaibu	5,000,000
894Mahamadu Kaleem	5,000,000
895Mahamadu Tamalgu Mahama	5,000,000
896Margaret Adzo Abeasi	5,000,000
897Margaret Kpomli	5,000,000
898Mark Yaw Gyamfi	5,000,000
899Martin Appiah Danquah	5,000,000
900Martin Mutuo Bugu	5,000,000
901Martin Opoku	5,000,000
902Mary Adukwei Allotey	5,000,000
903Mary Dakomesi Gota	5,000,000
904Mary Kwarteng	5,000,000
905Mary Stella Nyamalar	5,000,000
906Mary Yaa Serwaah	5,000,000
907Mathias Komla Anku	5,000,000
908Michael Dumashie	5,000,000
909Mohamadu Kaleen	5,000,000
910Moses Ayornu	5,000,000
911Moses Kofi Mensah	5,000,000
912Moses Mwin	5,000,000
913Muniratu Sulemana	5,000,000
914N. A. R. Frimpong	5,000,000
915Nana Boakye Tromu III	5,000,000
916Nana Frimpong Manso	5,000,000
917Nana Kwaku Agyeman	5,000,000
918Nana Otamakro Adubofour	5,000,000To be placed on pension
919Nana Yeboah Okoli	5,000,000
920Noah Sakyiama	5,000,000
921Norga Moshie	5,000,000
922Osei Manu	5,000,000
923Otilia Fiagbe	5,000,000

924	Owusu Sekyere	5,000,000	
925	P. Y. Kumordjie	5,000,000	
926	Patrick Tettey Okai	5,000,000	
927	Paul King Asimeng	5,000,000	
928	Peter K. A. Kakra	5,000,000	
929	Peter Obiri Yeboah	5,000,000	
930	Philip Dade Armah	5,000,000	
931	Philomena Adwoa Quarm	5,000,000	Dental Care
932	Prosper Kojo Siabi	5,000,000	
933	R. K. Tay	5,000,000	
934	Rachel Ghartey Biney	5,000,000	
935	Rebecca Aryee	5,000,000	
936	Richard Kwabena Abugamzio	5,000,000	
937	Richardson Kwame Kanukwa	5,000,000	
938	Robert Akuamoah Boateng	5,000,000	
939	Robert Dadson Adams	5,000,000	
940	Robert Kwame Bediako	5,000,000	
941	Robert Kofi Kwakye	5,000,000	
942	Robert Sarkodie Sakyi	5,000,000	
943	Robert Yaw Vondi	5,000,000	
944	Ruth Aning	5,000,000	
945	S. K. Asante	5,000,000	
946	Saka Acquaye	5,000,000	
947	Salifu Fierdzinu Motey	5,000,000	
948	Salome Owusu	5,000,000	
949	Sammy Sampson Manu	5,000,000	
950	Sampson Peter Anim Danquah	5,000,000	
951	Samuel Kwabena Antwi	5,000,000	
952	Samuel Kofi Bortei Doku	5,000,000	
953	Samuel Kwabena Mensah	5,000,000	Medical attention
954	Samuel Sarpong Miles	5,000,000	
955	Samuel Yaw Adu-Nyame	5,000,000	
956	Seidu Prince Mahama	5,000,000	
957	Severio Termagre	5,000,000	
958	Sgt. Isaac Koranteng	5,000,000	
959	Shawcross Kenneth Gyebi	5,000,000	
960	Siraju Mahama	5,000,000	
961	Solomon Nartey	5,000,000	
962	Solomon S. Akuamoah	5,000,000	
963	Solomon Tulle Atulari	5,000,000	

964	Sophia Manteaw	5,000,000
965	Stephen Kwaku Amponsah	5,000,000
966	Stephen Okyere	5,000,000
967	Stephen Opoku Osei	5,000,000
968	Stephen Robert Kwawu	5,000,000
969	Stephen Wilfrid Arthur	5,000,000
970	Sulley Iddrissu	5,000,000
971	Susanna Korletey	5,000,000
972	Sylvester Aleminyah Amoah	5,000,000
973	Tettey Puplampu	5,000,000
974	Theophilus Kwasi Owusu	5,000,000
975	Theresa Krakue	5,000,000
976	Thomas Ekow Halm	5,000,000
977	Thomas Kwasi Appiah	5,000,000
978	Tong Zagskopoya	5,000,000
979	Tonto (Mercy Larbi)	5,000,000
980	Veronica Mensah	5,000,000
981	Victor Hozame	5,000,000
982	Victoria Aso Bamfo	5,000,000
983	Victoria Lankai Aniagyei	5,000,000
984	Victoria Sam	5,000,000
985	Wanye Domo	5,000,000
986	William Addo Mainoo	5,000,000
987	William Emmanuel Agyei	5,000,000
988	William Kwamla Woekpor	5,000,000
989	Yaa Adoma	5,000,000
990	Yaa Anima	5,000,000
991	Yaa Nyarko	5,000,000
992	Yaa Opokua (No.1)	5,000,000
993	Yaa Opokua (No.2)	5,000,000
994	Yaa Serwah	5,000,000
995	Yahaya Kaleo	5,000,000
996	Yaw Bekoe	5,000,000
997	Yussif Laminu	5,000,000
998	Samuel Agyepong Boafo	5,000,000
999	Nana Gyeabour II	5,000,000
1000	Kwadwo Gyamfi	5,000,000
1001	George K. Helu	5,000,000
1002	Cleophas Aditsri	5,000,000
1003	Peter Aditsri	5,000,000
1004	Boni Dunu	5,000,000

1005	Kormla Broni	5,000,000
1006	Alphonse A. Afetor	5,000,000
1007	Benard K. Tuprah	5,000,000
1008	Emil Yao Hia	5,000,000
1009	Manfred Deletsu	5,000,000
1010	Michael Krah	5,000,000
1011	Philip K. Amefodi	5,000,000
1012	Edmond Adzei	5,000,000
1013	Philip Funu	5,000,000
1014	G. K. Agogoe	5,000,000
1015	Kwamla Dzamefe	5,000,000
1016	Kwaku Bouachi	5,000,000
1017	S.K. Adoboe	5,000,000
1018	Christosmos Tsakpah	5,000,000
1019	Moses K. Vegble	5,000,000
1020	B. N. Amey	5,000,000
1021	Paul Azaglo	5,000,000
1022	Angelbert Seeman	5,000,000
1023	Kwasi Atsu	5,000,000
1024	Kwasi Kloyo Kofi	5,000,000
1025	Edward K. Kpeh	5,000,000
1026	Felix Nutsukpor	5,000,000
1027	Eklu Atsordugu V	5,000,000
1028	Godson Akpalu	5,000,000
1029	Andreas Xedzraku	5,000,000
1030	Walter Atamah	5,000,000
1031	Sylvester Tenu	5,000,000
1032	Felix Kokoroko	5,000,000
1033	Anoede Gakogo	5,000,000
1034	Kwamla Ameya	5,000,000
1035	Kumade Denustui	5,000,000
1036	Edward Donpey	5,000,000
1037	George Atikpui	5,000,000
1038	Siegward Pekyi	5,000,000
1039	Charlotte Deletsu	5,000,000
1040	Kwamla Akpalu	5,000,000
1041	Kwasi Akorlor	5,000,000
1042	Kwasi Akligbey	5,000,000
1043	Cornelius Yao Doh	5,000,000
1044	Hyacinth Kofi Goe	5,000,000

1045	Mensah Kwadzo Agbeko	5,000,000
1046	Komendah Afetonu	5,000,000
1047	John Bull	5,000,000
1048	Kofi Yao	5,000,000
1049	Gbetor Abotsi	5,000,000
1050	Mateo Mensah Goe	5,000,000
1051	G. K. Kwasi	5,000,000
1052	T. K. Ameko	5,000,000
1053	Christlieb Foli	5,000,000
1054	Theodore Kwasi	5,000,000
1055	Ben Akoto VI	5,000,000
1056	Stephen Tsedzie	5,000,000
1057	Kwadzo Tsevi	5,000,000
1058	Thomas Akoto VI	5,000,000
1059	William Akli	5,000,000
1060	Kogbe Kwadzo	5,000,000
1061	Korli Kole Yevu	5,000,000
1062	Albert Aborbor	5,000,000
1063	Kwame Aborbor	5,000,000
1064	A. K. Dogbey	5,000,000
1065	Raphael Adzimah	5,000,000
1066	S. K. Agbavor	5,000,000
1067	Silas Hadzi	5,000,000
1068	Christmus Akomani	5,000,000
1069	Kwami Dokpoh	5,000,000
1070	Gliam Mathias Dakpui	5,000,000
1071	Winfred Mottey	5,000,000
1072	Fernand Kudohoe	5,000,000
1073	Kwadzo Abu Dzansi	5,000,000
1074	Ben Ganafu	5,000,000
1075	Jacob Atsui	5,000,000
1076	E. Hrenfried Newell	5,000,000
1077	Siegmond Newell	5,000,000
1078	Godfried Adibai	5,000,000
1079	Siegred Yaodem	5,000,000
1080	Martin Tokpoh	5,000,000
1081	Victor Dzansi	5,000,000
1082	Kwasi Adigbli	5,000,000
1083	Otto Debre	5,000,000
1084	Eugen Hlormatsi	5,000,000
1085	Torgbi Prekese II	5,000,000

1086	Sarfo Heniblafo	5,000,000
1087	Jonas Akoto	5,000,000
1088	Abraham Nani Kwamla	5,000,000
1089	Patrick Yaogah	5,000,000
1090	Togbui Kanfrah VI	5,000,000
1091	Joseph Atakey	5,000,000
1092	Joseph Achem	5,000,000
1093	Marcus Krah	5,000,000
1094	S. K. Donkor	5,000,000
1095	Francis K. Gbezah	5,000,000
1096	Kwadzo-Zu	5,000,000
1097	Henry Yao	5,000,000
1098	Kwadzo Agamah	5,000,000
1099	Martin Agbeko	5,000,000
1100	Gle-Ametorgbeh	5,000,000
1101	Bernard Ahamaka	5,000,000
1102	Raphael Kwasi	5,000,000
1103	Michael Dawoe	5,000,000
1104	Mateo Nyagamagu	5,000,000
1105	Krakani Hini	5,000,000
1106	Yao Asempa	5,000,000
1107	Leonard Yao Sokpoli	5,000,000
1108	Togbui Yao Boankrah III	5,000,000
1109	E.K. Boankrah	5,000,000
1110	Justine Kporvu	5,000,000
1111	Kwamla Morte Tse	5,000,000
1112	Afedzikporsi Amuzu	5,000,000
1113	Kordabatse Adzroe	5,000,000
1114	Patricia Ayiglah	5,000,000
1115	Kofi Yevugah	5,000,000
1116	Kwasikumah Gbortsu	5,000,000
1117	Kwadzo Appiah	5,000,000
1118	Togbui A. Afele	5,000,000
1119	Edegbey Fesi	5,000,000
1120	Fritz Blegheh	5,000,000
1121	Daniel Akpatsi	5,000,000
1122	Stephen Gbena	5,000,000
1123	Vincent Kunkah	5,000,000
1124	Samuel Foli	5,000,000
1125	Alfred Agbenyo	5,000,000
1126	Gawu Kwame	5,000,000

1127	Cephas K. Akpakpla	5,000,000
1128	Atta Kwaku	5,000,000
1129	Henry Fiadoh	5,000,000
1130	Remijius Adzahla	5,000,000
1131	Emmanuel Foli	5,000,000
1132	Alex Foli	5,000,000
1133	Michael Foli	5,000,000
1134	Lawrence A. Dзамah	5,000,000
1135	Jacob Atsui Hlor	5,000,000
1136	Boni Factus Yewu	5,000,000
1137	Amedenyanu Soglo	5,000,000
1138	Daniel S. Numetsu	5,000,000
1139	Kwamla Akortsu	5,000,000
1140	Gedeon Atsui	5,000,000
1141	Mensah Y. Fatumi	5,000,000
1142	Daniel K. Akotoe	5,000,000
1143	Atsorkpe Sarchi	5,000,000
1144	Motteh Kwamla	5,000,000
1145	Gilbert Amedume	5,000,000
1146	John Kluvia	5,000,000
1147	Philip Kwasi	5,000,000
1148	John Akoto	5,000,000
1149	Afua Kluo	5,000,000
1150	Margaret K. Dogbey	5,000,000
1151	Gabriel Adzah Kwasi	5,000,000
1152	Anani Gafah	5,000,000
1153	Kwasikumah Kporyi	5,000,000
1154	Dominic Tekpor	5,000,000
1155	Clemence Tuprah	5,000,000
1156	Hini Sixtus Kwami	5,000,000
1157	Hini Regina	5,000,000
1158	Martha Afedima Adza Kosi	5,000,000
1159	Kwame Kuma Gafa	5,000,000
1160	Woto George Kofi	5,000,000
1161	Hini Henry Yao	5,000,000
1162	Adzoa Dzanku	5,000,000
1163	R.S.K. Okumka	5,000,000
1164	Okumka Noa	5,000,000
1165	Tefe Dente	5,000,000
1166	Foli Kwadzo	5,000,000
1167	Walter Akoto	5,000,000

1168Leonard Agbate	5,000,000
1169Jonathan Agbo-Chief	5,000,000
1170Reinhard Agbo	5,000,000
1171Koku Kodzoe	5,000,000
1172Agnes Agbo	5,000,000
1173Joseph Agbo	5,000,000
1174David Agbo	5,000,000
1175Dora Afua Agbo	5,000,000
1176Robert Adzikum	5,000,000
1177Emmanuel Adzikum	5,000,000
1178Caroline Adzikum	5,000,000
1179Samson Y. Agbo	5,000,000
1180Yao Sokpoe Kodzoe	5,000,000
1181Kpodzro Adei	5,000,000
1182Ferdinand K. A.	5,000,000
1183Yao Amedi	5,000,000
1184Togbe Aba	5,000,000
1185Kofi Ansa	5,000,000
1186Agomor Kormikuma	5,000,000
1187Kwaku Anka	5,000,000
1188Akroku Komla	5,000,000
1189Amegatse Kofi	5,000,000
1190Kumayi Aba	5,000,000
1191Mawusinu Aduama	5,000,000
1192Kodzo Afetor	5,000,000
1193Tatayi Aduama	5,000,000
1194Yoa Bedu	5,000,000
1195Macus Gbedegbe	5,000,000
1196Asembri	5,000,000
1197Asiama Afutu Agormo	5,000,000
1198Kwami Kuma	5,000,000
1199E. K. Bey	5,000,000
1200Josephine Agbo	5,000,000
1201Botsoe Yao Bedu	5,000,000
1202Josephine Ago	5,000,000
1203Botse Yao Badu	5,000,000
1204Philipine Krodo	5,000,000
1205Togbe Teku	5,000,000
1206Afi Somuah	4,000,000
1207Anthony Kwesi Buah	4,000,000

1208	Awusu Issah	4,000,000
1209	Benjamin Bennin Ntorhan	4,000,000
1210	George Amason Atangosigo	4,000,000
1211	Grace Akua Akosah	4,000,000
1212	Hajia Essi Akini	4,000,000
1213	Jonathan Kofi Tambro	4,000,000
1214	Mohammed Hanny Zahabi	4,000,000
1215	Newlove Kwaku Asiedu	4,000,000
1216	Noah Desantos Aggrey	4,000,000
1217	Rebecca Eshun	4,000,000
1218	Sophia Boamah	4,000,000Hearing aid
1219	Abdul-Waham Olani	3,000,000
1220	Abena Aso	3,000,000
1221	Abibata Abdulai	3,000,000
1222	Adjei-Twum	3,000,000
1223	Afi Adisi	3,000,000
1224	Afi M. Dzamesi	3,000,000
1225	Akua Serwaah	3,000,000
1226	Alexander Ani Adjei	3,000,000
1227	Alhaji Abdul Rahman Abubakar	3,000,000
1228	Alhaji Adam Gariba	3,000,000
1229	Alhaji Aminu Mohammed	3,000,000
1230	Alhaji I. Abu	3,000,000
1231	Alhaji Mahama Abudulai	3,000,000
1232	Alhassan Musah	3,000,000
1233	Allhaji Akwasi Ibrahim	3,000,000
1234	Ama Bosuo	3,000,000
1235	Ama Dufie	3,000,000
1236	Ama Owusu	3,000,000
1237	Anna Gidi	3,000,000
1238	Ansah Barnor	3,000,000
1239	Ansu Anane	3,000,000
1240	ASP Patrick Kwashie Adi	3,000,000
1241	Atta Ayibo	3,000,000
1242	Awusi Tika	3,000,000
1243	Ayanga Tindana	3,000,000
1244	Badzo Akey	3,000,000
1245	Barnabas Agyenkwa Mintah	3,000,000
1246	Basie Entsuah	3,000,000

1247	Beatrice Bentil	3,000,000
1248	Bebi Yaa Atigah	3,000,000
1249	Blandford Aduake Sarpei	3,000,000
1250	Kwame Nkrumah	3,000,000
1251	Martin Mutuo Bugu	3,000,000
1252	Mark Yaw Gyamfi	3,000,000
1253	Cecilia Agyapong	3,000,000
1254	Lamisah Busanga	3,000,000
1255	Kofi Mensah	3,000,000
1256	Andrews Kwame Peprah	3,000,000
1257	William K. Woekpor	3,000,000
1258	Togbe Agbe IV	3,000,000
1259	Joseph H. K. Osei	3,000,000
1260	Benjamin K. Owusu	3,000,000
1261	Boniface Salla	3,000,000
1262	Bright K. Amankwah	3,000,000
1263	Cate Tahoe	3,000,000
1264	Cecilia Mensah(Takoradi)	3,000,000
1265	Charity Ahorla	3,000,000
1266	Charity Nuerkie Noi	3,000,000
1267	Charles Aidoo	3,000,000
1268	Charles Akese Koranteng	3,000,000
1269	Christopher Tettey Kpene	3,000,000
1270	Comfort Agyeman	3,000,000
1271	Comfort Awo Agbodo	3,000,000
1272	D. B. Mensah	3,000,000
1273	Daniel A. Asirifi	3,000,000
1274	Daniel Akwasi Prempeh	3,000,000
1275	Daniel Awah	3,000,000
1276	Daniel Baba Mahama	3,000,000
1277	Daniel Kwaku Gbemu	3,000,000
1278	David Akorful	3,000,000
1279	Davidson Kissi Owusu	3,000,000
1280	Dede Christiana Ahunkpo	3,000,000
1281	Dominis Kwashie Edjahmah	3,000,000
1282	Edith Abia Amuzu	3,000,000
1283	Edward Mensah-Brown	3,000,000
1284	Edward Nkansah-Wadieh	3,000,000
1285	Edward Teye Kissieh	3,000,000
1286	Egya Kwesi Bentil	3,000,000

Gratuity to be computed as at time of offer

1287	Elizabeth Buabeng	3,000,000	
1288	Elizabeth Habada	3,000,000	
1289	Emma Enin	3,000,000	
1290	Emmanuel Adjei Acheampong	3,000,000	
1291	Emmanuel Bishop Dartey	3,000,000	
1292	Emmanuel Kofi Aryeetey	3,000,000	Gratuity to be computed as at time of offer
1293	Emmanuel Kofi Ayebeng	3,000,000	
1294	Emmanuel Kofi Frimpong	3,000,000	
1295	Emmanuel Kwablah Azumah	3,000,000	
1296	Ephraim Yao Akoto	3,000,000	
1297	Esi Tawiah	3,000,000	
1298	Florence Afuah Agyekumwaah	3,000,000	
1299	Francis Adjakey	3,000,000	
1300	Francis Adjei-Bannie	3,000,000	
1301	Francis Kojo Ackom-Daafo	3,000,000	
1302	Fred Kwame Baah	3,000,000	
1303	Freeman Ateh Atidogla	3,000,000	
1304	Gabriel Kwasi Appiah	3,000,000	
1305	George K. Antwi	3,000,000	
1306	George Kwabena Antwi	3,000,000	
1307	George Obeng Boateng	3,000,000	
1308	George Oscar Gray Jnr	3,000,000	
1309	George Philip Okine	3,000,000	
1310	Georgina Agboku	3,000,000	
1311	Gladys Oteng	3,000,000	
1312	Godfried Boakye Essim	3,000,000	
1313	Grace Enyan	3,000,000	
1314	Grace Fiawoyife	3,000,000	
1315	Grace Highbayo	3,000,000	
1316	Hajia Safia Adam	3,000,000	
1317	Hamidu Alhassan	3,000,000	
1318	Hannah Nyarko	3,000,000	
1319	Helen Awo Baley	3,000,000	
1320	Henry Asante Lamptey	3,000,000	
1321	Herbert M. Adjei	3,000,000	
1322	Ibrahim Bumo Nabubie	3,000,000	
1323	Ibrahim Owusu Peprah	3,000,000	
1324	Isaac Ahogbagbo	3,000,000	
1325	Isaac Mensah	3,000,000	

1326	Isaac Tetteh Torgbenu	3,000,000
1327	Isidore Kwame Gyamfi	3,000,000
1328	Ismael B. Sasu-Mensah	3,000,000
1329	Jacob Belba Smith	3,000,000
1330	James Kwasi Tega	3,000,000
1331	Janet Awo Azumah-Apam	3,000,000
1332	Jerry Odei Nyarko	3,000,000
1333	John B. Amissah	3,000,000
1334	John Benyebenwo Anwomeah	3,000,000
1335	John C. Collison	3,000,000
1336	John Teye Agah	3,000,000
1337	Jonathan Apotsi Nuerterey	3,000,000
1338	Mary Dakomasi Gota	3,000,000
1339	Joseph Boadi	3,000,000
1340	Joseph Gampson	3,000,000
1341	Joseph Yaw Manu	3,000,000
1342	Kate Larweh	3,000,000
1343	Kate Ocran	3,000,000
1344	Kingsley Amoah	3,000,000
1345	Kofi Boye	3,000,000
1346	Kofi Mati	3,000,000
1347	Kofi Oware	3,000,000
1348	Kofi Sah	3,000,000
1349	Korkor Akpo	3,000,000
1350	Korleki Obour	3,000,000
1351	Kwabena Ampadu	3,000,000
1352	Kwabena Oppong	3,000,000
1353	Kwaku Ampadu	3,000,000
1354	Kwaku Asante	3,000,000
1355	Kwaku Dua Addai	3,000,000
1356	Kwaku Dotsoo	3,000,000
1357	Kwaku Yaw Afum	3,000,000
1358	Kwame Dartey-Bempong	3,000,000
1359	Kwasi Amankwah	3,000,000
1360	Kwasi Ocran	3,000,000
1361	Kweku Chubby	3,000,000
1362	Kyei Baffour	3,000,000
1363	Lansah	3,000,000
1364	Leticia Ankrah	3,000,000
1365	Lord Imbeah- Ansah	3,000,000

1366	Mabel Ahiafor	3,000,000
1367	Mabel Kaitoo	3,000,000
1368	Malwine Ama Addim	3,000,000
1369	Mama Ankrah	3,000,000
1370	Mama Edze	3,000,000
1371	Margaret Azerevi	3,000,000
1372	Martha Agbozo	3,000,000
1373	Martin Okai	3,000,000
1374	Mary Ansong	3,000,000
1375	Mary Forson	3,000,000
1376	Mathias Narh-Zikpi	3,000,000
1377	Maxwell Yao Gidi – Narh	3,000,000
1378	Micah Osei	3,000,000
1379	Michael Kofi Asamoah	3,000,000
1380	Mike Tetteh Addy	3,000,000
1381	Millicent Abla Fiawoyifi	3,000,000
1382	Moro Alhassan	3,000,000
1383	Moro Nuuri	3,000,000
1384	Moses Arku Amenya Goku	3,000,000
1385	Musa Kramo	3,000,000
1386	Nana Boakye Agyemang	3,000,000
1387	Nana Kojo Yeboah	3,000,000
1388	Nathan Nyamedor	3,000,000
1389	Olivia Ziipe	3,000,000
1390	Omlink Mensah Asigbe	3,000,000
1391	Oteng Awuku	3,000,000
1392	Patrick Akoetey	3,000,000
1393	Paul Kojo Agyekum	3,000,000
1394	Juliana Yawa Bobi	3,000,000
1395	Prosper Larweh	3,000,000
1396	Paulina Gbadago	3,000,000
1397	Peace Abla Baka	3,000,000
1398	Peace Anisi Addim	3,000,000
1399	Peace Mensah	3,000,000
1400	Peter Alex Kwasi Oppong	3,000,000
1401	Philip Yeboah	3,000,000
1402	Regina Ahadzi	3,000,000
1403	Richard Effah	3,000,000
1404	Richard Kwadwo Amoah	3,000,000
1405	Ricky Nelson Atianah	3,000,000
1406	Rockfeller K. Hayford	3,000,000

1407	Rose Apedoe	3,000,000	
1408	Rose Dompok	3,000,000	
1409	Ruth Yoewie Kari	3,000,000	
1410	Salifu Imoro	3,000,000	
1411	Salifu Tindogo	3,000,000	
1412	Salima Musah	3,000,000	
1413	Samuel Emmanuel Percival Oddoye	3,000,000	
1414	Samuel Laryea Abbey	3,000,000	
1415	Samuel Tete Adimeh	3,000,000	
1416	Sarah Nartey	3,000,000	
1417	Simon Ohene Peprah	3,000,000	
1418	Soge Ganu	3,000,000	
1419	Stephen Adu-Donyinah	3,000,000	
1420	Stephen Asante	3,000,000	
1421	Stephen Fosu Owusu	3,000,000	
1422	Stephen Yaw Asiedu	3,000,000	
1423	Carl Glover Tay	3,000,000	
1424	Tee Anim	3,000,000	
1425	Tetteh Addy	3,000,000	Gratuity computed as at the time of payment
1426	Tei Atifa	3,000,000	
1427	Teki Agboro	3,000,000	
1428	Tete Gbetei	3,000,000	
1429	Theresa A. Owusu	3,000,000	
1430	Theresa Adomaa	3,000,000	
1431	Theresa Nkansah	3,000,000	
1432	Thomas Benefo	3,000,000	
1433	Thomas K. Maclean	3,000,000	
1434	Togbui Mankrado Dzan V	3,000,000	
1435	Togo Sonohwe	3,000,000	
1436	Victoria Abew	3,000,000	
1437	William Kwame Asiedu	3,000,000	
1438	Yakubu Dadiukai	3,000,000	
1439	Yankson K. Gyamfi	3,000,000	
1440	Yaw Appiah	3,000,000	
1441	Yaw Barimah	3,000,000	
1442	Yaw Koranteng	3,000,000	
1443	Yeboah Amoabeng Atta Mensah	3,000,000	
1444	Yohanna Adzo Osabu	3,000,000	
1445	Zenabubila Saaka	3,000,000	

1446A. K. Owusu	2,000,000
1447Abdul Rahmani J. Yakubu	2,000,000
1448Abdul Rahman Zakari	2,000,000
1449Abdulai Ahmed Zakari	2,000,000
1450Abdulai Imoro	2,000,000
1451Abdulai Soti	2,000,000
1452Abdul-Fataw Salifu	2,000,000
1453Abdul-Mumumi Abu	2,000,000
1454Abdul-Rahman Abdulai	2,000,000
1455Abel Teye Korley	2,000,000
1456Abena Atoaba	2,000,000
1457Abena Dwomoh	2,000,000
1458Abiba Mahama	2,000,000
1459Abibata Adam .	2,000,000
1460Abla Negble	2,000,000
1461Abubakari Dauda	2,000,000
1462Abubakari Yakubu	2,000,000
1463Abukari Adam	2,000,000
1464Abukari Amadu	2,000,000
1465Abukari Salifu	2,000,000
1466Aburuwa Mahama	2,000,000
1467Adama Musah	2,000,000
1468Adamu Salifu	2,000,000
1469Adamu Yakubu	2,000,000
1470Addy Augustine Ketorwoko	2,000,000
1471Adisa Abdulai	2,000,000
1472Adisah Alhassan	2,000,000
1473Adisah Dagomba Inusah	2,000,000
1474Adwoa Fosuaa	2,000,000
1475Adwoa Gyaama	2,000,000
1476Adwoa Ntiwaa	2,000,000
1477Adwoa Okyerewa	2,000,000
1478Afia Nyamekye	2,000,000
1479Afua Fofie	2,000,000
1480Agnes Amegashie Quao	2,000,000
1481Agnes Ofori	2,000,000
1482Ahmed Zakari Abdulai	2,000,000
1483Aisha Abdulmananan	2,000,000
1484Akosua Saa	2,000,000
1485Akosua Serwaah Sarkodee	2,000,000

1486	Akua Obimpe	2,000,000
1487	Alabira Zakari	2,000,000
1488	Albert Lawer Ayittah	2,000,000
1489	Albert Osei	2,000,000
1490	Alhaji Yakubu	2,000,000
1491	Alhaji A. Yakubu	2,000,000
1492	Alhaji Abubakri Mensah	2,000,000
1493	Alhaji Bawa Abdulai	2,000,000
1494	Alhaji Moro Baba	2,000,000
1495	Alhaji Seidu Musah	2,000,000
1496	Alhaji Toyibu Mohammed-Saani	2,000,000
1497	Alhaji Yakubu Fuseini	2,000,000
1498	Alhaji Yakubu Sulemanu	2,000,000
1499	Alhassan Imoro	2,000,000
1500	Alhassan Mahmoud	2,000,000
1501	Alhassan Nindow	2,000,000
1502	Alhassan Sulemana	2,000,000
1503	Alhassan Tani	2,000,000
1504	Alhassan Wulana	2,000,000
1505	Alhassan Wumba	2,000,000
1506	Ali Kwesi Ofori	2,000,000
1507	Aliyatu Abdul Rahman	2,000,000
1508	Alice Mensah	2,000,000
1509	Alidu Abubakari	2,000,000
1510	Alidu Moro	2,000,000
1511	Alima Ibrahim	2,000,000
1512	Alima Yakubu	2,000,000
1513	Ama Achiaa	2,000,000
1514	Ama Asantewaa	2,000,000
1515	Amadu Lamusah	2,000,000
1516	Amidu Adam	2,000,000
1517	Amina Grunshi Yakubu	2,000,000
1518	Amina Nabla	2,000,000
1519	Amina Yakubu	2,000,000
1520	Amishetu Adam	2,000,000
1521	Amoh Bediako Acheampong	2,000,000
1522	Amos Rockson Yeboah	2,000,000
1523	Anachie Daboda	2,000,000
1524	Anthony Eshun	2,000,000
1525	Araba Asher	2,000,000

1526	Asampambilla Gandina	2,000,000
1527	Ashietu Saibu	2,000,000
1528	Asia Salifu	2,000,000
1529	ASP Robert Kwaku Antwi	2,000,000
1530	Asukumang Azortah	2,000,000
1531	Atintono Asibiga	2,000,000
1532	Augustine Leo Gyamprah	2,000,000
1533	Augustus Owusu Gyimah	2,000,000
1534	Ayi Haruna	2,000,000
1535	Ayishata Osmanu	2,000,000
1536	Ayishetu Alhassan	2,000,000
1537	Azara Abdulai	2,000,000
1538	Azara Wuni	2,000,000
1539	Azaratu Issahakku de Liman	2,000,000
1540	Baavi	2,000,000
1541	Baba Modi	2,000,000
1542	Badu Dapaa	2,000,000
1543	Bakozie Mwinvi	2,000,000
1544	Banyeale Gandama	2,000,000
1545	Barichisu Mashood	2,000,000
1546	Barichisu Yakubu	2,000,000
1547	Beatrice Boakye	2,000,000
1548	Beatrice Korkor Doku	2,000,000
1549	Benjamin Kojo Amissah	2,000,000
1550	Benjamin Kuffour Oppong	2,000,000
1551	Benjamin Kwabena Oppong	2,000,000
1552	Benjamin Kwadwo Agyare	2,000,000
1553	Benjamin Ntiamoah	2,000,000
1554	Boadi Osei	2,000,000
1555	C. B. Sampong	2,000,000
1556	Catherine Ann Dzilah	2,000,000
1557	Cecilia A. Hoffman	2,000,000
1558	Cecilia Akomea	2,000,000
1559	Charles K. Afum	2,000,000
1560	Charles Kofi Fofie	2,000,000
1561	Chief Issifu Tahiru (Ho Zongo)	2,000,000
1562	Chris Asher	2,000,000
1563	Christian Afaglo	2,000,000
1564	Christian O. Kookulu	2,000,000

1565	Christiana Many	2,000,000
1566	Comfort Akonobea	2,000,000
1567	Comfort Debrah	2,000,000
1568	Comfort Yaa Nudo	2,000,000
1569	Confidence L. Lumor	2,000,000
1570	D. E.K. Ameyibor	2,000,000
1571	D. K. Asante	2,000,000
1572	D. K. Osei	2,000,000
1573	Daniel Adama Solomon	2,000,000
1574	Daniel Asante	2,000,000
1575	Daniel O. Amponsah	2,000,000
1576	Daniel Ohene Adjei	2,000,000
1577	Dasaa Bakyee	2,000,000
1578	Dauda Abubakari	2,000,000
1579	David Akale Ataburu	2,000,000
1580	David Dankwa	2,000,000
1581	Dawaye Klokpah	2,000,000
1582	Dora Kai Kodzo	2,000,000
1583	Dr. Keita Kwaku Kankam	2,000,000
1584	Dr. R. K. Gyamfi	2,000,000
1585	E. B. Sekyi Hughes	2,000,000
1586	E. Y. M. Ofosu-Okyere	2,000,000
1587	Edith Tee Bubu	2,000,000
1588	Edward Asumani Adu	2,000,000
1589	Edward Kumanor Adjartey	2,000,000
1590	Edward Yaw Owusu	2,000,000
1591	Efia Bonsu	2,000,000
1592	Ekua Kakraba	2,000,000
1593	Ekua Sekyiwa	2,000,000
1594	Elizabeth Agbaka	2,000,000
1595	Elizabeth Agbozo	2,000,000
1596	Elizabeth Arthur	2,000,000
1597	Elizabeth Ayensu	2,000,000
1598	Elizabeth Kankam	2,000,000
1599	Elizabeth Karikari	2,000,000
1600	Elizabeth Pedu	2,000,000
1601	Elliot Nsiah Kwadwo Twumasi	2,000,000
1602	Emmanuel Antwi-Barimah	2,000,000
1603	Emmanuel Besa Agbedzofe	2,000,000

1604	Emmanuel Kingsley Anto	2,000,000
1605	Emmanuel Korku Adelayita	2,000,000
1606	Emmanuel Kwabena Baah	2,000,000
1607	Emmanuel Mensah Tabiri	2,000,000
1608	Emmanuel Tannor	2,000,000
1609	Enoch Kpene Anim	2,000,000
1610	Ernest Okai Osei	2,000,000
1611	Esi Mansah	2,000,000
1612	Esther Addo	2,000,000
1613	Evans Kwaku Aggrey	2,000,000
1614	Ezra D. M. Stephens	2,000,000
1615	F. F. Logah	2,000,000
1616	Faith Esi Amegah	2,000,000
1617	Fati Abudulai	2,000,000
1618	Fati Sumani	2,000,000
1619	Fatimah Braimah	2,000,000
1620	Faustina Dadzie	2,000,000
1621	Felix Jones Quarshie	2,000,000
1622	Francis Abeka	2,000,000
1623	Francis Kwakye	2,000,000
1624	Francis Yao Dunyo	2,000,000
1625	Frederick Asafu-Adjei	2,000,000
1626	Frederick Amoako Ofori	2,000,000
1627	Fulera Iddrisu	2,000,000
1628	Fuseini Pauyezi	2,000,000
1629	G. K. Amevia	2,000,000
1630	G. K. Appiah	2,000,000
1631	G. K. Kaledzi	2,000,000
1632	G. Ocansey	2,000,000
1633	G. P. Okine	2,000,000
1634	Gabriel Kwami Adjei	2,000,000
1635	Gado Dagomba	2,000,000
1636	Gambia Akuoko	2,000,000
1637	Genge Kojo Addai	2,000,000
1638	George Eshun	2,000,000
1639	Giftly Adom	2,000,000
1640	Gilbert Atanga	2,000,000
1641	Godbless Amankwa	2,000,000
1642	Grace Nii Moi	2,000,000
1643	Grumpaa Adbul-Rahman	2,000,000

1644	Gyan Bediako	2,000,000
1645	Hajia Abeba Musah	2,000,000
1646	Hajia Adisah Musah	2,000,000
1647	Hajia Afisha Adam	2,000,000
1648	Hajia Ayishetu Muhammed	2,000,000
1649	Hajia Damatu Yamusah	2,000,000
1650	Hajia Hawawu Nawumba Mamudu	2,000,000
1651	Hajia Lamnatu Abdulai	2,000,000
1652	Hajia Memunatu Abu	2,000,000
1653	Hajia Salamatu Issifu	2,000,000
1654	Hajia Saratu Yakubu	2,000,000
1655	Hamidu Soti	2,000,000
1656	Haruna Abdulai Hamidu	2,000,000
1657	Haruna Baba	2,000,000
1658	Hassan Mohammed	2,000,000
1659	Hawa Zakari	2,000,000
1660	Henry Gyebi	2,000,000
1661	Henry Walter Duku	2,000,000
1662	Hosea Kofi Bediako	2,000,000
1663	Huseini Hamidu	2,000,000
1664	Ibrahim Abukari	2,000,000
1665	Ibrahim Akologo	2,000,000
1666	Ibrahim Salifu	2,000,000
1667	Iddrisu Sandow	2,000,000
1668	Ignatius Arizi Blay	2,000,000
1669	Imoro Abudulai	2,000,000
1670	Imoro Alhassan	2,000,000
1671	Imoru Abukari	2,000,000
1672	Isaac Duodu	2,000,000
1673	Isaac H. Nortey	2,000,000
1674	Issah Boateng	2,000,000
1675	Issah Huseini	2,000,000
1676	Issah Mahamadu	2,000,000
1677	Issah Timetey	2,000,000
1678	Issaku Mahama	2,000,000
1679	Issifu Yakubu	2,000,000
1680	J. A. Nuetey	2,000,000
1681	J. B. Kyei	2,000,000
1682	J. K. Aidoo	2,000,000
1683	J. K. Akuoko	2,000,000Benefit to be computed at 2001 rate

1684J. K. Fokuo	2,000,000
1685J.K. Ebouh	2,000,000
1686J.Kwame Prah	2,000,000
1687Jacob Anane-Adjei	2,000,000
1688Jackson Kwame Pipim	2,000,000
1689James Alex Appiah	2,000,000
1690James Kofi Karikari	2,000,000
1691James Kwabena Boakye	2,000,000
1692James Osei	2,000,000
1693Janet Abbah	2,000,000
1694Janet Akua Yeboah	2,000,000
1695John Albert Elephant Ansah	2,000,000
1696John Ben Bekorai	2,000,000
1697John E. Yankey	2,000,000
1698John Koblah Amegbor	2,000,000
1699John Kodzo Xorlali Adorvlo	2,000,000
1700John Nii Nmashi Adjetey	2,000,000
1701John Ohene Nantwi	2,000,000
1702Johnson Mpaba Nyande	2,000,000
1703Joseph Aidoo	2,000,000
1704Joseph Kenneth Addoh	2,000,000
1705Joseph Kankam	2,000,000
1706Joseph Kornor Aziabor	2,000,000
1707Joseph Korku Gbinde	2,000,000
1708Joseph Yaw Mensah	2,000,000
1709Joshua Yaw Oduro	2,000,000
1710Juliana Agyekumwaa Dompseh	2,000,000
1711Juliet Serwaah	2,000,000
1712Kwasi Kutin	2,000,000
1713K. Oppong	2,000,000
1714K. Boakye Yiadom	2,000,000
1715K. Appiah	2,000,000
1716K. Oppong	2,000,000
1717K. Y. Agyemang	2,000,000
1718Kassim Laminu	2,000,000
1719Kenneth Assan Dodzie	2,000,000
1720Kofi Ackon	2,000,000
1721Kofi Agyire Kwakye	2,000,000
1722Kofi Amoateng	2,000,000

1723	Kofi Bonsu	2,000,000
1724	Kofi Duku	2,000,000
1725	Kofi Williamson	2,000,000
1726	Kofi Sedefia	2,000,000
1727	Kojo Agorna	2,000,000
1728	Kwabena Agyeman	2,000,000
1729	Kwabena Anane	2,000,000
1730	Kwabena Boakye Yiadom	2,000,000
1731	Kwabena K. Agyeman	2,000,000
1732	Kwabena Ofosu Agyekum	2,000,000
1733	Kwabena Poku	2,000,000
1734	Kwadwo Gyamfi	2,000,000
1735	Kwadzo View	2,000,000
1736	Kwaku Gyeke	2,000,000
1737	Kwame Ohemeng	2,000,000
1738	Kwame Osei	2,000,000
1739	Kwasi Abora	2,000,000
1740	Kwasi Bio	2,000,000
1741	Kwesi Amiaku	2,000,000
1742	L. Oppong Snr.	2,000,000
1743	Larkyne Mary Tawiah	2,000,000
1744	Lord Sey	2,000,000
1745	M. Arko Amenya Goku	2,000,000
1746	M. Banfo Mensah	2,000,000
1747	M. Hanny Zahabi	2,000,000
1748	M. K. Anang	2,000,000
1749	Margaret Sam	2,000,000
1750	Magnus Nortey Ocquaye	2,000,000
1751	Mahama Idi	2,000,000
1752	Mahamadu Abdulai	2,000,000
1753	Mahamadu Kaleen	2,000,000
1754	Mahamadu Zoon Mumuni	2,000,000
1755	Malam Saka Tika	2,000,000
1756	Malam Salifu Ibrahim	2,000,000
1757	Mallam Abukari Adam	2,000,000
1758	Mallam Ibrahim Mohammed	2,000,000
1759	Mallam Issifu Musa	2,000,000
1760	Mallam Salifu Ibrahim	2,000,000
1761	Mallam Zuberu Alhassan	2,000,000
1762	Mamle Mansa Sebie	2,000,000

1763	Margaret Nketsiaba Cobbinah	2,000,000
1764	Mariama Braimah	2,000,000
1765	Mariama Hamadu	2,000,000
1766	Mariama Haruna	2,000,000
1767	Mariatu Alhassan	2,000,000
1768	Mariama Sayibu	2,000,000
1769	Mark Anthony Koomson	2,000,000
1770	Martha Ibrahim	2,000,000
1771	Martha Teronwee	2,000,000
1772	Mary Abena Dufie	2,000,000
1773	Mary Alhassan	2,000,000
1774	Mary Tweneboa Kodua	2,000,000
1775	Matthew Adams	2,000,000
1776	Matthew Kwasi Owusu	2,000,000
1777	Mathias Wolana Ofori	2,000,000To be paid entitlements, if any.
1778	Matthew Kwesi Dogbey	2,000,000
1779	Memunatu Adam	2,000,000
1780	Memunatu Saibu	2,000,000
1781	Mensah Darko(Snr)	2,000,000
1782	Mercy A. K. Adams	2,000,000
1783	Michael Ayawo Kubunya	2,000,000
1784	Michael Gbemu	2,000,000
1785	Michael Kwao Paditey	2,000,000
1786	M.K Boafo Ntifo	2,000,000
1787	Mohammed Alidu	2,000,000
1788	Mohammed Amaru	2,000,000
1789	Mohammed Issifu	2,000,000
1790	Mohammed Yakubu	2,000,000
1791	Mohammed Zakaria	2,000,000
1792	Moses Quaidoo	2,000,000
1793	Mumuni Yakubu	2,000,000
1794	Musa Mumuni	2,000,000
1795	Musah Alhassan	2,000,000
1796	Musah Ali	2,000,000
1797	N. K. Ashong	2,000,000
1798	N. K. Kraku II	2,000,000
1799	N. Kofi Asante	2,000,000
1800	N. Oppong	2,000,000
1801	N. D. Aggrey	2,000,000
1802	Naa Seidu Yakubu	2,000,000

1803	Nafisah Fuseini	2,000,000
1804	Nana Ayisi Arkoh	2,000,000
1805	Nana Baffour Asase	2,000,000
1806	Nana K. Agyemang	2,000,000
1807	Nan Essankwa Baah	2,000,000
1808	Nana K. Agyemang	2,000,000
1809	Nana Kofi Bentil	2,000,000
1810	Nana Poku	2,000,000
1811	Nana Yaa Achiaa	2,000,000
1812	Nesta Asomah Hawa	2,000,000
1813	Nicholas Nvidah	2,000,000
1814	Nindoo Sanatu	2,000,000
1815	Nuhu Basuglo	2,000,000
1816	Nuonge Awinebuno	2,000,000
1817	O. K. Kuma	2,000,000
1818	Okyere Blankson	2,000,000
1819	Kwame Adjei	2,000,000
1820	Edmund Ocansey	2,000,000
1821	Kofi Antwi	2,000,000
1822	Stephen Opoku Osei	2,000,000
1823	Gladys Ablah Dogbatse	2,000,000
1824	Adwoa Nyarko	2,000,000
1825	Osman Soti	2,000,000
1826	P. B. Awuah Gyawa	2,000,000
1827	P. K. Atta Kakra	2,000,000
1828	Patrick Alhasani Marmah	2,000,000
1829	Paul Amoabeng	2,000,000
1830	Paul Kwame Donkor Ayifli	2,000,000
1831	Paulina Letsa	2,000,000
1832	Peter Ashford Adomako	2,000,000
1833	Peter Kow Nkrumah	2,000,000
1834	Peter Ntow	2,000,000
1835	R. K. Hayford	2,000,000
1836	R. Z. Daker	2,000,000
1837	Rahinatu Issah	2,000,000
1838	Rebecca Ama Bour Nsana	2,000,000
1839	Richard Duho Ofori	2,000,000
1840	Roland Amegbor	2,000,000
1841	Roland Ekow Acquah	2,000,000
1842	Rufai Yakubu	2,000,000

1843S. K. Boye	2,000,000
1844Saadia Abdulai	2,000,000
1845Safana Abdulai	2,000,000
1846Salamat Issah	2,000,000
1847Salifu Adam	2,000,000
1848Salifu Ibrahim	2,000,000
1849Salifu Ousmanu	2,000,000
1850Salmata Yakubu	2,000,000
1851Samata Adam	2,000,000
1852Samata Mutaru	2,000,000
1853Samuel Abboah Asamoah	2,000,000
1854Samuel Addo Yeboah	2,000,000
1855Samuel Adu Fosu	2,000,000
1856Samuel Boamah Denkyi	2,000,000
1857Samuel Kodzo Zogli	2,000,000
1858Samuel Kwabena Boateng	2,000,000
1859Samuel Kwame Morttey	2,000,000
1860Samuel Kwesi Mensah	2,000,000
1861Samuel Kwesi Manu	2,000,000
1862Suigir Mwonzaala	2,000,000
1863Moses Ayornu	2,000,000
1864Samuel Mangertey	2,000,000
1865Sanatu Braimah	2,000,000
1866Sanatu Sulemana.	2,000,000
1867Sarah Aikins	2,000,000
1868Sawdatu Yakubu	2,000,000
1869Sayibu Alhassan	2,000,000
1870Seidu Abubakari	2,000,000
1871Seidu Yussif	2,000,000
1872Seth Letsu	2,000,000
1873Sgt Anthony Kwasi Owusu	2,000,000
1874Sheriff Koetey Gbodey	2,000,000
1875Simon Kwadwo Boateng	2,000,000
1876Sofo Mahama	2,000,000
1877Solomon Tawiah Lomotey	2,000,000
1878Solomon Tei Norbi	2,000,000
1879Sophia Mensah	2,000,000
1880Stella Nyamador	2,000,000
1881Stephen Enimil Amoah	2,000,000
1882Stephen Kwame Adama	2,000,000
1883Steven K. Boamah	2,000,000

1884	Sukena Abdulai	2,000,000
1885	Sulemana Alhassan	2,000,000
1886	Sumani Bin Mani	2,000,000
1887	Susana Amankwah	2,000,000
1888	Susana Koomson	2,000,000
1889	Susana Kumi	2,000,000
1890	Talhatu Mohammed	2,000,000
1891	Talhatu Saibu	2,000,000
1892	Tani Alhassan	2,000,000
1893	Teye Bosumprah	2,000,000
1894	Theophilus Kwabena Asare	2,000,000
1895	Theresa Nyamekye	2,000,000
1896	Togbe Asamoah Nkwanta VI	2,000,000
1897	Togbe Ashiakpor IV	2,000,000
1898	Tuffour Asante	2,000,000
1899	Valisa Yawa	2,000,000
1900	Victoria Amartey	2,000,000
1901	Victor Owusu (Driver)	2,000,000
1902	Victoria Torkonou	2,000,000
1903	Vida Nmonlokie Sappor	2,000,000
1904	Vincent Miah	2,000,000
1905	Vincent Yeboah Asiedu	2,000,000
1906	Wakaso Salifu	2,000,000
1907	Welbeck Okai	2,000,000
1908	Y .A .A. Mensah	2,000,000
1909	Y.Obeng	2,000,000
1910	Yaa Agyapomaa	2,000,000
1911	Yaa Ankoma	2,000,000
1912	Yahaya Abdulai	2,000,000
1913	Yakan Tenni	2,000,000
1914	Yaw Anning Boateng	2,000,000
1915	Yaw Apenteng	2,000,000
1916	Yaw Appiah	2,000,000
1917	Yaw Kwakye	2,000,000
1918	Yaw Kwarteng	2,000,000
1919	Yaw Sarfo	2,000,000
1920	Yaya Issah	2,000,000
1921	Yussif Fato'am	2,000,000
1922	Zaliatu Zakaria	2,000,000
1923	Zeenatu Mizima	2,000,000

1924	Zenabu Saibu	2,000,000
1925	Ziblim Yakubu	2,000,000
1926	Zoona Mahamadu Mumuni	2,000,000
1927	Zuwera Issahaku	2,000,000
1928	Kwabena Anim	2,000,000
1929	Thomas Amankwah	2,000,000
1930	Anna Tawiah	2,000,000
1931	Theresa Ama Owusu	2,000,000
1932	A. Karaa	1,000,000
1933	Abasiga Azuure	1,000,000
1934	Abdul Kadr Saibu	1,000,000
1935	Abdul Rahman Seidu	1,000,000
1936	Abdulai Azara	1,000,000
1937	Abdulai Karim	1,000,000
1938	Abdulai Yakubu	1,000,000
1939	Abena Ampofowaa Hawa	1,000,000
1940	Abena Boatemaa	1,000,000
1941	Abena Dufie	1,000,000
1942	Abraham Bortey	1,000,000
1943	Abuga Far Alhassan	1,000,000
1944	Awoyo Pupulampu	1,000,000
1945	Aku Sebie	1,000,000
1946	Benjamin Ofotsu Apronti	1,000,000
1947	Adakoora Adongo	1,000,000
1948	Adamu Alollo Belgo	1,000,000
1949	Adamu Amoah	1,000,000
1950	Adindaa Nmah	1,000,000
1951	Adongo Atampoka	1,000,000
1952	Aduah Akongne	1,000,000
1953	Afia Serwaa	1,000,000
1954	Afua Baah	1,000,000
1955	Afua Dansoa	1,000,000
1956	Ahmed Addai	1,000,000
1957	Akanyese Azuure	1,000,000
1958	Akosua Manu	1,000,000
1959	Akua Frimpomaa	1,000,000
1960	Akwasi Agyei Num	1,000,000
1961	Albert Kwame Sam	1,000,000
1962	Alhaji Alhassan Iddrisu Kpabia	1,000,000

1963	Alhaji T. Mahama	1,000,000
1964	Alhassan Bagbena	1,000,000
1965	Alice Atuko	1,000,000
1966	Alika Abelingo	1,000,000
1967	Ama Ayemfowa	1,000,000
1968	Ama Kyere Amoako	1,000,000
1969	Amin Shaba	1,000,000
1970	Anamoo Abesaare	1,000,000
1971	Andrew Boakye Yiadom	1,000,000
1972	Aneero Adombire	1,000,000
1973	Anthony Sarfo	1,000,000
1974	Asabila Apabaa	1,000,000
1975	Asubi Anoluski	1,000,000
1976	Asubi Anolusko	1,000,000
1977	Atamate Mma	1,000,000
1978	Atanga Agongo(No.1)	1,000,000
1979	Atanga Ayamga	1,000,000
1980	Atanga Ayeleme	1,000,000
1981	Atango Agongo(No.2)	1,000,000
1982	Augustina Araba Quansah	1,000,000
1983	Awubey Quame	1,000,000
1984	Ayi Mantey	1,000,000
1985	B. K. Donkor	1,000,000
1986	B. S. Addo	1,000,000
1987	B. Siaw-Addo	1,000,000
1988	Baba Amoah Amadu	1,000,000
1989	Barichisu Yussif	1,000,000
1990	Benjamin Nongor	1,000,000
1991	Bingloro Adomolga	1,000,000
1992	Bizoola Koyiri	1,000,000
1993	C.K. Agbanyo	1,000,000
1994	Cecilia Akomaa	1,000,000
1995	Cecilia Buchman	1,000,000
1996	Christian K. Ahadzi	1,000,000
1997	Comfort Osei	1,000,000
1998	Comfort Wiafe	1,000,000
1999	Dr Mohammed Kandem Kanbong	1,000,000
2000	Dramani Raffic Imoro	1,000,000
2001	DSP Lawrence Kwaku Zikpi	1,000,000 Pension
2002	Ebenezer Debrah	1,000,000

2003	Ebenezer Osei-Poku	1,000,000
2004	Edward Kwadwo Fokuo	1,000,000
2005	Edward Yaw Opoku-Badu	1,000,000
2006	Efua Kurantsiwa	1,000,000
2007	Eliasu Ayiriya	1,000,000
2008	Elizabeth Appiah	1,000,000
2009	Elizabeth Brempong	1,000,000
2010	Emmanuel Asante	1,000,000
2011	Emmanuel Duncan	1,000,000
2012	Emmanuel K. Yeboah	1,000,000
2013	Emmanuel Koranteng	1,000,000
2014	Enoch Kumie Addo	1,000,000
2015	Esi Baduwa	1,000,000
2016	F. Srebi	1,000,000
2017	Faustina Paintsil	1,000,000
2018	Faustina Sam	1,000,000
2019	Florence A. Agyekumwaa	1,000,000
2020	Florence Brago	1,000,000
2021	Francis Kwadwo Awuku	1,000,000
2022	George Asante	1,000,000
2023	George Oppong	1,000,000
2024	Hannah Nyamekye	1,000,000
2025	Hannah Quarcoo	1,000,000
2026	Haruna Bibeta(female)	1,000,000
2027	Haruna Fuseini	1,000,000
2028	Ibrahim Azara(female)	1,000,000
2029	Ibrahim Azure	1,000,000
2030	Ibrahim Zenabu(female)	1,000,000
2031	Iddrisu Saibu	1,000,000
2032	Isaac Yandor	1,000,000
2033	J.Chris Amenatey	1,000,000
2034	J.Y. Mensah	1,000,000
2035	James Fred Eghan	1,000,000
2036	John Nyamitei	1,000,000
2037	Joseph Anamolga	1,000,000
2038	Joseph Awuni	1,000,000
2039	Joseph Berchie	1,000,000
2040	Joseph Stennis Badu	1,000,000
2041	Karim Damata(female)	1,000,000
2042	Karim Zeliatu(female)	1,000,000
2043	Karbo Umar	1,000,000

2044	Kate Abam	1,000,000
2045	Kenneth Akolor	1,000,000
2046	Kennedy Adjei	1,000,000
2047	Kodwo Nyarko	1,000,000
2048	Kofi Darko	1,000,000
2049	Kwabena Kwenu	1,000,000
2050	Kwaku Apau	1,000,000
2051	Kwaku Fokuo	1,000,000
2052	Kwaku Osei	1,000,000
2053	Kwadwo Brenya	1,000,000
2054	Kwaku Yeboah	1,000,000
2055	Kwame Baako	1,000,000
2056	Kwame Kwarteng	1,000,000
2057	Kwesi Mantu	1,000,000
2058	Kwesi Kutin	1,000,000
2059	Lantei Lamptey	1,000,000
2060	Lawrence Kobina Yelpien	1,000,000
2061	Maame Nyarko	1,000,000
2062	Madinatu Appim	1,000,000
2063	Mahama Yahaya	1,000,000
2064	Margaret Yeboah	1,000,000
2065	Mariama Ousmanu	1,000,000
2066	Mary Yaa Serwah	1,000,000
2067	Mary Adams	1,000,000
2068	Mary Nyamekye	1,000,000
2069	Mercy Larbi	1,000,000
2070	Michael Kwadwo Adeti	1,000,000
2071	Mma Sanatu	1,000,000
2072	Mmai Musah	1,000,000
2073	Mohammed Bawa Ali	1,000,000
2074	Morcoma Hamadu	1,000,000
2075	Mosby Bamfo-Manuh	1,000,000
2076	Nai Marley	1,000,000
2077	Nana Kwame Fante Aduamoah II	1,000,000
2078	Nancy Marfo	1,000,000
2079	Nenkentie Bayan	1,000,000
2080	Nsor Anamoo	1,000,000
2081	O. Akwasi Kwasi Appiah	1,000,000
2082	Percy K. Essiagyan	1,000,000
2083	Peter Anderson Sarpong	1,000,000

Dismissal to be commuted into
termination and his benefits duly paid.

2084	Philip Tetteh	1,000,000
2085	Rachel A. Biney	1,000,000
2086	Ransford Adjei Mante	1,000,000
2087	Robert Adzikum	1,000,000
2088	Rose Ghansa	1,000,000
2089	Ruth Anamoo	1,000,000
2090	S.T.Asare	1,000,000
2091	Safinatu	1,000,000
2092	Samuel Awuah	1,000,000
2093	Samuel Kwadwo Boateng	1,000,000
2094	Samuel Yaw Asumadu	1,000,000
2095	Samuel Yeboah-Kordie	1,000,000
2096	Sarah Appiah	1,000,000
2097	Sarah Asiedu	1,000,000
2098	Secena Ayanyire	1,000,000
2099	Seidu Bukari	1,000,000
2100	Shetu Mahamadu	1,000,000
2101	Stephen Anin Acheampong	1,000,000
2102	Stephen Gamah	1,000,000
2103	Tanko Sani	1,000,000
2104	Theresa Paintsil	1,000,000
2105	Theresa Yeboah	1,000,000
2106	Thomas Amankwa	1,000,000
2107	Thomas Ayornu	1,000,000
2108	Victoria Oppong	1,000,000
2109	Victoria Tawiah Kotey	1,000,000
2110	Wilson Antwi	1,000,000
2111	Winfred Manfred Asima	1,000,000
2112	Yakubu Agartey	1,000,000
2113	Yaw Osei	1,000,000
2114	Zenabu Amadu	1,000,000
2115	Daniel Akwasi Prempeh	1,000,000
2116	Prince Baffour Awuah Gyawu	1,000,000
2117	Zetu Braimah	1,000,000
	TOTAL	12,211,000,000

P & T EMPLOYEES

2118A. A. Adjetey

Referred to Government to pay them their entitlements

2119A. Bekoe	"
2120A. K. Doku	"
2121A. K. Quansah	"
2122A. Mantey	"
2123A. Q. Aryee	"
2124A. T. Addy	"
2125A. Tagoe	"
2126A. W. Kporvuvu	"
2127A. Welbech	"
2128Adjei Okpoti	"
2129Afua Agyeiwaa	"
2130Agyeman Duah	"
2131Ahmed Sisu	"
2132Akosua Owusuaa	"
2133Albert Dzotor	"
2134Albert Kodjo	"
2135Alfred Amoako	"
2136Alhaji Sowah	"
2137Alice Appiah	"
2138Amegbor-Bates	"
2139Andrews Gyasi	"
2140Andrews O. Yirenkyi	"
2141Anthony Afful	"
2142Awuah-Lartey	"
2143B. A. Marquaye	"
2144B. G. Addo	"
2145B. K. Addo	"
2146B. K. Arthur	"
2147B. K. Baidoo	"
2148Betty Ofosuhene	"
2149C. F. A. Koranteng	"
2150C. K. Amegbe	"
2151C. K. Tamakloe	"
2152C. Opoku	"
2153C. Q. Donkor	"
2154C. S. Amoako	"
2155C. S. Oppong (Miss)	"
2156C. Y. A. Dogbatse	"
2157C. Y. Amable	"
2158Charles Awuah Frimpong	"

2159	Charles E. Biney	"
2160	D. A. Allotey	"
2161	D. A. Badu	"
2162	D. K. Essuman	"
2163	D. K. Krampah	"
2164	D. K. Kwashie	"
2165	D. K. Okrah	"
2166	D. P. Agbavor	"
2167	D. P. Y. Ofosu	"
2168	D. T. Addy	"
2169	Dwamena	"
2170	E. A. Cripman	"
2171	E. A. Kesse	"
2172	E. A. Mensah	"
2173	E. A. Mensah	"
2174	E. A. Tackie	"
2175	E. A. Yirenkyi	"
2176	E. Akyin Monney	"
2177	E. Ayiku	"
2178	E. E. Aban	"
2179	E. K. Adzato	"
2180	E. K. Aihoon	"
2181	E. K. Ampadu	"
2182	E. O. Akuamoah- Boateng	"
2183	E. O. Brown	"
2184	E. Obessey	"
2185	E. Owusu	"
2186	E. T. Commey	"
2187	E. T.C. Lomoko	"
2188	E. Y. Anku	"
2189	E. Y. Anku	"
2190	E. Y. Boakye	"
2191	Eben Kumah	"
2192	Edward Sakyi	"
2193	Ekow Mantey	"
2194	Elizabeth Amponsah	"
2195	Emelia Amoah- Danso	"
2196	Emmanuel Appiah	"
2197	Emmanuel Ofori	"
2198	Emmanuel S. K. Adams	"

2199Eric Kumasi	"
2200Ernest Agyei- Kwakye	"
2201Essel Doomson	"
2202Evans Kwakyir	"
2203F. A. Annan	"
2204F. A. Asiedu	"
2205F. Appiah	"
2206F. Guy Tetteh	"
2207F. K. Ahiabley	"
2208F. K. Assumah	"
2209F. K. Dagadu	"
2210F. K. Gah	"
2211F. N. Buah	"
2212F. S. R. Antobam	"
2213Frances Adu Mante	"
2214Fraser A. Acquaye	"
2215G. A. Arhin	"
2216G. A. Mensah	"
2217G. E. K. Attram	"
2218G. E. Ofori-Addo	"
2219G. K. Brown	"
2220G. K. Yeboah	"
2221G. N. Ankrah	"
2222G. O. Acquah	"
2223G. O. Quartey	"
2224G. Y. Degbatse	"
2225H. A. Quaye	"
2226Hammond	"
2227Hayford Adu Mandoh	"
2228I. F. Amoh	"
2229I. K. Amoah-Odoom	"
2230J. A. Badu	"
2231J. A. Yankson	"
2232J. Akpitipola	"
2233J. B. K. Agudze	"
2234J. C. Boye	"
2235J. D. Bantee	"
2236J. K. Adjei	"
2237J. K. Appiah	"
2238J. K. Mensah	"
2239J. K. Tandoh	"

2240J. L. Abbey	"
2241J. N. Hammond	"
2242J. O. Assibey	"
2243J. O. Opare	"
2244J. O. Robertson	"
2245J. Osei Nkansah	"
2246J. S. Djorbuah	"
2247J. Tetteh	"
2248J. W. Osei	"
2249J.G. Adzaglo	"
2250J.S Monsilver	"
2251J.S.K.Deboley	"
2252Joe Lartey	"
2253Joe Mulley	"
2254Johannes Gameklu	"
2255John Appiah Kusi	"
2256John Appiah Yankson	"
2257John Eduam	"
2258John Kingsley Eduarm	"
2259Johnson Asamoah Opare	"
2260Jori Issa	"
2261Joseph Mensah Quarcoo	"
2262K. A. Kassy	"
2263K. O. Awuku	"
2264K. Opoku-Banful	"
2265K.Agyeman Duah	"
2266K.E Hagan	"
2267Kassum Seidu	"
2268Kodjoe Korsah	"
2269Kwame Mensah	"
2270L. K. Kemetse	"
2271L.K Amassah	"
2272M. A. K. Mensah	"
2273M. A. K. Nyikplorkpor	"
2274M. A. Sule	"
2275M. J. K Kudolo	"
2276M. K. Adetie	"
2277M. K. Selby	"
2278M.D Ackolley	"
2279M.K Clottey	"

2280	Mahama Imoro	"
2281	Miss Cecilia Afenyo	"
2282	Miss Edwina Hazel	"
2283	Miss Engman	"
2284	Miss Florence Boateng	"
2285	Miss Helen N. Tagoe	"
2286	Mr Anderson	"
2287	Mr Atorsah	"
2288	Mr. Amu	"
2289	Mr. Armah	"
2290	Mr. Attuquayefio	"
2291	Mr. Boromah	"
2292	Mr. Godson	"
2293	Mr. Kwao	"
2294	Mr. Obeng	"
2295	Mr. Raman	"
2296	Mr. Sarpong	"
2297	Mr. Sraha	"
2298	Mr. Tettenyo	"
2299	Mr. Nortey	"
2300	Mrs. Ocquaye	"
2301	N. K. Cheetan	"
2302	Nicholas Amartey	"
2303	Nicholas Quartey	"
2304	Osafo Yaw	"
2305	P. A. Akoto	"
2306	P. H. Davoh	"
2307	P. K. Adjei	"
2308	P. K. Brafi	"
2309	P. K. Kwachie	"
2310	P. R. E. Jonah	"
2311	P. T. Nkrumah	"
2312	P. Y. Adu	"
2313	Patrick Mensah	"
2314	Peter Adams	"
2315	Peter Amo-Baah	"
2316	Prince Saxbon Quansah	"
2317	R. A. Osei	"
2318	Reynelds Akuamoah	"
2319	Richard Aseidu Obuobi	"

2320Robert Ankrah	"
2321Rockson	"
2322S. A. Laryea	"
2323S. A. Ntodie	"
2324S. A. Sowah	"
2325S. Antwi	"
2326S. B. Afram	"
2327S. K. Anim	"
2328S. K. Annan	"
2329S. K. Kodjoe	"
2330S. K. Nti	"
2331S. K. Siaw	"
2332S. O. Pagbovi	"
2333S. Odenyame	"
2334S. S. Thompson	"
2335S. T. Adjartey	"
2336S. Y. Kyereko	"
2337Salifu	"
2338Samuel Lanyo	"
2339Stephen Donkor	"
2340Stephen Mensah	"
2341T. A. Frimpong	"
2342T. K. Essuman	"
2343T. K. Quarcoo	"
2344Tei Appronti	"
2345Tommy	"
2346V. K. Safo Abebrese	"
2347W. K. Afutu	"
2348W. K. Wodza	"
2349W. Y. Agbo	"
2350William Nelson Coffie	"

SHAPIC POLICY

2351Alhaji A. Nuhu	TDC to refund deposits
2352Christian K. Owusu	"
2353Clement N. L. Mills	"
2354Ernest K. Agudu	"
2355G. Boateng	"
2356G.C.K.Adzovo	"
2357Hagar Essel	"
2358J. E. Kwakye	"

2359	Josephine Carr	"
2360	K. Osei	"
2361	Lawrence K. Blay	"
2362	R. K. V. Kartey	"
2363	Samuel K. Boateng	"
2364	Frank Quist	TDC to refund deposit on Estate No. AM 8
2365	A. A. Richards	SHC to hand over plot or replace it.
2366	Abena Bruwaa	Cocoa services division of CMB to pay Ex-gratia award to Petitioner.
2367	Abraham Teye Kwao	To be terminated and paid benefits.
2368	Akosua Owusuua	Cocoa services division of CMB to pay Ex-gratia award to Petitioner.
2369	Augustine Vorodam	To be paid ½ salary for 2 years.
2370	Akuamoah Boateng	To be paid his benefits
2371	Albert Dodoo	Dismissal to be converted to termination and benefits paid.
2372	Alfred Sethoafia	To be terminated and paid benefits.
2373	Alex Oppong	To be reinstated or appropriate compensation paid
2374	Alexandra Akuetteh Hammond	Entitlements to be paid if any.
2375	Amadu Douri	All outstanding properties to be returned to him.
2376	Anastas Latevi Mikayan	Petitioner to take steps to claim his benefits.
2377	ASP Abraham Odiko Bortey	Dismissal to be converted to termination and benefits paid.
2378	ASP Cletus Yao Bakah	Dismissal to be converted to termination and benefits paid.
2379	ASP Francis Murphy Anane	To be promoted to the next higher grade and retired with benefits.
2380	Ayana Tindana	Be paid salary arrears and put on pension if any
2381	Ben A. Kulley	If he was retrenched, then his entitlement, if any, should be paid to him
2382	Benjamin Tetteh Buer	Land to be restored to owner
2383	Cecilia O. Kyeremanteng	Confiscated property to be returned.
2384	Cephas Alerboblah	His benefit to be paid.
2385	Charles Aidoo	Next of kin to be paid appropriate entitlements
2386	Charles Okordie	CEPS to pay gratuity if he is entitled
2387	Charles Osei Bonsu	PBC to pay him the value of 1000 bags of cocoa at current rate.
2388	Chief Supt. Samuel Adjepong Okyere	To be promoted to the next higher grade and retired with benefits.
2389	Christian Emmanuel Amaning	He should collect his one month's salary if he has not done so already
2390	Christian Yao Anku	Outstanding leave of 115 days to be converted to cash and paid by GBC.
2391	Christopher Ankuyi Senya	To be terminated and paid benefits.
2392	Clement Oposika-Agudey	To be terminated and paid benefits.
2393	Cdr. Joseph Danso Oppong	Citizenship rights to be restored. Retirement benefits to be paid

2394	Constable Mensah	Dismissal to be commuted into termination and his benefits duly paid
2395	Constable Sogbe	Dismissal to be commuted into termination and his benefits duly paid
2396	Constance Murray Nee Benson Agyei	To be restored to Assistant Director and retired with full benefits
2397	Cpl Amu	Dismissal to be commuted into termination and his benefits duly paid
2398	CSA Nortei	If he was retrenched, then his entitlement, if any, should be paid to him
2399	D/CPL Rockson Symon Agorkpah	To be promoted to the next higher grade and retired and paid their benefits
2400	Dagbon Skin	Apology
2401	Daniel Essah Afari	Dismissal to be converted to termination with full benefits paid.
2402	David Yussif Yobo	He should be paid the balance of his salary that was withheld during interdiction.
2403	Dennis Kwaku Amewuda	He should be paid the balance of his salary
2404	Dr. Kwame Safo-Adu	Letter of apology.
2405	Dr. Matthew Narh Tetteh	Government to surrender lease to SHC
2406	DSP Edmund Oheneansah	To be promoted to the next higher grade and retired and paid their benefits
2407	DSP Emmanuel Yaw Blessie	To be promoted to the next higher grade and retired and paid their benefits
2408	DSP Emmanuel Fiati	To be promoted one step up and retired with full benefits.
2409	Ebenezer Adu Henaku	To be promoted to next higher rank and retired.
2410	Ebenezer Chaiku Armah	Recommendation for pension to be implemented
2411	Elizabeth Amponsah	Cocoa services division of CMB to pay Ex-gratia award to Petitioner.
2412	Emmanuel Aidam	Fresh coroners inquest to be held
2413	Emmanuel Koblah Akpanyah	To receive benefits as at the time they fell due.
2414	Emmanuel Kofi Arkoful	Ombudsman Decision to be implemented
2415	Emmanuel Ofori	Cocoa services division of CMB to pay Ex-gratia award to Petitioner.
2416	Emmanuel Okata Sarpong	To be paid pension
2417	Emmanuel Owusu-Boakye	To be promoted to next higher grade and retired with full benefits.
2418	Emmanuel Owusu Appiah	Cocoa services division of CMB to pay Ex-gratia award to Petitioner.
2419	Emmanuel R. A. Attah	Land Valuation Board to assess compensation
2420	Enoch Boateng	Entitlements to be paid.
2421	Ezra Douglas Martinson Stephen	To be promoted to next higher grade and retired with full benefits.
2422	Francis Addo	He should be released now
2423	Francis Dontoh	Dismissal to be converted to Termination and benefits paid
2424	Francis Dzireku	Dismissal to be commuted into termination and his benefits duly paid
2425	Francis Nsowah	To be terminated with appropriate benefits.

2426	Frank C.A Smith	If he was retrenched, then his entitlement, if any, should be paid to him
2427	Frank Neequaye	Dismissal to be commuted into termination and his benefits duly paid
2428	Frederick Ayeh Okraku	Terminated and paid some benefit if any.
2429	G. Boateng	Refund her deposit.
2430	G/Cpl George Appiah	Dismissal to be commuted into termination and his benefits duly paid
2431	Gale Nyatife-Attipoe	TDC to compensate for loss.
2432	George Elliot Kwasi Oppong	To be paid his entitlements
2433	George Acheampong	To be released
2434	George Tagoe	His entitlements to be paid to him.
2435	Gilly King Osei	Benefit to be recalculated based on 10 years service
2436	Hagar Essel	According to TDC and Sharpic Law.
2437	Harrison Somuah Sasu	Entitlements to be paid.
2438	Haruna Busanga	KMA to pay his entitlements if any
2439	Hawa Magajia	Restore house to her.
2440	Henry Breakspeare Apatu-Plange	To be deemed to have retired at compulsory retiring age and paid gratuity and pension appropriately
2441	Michael Komla Adzovie	" "
2442	Samuel Azu Crabbe	" "
2443	J. Z. Ziebah Iddrisu	CEPS to refund as directed by Public Tribunal.
2444	James Appiah	Benefit to be computed at 2001 rate.
2445	J. A. Tetteh	If he was retrenched, then his entitlement, if any, should be paid to him
2446	James T. Quarcoo	If he was retrenched, then his entitlement, if any, should be paid to him
2447	J. P. K. Bolton	If he was retrenched, then his entitlement, if any, should be paid to him
2448	John Kwame Owusu	Dismissal to be commuted into termination and his benefits duly paid
2449	John Yaw Frimpong	Dismissal to be converted to Termination and benefits paid
2450	Johnson Bonyah Asamoah	Reinstate and/ or appropriate compensation paid.
2451	Johnson Yao Mihesu	To be termination and paid benefits, if any.
2452	Joseph Agyeman	To be promoted one step higher and retired and paid all benefits
2453	Joseph Amankwah	Appropriate compensation for injury sustained during peacekeeping duties to be paid to him and reimbursement claim from UN, as per regulations.
2454	Joseph Armah Boye	If he was retrenched, then his entitlement, if any, should be paid to him
2455	Josephine Armah	If she was retrenched, then her entitlement, if any, should be paid to her.
2456	Joseph Kwasi Nimako	To be paid his entitlements after dismissal converted to termination.

2457	Joseph Yaw Kaba	To be paid retirement awards
2458	Kafui Asem	A.M.A should comply with the decision.
2459	Kenneth Emmanuel Bruce	Removal to be converted to termination with full benefits
2460	Kofi Mensah Addison	Dismissal to be converted to termination with full benefits
2461	Kofi Opoku-Agyeman	£5,800 to be returned.
2462	Kwabena Kobra	Ministry of Agric to fulfil promise
2463	Kwame Ofori-Yentumi	Benefits to be paid
2464	Kwesi Ghapson	Land Valuation Board to assess compensation.
2465	Lamisa Busanga	Be paid pension entitlements, if appropriate.
2466	Lawrence Adikah	Computation of benefits as at the time of offer
2467	Lawrence Bruce Kyei	Termination instead of dismissal. To be put on pension
2468	Linus Atachie	Computation of benefits as at the time of offer
2469	Martin A. Danquah	Deconfiscation of Kumasi property.
2470	Mary Tornugble	Ghana Education Service recommendation should be implemented
2471	Michael Amegadzi Sokpoli	To be paid entitlements in lieu of notice.
2472	Michael Kwao Anang	Converted to termination and paid entitlements.
2473	Mike Tetteh Addy	Claims to be paid,i.e 84 days leave in cash and gratuity.
2474	Nana Kwasi Ketewa IV	Apology
2475	Nyanya	Benefits to be paid according to CHRAJ decision.
2476	Ofoe Ambasaki	Benefits should be paid.
2477	Ohene Kwofie	Property to be returned to Petitioner.
2478	Peter Ernest Kingsley Quaysel	House to be deconfiscated.
2479	Philip T. Kwao	Proper compensation due him to be paid.
2480	Prince Gabriel Kwame	Proper compensation due him to be paid.
2481	Raymond Dzeble	Entitlement to be determined
2482	Rebecca Tagoe	If she was retrenched,then her entitlement, if any, should be paid to her
2483	Richard Tetteh Seglah	His properties to be returned to him.
2484	Roland Yakubu Adams	Dismissal to be converted to termination with fullll benefits paid.
2485	Samuel Adjei Larbi	Cocoa Services Division of CMB to pay Ex-gratia award to Petitioner.
2486	Samuel Anum Okai	Ex gratia award by CSD.
2487	Samuel Anum Osei	Cocoa services division of CMB to pay Ex-gratia award to Petitioner.
2488	Samuel Insane	KMA to pay entitlements if any...
2489	Samuel Larweh-Totimeh	To provide documentation to former employer for his benefits.
2490	Samuel Nimako Frempong	To provide documentation to former employer for his benefits.
2491	Samuel O. Commey	If he was retrenched,then his entitlement , if any, should be paid to him

2492	Samuel Yaw Osei	University of Ghana to investigate his claim and place him on appropriate retirement scheme
2493	Seth Mensah Martey	Reinstate or appropriate compensation paid.
2494	Sgt Kingsley Kwesi Adjei	Dismissal to be commuted into termination and his benefits duly paid
2495	Sgt Kofi Tapari	Dismissal to be commuted into termination and his benefits duly paid
2496	Siaw	Property to be restored and Apology
2497	Simon Kwame Owusu	To be retired as per CHRAJ decision
2498	Sisala Dramani	Terminal benefit if any should be paid by Ghana Highways
2499	Solomon Kwesi Aggrey	Assembly should comply with CHRAJ order.
2500	Sophia Buamah	SHC to refund her money with interest,
2501	Stephen Dickson Kofi Nimoh	Release pension if entitled.
2502	Sumani bin Mani	He should be paid his benefits
2503	Stephen Yaw Simpe	House to be returned to owner.
2504	Supt Gabriel Loveridge Quampah	To be promoted to the next higher grade and retired with benefits.
2505	Susana L. Lartey	AMA to restore her property and pay compensation for its destruction.
2506	Tei-Na-Ansah	Benefits should be paid
2507	Theresa Osei	Procedures for Medical Board should be instituted and her benefits paid.
2508	Thomas Adu Poku	Procedures for medical board
2509	Thomas Apetonu	Refer to Controller and Accountant General.
2510	Thomas B. Dykar	To be released and supported
2511	Victor Imbrah	To be paid compensation for his loss of land by Lands Commission
2512	Wendy Asiamah	Retirement benefits should be calculated at current rate and paid to her.
2513	Yaw Kwakye	Cocoa services division of CMB to pay Ex-gratia award to Petitioner.
2514	John Yaw Frimpong	Pension



Chapter 2 - Reparations

CHAPTER 2

REPARATIONS

2. REPARATION AND REHABILITATION FUND

2.1 Establishment Of Fund

2.1.1 In accordance with section 20 (2) (h) of the National Reconciliation Commission Act, 2002 (Act 611), the Commission recommends the setting up of a Reparation and Rehabilitation Fund from which, among others, monetary compensation will be disbursed.

2.2 Sources Of Funds

2.2.1 The following are recommended as sources of generating cash to build the fund:

1. The government should make provision in the national budget towards paying reparation.
2. In addition some provision can be made as part of poverty alleviation.
3. The government should apply a percentage of the HIPC funds to the reparation.
4. Perpetrators' Contribution - At least one perpetrator has given an indication of his willingness to go beyond an apology to do more to show remorse and work towards healing and reconciliation. The Commission recommends that provision should be made for perpetrators who are willing to contribute to the fund. Perpetrators who wish to make anonymous contributions should be encouraged to do so.
5. Corporate Bodies may be encouraged to make voluntary contributions to the fund. Such contributions should be tax-deductible.
6. Voluntary Contribution from the public - an appeal should be made to the general public for those who are willing to contribute towards an effort to cleanse our past and reconcile the nation.
7. The Commission also recommends that the proceeds from the sale of the Commission's Report and other memorabilia should go into the Reparation Fund.

2.2 LEGAL BASIS FOR REPARATION

2.2.1 The legal bases for the Commission's recommendation on reparation are, first and foremost, derived from the National Reconciliation Act, 2002 (Act 611) section 20(2) specifically:

- 20 (2) (d) recommend the appropriate response to the specific needs of each victim or group of victims;
- (f) recommend reforms and other measures whether legal, political, administrative or otherwise needed to achieve the objectives of the Commission;
- (g) promote healing and reconciliation ; and
- (h) setting up of a reparation and rehabilitation fund.

2.2.2 Even though the Act does not mandate the Commission to disburse reparation, having investigated complaints of human rights violations and abuses and having identified victims in accordance with section 4 of Act 611, it is better suited to recommend appropriate reparations for implementation by any body or bodies that would be established in accordance with section 20 (2)(h).

2.2.3 Secondly, Chapter 15 of the Constitution, 1992, entrenches the fundamental rights and freedoms of every person in Ghana and same shall be respected by the State, its agencies as well as individuals. It also provides specifically for circumstances under which victims of human rights violations shall seek redress as well as provisions for the payment of compensation by violators. Reparation for human rights violation is, therefore, a right the individual is entitled to, and not a favour.

2.2.4 Best practices in international law provide another legal basis for the Commission's recommendation on reparation. Within the framework of international human rights, a consensus is evolving regarding the obligation to protect fundamental human rights and freedoms, and the right to seek redress when these rights are violated. A right to seek redress implies a duty to ensure that appropriate steps (including reparation) are taken to address any violation.

2.2.5 Lastly, Ghana is a party to major international treaties that assert the inviolability of fundamental human rights, the same rights that the Commission was set up to investigate. All of these treaties have provisions regarding the right of victims to remedy, such as compensation.

2.3 OBJECTIVES OF THE COMMISSION'S REPARATION POLICY

2.3.1 The objectives of the Commission's reparation policy are captured in the following:

2.3.1.1 RIGHT

The 1992 Constitution entrenches the fundamental rights and freedoms of the individual, which shall be respected by the State, its agencies and individuals and a corresponding right to seek redress when these rights are violated. A principal objective of this reparations policy is to reinforce the citizen's right to redress as well as the responsibility of the State to conduct itself in a manner based on respect for human rights, the rule of law and democratic accountability.

2.3.1.2 RECOGNITION

Another major objective of the reparations policy is to achieve two forms of recognition: recognition of victimhood and recognition of accountability. The first means acknowledging that the treatment to which the victim was subjected constitutes a serious human rights violation or abuse. The second means that, no matter how long it takes, the

State, and for that matter, responsible actors, shall be called upon to account for their acts of commission and omission.

2.3.1.3 REPAIR AND REHABILITATION

Through reparations, the Commission seeks to, somehow alleviate the suffering of victims (direct or indirect) of human rights violations and to help them carry on with their lives.

2.3.1.4 REFORM

While the award of reparation, by its very nature is backward-looking, it also serves a forward-looking purpose, to the extent that it provides a basis for non-repetition. In that respect it is the objective of the Commission that through the reparations package, the nation will be motivated to resolve that “Never Again” shall the State facilitate or preside over such gross human rights violations.

2.3.1.5 RESPECT

Reparation will be recommended for everyone against whom human rights violations will be established, there will be no distinction between the well-placed in society and the ordinary victim, who is usually voiceless and lacks the means to take on the highly-placed and powerful in society. One of the objectives of the reparations policy is to underscore respect for all individuals, irrespective of their social or economic status.

2.3.1.6 REALISM

In making its recommendations for reparation, the Commission is striving to achieve a balance between the need to redress human rights violations and the resource constraints that confront the nation. As already stated, reparations can never fully repair the damage caused to victims nor restore them to the status quo ante. However, recommendations, which do not take account of the resource limitations of the nation, will make implementation a difficult and a long drawn-out enterprise and therefore exacerbate the pain of victims.

2.4 FORMS OF REPARATION

2.4.1 SYMBOLIC MEASURES

2.4.1.1 The point cannot be over-emphasized that no reparation, monetary or otherwise can restore victims (direct or indirect) to the status quo ante. It is also a fact that some victims find monetary reparation rather offensive, as it appears like payment for their suffering.

2.4.1.2 There are yet some victims, who have managed, somehow, to put their pain behind them, moved on with their lives and have stated expressly that they do not want

monetary compensation. For some petitioners, they are only looking for the truth regarding the disappearance or killing of their loved ones. The Commission therefore regards symbolic reparation as probably the most significant of all forms of reparation and should be awarded together with other forms of reparation that are considered appropriate. In the light of the above, the Commission recommends the following symbolic reparations:

2.4.1.3 Apology

Letters of apology signed by the President, couched to reflect the category of violation suffered by specific victims of egregious human rights violations.

Apology (radio and television broadcast) by heads of public institutions that are identified as main actors in the violation of the rights of individuals. For example an apology from the President as the Head of State and Commander-in-Chief of the Ghana Armed Forces.

A special apology from the President to the Ghanaian woman for the indignities and the atrocities she has endured.

2.4.1.4 Monuments And Commemorative Events

A national monument in Accra, in honour of the killed, disappeared (all those who lost their lives as a result of human rights violation) and to the unknown victim of human rights abuse during the Commission's mandate period. On the monument shall be engraved the names of the victims who fall in this category, such as the Generals, the three High Court Judges and retired Army Officer, those executed after sham trials fraught with severe torture and serious procedural irregularities and the unknown victims.

A monument to be erected in honour of the Ghanaian woman.

Monuments in the regional capitals in honour of traders, and other civilians.

A National Reconciliation Day: a one-off commemorative day, not an annual affair, when monuments are unveiled, apology letters delivered and broadcasts made by the President and heads of responsible institutions.

An Annual Remembrance/Thanksgiving Day.

National Reconciliation memorabilia:

- National Reconciliation Stamps
- National Reconciliation coins
- National Reconciliation badges

These could be sold to raise money for the Rehabilitation Fund.

Annual Reconciliation Lectures to foster respect for human rights, rule of law and democratic principles

2.4.1.5 Scholarships

Scholarship for one child (in public school up to SSS level) of the following category of victims

- o Persons who lost their lives as a result of human rights violation
- o The disappeared
- o Persons disabled as a result of human rights violation
- o Traders whose goods were seized

An eligible child is a child born to a victim– petitioner or for whom a petition was made to the Commission. Valid birth certificates to be produced to prove parentage and age.

2.4.1.6 Health Benefits

2.4.1.6.1 For those living with health problems as a result of human rights violation, the NHIS, which is about to take off, should take care of their concerns.

2.4.1.6.2 The Commission also recommends the establishment of a Trauma and Counselling Centre in every Regional and District Hospital.

2.4.1.7 Namoo Market

The Commission recommends the building of a market for Namoo as a kind of community reparation. Namoo is a border town in the Upper East Region, which had a vibrant market. However, following frequent unlawful seizure of goods from the traders and the atrocities meted out to them in the process, the market is now located on the Burkina Faso side of the border, thereby, depriving the people of Namoo in particular, and the Ghanaian economy in general, of much needed income

2.4.2 RESTITUTION

2.4.2.1 Those who suffered unlawful confiscation of property, such as lands and buildings should, in principle, have their properties restored to them.

Where third parties have acquired bona fide interests, it is recommended that the government enters into negotiations with both sides to arrive at a solution without appearing to be confiscating property from the present owners.

SHAPIC Confiscations – these were based on the State Housing Allocation Policy Implementation Committee (SHAPIC) Law, 1984 (PNDCL 83) which, itself, was based on an existing government policy that no one was to own more than one house built by the State, under the State Housing and Tema Development Corporations (Ownership of Houses) Decree, 1979 (AFRCD 50). However, over the years, people with influence and connection had multiple allocations. Those caught by this law had the additional houses confiscated. The Commission endorses this position.

Those who suffered violation based on false charges or accusation should have their good name restored. The Commission recommends a declaration and an apology letter signed by the President.

2.4.2.2 Vehicles

The Commission recommends the payment of a flat sum of money (rather symbolic) to all those who had their vehicles confiscated or seized, irrespective of the make, or number. The reason being, that these vehicles are either not available for restoration or if available, not in a condition that would enable restoration. However, in view of current market trends, any attempt to pay the current market value of the vehicles could jeopardize the overall implementation of monetary reparation.

2.4.3 MONETARY COMPENSATION

2.4.3.1 This is by no means payment for human rights violations because money, like any other form of compensation, can never restore victims to the status quo ante. Besides, it is impossible to quantify in money or money's worth, losses as well as the physical, emotional, mental and psychological agony that victims and/or families have been through.

2.4.3.2 The following general recommendations are made:

A one-off payment for eligible victims.⌘

Monetary compensation⌘ should be available for those willing to access it.

Victims whose⌘ violations fall into more than one category shall not be awarded cumulative compensation. They shall be awarded compensation for the severest of the violations. However, those who suffered multiple violations under different regimes may be considered for a top up of about 2-3 million cedis.

In⌘ proposing the amounts to be paid, the Commission has tried to maintain a balance between assuaging the pain of victims and the reality of the Ghanaian economy (i.e. ability to pay and to do so promptly). This will enable the victims to have closure and carry on with their lives.

Victims who have already⌘ received compensation will not be eligible for further compensation.

⌘ Those who have received partial compensation for the violations suffered will have the amounts of compensation topped up.

2.4.3.3 PROPOSED AMOUNTS

Loss of life resulting from human rights violation – killings⌘ 30m⌘20m –
⌘disappearance etc.

15m -⌘ TORTURE to DEATH ⌘ 30m⌘

15m⌘5m - ⌘ TORTURE ⌘

DISABILITY (physical,⌘ including maiming and mental/ psychological) resulting from:

- o Torture}
- o Shooting}
- o Bomb outrage} 10m⌘5m - ⌘

DETENTION(including being taken Hostage) ⌘ Range

15m-2m - £

15m- Over 5 years

o 2 to 5 10m-years

o 6 months to up to 2 years 5m

2- Up to 6months

EXILE ⌘ 10m-2m - £

o 10m- Over 5 years

o 2 to 5 years 7m

o Up to 2 years 3m

10m- RAPE ⌘

GANG ⌘ 15m-RAPE

Other ⌘ 5m-sexual violations

ILL-TREATMENT ⌘ 5m-1m - £

SEIZURE OF ⌘ 1m - 10m-PROPERTY

o Big time traders – wholesalers,

10m- importers/exporters

o 3m-1m - £ Petty traders

o Vehicles regardless of type or make

3m -£(seizure/confiscation/totally wrecked,) 10m

10m-1m - £ CONFISCATION/DESTRUCTION OF PROPERTY ⌘

o Buildings – Restoration where possible

o Frozen Accounts

o Confiscation of money in frozen Accounts

o Burning

o Bombing of building

o Demolition of building on allegation of hoarding

This is meant to be a symbolic gesture towards cost of renovations as most of such buildings might already have been renovated.

DISMISSALS ⌘

Employers to pay entitlements plus compensation

o Wrongful / arbitrary release from military MOD to pay entitlements plus compensation for those who do not qualify for pension. Those who qualify for pension to be put on pension. All entitlements to be paid at values calculated as at the time of payment.

o Wrongful release from other Security Services, same principle to apply to affected institutions.

PEACE-KEEPING VICTIMS (CIF items) ⌘

MOD to pay dollar equivalent of cost of goods not delivered, since the arrangement with Ofori Electronics was done under the authority of the Officers-in-Charge.

2.5 CATEGORISATION OF VIOLATIONS

2.5.1 KILLINGS

- a) Extra-judicial executions
- b) Death from torture
- c) Death from forced labour --- those who were forced to load cocoa into trucks and died as a result and victims of the cocoa evacuation task forces.
- d) Death from action of Security Services personnel: targeted shooting, stray bullets and those who died from bomb blasts by non-State actors.
- e) Those who were executed following sham trials during which severe torture and other forms of serious irregularities were alleged.

2.5.2 DISAPPEARANCE

The Commission presumes that all the disappeared are dead

2.5.3 TORTURE

- 2.5.3.1 This includes physical and mental torture such as mock executions and the general mental agony of not knowing what next is about to happen

2.5.4 DETENTION

- Up to 6 months
- 6 months – 2 years
- 2 years – 5 years
- Over 5 years

2.5.5 EXILE

- Up to 2 years
- 2 years – 5 years
- Over 5 years

2.5.6 DISABILITY/MAIMING/INJURY FROM ACTION OF SECURITY SERVICE PERSONNEL

2.5.6.1 This includes those who are living with disability as a result of

- Torture
- Shooting
- Bomb outrages

2.5.6.2 This also includes those who sustained injury from targeted shooting or stray bullets as well as bomb blasts.

2.5.7 SEXUAL VIOLATION

2.5.7.1 The Commission believes that this violation deserves special mention because of the loss of self-worth and the emotional and psychological trauma that victims, especially women have to deal with:

- Rape and gang rape
- Interference with genitalia
- Extortion of sexual favours in exchange for visitation rights
- Men forced to simulate sexual intercourse with the ground / forced to push their genitals into holes
- Women to perform oral sex.

2.5.8 ILL-TREATMENT

2.5.8.1 This is when a person is subjected to one or more of the under-mentioned in circumstances where they are not sustained or severe enough to be considered as torture

a). Violation of Dignity

- Stripping people naked or to near nakedness
- Stripping women of their tops
- Shaving of hair with broken bottles / cutting hair in rough patches

b) Cruel and Degrading Forms of Punishment

- Flogging in public
- Slapping / beating
- Parading people through streets
- Rolling on the ground/crawling on gravel
- Drills
- Being forced to lie in a coffin
- Forced labour
- Being forced to perform menial tasks such as scrubbing of toilet with bare hands; being forced to eat/lick faeces or drink urine
- Being forced to drink cement mixed with water
- Forced cannibalism
- Being forced to eat carcass
- Being forced to chew raw salt
- Being forced to slap one's parent/close relation
- Being forced to engage in slapping contest
- Using ear for ash tray
- Singeing

c) Beating

- Beating leading to Disability such as blindness, hearing impairment --- the Commission has heard a lot of witnesses who are blind in one eye or have impairment in one or both ears as a result of having been beaten with belt buckles or from heavy slaps
- Beatings resulting in miscarriages and injury to unborn babies – the Commission has

come across quite a bit of this evidence and the Commission thinks they deserve special treatment in reparation

2.5.9 SEIZURE /CONFISCATION OF PROPERTY

2.5.9.1 Those whose goods were seized for allegedly hoarding or selling above the controlled price:

- Village of Namoo (Upper East Region) and Badu (Brong Ahafo Region) Cases
- Seizures of foodstuffs in the Northern Regions, etc.

2.5.9.2 The Commission thinks these two cases require special mention in the report because most of them had their goods seized under very bizarre circumstances such as trucks loaded with foodstuffs which were intercepted on major highways on mere suspicion that the goods being conveyed would be smuggled into neighbouring countries.

2.5.10 CONFISCATION OF PROPERTY

- This implies confiscation of lands and landed property
- Freezing of Accounts
- Confiscation of Monies in Accounts
- Confiscation of cars

2.5.11 DESTRUCTION OF PROPERTY

- Demolition of Makola (No.1) Market
- Burning of Tamale Market
- Burning and Destruction of property
- Bombing: the Teshie case and the resultant destruction in property, bombing of buildings on suspicion of hoarding, Takoradi, Tamale
- Destruction of Ekwamkrom
- Destruction of 'The Lord is my Shepherd Church' and other Churches in Kumasi

2.5.12 DISMISSALS / ARBITRARY RELEASE FROM THE SECURITY SERVICES

- This includes those dismissed over the radio
- Service personnel who were arbitrarily released from the military and other security services

2.5.13 ARREST, HARASSMENT, TORTURE AND DETENTION OF MILITARY INTELLIGENCE PERSONNEL

2.5.14 NON-DELIVERY OF CIF ITEMS FOR PERSONNEL ON PEACE-KEEPING OPERATIONS

2.5.15 ADA SONGHOR LAGOON SALT MINING

2.6 CONCLUSION

Implied in any award of reparation, is an attempt to repair the harm and damage caused to victims. The Commission acknowledges that reparations, no matter how generous or well-intentioned cannot restore the victim to the status quo ante. That is why everything should be done to guard against human rights violation.

Statistical Report

STATISTICAL REPORT

1. Introduction and Facts about Statement Taking

In order to fulfill its mandate, the Commission collected statements from victims, witnesses and alleged perpetrators of human rights violations and abuses committed during the mandate period (i.e., 6th March, 1957 – 6th January, 1992). The collection of statements which began on 3rd September, 2002 officially ended on 13th January, 2004, with about 4,240 statements collected from Ghanaians living in Ghana and abroad.

For the purpose of collecting statements, the country was divided into six locations made up of five Regional Zones and Accra. The number of statements taken from each of the six locations is shown in Table 1. The statements offered detailed insights into the experiences of victims or perpetrators.

Table 1 Distribution of number of statements collected by location

Location	Number of Statements
Accra	1,500
Bolgatanga Zonal Office	164
Ho Zonal Office	375
Kumasi Zonal Office	971
Takoradi Zonal Office	752
Tamale Zonal Office	478
Total	4,240

It was important to extract information from the statements about each of the human rights violations and abuses received, enter this information into a database, and obtain statistics that described the nature and extent of the violations experienced and perpetrated by the statement-makers as a whole.

Sample

Statements were coded as they came in, with the intention of coding all of them and entering them into the database for analysis. Due to time constraints, all the statements taken by the Commission could not be coded and captured into the human right database. By the end of 30th September, 2004, a total number of 3,114 statements had been coded and captured. These represented over 70 percent of the total number of 4,240 statements taken. Out of the number of statement entered into the database, 2,457 (79%) contain violations perpetrated within the mandate period. The patterns and figures discussed in

this report are for the mandate period and are representative of the 3,114 statements studied.

Classification and Coding

The main purpose of coding was to facilitate the production of meaningful human rights statistics. This was done by using a controlled vocabulary to transform the information on violations, victims, perpetrators and other relevant information into a quantifiable set of data categories. The main source of information was the written petitions/statements of the statement-makers.

A classification system was developed in order to fulfill the relevant parts of the Commission's mandate, i.e., the violations considered must be representative of those that typically occurred during the periods under investigation. Similarly, for the victims, the data had to capture the aspects of a person that determined whether he or she were targeted for abuse or that determined types of abuse that he or she suffered. These are details such as their age, sex and ethnicity.

The classification system consists of a number of vocabularies. A vocabulary is a controlled list of items. For example, the "sex" vocabulary has items "male" "female" and unknown.

The vocabularies were created and tested under the direction of a field consultant from the Benetech Human Rights Data Analysis Group with initial sponsorship from the Open Society Initiative – West Africa, arranged by the International Center for Transitional Justice (ICTJ). Subsequent assistance was provided by the American Association for the Advancement of Science (AAAS), Science and Human Rights Program (SHR) and Benetech Human Rights Program. To ensure that the vocabularies were appropriate, a variety of sources were used. These included knowledge about the country, the citizenry, local experts and also with reference to the statements gathered by the Commission.

The model adopted by the Commission was based on that proposed in the book, *Who Did What to Whom? Planning and Implementing a Large-Scale Human Rights Data Project*. It is a model known to produce valid statistical results and has been used extensively by other truth commissions and human rights documentation projects.

The model captures "who did what to whom when and where". That is, who are the perpetrators, what violations did they commit, who are the victims who suffered the violations and when and where did the violations occur? The model allows for multiple victims, violations, perpetrators and roles. In the latter case, a person or group of people may be both victims and perpetrators.

First, a boundary condition is used to indicate what behaviour is considered to be a violation. For example, the violation classified as "BEAT" or assault, covers beating, kicking, punching and whipping.

A second facet of violations is that, with the exception of killing, a victim could suffer a violation more than once. Where, for example, a victim is being punched by one perpetrator and a second perpetrator then joins the attack repeatedly by kicking the victim, the event could be interpreted as either one assault by two perpetrators or as two assaults, with the punching followed by the kicking. With a counting rule that states that one sustained period of abuse counts as one violation, our example would count as one violation. The purpose of boundary conditions and counting rules is to ensure that, given the same statements, the coders will consistently identify the same violations. The example below shows a selection of the Commission's violations with their associated boundary conditions and counting rules.

VIOLATION

DEFINITION

BOUNDARY CONDITION COUNTING RULE

BEATING/ ASSAULT

- Physical harm inflicted on any individual by Another individual or group of individuals. With fists, feet or a butt of a gun or any other object.

- Assault sufficient to cause injury i.e. Bruising or bleeding Or internal injury

- Violation excludes those covered by Head shave violations.
1 Continuous Assault =
1 Violation.

ABDUCTION

- Transfer of a person to detention or some other place. Person is under control of their accompanying perpetrators.

- Includes arrests and kidnapping.

- Excludes abductions implied by a 'Disappearance'

- When a person reports to the detention place voluntarily, no abduction violation is coded. 1 Abduction = 1 Violation.

At most, one abduction per detention across multiple locations

Research Questions

The report seeks to answer the following questions as agreed upon by the commission:

1. What was the overall pattern of violations during the mandate period?
2. To what extent were the violations targeted against men or women?
3. Which perpetrators were responsible for the abuses during the different periods of unconstitutional governments?
4. Did particular institutions practice certain violations in preference to others?
5. Was there evidence to show that the more severe types of torture and physical assault were practised to a greater degree in the North of the country?
6. Was there evidence that the abuse is concentrated in and around Military facilities?
7. Was there evidence that victims of a higher socio-economic status were targeted for abuse?
8. Was there evidence of the Police Force and the Prison Service acting as servants to the Military?
9. Did detentions correspond to the passing of legislation such as the Preventive Detention Act?
10. Why did the statement makers come to the Commission?
11. What have been the long-term effects of the abuses on the statement makers and their families?
12. What were the implements or weapons used by perpetrators for committing violations

Special coding

The initial coding forms did not have all the variables needed to answer all the research questions in the Report. A sub-sample of the coded statements was therefore taken. For this sub-sample, additional coding was done in order to capture the reasons for which the statement makers petitioned the Commission, the long-term effects of the violations and abuses, and the implements or weapons used in the violations and abuses.

Organization of the report

The research questions were answered in the context of the statements received by the Commission. The Report is organized into seven sections to answer, as much as possible, all the research questions.

The first section gives an introduction to the report and discusses some basic facts about the statement taking. The second section discusses the overall pattern and nature of the violations over the mandated period. The third section discusses socio-economic status of the victims. Section Four discusses the weapons and implements used in the violations. The fifth section discusses the reasons why statement makers petitioned the Commission and what the long-term effects of the abuses have been on the victims and their families. The last section draws some conclusion based on the findings from the data. Attached at the end of the report are other tables which were seen to be too large to be placed in this report; these are under the heading “Additional Tables”.

2. Pattern of Violations during the Mandate Period

Overall pattern of violations

According to the statements received by the Commission, violations over the mandate period peaked in different regimes. The pattern of violation is shown in Figure 1. The figure shows that violations are not confined to periods of unconstitutional governments. Counts of violations peaked in the Convention People’s Party (CPP) era (1957 – 1966) in 1960 and,

thereafter, were on a downward trend until the National Liberation Council (NLC) era (1966 – 1969) when violations peaked again in 1966. The period 1968 – 1971, covering part of the NLC and Progress Party (PP) eras, recorded relatively very few violations. Another peak in violations was recorded in 1972, and that was in the National Redemption Council (NRC) era of 1972 – 1975. The period of the Supreme Military Council (SMC) I & II (1975 – 1979) recorded a relatively very low number of violations. The count of violations from 1979 to the beginning of 1993 remained high with very high peaks in 1979 (the entry of the Armed Forces Revolutionary Council (AFRC)) and 1982 (the entry of the Provisional National Defence Council (PNDC)). An exception over this period is the period that spanned the rule of the People National Party (PNP), where abuses were relatively low. Violations seemed to have reduced from 1984 with the exception of 1988 when they increased again. Thereafter, violations decreased.

As can be observed from the figure, the trend of peaks in violations is generally upward. This may be explained by factors such as memory lapses, the fact that some of the victims of the violations and abuses in the earlier years of the mandate period were not

available to make statements, or violations in the latter years were actually relatively high.

Figure 1 Overall Violations over the period

Abductions

In most cases, abductions normally preceded detention but in a few cases people reported themselves for detention out of fear.

The pattern of abductions as shown in Figure 2 is very similar to that of overall violations (Figure 1) except the height of the peaks. Even though abductions and detentions (Figure 3) peaked in the same years, the peaks of detentions are higher than that of abductions over the

years (that is, the number of detentions was always greater than the number of abductions), confirming the fact that not all detained victims were necessarily abducted.

The fact that detentions were greater than abductions could be explained by many factors. Occasionally, victims received request to report themselves for detention. They would do so, fearing the consequences if they did not comply. Hence they were detained without being abducted. Despite this, in the majority of cases, abduction is a pre-requisite for a subsequent detention. However an initial abduction can be followed by a sequence of detentions. For example a victim may initially be held by the police but later transferred to a prison so the initial abduction leads to two detentions.

Figure 2 Abduction Violations over the period

Detentions

Similar to the pattern of overall violations, detentions were not confined to unconstitutional governments even though the numbers are significantly higher under these governments. The first peak in detentions occurred in the CPP era in 1958 followed by another peak in 1960 and thereafter decreased until the 1966 coup when the number of detentions rose sharply again to about 150 counts. The AFRC/PNDC eras recorded very high counts of detention until 1989 when the number began to reduce. It is interesting to note that even on the eve of democratic governance, there were still detention violations.

Did rises in detentions correspond to the passing of legislations such as Preventive Detention Acts? Figure 4 shows that the first peak in detentions occurred in 1958, a year in which the Preventive Detention Act (Act 17) was passed. The 1960 peak could be explained by other factors which were not related to any Act. The 1966 peak corresponded to the Protective Custody Decree (NLCD 2) and the 1972 peak corresponded to the Preventive Custody Decree (NRCD 2). The Preventive Custody Law (PNDCL 4) also explained the peak of

detentions in 1982. All the other peaks, except that of the 1960, mark the years where there were coups or attempted coups but not any detention Act. Aside the Detention Acts,

1966 marked the entry of the NLC government, 1972 the NRC and 1975 the palace coup that brought the SMC II into being. The 1979 and 1982 peaks marked the entry of AFRC and PNDC respectively. The other peaks after 1982 might be attributed to suppression of perceived opponents and attempted coups.

Figure 3 Detention Violations over the period

Perpetrator responsibility

Considering all the violations recorded in the statements collected, Figure 4 shows that the Military Forces, the Police Service and the Prison Service stood out as the main perpetrators. The Military, according to the institutional aggregation used for this database, was made up of Army, Navy, Air Force, Military Intelligence, Special Forces – Search and Destroy Team and 64 Commando. The Military had about 53 percent responsibility, the Police Service and the Prison Service had about 17 percent and 9 percent perpetrator responsibility respectively. There was a significant proportion (12%) of violations perpetrated by institutions that were not known to the statement makers or the victims. The percentage of perpetrator responsibility, according to Figure 4, sums up to more than 100 percent. This could be explained by the fact that responsibility for some violations was attributed to more than one institution, since some of these institutions collaborated in perpetrating some of the violations.

Government agents which were made up of Borders Guards/Customs, Immigration Service, National and Local Governments also perpetrated some significant proportion of the violations. Similarly the BNI, civilians and revolutionary organs (Peoples Defense Council (PDC), Committee for the Defense of the Revolution (CDR), Workers Defense Committee

(WDC) and, Citizens Vetting Committee (CVC)) perpetrated some significant proportion of the violations.

Figure 4 Perpetrator responsibility for all violations

From Table 2, on average, 48.2 percent of the violations were done by the Military forces and 15.8 percent by the Police Forces. Throughout all the regimes, the Military forces were mostly used to perpetrate the violations except in the CPP regime where the Police Forces and the Prison Service were mostly used.

As high as 79.3 percent of the violations perpetrated in the AFRC era were by the military, and 54.9 percent and 53.2 percent in the NRC and SMC regimes respectively.

Table 2 Perpetrators in the different regimes

In order to answer the question of whether the police force and the prisons service have been subservient to the Military, we need to have a close look at the perpetrator responsibility of these three institutions for abductions and detentions.

Figure 5 shows the perpetrator responsibility of the three institutions for abductions, while Figure 6 shows the same for detentions. The Military have a very high responsibility of 43.6 percent for abductions; the Police Forces have 23.2 percent while the Prison Service has virtually no perpetrator responsibility (0.1%) for the abductions.

The perpetrator responsibility of the Military for detentions reduced to 28.5 percent which is an indication that many of the victims abducted by the military were detained by different perpetrator institutions. The police forces' detention responsibility of 24.4 percent compared to 23.2 percent abductions is an indication that the police virtually abducted and detained their own victims. It can therefore be concluded that the Prison Service, which virtually abducted no victims but detained as much as 29.1 percent, was subservient to the Military.

Figure 5 Perpetrator Responsibility for Abduction violations

Figure 6 Perpetrator Responsibility for Detention violations

Beating violations

Beating violations during the mandate period occurred almost entirely under unconstitutional governments. Remarkably very high number of beating violations happened in 1979 the beginning of AFRC rule, 1982 the beginning of PNDC rule and 1988 which may be due some other disturbances of the military government at the time.

Figure 7 Beating Violations over the period

Seizure violations

Just like the beatings, seizure of properties happened almost entirely in the military governments where the peaks marked the beginning of new unconstitutional governments.

Figure 8 Seizure of Property Violations over the period

Violations in the Regions

There were a significant number of violations for which their regions of occurrence were not known. The presentation in Figure 8 represents the violations for which their regions of occurrence were known. Greater Accra recorded the greatest number (39.6%) of violations followed by Ashanti (13.7%). Upper West was the region where the least number (0.4%) of violations were reported to have occurred. This is to be expected, among other reasons,

because Greater Accra is the seat of government and tends to experience the greatest impact of major national political disturbances.

Figure 9 Violations in the Regions

Almost all the execution-style killings (81.8%) and media dismissals (93.8%) were recorded in Greater Accra. Most of the destructions (53.5%), price control (34.5%) and forced sales (20.2%) happened in the North . These are shown in table 8.

Table 3 Violations by Region

Extent to which violations were targeted against men and women

Table 4 shows that 8,686 victims suffered 12,517 violations. This indicates that some victims suffered more than one violation. On average, a victim suffered about 2 violations. The minimum number of violations a victim suffered was 1 and the maximum was 55.

About 79 percent of the victims were males, 19 percent females and the rest were victims whose gender was not specified by the statement makers. The victims of executions in particular were all males. The type of violations in which the female victims were about the same as their male counterparts were forced sale (43.9%), sexual abuse (42.9%), head shaving (33.7%) and psychological torture (30.4%).

Table 4 Victims by gender

In the violations and abuses described in the statements filed with the Commission, over 80% were suffered by male victims. The killing of victims by military-style execution was entirely perpetrated against males. This is consistent with the view that abuse in Ghana was targeted against males.

Table 4 shows the percentages of male and female victims of each type of violation. In all instances, the percentage of male victims is significantly higher than that of the female victims. Looking at the abduction violations, about 83 percent were male victims. There were four of the violations where the percentage of the female victims was significantly comparable to their male counterparts. These are sexual abuse (43.1%), forced sale (41.7%), destruction (36.6%) and head shaving (34.0%). These are shown in Table 4. This supports the view that many women suffered sexual abuse, forced sale of wares at controlled price, destruction of private property and shaving of heads, especially during periods of unconstitutional governments where these violations mainly occurred.

Table 5 Violations by gender

Looking at violations by age group, it is clear that the violations were mainly perpetrated against adults. However, 4% “other killings” were children and 4% of the sexual abuses were children (Table 6). We can therefore say, generally, that the violations were not targeted against children.

Table 6 Violations by age group

In total, 67.6% of the violations recorded in the statements received by the Commission for the mandate period were perpetrated during the PNDC era and 16.9% in the AFRC era. Even though the CPP era was far back into the past, it recorded a significant percentage (5.7%) of the violations. With the exception of controlled prices, where the highest percentage (45.8%) was recorded in the AFRC era, the highest percentage of all violations and abuses was recorded in the PNDC era.

Table 7 Violations in different regimes

Violations in and around military facilities

Figure 11 looks at the violations that happened in and around the Military facilities in the country at the time. As shown in the figure, violations like destruction, disappearances, forced displacement, forced sale, media dismissal and other dismissal did not happen in and around Military facilities. Violations that happened mainly around Military Barracks included head shaving, specified torture, unspecified torture, beatings, executions, sexual abuse and detentions.

About 60 percent of all head shavings happened in and around the Military facilities, 40 percent of specified torture, 38 percent of unspecified torture and about 35 percent of beatings. About 30 percent of executions and 22 percent of detentions also happened in and around the Military facilities.

Figure 10 Violations around military facilities

About 60 percent of all violations happened in unknown places and about 30% in and around Military facilities. A significant percentage (52%) of “other killings” happened in places that were not known to the statement makers. Figure 10 shows these.

Figure 11 Violations in Unknown places

3. Socio-economic Status of Victims

Occupation of victims

The aggregation of occupations was done according to the Coders’ Reference v 1.1. Figure 13 shows that the majority of the violations were against victims in the “general occupations” category (36.5%) and the miscellaneous occupations category (30.9%). There was some significant percentage of the violations against victims of the “owners” (9.5%), Military (8.2%) and profession (5.0%) categories.

The general occupations category included bank managers, office managers and administrators. The owner’s category included business persons and small business

owners. And the professions category included judges, lawyers, teachers, academic, religious leaders, engineers, accountants, doctors and nurses. The categories that suffered a greater percentage (about 69% in total) of the violations were, undoubtedly, the wealthy and influential in our society.

There were as high as 8.2 percent of violations against the Military, juxtaposing this with the fact that the Military forces were the main perpetrators of the violations over the period, we can say that there was some internal repression within the Military.

Figure 12 Occupation of victims

Educational levels of victims

Figure 14 shows educational levels of the victims at the time of the violations. At the time of the violations, 37 percent of the victims had Middle/JSS education, 22 percent had no education, 21 percent had either “O” or “A” level and 13 percent had Tertiary education. The rest of 7 percent had primary education.

Table 8 Victim’s level of education

Level of Education Percentage of Victims

Unknown 61

None 9

Primary 3

Middle/JSS 14

O' & A' Le 8

University 5

Total 100

4. Implements and weapons used in the abuses

The main tools used in carrying out the violations were guns, boots, sticks/canes and the hand (refer to Figure 15). In about 11 percent of the cases, guns were indicated as the tool used in the violations. No weapons or implements were indicated, by the statement makers,

in 70 percent of the violations. There were other implements like the footwear, water hoses, wires etc. used in violating the rights of the victims. These were used in about 13 percent of the violations.

Figure 13 Tools used in the abuses

5. Reasons for petitioning the Commission

The main reasons why people petitioned the commission were (1) to receive compensation and (2) to set records straight. In all, about 89 percent of the statement makers indicated compensation as one of their reasons for petitioning the Commission. Setting the record straight was one of the reasons for 29.2 percent of the statement makers. A significant proportion (6.4%) also came to demand justice against perpetrators and others. The figures describing the proportion here total more than 100 percent

because statement makers typically gave more than one reason for petitioning the Commission. Refer to figure 1.

Figure 14 Reasons for making statements at the Commission

6. Long term effects of the abuses

In about half of the violations, statement makers or the victims did not indicate any long term effects. Economic hardship and bankruptcy accounted for 26 percent of the long term effects of the violations while family disintegration and lack of education for children accounted for about 21 percent of them. A significant percentage (16%) of the long term-effects was also health-related.

Figure 15 Long term effect of the abuses

7. Summary Conclusions

Based on the findings from the data, as discussed above, the following is the summary.

The overall trend of violations revealed that these violations were not confined to unconstitutional governments. However, the entrance of any unconstitutional government always led to sharp rises in violations with peaks at the beginning of the rule of these governments. Similarly, abductions and detentions were not confined to unconstitutional governments but were higher under these governments than under elected governments.

Abductions and detentions remained remarkably high in the AFRC and PNDC regimes compared to other regimes. Enactments on Detention impacted greatly on detention violations as it was found out that all of these Acts and Decrees corresponded to peaks in detention violations.

The Military Services, the Police and the Prison Service were clearly found to be the main perpetrators of the violations over the period. The Military has an overall perpetrator responsibility of 66.3 percent. The Prison Service has been subservient to the Military while the Police Force was not in that victims abducted by the military detained at the prisons but not at the police cells.

Occurrence of the violations concentrated in Greater Accra and Ashanti regions and all the executions happened in Greater Accra. Significant proportions of all the violations happened in and around Military facilities.

The victims of the violations were mainly males but in the case of forced sales and sexual abuse, the proportions of the abuses were about the same for both sexes. Also, the violations were perpetrated mainly against adults but in the cases involving “other killings” and sexual abuse, significant proportions of them were children.

Even though the violations were not confined to unconstitutional governments, about 84 percent of all the violations occurred in the AFRC and PNDC eras. The wealthy people and influential people in society suffered a larger proportion of the violations

Among the implements and weapons used in the abuses were guns, sticks or canes, boots and the hand. Guns were mostly used as compared to the others.

Three main reasons emerged as the main reason why people came to the Commission to make statements. These were to get monetary compensations, material compensations and set records straight. Getting monetary compensations was mentioned by most of the statement makers as their reasons for coming.

Economic hardship/bankruptcy, family disintegration/lack of education for children and health problems were the main long term effects on the victims as mentioned in their statements.

8. Additional tables

Table 9 Count of violations over the period

Table 10 Count of violations in the regions

Table 11 Locations where violations took place

Volume 4 Chapter 4 - The Labour Movement

CHAPTER FOUR

THE LABOUR MOVEMENTS

4.0 PRE-1957

4.0.1 THE TRADES UNIONS

4.0.1.1 The Labour Unions began to gather strength when the economy admitted industries in the post-world war years. There were the various unions such as the Railway Workers Union, the United Gold Coast Miners Union and the Farmers Union. The

Convention Peoples Party was founded on the philosophy of mass mobilization. The “masses” of the time were workers, peasants and youth.

4.0.1.2 “Youth” was not necessarily a reference to people of a certain chronological age, but of social standing as well. Consequently, those referred to as “nkwa nkwa” or “youth” were the “commoners” or non-royals, or simply put, the disenfranchised of those days. These were the people from amongst whose ranks workers and also CPP activists tended to be drafted. Thus when the CPP declared at the time of its birth in 1949, that one of its aims was to establish co-operation with the unions to fight for better terms, it was stating not just a mobilization strategy but also defining the social class it was committed to working with to end colonialism. Thus it was positioned as a natural ally of the unions. Subsequently, the political activities dubbed “Positive Action” demonstrated the commitment of the CPP to defend the interests of the workers, and forged a stronger bond between the party and the unions. The CPP maintained its alliance with the unions throughout the struggle for Independence.

4.0.2 THE AFRICAN CIVIL SERVANTS' ASSOCIATION.

4.0.2.1 The Civil Servants' Association originated from the African Civil Servants' Association which was known as such because during that time the junior Civil Servants were wholly African and the senior Civil Servants were almost exclusively European. At that time, the senior positions in the service, known as “European posts”, were collectively regarded as “Management” and therefore holders of those positions could not get involved in the affairs of the association. The association was recognised by the Colonial Government as a result of the establishment of the Civil Service Negotiating Machinery under General Orders 136 and 137 and the Whitely Council. Unfortunately the approval of all final decisions reached at such negotiations with regard to conditions of service were always at the mercy and within the prerogative of the Colonial Government.

4.0.3 THE COCOA FARMERS CO-OPERATIVE MOVEMENT

4.0.3.1 The problems associated with the sale of cocoa by indigenous farmers was a major issue in the British Colonies in the 1930s. Dissatisfaction regarding the price of cocoa led to the refusal of cocoa farmers to sell their produce to the buying companies in the 1930s. Many farmers’ co-operative societies were born out of the dissatisfaction. This was clearly unsatisfactory as the fragmentation led to a weakening of the farmers’ front.

4.0.3.2 The Second World War affected the organization of co-operative societies in Ghana (then Gold Coast) and the rate at which co-operative societies were formed, reduced drastically. However, in November, 1944, the various co-operative societies in the country were amalgamated to form the Gold Coast Federation of Co-operatives with its headquarters in Accra. A bank was established in October, 1946, by the co-operatives, to serve as a clearing house for all co-operative organizations in Ghana, called Cooperative Bank. Its main business was in short-term loans, to cover production and

marketing of cocoa, but it also granted long term loans, either for co-operative development or for the redemption of the farms of co-operative members.

4.0.3.3 The activities of the early co-operative organization were confined to the southern part of the country and Ashanti. Apart from cocoa, the societies later dealt in other agricultural commodities such as copra, palm oil, palm kernel and shea butter.

4.0.3.4 As a measure to stabilize prices, the Gold Coast Cocoa Marketing Board (GCMB) was established in 1947 by Ordinance No16 of 1947, to purchase the total production of cocoa in the country, to prescribe prices to be paid to the producers and be responsible for the sale of cocoa abroad. This was a fulfilment of the efforts of personalities such as Gershon Ashie Nikoi who had campaigned relentlessly for an independent body that would enable cocoa farmers to bargain collectively for the sale of their cocoa. In 1949, the name of Federation of Co-operatives was changed to the Ghana Cooperative Marketing Association Limited (GCMA).

4.0.3.5 The Cocoa Purchasing Company (CPC) was incorporated as a limited liability company in June, 1952. Although intended to be a subsidiary company of the Cocoa Marketing Board, it was largely perceived as a rival body to it. CPC granted loans, advances and bonuses to its customers, particularly farmers who were sympathetic to the aspirations of the CPP. During the same period (1953), the United Ghana Farmers' Co-operatives (UGFC) was inaugurated. The UGFC took direct part in the administration of the Loan Section of the CPC by recommending farmers for loans and verifying the securities of the applicants.

4.0.3.6 There were numerous allegations of irregularities in the administration of the company, particularly its inability to collect outstanding loans and advances. The government was therefore obliged to appoint a commission of enquiry in May, 1956, "in relation to the disbursement of funds and financial control and any allegations of irregularity in the conduct of CPC affairs".

4.0.3.7 The commission under the chairmanship of Mr Justice Olumujiwa Jibowu of the Federal Supreme Court of Nigeria, confirmed most of the allegations of irregularities made against the company, and as a result, it was liquidated the same year.

4.1 6TH MARCH, 1957 - 23RD FEBRUARY, 1966 – GOVERNMENT OF THE CONVENTION PEOPLES' PARTY (CPP)

4.1.1 THE TRADES UNION CONGRESS

4.1.1.1 Upon the attainment of Independence, the CPP formed the government, but the union leaders did not appear to have appreciated the fact that they were no longer on the same side fighting a common cause. The CPP Government faced a dilemma: having been elected on the wings of popular agitation, there were unduly high expectations of improvement in economic standing of the citizens of the new country, but the reality was that the economy could not support the achievement of those expectations. Indeed, as

early as April, 1957, the Minister of Works, N A Welbeck, warned workers of that Ministry that if they squeezed too much out of the government by way of increased wages, the country would be plunged into economic chaos. Yet while warning workers to moderate their expectations, the leadership of the TUC was being granted privileges. One of the first acts of the new government was to select two union leaders – Joe-Fio Meyer (President of the Trades Union Congress) and SD Dawson (Chairman of the Ghana Workers Educational Association) to attend a three-month course on trade unionism in Belgium. One month later, it was announced that the Deputy General Secretary of the TUC, E A Mettle-Nunoo, and the Press Attaché, J P Addei, would travel to Morocco within a fortnight to represent John Tettegah, the General Secretary of the TUC in Casablanca at the May Day celebrations of the Federation of Labour of Morocco .

4.1.1.2 That early in the day, there was already concern about the independence of the TUC. At a workers rally organized by the Kumasi Trades Council in Kumasi to celebrate May Day, 1957, the President of the Council spoke on the set-backs to trade union movement in Ghana and attributed such setbacks in Ghana to “nationalism, ignorance, untrained leadership and lack of finance.” The workers were also warned by a lecturer in Commerce at the then Kumasi College of Technology – K.K. Antwi - that they were not to introduce partisan politics into the movement because that would spell its doom. The 8th May editorial of the Daily Graphic carried a comment that was also instructive. The paper opined that:

if the labour movement is to continue to play its major role in the progress of the country, the TUC must be allowed to grow and develop its own form of independence whereby it can control its own officers and policy free from political control.

From these three statements, a lot can be gleaned in terms of the direction that trade unionism was beginning to take.

4.1.1.3 Why would “nationalism” be an issue soon after independence unless the need to maintain a healthy distance between itself and the government, now formed by its old party ally, was becoming an issue? The lack of finance was also an issue and yet, when the 5,000-member Union of employees of United Africa Company (UAC) that had seceded from the Gold Coast Trades Union Congress (GCTUC) in 1955 over disagreement in political direction, applied to re-join the Congress, the Executive Board of the Ghana Trades Union Congress (GTUC) refused to re-admit that Union.

4.1.1.4 The GTUC leadership used its closeness to the political leadership to achieve some of its aims, but this eventually proved costly to itself as it lost its independence. It aimed to represent all workers and to improve its financial base. It achieved this by influencing the government to pass the Industrial Relations Act of 1958 (No 56), which re-named the organization Trades Union Congress (TUC). The legislation granted the TUC monopoly over labour affairs by compelling every union to be a member of the TUC and every worker to be represented by the TUC. Union dues were to be paid by deductions at source, unless the worker specifically withdrew his consent, thus giving the

unions access to a lot of money by way of dues without the problem of chasing members for them. Dr. Nkrumah referred to the TUC as “the sole representative of the working people of Ghana.”

4.1.1.5 The negative side of this Act was that it also gave power to the Minister to recognize new unions, which meant that no group could call itself a trade union without the approval of the government, as well as the power to de-certify a union. The government also gave itself power to freeze the funds of the union if “it appears to the Governor-General “... that the Congress has taken any action which is not conducive to the public good.” This legislation gave the government total power over the TUC as it was made impossible for any union to exist as such, outside the government-approved structure or to function unless the government approved of the manner in which its affairs were conducted. Thus in one fell swoop, the workers lost their right to freely associate in forming any trade union association of their choice, made workers liable to pay dues to a body they had been compelled to join and made it unnecessary for the leadership to be accountable to the membership or to strive to increase the membership by active recruitment and retention policies.

4.1.1.6 By 1960, the TUC had convincingly lost its independence. When the TUC received a government-built building to house its offices as the “Hall of Trade Unions” it was told that the building was a “present from the Convention People’s Party Government to workers of Ghana”. The building was to “remain for all time a living monument and the outward expression of the government and party’s gratitude to Labour” as well as a tribute to the contribution that Ghana Labour made to the “struggle for liberation”. The public was assured that the TUC was organized under the “protective wing” of the CPP which was committed to a fight for a social order free from economic exploitation.

4.1.1.7 The TUC was eventually made an integral part of the party. As President Nkrumah announced when he took over as Party General Secretary in May, 1961:

Instructions have been issued and all necessary arrangements made for the membership integration of the various wing organisations of the party. All trade union members who hold Trades Union Congress cards should hand in these cards to the branch party secretary, who will give party membership cards in exchange for the Union cards. Those Trade unionists who hold both party and Trades Union Congress cards have been instructed to surrender their Trades Union Congress cards to their union secretaries.

4.1.1.8 This instruction was accompanied by a change in the organizational structure of the party, making the political heads of the regions - Regional Commissioners – the Regional Secretaries of the party whilst the regional secretaries of the organizations affected (including the TUC) were re-designated Assistant Regional Secretaries not of their organizations, but of the Party. It was also announced that from that time onwards, “appointments to those positions would be made by the central committee [of the CPP]”, and that the “membership card of the party will be the only qualification for membership within these organizations”. The offices of the affected organizations in the regions were

to be housed in one building, their individual flags were abolished and replaced by the party flag. To make the workers feel better about the new development, the President instructed that uniform union dues of two shillings were to be paid by every worker instead of the four shillings that some were paying.

4.1.1.9 This merger of the TUC with the party in government and the inclusion of the leadership in the formulation of economic policy, was bound to create difficulties for the operation and essence of the body as a union, whose main object was to represent workers, most of whom were employed by the State. Appreciating the incongruous nature of the new political arrangements, President Nkrumah conceded that:

[T]he new economic policy of our country introduces a number of important changes and consequently the role of the Trades Union Congress in public enterprises must be re-examined. In the public sector of the economy the workers must know that they are working for the state and no longer business concerns. The workers are for the state and the state for the workers, and thus they are working for themselves.

4.1.1.10 Since this reality was in consonance with the shared ideology of the TUC and the government, the union could not continue to perform its traditional role of representing the workers' interests in antagonism to those of the employer's. This created an imperative to design a new role for the TUC as was outlined by the President in the following terms:

To achieve maximum results and prove that public enterprise can be successfully run, the Trades Union Congress must assist in increasing productivity and the national consciousness of the workers. In this regard, the Convention People's Party and the government are examining the possibilities of instituting works councils within public enterprises which must draw the trade unions into participating in the planning and execution of public works.

4.1.1.11 Unionists who did not approve of the new role were simply told to change their thinking and that at that stage of the country's development, they were to "discard their colonial mentality and methods and remember that they [were] not struggling against capitalists". Therefore they were to "cease to be impeccable advocates for out-moded conditions", and become advocates of worker-productivity. The President also pointed out to them that they were not to "limit their activities to the education of workers only as regards their rights but also their duties and responsibilities". They were to:

inculcate in our working people the love for labour and increased productivity. If the government is pursuing socialist policies which will be to the ultimate benefit of the workers, the trade union must assist in explaining these measures to the rank and file instead of becoming mere agitators to rights already protected and guaranteed by the State.

4.1.1.12 There seems to be no record of protest by the TUC to these sweeping changes although it was clear that it was a complete emasculation of the labour movement by the

government. When these changes were criticized by the international community, the President gave a robust defence of the policy towards the TUC in the following words:

The Ghana Trades Union Congress enjoys complete freedom of action in deciding matters that affect the welfare of the Ghanaian worker. Freedom however does not operate in a vacuum, nor is it irresponsible. Freedom connotes necessity. So our trade unions must relate their freedom of action to the overall needs and welfare of the country. This is in accord with our own way of life and the party therefore gives guidance to all sections... and coordinates our national action in one great united effort for the good of our people. Representatives of the Trades Union Congress therefore sit in our central committee and are part and parcel of the collective leadership of the party it is the central committee that guides all our journey to socialist reconstruction. ...[T]he interest of the workers is therefore well catered for by the State. The trade unions therefore have a different role from that of trade unions in a capitalist society. Indeed the desires and wishes of our working people, farmers and peasants form the basis of our social and economic policy.

Coincidentally, the theme for this First Biennial meeting of the TUC in 1962, was “Towards Nkrumahism – the Role and Tasks of Trade Unions.”

4.1.1.13 In order to fulfil President Nkrumah’s Pan-Africanist agenda, he encouraged the formation of the All-Africa Farmers Union as well as the All-African Trade Unions Federation (AATUF) of which John Tettegah became the Secretary-General. The TUC was exhorted to spend its energies fighting imperialist domination, and the continental unions were urged to make a political union of Africa possible as they were “the surest and only way of rooting out of our continent the remnants of colonialism and exploitation”

4.1.1.14 The Ghana TUC did not protest these drastic changes that integrated it into the CPP and thus compromised its persona as well as its right to exist independently of government. In fact, the leaders had earlier been made part of the Central Committee of the CPP where those decisions must have been taken, and were therefore privy to them. They were thereby transformed from leaders of the trades union into national politicians and cogs in the wheel of the CPP machinery. Co-optation having become complete, the TUC became an integral part of the CPP and the relationship between it and the government was authoritatively described as that of “Siamese twins” by Tettegah Secretary-General of the TUC.

4.1.1.15 On the part of the CPP, this integration meant access to the finances of the TUC since dues paid by all workers automatically went to the party; increase in its membership as membership of the TUC was synonymous with membership of the CPP; the control of the leadership; and the direction of the TUC. President Nkrumah maintained that: “Party guidance at all times and correct leadership of the Trades Union Congress are very essential if [the] trade union movement is to play a positive and decisive role in the present phase of our revolution.” He also espoused the belief that it was the duty of trade unions to “carry out party ideological education within the ranks of the workers in

order to identify the masses even more closely with the activities of the party” and urged them to so commit themselves.

4.1.1.16 The TUC thus became the socializing agent of the CPP and a recruiting ground for more members. The leaders sat in cabinet and were a part of everything that the government did. Indeed, the following statement was attributed to the then Prime Minister:

There can be no split of loyalties. Nobody has the right to call himself a true labour fighter if he is not also an honest and loyal member of the Convention People’s Party, because fundamentally, the Convention People’s Party is the political expression of the Trades Union Congress.

4.1.1.17 Such closeness to the government was bound to create a chasm between the leadership and the membership. This was made more manifest when a major strike by railway workers, mainly based in Sekondi-Takoradi, occurred in September, 1961, and paralyzed the system of transportation in the country. In such crisis, the leadership of the TUC was surprisingly on the side of the government to the extent that the Secretary-General, Tettegah, was alleged to have threatened to crush the revolt, whilst the Minister for Presidential Affairs, Tawia Adamafio, called the striking workers “despicable rats”. However, what was lost on the Secretary-General was that the scale of this strike was as much of an indictment of the government as of the leadership of the TUC.

4.1.1.18 On account of the attitude of the TUC leadership, the government felt justified in suspecting that the strike action was the act of the opposition United Party (UP), and consequently the government’s reaction was swift and brutal. The strike-leaders as well as some UP members who were blamed for the unrest, numbering about fifty in all, were detained under the Preventive Detention Act (PDA). The railway workers were dismissed but re-instated on the orders of the President some months later. This was, however, not before an apology had been made on their behalf to the President by the chiefs and people of Sekondi/Takoradi for the strike. When accepting the apology, he spoke to them in paternal tones as follows:

I accept your apology and take note of the firm vows and promises you make today. All I ask is that you should never again break faith with the party. What has past [sic] should be a lesson for us to understand: that a people’s revolution does not thrive on past achievements. It guards the present and pushes on to secure the future against counter-revolution and subversion.

I will cherish the memory of this act of repentance and reconciliation, and I am happy to inform you that I have directed that those of our workers who were dismissed and detained and whom the government recently released should get back their jobs.

What did workers pay Union dues for if it took the intervention of the chiefs of the locality rather than the leadership of the TUC to intervene in a labour-dispute crisis?

4.1.1.19 There was later a purge of TUC by the government. Described as a “clean-up in the trades union” the President lauded it as marking “a new approach to trade unionism in this country”. The Secretary-General, Tettegah, was removed and replaced, but this was read more as a move to undermine the popularity of the trade unionist than a restructuring of the TUC. A frank account of events at the time assigns other reasons for the purge. According to Genoveva Kanu nee Marais, President Nkrumah’s one-time confidante:

If anyone was indiscreet enough to show himself academically wiser than he, he would be suspected, if only vaguely, of trying to show the President as a lesser mortal. When Gbedemah and Tettegah, the latter a most vocal Trade Union Congress leader, appeared to win universal popularity in Ghana, Nkrumah was restless until he had succeeded in dismissing them.

4.1.1.20 The fact that it was possible for the Secretary-General of the Trades Union Congress to be removed by the government, appointed as “Ambassador Extraordinary and Minister Plenipotentiary” and replaced by another government appointee - Magnus-George – who was also later removed and replaced by Kwaw Ampah meant that the TUC was regarded as just one more government department to which persons could be appointed or removed at the whim of the government. Is it not a fundamental right of organized labour to elect its own leaders? That the President would feel threatened by the popularity of a trade unionist was indicative of how powerful the unionist had become, in national politics.

4.1.2 THE JUNIOR CIVIL SERVANTS' ASSOCIATION

4.1.2.1 Upon the attainment of Independence, the Association of Civil Servants became known as "Junior Civil Servants' Association"(JCSA). The promulgation of the Industrial Relations Act, 1958, and the Civil Service Act, 1960 (C A5), made membership of the TUC compulsory for virtually all Civil Servants under section 24 (1) of the Act, which stated as follows:

Regulation shall be made for ensuring that, so far as is practicable and subject to such expectations (if any) as the public interest may require, all Civil Servants are members of the TUC.

4.1.2.2 When the JCSA became a part of the TUC it ceased to be active as the TUC itself became an integral wing of the CPP. The TUC used its power to suppress agitation within the ranks of workers rather than supporting them to press for better conditions of service. In effect, civil servants had no means for protecting their interests.

4.1.3 THE COCOA FARMERS CO-OPERATIVE MOVEMENT

4.1.3.1 With the dissolution of the CPC as a result of the Jibowu Commission’s Report, and with the subsequent attainment of independence by the country in 1957, the government of the day took four major decisions which had a profound effect on the fortunes of cocoa farmers in the country. These decisions included the following:

- (i) The UGFC was recognized as the mouth-piece of the farmers of Ghana
- (ii) The Ghana Cocoa Marketing Board was authorized to pay an annual subvention of £100,000 sterling to the UGFC.
- (iii) The government undertook to build headquarters at a cost of £105,000 sterling for the council in appreciation of the council's support for the CPP in the pre-independence struggle for self-government.
- (iv) The Cocoa Marketing Board was directed to make the United Ghana Farmers' Council one of its Licensed Buying Agents.

4.1.3.2 Following the above decisions, the UGFC, in 1958 registered its marketing section as Ghana Farmers' Marketing Co-operative Limited (GFMC).

4.1.3.3 The competitive market structure of the country's cocoa industry changed when in his dawn broadcast on 8th April, 1961, President Nkrumah, appointed the United Ghana Farmers Co-operative Council (UGFCC) as the sole Licensed Buying Agency (LBA) for the Ghana Cocoa Marketing Board. The Ministry of Agriculture directed that the UGFCC should take over immediately the assets and liabilities of all the old co-operative societies, adding that there was "no need for the old co-operatives to go into liquidation before the take-over." As a result of this measure by the government, during the next six years, the Ghana Cooperative Movement virtually ceased to exist in this country. Its capital and savings deposits were transferred to other uses.

4.1.3.4 At the time of the "Dawn Broadcast" that made the UGFCC an integral wing of the CPP, there were three separate cocoa co-operative organizations marketing cocoa as Licensed Buying Agents of the Cocoa Marketing Board. These were the United Ghana Farmers' Co-operative Council and the Ashanti, Brong-Ahafo and Sefwi Co-operative Organization (ABASCO) which had broken away from its parent organization, the Ghana Co-operative Marketing Association in 1960.

4.1.3.5 The UGFCC monopoly was abolished soon after the 1966 coup which overthrew the CPP Government. This was followed by the de Graft-Johnson Committee of Enquiry on the local purchasing arrangements of cocoa in 1967. With the liquidation of the UGFCC in 1966, the Ghana Cocoa Marketing Board was authorized by the government to take over, as a temporary measure, the assets, liabilities, personnel and buying functions of the UGFC under a newly created purchasing department.

4.1.3.6 The de Graft-Johnson Committee reported that evidence had been given before it to the effect that the buildings, equipment and other assets of the old co-operatives had not been paid for and furthermore that the UGFCC had taken over the assets, and not the liabilities, of the old co-operatives. Further evidence showed that the Ghana Co-operative Bank Limited, the main provider of funds for the old co-operatives, had assets amounting to £1,745,734 at the time it was ordered into liquidation on 16th November, 1970.

4.1.3.7 According to evidence given by the Registrar of Co-operatives before the committee, the old co-operatives, at the time they were absorbed in 1961, held reserves amounting to some £2 million, shares to the value of about £1.5 million and savings and

deposits amounting to £1.0 million. The volume of business done by the societies annually was in the order of £10 million. The number of societies stood at 500 and individual membership at 50,000. Petitions and presentations made to post-1966 Governments of Ghana for de-confiscation of these assets to the Cooperative Movement in the country have still not been addressed.

4.1.3.8 The de Graft-Johnson Committee also reported about a number of irregularities in the purchase of cocoa by the UGFCC in the country, especially abuses and malpractices meted out to farmers noted to be opponents and critics of the CPP Government by secretary-receivers (produce clerks). Allegations such as (a) tampering with weighing machines; (b) delays in weighing; (c) collusion between secretary-receivers and produce examiners over grading of cocoa; (d) surplus weights; (e) adulteration of cocoa; (f) outright confiscation of cocoa; (g) the chit system, etc, were made.

4.1.3.9 Many social commentators believe that the activities of the UGFC and the failure of the past governments to grant the requests made by the Co-operative Movement accounts for the lack of interest in co-operative activities among cocoa farmers throughout the country today.

4.1.4 THE BUILDERS'/WORKERS' BRIGADE

4.1.4.1 Soon after Independence, the government declared its intention to establish a new organization to be known as the National Builders' Brigade. This organization was to address the problem of unemployment amongst school leavers, ex-servicemen and other members of the community. According to a Government Briefing Paper:

The government has for some time been perturbed at the growing problem of unemployment amongst the youth. Efforts have been made to meet the problem in a variety of ways by the provision of a Youth Employment Service and the establishment of Vocational Training Centre... both these schemes were useful but it is clear... that they cannot provide more than a palliative to a problem, which becomes more pressing each year. Not only is there a waste of potential skills and education, but also a human problem affecting each individual who fails to find work. The government has therefore decided that the problem must be tackled boldly and fundamentally ... intended not only to provide a new approach to unemployment problems, but at the same time to give constructive activity for unemployed men and women and to train the youth for the development of the country.

4.1.4.2 The establishment of the brigade was initially considered an administrative matter, but later it became clear that it needed statutory backing. In late 1957, the Builders' Brigade Board Act, 1957, (Number 37) was passed in the teeth of bitter parliamentary opposition. It received the Royal Assent on 30th December, 1957, and by Legal Notice Number 76 (the Builders' Brigade Commencement Order, 1958), the Act came into operation on 1st March, 1958 – at the instance of N A Welbeck, then Minister of Labour and Co-operatives. Its scope of operation was described as follows: “the

activities of the Brigade shall generally have relation to agricultural undertakings, rural development and other development projects.”

4.1.4.3 The control and management of the brigade was made the responsibility of a seven-member board made up as follows: the National Organizer, the Director of Social Welfare and Community Development and representatives from TUC, the Ex-Servicemen’s Union, the Ghana Farmers’ Council and two experienced Ministerial nominees. Financial administration and supervision was to be done by a Finance Committee consisting of the Chairman of the Board, the National Organizer and two other members of the Board. Brigade units were administered like civil service units: there was an official list of brigaders’ names were correctly described on pay vouchers and there was a scheme of service, which indicated the duties, qualification, and methods of entry into each post. Consideration of qualification, expertise and efficiency were paramount. There were procedures for property sale, stores regulation and strict financial control. The Builders’ Brigade was thus a regular state institution whose operations were based on adherence to time-tested procedure and which did not go beyond the sphere statutorily prescribed by its parent Act.

4.1.4.4 The initial task of reaching the public for the purpose of fulfilling its functions was assigned to the Director of Social Welfare and his staff. Applications were invited from the general public, and so overwhelming was the response that in no time at all, the secretariat had about ten thousand applications. The director explained at a press conference that the secretariat had had to develop objective criteria to select about five hundred persons at the end of the first week. In selecting the candidates, preference was given to ex-servicemen, men with trades needed for the brigade’s work, Middle School leavers as well as those who had been unemployed for more than a year.

BUILDERS’ BRIGADE BECOMES WORKERS’ BRIGADE

4.1.4.5 In October, 1959, dissatisfaction with the brigade’s perceived bureaucratic nature dictated a change in approach as the high rate of unemployment was one of the opposition’s main sources of criticism of the government. Two major events dictated the government’s shift in policy. First, was the result of Municipal Council Elections of 1959 in Accra. Accra Central District had an 11% unemployment rate and this was twice the national average of 6%. Therefore, when the UP was able to win the majority of votes and two out of four seats contested in the 1959 Municipal Council by-election, it became clear that the unemployment problem in Accra had become a political problem for the CPP. Consequently, the need to undermine this source of strength for the opposition party was paramount and it was felt that this problem could be solved if units of the brigade were to be established as a matter of urgency in Accra. However, the need to solve this political problem was not appreciated by the civil servants to whom responsibility for the recruitment into the brigade had been assigned. The conventional civil service attitude of the Director of Social Welfare and his selective method of appointment into the Builders’ Brigade resulted in an inability to achieve more than a bare scratching of the surface of the unemployment problem, which it was claimed the brigade would solve.

4.1.4.6 The second problem was the need to stem the southward flow of labour from Northern Ghana. Cabinet therefore requested the establishment of a brigade unit at Damongo to create employment in the North. The slow manner in which the sector Ministry responded to these urgent demands precipitated the take-over of the brigade by the Office of the Prime Minister with the active support of the Northern Members of Parliament. The Office of the Prime Minister operated to satisfy immediate political demands and thus tended to ignore civil service procedures.

4.1.4.7 The brigade was therefore moved from the control of the civil servants to direct political control by the indefinite suspension of the Board and the changing of its name from the Builders' Brigade to Workers' Brigade. This move resulted in an alteration of the statutory structure without any revision of the parent Act. The statutory structure was altered and the brigade was left thus without effective control and management. The suspension of the board also meant that the Workers' Brigade lost its Finance Committee and consequently the checks and controls intended in matters of finance ceased to exist.

4.1.4.8 The New Structure

The loss of supervision occasioned by the structural changes marked the beginning of the decadence that was to eventually engulf the Workers' Brigade.

Administration, Duality and Militarisation

4.1.4.9 The Builders' Brigade was set up under the aegis of the Ministry of Labour, Co-operatives and Social Welfare. The Office of the Prime Minister took control of it and it became the Workers' Brigade. Brigaders' were no longer recruited, they were "inducted". In 1961, it was placed under the Ministry of Defence.

4.1.4.10 This imposition of control from both the Office of the President and Ministry of Defence, resulted in dual control. The Office of the President (formerly Office of the Prime Minister) took charge of the politics of the brigade and saw to its metamorphosis into an integral part of the CPP whilst the Ministry of Defence dealt with the administrative and state affairs of the brigade. The Armed Forces Act, 1962 (Act 105), was made operational in the brigade's activities, under the Command of Lt Col Musa Kuti.

4.1.4.11 Suffice it to say that the application of Act 105 to the brigade led to increased militarisation of brigade activities. It also became the excuse for egregious human right atrocities to be inflicted on the citizenry. It became a para-military body and gained a dubious reputation as one of the notorious wings of the CPP. It was seen as an intimidation force used to coerce people into doing the CPP's wishes in matters relating to chieftaincy, local government elections and the indoctrination of the youth. It is instructive to note that when the Brigade Board was later reconstituted, all but one of the six members were strong members of the CPP. It is also pertinent to note that the Workers' Brigade had not been constituted by an Act of Parliament as a part of the Public Service, as per article 51 of the 1960 Constitution.

4.1.4.12 At the height of its power, the Workers' Brigade was one of the specialized agencies in the agricultural sector and it employed over twenty-five thousand (25, 000) workers. With its national headquarters at Kanda in Accra, it had camps - both training and work camps - all over the country. It also had vast properties that included farms, a garment factory, a canteen, a band, a football team, a newspaper, The Brigader and an engineering workshop.

4.1.4.13 By 1966, the vision behind the establishment of the Brigade had not been realized. The Workers' Brigade had become a means of rewarding party members and activists with employment at fat salaries for very little work done. Contrary to the original aspirations, the Workers' Brigade could not produce enough food to feed themselves let alone the nation. They had become a constant drain on national coffers.

4.2 24TH FEBRUARY, 1966 -- 30TH SEPTEMBER, 1969 NATIONAL LIBERATION COUNCIL

4.2.1 THE WORKERS' BRIGADE

4.2.1.1 After the overthrow of the CPP Government, the Government of the National Liberation Council (NLC) set up a Commission of Enquiry under the chairmanship of E D Kom, a senior legal practitioner, to probe brigade affairs. This commission uncovered acts of embezzlement, misappropriation, nepotism, cronyism, victimization of brigaders who insisted on the right things, unauthorized increases in wages and salaries and procedural irregularities in acquiring and disposing of property. The Kom Commission also found that top CPP officials such as Kofi Baako and Jones Ababio used Brigade labour free of charge in making extensions to their private residences. Sections of the Brigade, such as the band, had not received any payments for services to CPP officials. The Kom Commission also found that the hierarchy of the brigade was top-heavy with people with criminal record.

4.2.1.2 The Kom Commission recommended the retention of the Workers' Brigade but made far-reaching recommendations for restructuring: it was to return to civil service procedures in its administration as well as a streamlining of its processes; the officers with criminal record were to be removed; and the brigade was to be de-politicized and de-militarized (eg no more wearing of military-style uniforms). The government accepted these recommendations and retained the Workers' Brigade.

4.2.1.3 The restructuring of the organization changed its nature, and appeal. It was clear that the Workers' Brigade had been dealt a death-blow. It became a shadow of itself after 1966, as the fat salaries were no longer available. Indeed, there were complaints that the salaries were not being paid and so there were mass desertions and resignations. The demilitarisation of the organization also meant that the military paraphernalia that gave it luster and made it so attractive to young people, as well as other perks that made it a lucrative avenue for employment of party faithfuls, had all disappeared. Although it continued to exist in its diminished form for a number of years, it was no longer of account as a political movement.

4.2.2 THE TRADES UNION CONGRESS

4.2.2.1 When the National Liberation Council (NLC) seized power in 1966, it found a union that had become so merged with the government's structure, business and ideology that the TUC leadership could not survive the government's overthrow as the government's philosophy was that nobody "has the right to call himself a true labour fighter if he is not also an honest and loyal member of the Convention People's Party." Such philosophy created a leadership vacuum in the TUC when the CPP Government was thrown out of office.

4.2.2.2 The NLC appointed B A Bentum, a veteran trade unionist, to lead the TUC. The very fact of his coming to office by way of appointment by the government, rather than by election by the membership, showed the hold that government had over the TUC. This hold may have accounted for the inability of the leadership to effectively represent the workers. It might also be the case that the new leadership lacked the kind of trade union experience that they were required to have in order to rise to those offices abandoned by the CPP functionaries on account of the many years of emasculation by the CPP Government. Consequently, the TUC was seen as being unable to represent workers because the leadership was ineffective in championing the cause of workers wrongly dismissed. In February, 1969, the Secretary-General of the TUC stated:

The series of divergent opinions and positive steps taken by the TUC on several government policies have been done in the spirit of objectivity and not of bitterness. It would wait until the hand over to civilian government before it would come out with long speeches on what went wrong.

4.2.2.3 This statement sounded as if he was explaining to the country that he was duty-bound to adopt positions on government policies not because of ulterior political motives but because it was important to oppose wrong policies at the right time. This was the reason for the veiled reference to the series of academic lectures held after the 1966 coup d'état to analyse the Government of the Nkrumah regime, titled "What Went Wrong". This need to justify the union's positions was indicative of the political culture in which the unions had to operate after 1966.

4.2.2.4 In 1966, there were many lay-offs as people were declared redundant, and these lay-offs continued in 1967 and 1968. There was thus a lot of industrial unrest as workers did not have a right to strike under the Industrial Relations Act of 1958, and the TUC seemed incapable of fighting their cause.

4.2.2.5 In 1967, the NLC passed the Industrial Relations (Amendment) Decree, 1967. This Decree set up a committee to review industrial awards made before the overthrow of the government and which had not already been implemented because one of the parties was disputing it. It also made it an offence to incite another to go on strike as a result of any review done by the committee. Many workers lost their jobs in 1968, and yet the TUC still appeared unable to work for the welfare of workers.

4.2.2.6 The government treated workers' protests with heavy-handedness. Early in 1969, there was a major strike at Ghana Cargo Handling Company at Tema that ended only after about 2,000 workers had been dismissed. Subsequently, the TUC lodged a formal complaint to the International Labour Organisation (ILO) against the Government of Ghana for its handling of the dispute. It was later in December, after the inauguration of the Second Republic, that the matter was amicably resolved. In March, 1969, there was a major strike by gold miners of the Ashanti Goldfields Corporation (AGC) at Prestea which was so brutally suppressed by the police that three miners were shot and killed. The TUC protested to the then Chairman of the NLC, Lt-Gen Afrifa, about the extent of force used in suppressing workers' protests. The TUC insisted that whatever the nature of the strike – legal or illegal – it did not justify mass dismissals, shootings and killings by the police, and threatened that the occurrence of such events would provoke the TUC to embark on a nationwide strike to protest. The Secretary-General later blamed the government and management of the AGC for the disaster and tried to explain away the inability of the TUC to help with their grievances on the grounds of the "interest of the country's economy."

4.2.2.7 Despite these strong anti-labour activities, the government accepted recommendations of a Committee on the TUC on the state of its finances. In August, 1969, the government then decided to write off a loan of five hundred 500,000) the equivalent of two hundred and fifty thousand thousand cedis (pounds sterling that the TUC owed to the government. This loan had been advanced to the TUC to enable it to restructure itself under the Industrial Relations Act of 1958, and a subsequent restructuring in 1964. In the main, the strikes were over unfair employment terms and the implementation of the recommendations of the Salary Review Commission chaired by Mr. Justice Mills-Odoi. The TUC does not appear to have done enough to satisfy its constituency.

4.2.2.8 In April, 1969, dissatisfaction with the government led to suggestions that the TUC should form a political party to compete for power when the ban on political activity got lifted for political campaigns in the Second Republic. This was on account of the feeling that a TUC-based government would look after Labour's interests better. The statistics for industrial unrest are startling: there were thirty one strikes in 1966 involving fifteen thousand and seventeen workers; twenty seven strikes in 1967 involving six thousand four hundred and thirty seven workers, thirty eight strikes in 1968 and fifty one strikes in 1969 involving twenty eight thousand six hundred and thirty eight workers; No wonder workers felt that their concerns might receive speedier attention if they had a government of their own. A few months later, the matter was put to vote and by a vote of one hundred and eleven to one hundred and eighteen, ie by a slim majority of 3, the TUC voted to remain neutral in politics. The closeness of the vote explains why, ten years later, the TUC went ahead to form a party – the Social Democratic Front (SDF) during the inception of arrangements to usher in the Third Republic, with results that vindicated the position of the majority in 1969.

4.2.3 THE CIVIL SERVANTS' ASSOCIATIONS

4.2.3.1 When the National Liberation Council seized power from the CPP Government, and formed a new government, the TUC ceased to be an integral wing of the ruling party.

One of the reformatory measures adopted towards the creation of an independent Civil Service was the repeal of section 24 (1) of the Civil Service Act, by the Civil Service (Amendment) Decree, 1967 (N.L.C.D. 134), on 12th January, 1967, which removed the Civil Servants from the control of the TUC. However, the repeal of section 24(1), without the provision of an alternative machinery for the conduct of negotiations with government, created a vacuum, as there was no mechanism for effecting periodic review of Civil Service Conditions. Consequently, the question of how to devise a permanent machinery for the automatic periodic review of Service Conditions of Civil Servants, vis-a-vis staff of other sectors of the Public Services, became a burning issue.

4.2.3.2 Between 1966 and 1967, the Government of the NLC sought to find solutions to the problems of the Public Services by appointing various committees/commissions of enquiry. One of such commissions, appointed on 27th January, 1967, was the Mills-Odoi Commission set up to review and make recommendations on the structure and remuneration in the Public Service. During the course of the commission's sitting, the senior Civil Servants revived their Staff Association under the title 'Senior Civil Servants Association' which was intended to be for the welfare of the senior categories of the Civil Service exclusively. At its formal inauguration in April, 1968, an important disclosure made by A O Mills, the then Principal Secretary of the Establishment Secretariat, was to the effect that the government had given official recognition to the association. . No mention or reference was made to the "Junior Civil Servants" in any part of their Constitution, and thus, the new association left the junior Civil Servants "orphaned", without any machinery for the protection of their interests.

4.2.3.3 The Junior Civil Servants had traditionally been more active, more vocal and more militant in the affairs of organised labour, than the Senior Civil Servants whose Staff Association was simply a forum for discussing promotions and protection of interest of persons holding senior positions in the service. There was therefore some discontent created when the Senior Civil Servants' Association (SCSA) gained recognition as a labour movement. As if to emphasise the "orphan" status of the Junior Civil Servants, drastic changes for the better started occurring in the service through circular letters, a few days after the inauguration of the SCSA. However, most of these improvements were exclusively for the Senior Civil Servants, and led to the suspicion that the Senior Civil Servants were taking advantage of their influence on the government to improve their own lot, to the neglect of the junior ones.

4.2.3.4 On 15th May, 1968, the Mills-Odoi Report was released and published with the Government's White Paper thereon, and it confirmed the suspicion of the juniors that the changes initiated in 1967 had in fact anticipated the recommendations of the Mills-Odoi Commission, because the Report reinforced those changes. These developments created an unhealthy atmosphere among the Junior Civil Servants, because it appeared that the Senior Civil Servants had fared very well under the Mills-Odoi Report because they had a group looking out for their interests, whilst the Junior Civil Servants had fared very badly, since they were "orphans". The Junior Civil Servants suffered changes in status that were less favourable than before. For instance, the following recommendations which adversely affected the juniors were made:

a). The abolition of the non-contributory pension scheme in the Civil and the Teaching Services which was granted by virtue of the Pensions Ordinance "Cap 30" and the absorption of all serving officers into the National Social Security Scheme under

paragraphs 429-435 of the Report.

b). Serious distortions in the relativities of the salary ranges, as well as other serious omissions on important benefits for Junior Civil Servants.

4.2.3.5 The recommendations of the Mills-Odoi Report were considered distasteful by Junior Civil Servants, and this, coupled with the catalogue of other sources of dissatisfaction, made some outspoken Junior Civil Servants come together, and under the inspiration of a junior accounting officer, T Darko-Ameyaw, formed a group. The group got together and wrote a Constitution for the formation of the Junior Civil Servants' Association (JCSA), and it was inaugurated on 29th June, 1968. After the inauguration of the JCSA, it began to address itself to the following issues:

1. Resumption of Departmental Negotiating Machinery;
2. Industrial Relations and Civil Service Act;
3. Commissions on the Civil Service:
 - i. Lidbury Report. ii. Mills-Odoi Report;
4. Abolition of Pension Rights;
5. The significance of setting up of the Industrial Courts;
6. Mode of award of increments;
7. Rejection of the Confidential Report System;
8. Salary Increase; and
9. Employment of Middle School Leavers.

4.2.3.6 Having expressed grave dissatisfaction at what it considered to be a manipulation of the Civil Service by the changes that preceded the Mills-Odoi Report, the JCSA made fresh proposals for the consideration of government:

1. That the Departmental Negotiating Machinery be reintroduced.
2. That the government should suspend the Mills-Odoi Report until all grievances had been looked into and the Report re-examined.
3. That the non-contributory pension rights scheme should be restored or alternatively the gratuity and pension already contributed prior to the implementation of the Mills-Odoi Report be paid and fresh negotiations opened towards reaching a new agreement with government.
4. That the Report should be given retrospective effect so that the junior Civil Servants would not have to wait till 1969 while the seniors were already enjoying increases in salaries and amenities.
5. That confidential files, other than those connected with high state security, should be abolished.
6. That the government should give consideration to the continued employment of Middle School Leavers into the Public Service and encourage them to improve on their education.

4.2.3.7 At its first meeting held on 29th June, 1968, the executive decided that the government's attention was to be drawn to the rebirth of the JCSA. Accordingly, a copy of the constitution was forwarded to the seat of government, i.e. the Castle, for which a formal letter of acknowledgement and recognition was received. The path was then set for negotiations. The association began to draw the attention of the government, through various memoranda, to glaring anomalies in the Mills-Odoi Report with particular

reference to the abolition of the non-contributory pension rights. The contention was that pensions granted under the Ordinance Cap 30 was a contract between the government and its employees. The association therefore found it unacceptable that such a fundamental change in the conditions of service of civil servants was being proposed and requested that the government choose either the restoration of the pension or the payment of all the entitlements under the Ordinance to all contracting officials. In the second situation the government would have to enter into fresh terms of employment and service conditions. The Association also demanded the urgent rectification of the anomalies in the salary relativities.

4.2.3.8 The government and its agencies failed to give serious attention to the demands of the Junior Civil Servants, and between July, 1968, and April, 1969, there were a number of threatened industrial actions by the junior civil servants. The situation became tense especially when the workers demanded the suspension of the implementation of the salary and pension aspects of the Mills-Odoi Report pending a review. On 11th April, 1969, the Chairman of the NLC, then Lt-Gen A A Afrifa, invited the Executive Committee of the Junior Civil Servants' Association to a meeting for discussions on the matter. The meeting agreed to the suspension of the implementation of the salary and Pension/Social Security aspects of the Report and this was later announced by the Chairman. Thereafter, a three-man Committee headed by J H Mensah, an economist and then Commissioner for Finance, was appointed to examine further, the subject matter under discussion and submit its report by end of June, 1969. In order to expedite the work of the committee, various sub-committees were appointed to assist in its work.

4.2.3.9 Soon after the committee's deadline of 30th June, 1969 expired, pressure was brought to bear on both the executive committee and the government by members of the JSCA for the immediate release of the Committee's Report. When this did not happen, the Junior Civil Servants decided to embark on a demonstration to express their disapproval against the government, followed by the withdrawal of their services immediately. In spite of the fact that all these decisions were taken against the advice of the national executive committee to members that urged the exercise of restraint, the members went ahead to execute the threat. Subsequently, the following leaders of the JSCA were arrested and detained for forty-eight hours for questioning: T. Darko-Ameyaw, General Secretary; KB Kwafo, National Vice-Chairman; SBA. Asante, Greater Accra Regional Chairman; and G.N. Okraku, Greater Accra Regional Secretary. This action by the security agencies in arresting the officials of the association rather strengthened the determination to go on strike.

4.2.3.10 On Monday, 6th July, 1969, about six thousand five hundred (6500) of its members staged a two- hour demonstration outside the walls of the Osu Castle, the seat of government. The government promptly proscribed the 200,000-strong JSCA. It took an apology from the leadership, and an undertaking by the membership that they would apply themselves diligently to their work, to get the government to rescind its decision "in the spirit of the new Constitution".

4.2.3.11 The Report was released on 13th July, 1969. Although far-reaching recommendations were made by the committee, the Junior Civil Servants were disappointed, because the Report did not satisfy their expectations in terms of salaries under the Pensions and Social Security Schemes. During the period 1968 and early 1969, the two parallel staff associations, the SCSA and the JSCA co-operated in all efforts to improve conditions of service for civil servants. This was particularly noticeable when four (4) seats were allocated to the two Associations at the Constituent Assembly that wrote the Constitution of Ghana's Second Republic. The four Representatives were FE Boateng, Foreign Affairs and DE Awotwi, Castle, and GY Agbolo, Ministry of Education and DE Dennis, Town and Country Planning, for the Senior Civil Servants and junior Civil Servants respectively.

4.2.3.12 In August, the government published a White Paper in which it announced that it had decided to reduce the number of Principal Secretaries in the Civil Service. This obviously had implications for the Senior Civil Servants as it reduced their opportunities for progression to the highest positions. The SCSA did not react visibly to this White Paper.

4.3 1ST OCTOBER, 1969 -- 12TH JANUARY, 1972 THE SECOND REPUBLIC GOVERNMENT OF THE PROGRESS PARTY (PP)

4.3.1 THE TRADES UNION CONGRESS

4.3.1.1 The policy of the government that came to power under the Second Republic, led by Dr. Kofi Abrefa Busia in 1969, adopted a model of economic management that was completely opposite that of the First Republic's central-planning model. The government believed in the free market approach based on private enterprise and individual freedom of choice. This led to an antagonistic relationship with the TUC as there was no longer any central planning in which the union could participate as they did before. The government embarked on restructuring that resulted in the elimination of thousands of jobs. Indeed, on the basis that every individual was free to join any trade union, a new body, Ghana Confederation of Labour, was permitted to exist and this created a rival body to the TUC. This was not surprising as the government must have wanted to dismantle the TUC which was a bastion of former CPP activism disguised as trade union politics.

4.3.1.2 The economy was not in very good shape and there was rising unemployment as many projects established by the socialist-leaning government of President Nkrumah as avenues for employment, were abandoned or dismantled. In 1970, the Minister of Finance, J.H. Mensah, called for a change in the leadership of the TUC because the leadership did not appear to enjoy the confidence of workers, nor did it enjoy the respect of the government. This was a damning criticism of the leadership, but their inability to help resolve industrial disputes certainly created scope for such criticism. As if things were not bad enough that year, the following year was even worse, for 1971 had 71 strikes! In at least one case, at Samreboi, striking workers of a timber factory were shot at

by the police, and there were casualties. The TUC had to send a three-member fact-finding team to investigate the matter. These strike statistics exclude disagreements that did not boil over, nor do they cover acts of symbolic speech, such as the wearing of a badge by the 800,000-strong membership of the Industrial and Commercial Workers Union (ICU) even that carried the inscription “Monkey dey work, baboon de chop”. It was evident that the spate of industrial unrest had the capacity to be used for the creation of political instability, and needed action to be taken by government.

4.3.1.3 The establishment of the Campbell Commission, and the recommendations made by it, marked the turning point for organized labour. The Act that was passed as a result of the recommendations of this commission was the Industrial Relations Act, 1971 (Act 383), passed in record time because the government had heard of a strategy to destabilize it by organizing serial strikes all over the country. This Act was therefore intended to change the persona of the TUC, streamline its funding and thereby reduce its power. The Act therefore recognized the individual union’s right to exist independently of the TUC and the freedom of every union to go into any “association, federation confederation or congress” of its choice. With the TUC’s position as the sole representative of the labour movement in Ghana effectively ended, the Act then dissolved the Congress and liquidated it. To oversee the liquidation, the Act provided for the appointment of a receiver to take charge of the TUC property, and distribute the assets to the unions that contributed to its funds. In addition to these provisions, all the existing unions were given six months to re-register under the new Act or cease to be recognized as a union and one of the stated requirements for registration was that the union had to show that all its officers had been freely elected by the membership. Thus the Act not only struck a blow at the organization itself, but at the leaders themselves since many had become powerful through their association with the CPP. The Act further weakened the financial base of unions by providing that union dues could be deducted at source only if the affected workers gave their consent in writing. In thus losing the automatic source of funding at the same time as the cost of retrieving dues was going to be increased, the unions suffered a great disadvantage.

4.3.1.4 The TUC thus became a shadow of its former self, as the government encouraged the formation of a rival organization – the Confederation of Ghana Labour. The TUC leaders became jobless and plotted ways to bring down the government. The unions met and planned strategy to fight back by causing every union across the country to embark upon a strike in a co-ordinated fashion. This plot leaked to the government and the information was credible since there was at least evidence from the then Secretary-General of the TUC, BA Bentum, in a book he had published earlier about the use of the labour union to subvert the government. It is thus not surprising that such information unwittingly provided, would create an incentive for the government not only to strive to reduce the power of the TUC by dismembering it, but also devise strategy to keep the union front divided. The information found its way into the newspapers on 6th October, 1971, when the Daily Graphic newspaper published the following news item:

One trade union in the Western Region has decided to embark on what has been described as operation zero from October 12 to topple the PP Government. The decision

to launch this nationwide strike described by very reliable sources as operation zero hour was arrived at after one of the disgruntled top brass of the dis-established Ghana TUC who is now conducting a whistle-stop tour of the industrial areas of the country had succeeded in convincing the union to launch the strike.

‘Operation zero hour’ will be called under the pretext of urging the government to grant a minimum wage of NC 1.50 per diem and to abolish the Industrial Relations (Amendment) Act 1971 and to form a broad-based government of workers, farmers and politicians opposed to the Progress Party Government. He said he had allegedly secured funds from friendly European countries and some alien firms in Ghana to finance striking Trade Unionists during the period to lay down their tools until the government was completely paralysed. He needs only the would-be strikers ‘unflinching support’ and loyalty to prolong the strike in a final onslaught against the enemies of workers to drill reason into them. Since the Industrial Relations Act was passed some disgruntled jobless leaders of the erstwhile TUC have allegedly been going round the country to incite workers against the government so as to cause chaos and confusion in the country.

4.3.1.5 Later that month, the government announced that it was taking over TUC building in order to house the Department of Labour. Thus, the building given to the TUC as a “gift of the government of the CPP” was taken away from them. In November, there was another announcement:

Certain assets of the dissolved TUC are to be sold by public auction. The Western Region branch of the defunct TUC would have its assets sold on Monday.

4.3.1.6 With all these grievances, organized labour would have had little to do in response to these hostile moves were the economy showing positive signs of recovery. However, this was not the case. The Aliens Compliance Order, 1971, which had been passed in the hope that the aliens who had taken jobs that nationals could do would be eliminated, did not arrest the rising unemployment. Following on the heels of all these difficulties, the currency was also devalued by 43.88% in an “austerity” budget. Workers became completely disillusioned, and it was thus no great surprise that when that government was overthrown, the Labour Movement rejoiced over the downfall of its arch enemy and gave support to the military government.

4.3.2 THE CIVIL SERVANTS' ASSOCIATIONS

4.3.2.1 The JSCA sent a petition to the government to review the provisions of the Local Government (Amendment) Act, 1965, which empowered employers to deduct Local Government Basic Rates at source. They contended that the provisions infringed on the rights of its members as their consent to the deductions had not been sought. The two associations continued to function as separate entities in spite of the success achieved by working together during the strike in July, 1969.

4.3.2.2 Although by now, it had become apparent that both associations were fighting for a common goal. They could not overcome the divisions created by the colonial

categorizations in order to work together. The need to work together was forcefully demonstrated when five hundred and sixty eight senior public servants, including many senior civil servants were dismissed by the government. No one was able to raise a finger to fight for them, and even when a Public Servant, EK Sallah, successfully challenged the dismissals, the government refused to re-instate them and openly declared in the now famous speech by the Prime Minister that no court could compel an employer to keep an employee he did not wish to employ. Even though the matter was taken up in Parliament because the Opposition believed the action had been effected against persons viewed as “opposition” by the government, the SCSA could not do anything to help them. The dismissed public servants formed the “Apollo 568 Association” to fight their cause, but nothing much was achieved by them since their ability to pressurize the government to give them back their jobs was non-existent.

4.4 13TH JANUARY, 1972 -- 6TH OCTOBER, 1975
 THE NATIONAL REDEMPTION COUNCIL /
 7TH OCTOBER, 1975 -- 3RD JUNE, 1979
 SUPREME MILITARY COUNCILS I & II

4.4.1 TRADES UNION CONGRESS

4.4.1.1 One of the first Decrees that the new military government of the National Redemption Council (NRC) promulgated within a month of coming into power was to repeal Act 383 by passing the Industrial Relations (Amendment) Decree, 1972 (NRCD 22). During the period of the NRC, the TUC enjoyed a very good relationship with the government. Act 383 was repealed, and the building and other assets of the TUC that had been taken away from it were restored with great fanfare. Maritime and Dock workers who had been dismissed for going on strike were re-engaged. The TUC often apologized for the actions of workers, and failed to intervene on behalf of the workers dismissed en masse. Once the government changed the distribution system and made the TUC a distributor of goods to workers, opposition to it became muted. Indeed Adu-Amankwah comments that:

Greater organisational energies were devoted to consumerist ends while greater chances opened up for corruption among union officials. Allocation of quotas of goods produced in the various factories begun [sic] to emerge as an element of trade union demands.

4.4.1.2 Indeed, so warm were the relations with the government that the TUC issued a statement of support for the Union Government concept at a time when most Civil Society groups were actively campaigning against it.

4.4.1.3 The TUC decided to form a political party to contest for political power. The Social Democratic Front (SDF) that was formed in conjunction with other politicians who espoused the philosophy of social democracy, did not do well at the polls. Indeed, it lost even in the towns with mass concentration of workers. Perhaps it is on account of its sponsorship of a political party and the threat that the 4th June, 1979, revolt posed to the realization of its dream of winning political control of the state apparatus, as well as the

warm relations with the government of SMCI/SMCII that explains the TUC's slow response to the government of the AFRC.

4.4.2 THE CIVIL SERVANTS' ASSOCIATIONS

4.4.2.1 After the 1969 strike action, it became apparent that both associations were fighting for a common goal thus demonstrating the potential that one big association could achieve for civil servants. After many years of discussion, an association, known as the "Civil Servants' Association of Ghana" was eventually born in February, 1977.

4.4.2.2 The new Civil Servants' Association promptly took action on all the outstanding positions lodged with the government. Several meetings were held between the government and association but the government did not respond appropriately. The continued silence from the Government's end resulted in another strike by civil servants between 3rd and 8th November, 1978. The striking civil servants were dismissed and asked to re-apply for re-engagement. About three thousand civil servants who failed to re-apply remained dismissed. Three officials of the association namely IK Ameyaw, Nikoi Ashie and Honya were arrested and detained for over two weeks. Eventually, the government decided to re-introduce the Civil Servants' Permanent Negotiating Machinery with J. Obuobi, a retired civil servant, as chairman.

4.5 4TH JUNE, 1979 – 23RD SEPTEMBER, 1979 THE ARMED FORCES REVOLUTIONARY COUNCIL

4.5.1 TRADES UNION CONGRESS

4.5.1.1 Labour was not particularly enthused by the new government that had overthrown its pet government. It took a while before the unions expressed support for the new government. Indeed, it was from the workers of the universities that support for the government was first made manifest. The Daily Graphic reported that the workers numbering about three thousand had taken to the streets of Cape Coast to demonstrate in support of the government. During this demonstration, the workers presented a resolution to the AFRC through the branch secretary of the Teachers and Educational Workers Union (TEWU), Destiny Ewusie-Johnson, calling on AFRC to consider appointing civilian workers to serve on the People's Courts in the various regions. The resolution also asked the AFRC not to bow to pressure from the professional bodies who did not want the revolution to succeed. Workers of Railway Corporation also demonstrated in favour of the AFRC in Sekondi and Takoradi during which they bore placards, some of which read: "Kalabule Stars versus Revolutionary Stars at the Firing Range", "Railways Management wake up". The workers later presented resolutions to the Commander of the Air Force Station for onward transmission to the AFRC.

4.5.1.2 The AFRC reacted by an antagonistic approach to the TUC. Its direct approach to the individual unions that produced the initial demonstration of support, marked attempts by the government to whip up support among the workers by dealing directly with the constituent groups under the TUC rather than the TUC itself.

4.5.1.3 The government's attitude in turn produced more aloofness on the part of the TUC and this was bound to produce difficulties for their mutual co-existence. The government had appealed to the TUC to exercise restraint in respect of wage-demands. The TUC which felt that this was a direct assault on the principles of collective bargaining itself and was cagey about yielding to this appeal. This attitude of the TUC seemed to have support among the workers, as one union, the Timber and Wood Workers Union, had used the opportunity of its quadrennial delegates congress to urge the TUC to continue to protect their collective bargaining rights against interference.

4.5.1.4 Although there was no indication as to who was threatening their rights, it would seem that it was a reflection of contemporary issues. Indeed, a few weeks later, one of the high profile representatives of the AFRC, Pilot Officer Richard Forjoe, described as AFRC Liaison Officer in charge of students and youth affairs, declared that there was a need to have a "viable trade union" since the TUC had failed workers, and complained that "the reaction from the workers in support of the June 4 revolution was unappreciative".

4.5.1.5 Subsequently, at a meeting held between the Chairman of the AFRC and the leadership of the TUC, the sentiments expressed were reminiscent of the views expressed by Pilot Officer Forjoe. Alhaji AM Issifu took the opportunity to explain the aims and objectives of the labour movement and the role it had played in the interest of the revolution. The fact that the Secretary-General of the TUC felt obliged to explain the aims and objectives of the labour union to the Head of State was indicative of the gap between the new leaders and the leadership of labour, such that they felt that the hostile attitudes were dictated by ignorance of the nature of organized labour. A few days later, a newspaper headline "Ashanti TUC Sets The Pace" was instructive of the government's grip with the leadership of the national TUC.

4.5.1.6 The TUC announced its decision to see to the implementation of the Rent Control Decree published by the AFRC as part of "phase two" of its Action Plan supposedly adopted on 1st August, to sustain the revolution. The government also initiated a policy of providing "one square meal" for workers by opening workers' canteens where workers could enjoy heavily-subsidised meals. Three of such canteens were opened, one at the Industrial Area in Accra, one at Ho and the last at Asokwa in Kumasi a few days before the AFRC handed over power to the Government of the PNP. These were moves clearly intended to court workers' affection for the AFRC although there was no indication that it was a sustainable policy.

4.5.1.7 From Koforidua came a protest against the caning of drivers who committed minor traffic offences. The drivers complained that they were being given between twelve and 24 lashes in public for traffic violations. They therefore refused to work and parked their vehicles in protest. Other areas reported incidents where drivers and passengers were made to slap each other if a driver was found to have overcharged the passenger and the passenger was found to have condoned the over-charging – this at a time when owing to fuel shortage, taxi drivers and passengers alike were experiencing great difficulties in finding transportation.

4.5.2 CIVIL SERVANTS' ASSOCIATION

4.5.2.1 The Government of the AFRC made an effort to cultivate workers in general, and was interested in assisting workers to achieve their desires and thereby improve its own support base. Thus, the CSA seized the opportunity to ask the government's assistance to resolve its most pressing problem: the dismissed civil servants.

4.5.2.2 Early in July, 1979, it was reported that the CSA had convened an emergency meeting and asked the government to reinstate the three thousand civil servants who had been dismissed in 1978, and to publish the findings of the committee of enquiry, set up to go into the disturbances, chaired by Mr. Justice Apatu Plange. If it was unclear why the CSA convened an emergency meeting over the issue of the dismissed workers, it soon became clear that they must have been prompted to do so, because the government reacted a few days later by publishing a White Paper on the report of Apatu Plange Committee. The White Paper ordered the re-instatement of the workers with their full benefits, and also accepted the recommendation of the Committee that the CSA be recognized as a bargaining unit on the same lines as the TUC and strengthened to represent civil servants.

4.6 24TH SEPTEMBER, 1979 -- 30TH DECEMBER, 1981 THE THIRD REPUBLIC THE GOVERNMENT OF THE PEOPLE'S NATIONAL PARTY (PNP)

4.6.1 THE TRADES UNION CONGRESS

4.6.1.1 The TUC had competed in the political contest that brought the PNP to power. The decision turned out to be a mistake because its party, the SDF, lost badly even in worker-concentrated areas like Tema. It also made it difficult for the government not to treat the TUC as an opposition party. Following the handing over of the AFRC on 24th September, 1979, the civilian administration inherited an economy in acute decline. There were no consumer goods in stock as the mass auctioning of goods had emptied the warehouses. The new government quickly fell into disfavour and within a short period, many workers embarked upon industrial action. It is on record that there were 43 strikes in 1979, but 66 strikes in 1980, and 51 in 1981. On account of the fact that the TUC competed with the PNP for power as a political party, the government of President Limann was very suspicious of the leadership and treated the TUC as an opposition party. The times marked a very unstable industrial climate as group after group pressed home demands for better conditions of service. Despite these realities, the relationship between the government and labour was very good because the 12.00.¢4.00 to ¢minimum wage moved from

4.6.1.2 However, there were negative sides to this good relationship as demonstrated by the case of Workers of Ghana Industrial Holding Corporation (GIHOC). Led by Joachim Amartey-Kwei, the Divisional Secretary of ICU at GIHOC, these demonstrating workers invaded Parliament and vandalized the premises. They were dismissed by letter signed by the personnel manager of GIHOC – Major Sam Acquah (Rtd) - and subsequent court

action against the dismissal also failed. The case was heard by Mrs Justice Cecilia Koranteng-Addow who was later to be murdered together with Major Sam Acquah (Rtd) and two other High Court Judges as a result of a conspiracy in which Amartey-Kwei was implicated and for which he was subsequently executed.

4.6.2 THE VIGILANTE COMMITTEES

4.6.2.1 The regime of President Hilla Limann of the PNP, for all its perceived ineptitude and much-criticised inertia, began its term of office with almost-overwhelming problems when it took over the administration of the country from the AFRC on 24th September, 1979. There were several shortages caused by the 4th June Uprising itself which, in order to solve short-term problems of scarcity, led to the opening of all the warehouses and the momentary flooding of the market with goods. An artificial price system was imposed that reduced prices, but this lasted only as long as the goods that had been retrieved from their hiding places remained available. With the power of the gun it was possible to administer such a market regime, but as soon as the guns were withdrawn, the law of supply and demand led to a return of what had been called the kalabule system of unfair prices, hoarding, other trade malpractices and even higher prices than what previously obtained.

4.6.2.2 The idea of formation of “Vigilante Committees” was mooted by Dr Limann, soon after taking over reigns of government, and announced in a radio and TV broadcast to the nation. He invited people from all political parties, voluntary organisations, ethnic groups and other identifiable groups to join the Vigilante Committees in order to help keep an eye on the supply and distribution of goods to prevent the creation of artificial scarcities on the market.

4.6.2.3 However, it soon became evident that the Vigilante Committees were not going to be the solution to the problem of artificial scarcities, for many of the members turned out to be questionable characters from the PNP camp. There was a lot of unnecessary harassment of people alleged to be indulging in trade malpractices, and on 1st November, 1979, the leader of the largest opposition party, the Popular Front Party (PFP), Victor Owusu, called for “the immediate dissolution of Vigilante Groups to avoid inter-party fights and animosity reminiscent of the pre-independence political era.” This call, coming within two months of the formation of Vigilante Committees, demonstrated the skepticism with which the idea had been greeted.

4.6.2.4 It was observed by many Ghanaians that members of vigilante groups were engaged in the settling of old scores, outright cheating and bullying. For example, it was reported that some vigilante members from Dansoman and Sukura in Accra, trekked all the way to Larteh-Akuapem in the Eastern Region, for “Vigilante” purposes. Questions were asked whether they had finished “being vigilante” about the numerous trade ills in Accra and whether it was because they thought that Accra had been well-served that they had travelled as far as to Larteh and elsewhere, to enforce price control. It was the opinion of many Ghanaians that the reality of the situation was that the goods were just not available and that was the root cause of the trade malpractices. Some people even

queried whether whoever initiated the idea of vigilante groups ever thought that he was creating another job opening, or merely a source of income for the lazy man. When it was reported in the newspapers that two vigilante men had been jailed for fraudulent practices and one other had been found dead, the government's critics thought that that should sound enough warning to Dr. Limann that "the boys" had deserted the path of righteousness, and that the "holy" vigilante idea must be more closely examined.

4.6.2.5 On many occasions one heard of the arrest of some members of vigilante groups for fraud and other petty offences, and some were accused of being "more than corrupt", and that it was only when one refused to grease the palms of vigilantes that they became extra active, raising their shoulders high, in threats – "if you fail to act on this case, (usually to any peace officer to whom they report a case) I will send your particulars to the Castle." In the readers' column of the Legon Observer, one Kwasi Ofori Mante of School of Journalism, Legon, wrote the following complaint:

His Excellency, President Limann, if you want your boys to help you, sit them down and give them the boundaries within which they can operate, and the rules and regulations they should follow. They cannot hide behind "vigilantism" and harass villagers and political opponents.

4.6.2.6 In spite of all these complaints and criticisms, the government still did not design proper guidelines for their operations, and the vigilante committees continued to operate unchecked and without appropriate supervision. In fact, in response to the criticisms, the then Acting Ashanti Regional Minister ordered the suspension of activities of vigilantes in the Ashanti Region. Many Ghanaians thought that officials in other regions would follow suit, but this did not happen, and vigilante committees continued to be a source of irritation to many. "If the vigilantes do not change and work above reproach, we'll be compelled to advise ourselves. After all we can be vigilantes ourselves, of course without the desire for some 'cola' passing under the table" was the verdict.

4.6.2.7 The vigilante groups died a natural death when the Limann regime was overthrown on 31st December, 1981. Many of those who participated actively in the vigilante committees soon returned, but this time as members of the Workers/People's Defence Committees of the successor-government.

4.7 31ST DECEMBER, 1982 -- 6TH JANUARY, 1993 THE PROVISIONAL NATIONAL DEFENCE COUNCIL (PNDC)

4.7.1 THE TRADES UNION CONGRESS

4.7.1.1 1982 opened with the TUC under attack from its own members. As early as 4th January, 1982, the Daily Graphic reported that a group of workers and members of June Four Movement numbering about two thousand had demonstrated through the principal streets of Accra in support of the revolution. The demonstrators then went to the offices of the Graphic Corporation. The spokesman for the workers, Kwasi Adu, accused the

Daily Graphic of not publishing positive sides of the revolution and that they would “meet the enemies pen for pen and boot for boot”. In the same report, Quaynor-Mettle threatened Daily Graphic not to give adverse coverage to the revolution as the workers were not going to sit down and see the press manipulated against the revolution. Workers of GIHOC followed with a massive demonstration a few days later in support of the “Holy War” asking for the re-instatement of the workers who were dismissed for vandalizing Parliament. The PNDC promptly ordered the reinstatement of the workers.

4.7.1.2 Some of the unions appeared to have been more active in demonstrating support than others. For instance the Teachers and Educational Workers Union (TEWU) appeared to be more in the forefront of revolutionary activities than others. The Leader of the Legon branch of TEWU, Sonny-Ali, was a member of the IMC that was formed to run the affairs of the TEWU. This phenomenon may be accounted for by the fact that TEWU was the workers’ organisation represented on the campuses. The leaders were thus in direct contact with the radical students and radical academicians who were Marxists and therefore believed in organizing workers as the basis for revolution. Since these personalities provided the ideological direction of the revolution in its early days, it was not surprising that their links within the labour movement would be at the forefront of the revolutionary processes.

4.7.1.3 On Thursday, 7th January, a group of workers calling itself “Workers Solidarity Front” attacked and seized the headquarters of the TUC and vandalized the premises. As a result of the confrontation, the Hall of TUC was closed down and sealed off by the police for nearly one week. The same day, some workers converged at Nicholson Stadium after a demonstration in support of the PNDC. When the Secretary-General of the TUC attempted to address them, they assaulted him, and declared him and his executive officers dismissed from office. Later, the Secretary-General returned to work after calm had been restored. However, the writing was on the wall for the leadership of the TUC. Alhaji AM Issifu left the country to go into exile and JR Baiden was elected Acting Secretary-General by the Executive Board.

4.7.1.4 The new political dispensation seemed to be hostile to the leadership of the TUC. On 29th April, the workers stormed the TUC headquarters and sacked the leadership. An Interim Management Committee (IMC) was formed with E K Aboagye as chairman to run the affairs of the TUC. Some of the “dismissed” leaders fled the country, and those who remained were detained in prison for about two weeks, released and then told that they had been dismissed.

4.7.1.5 The ILO protested the appointment of IMC instead of the elected leaders of the movement. The ILO insisted that workers should elect their own leadership in line with ILO Convention 87 on Freedom of Association, and kept up the pressure until normalcy was restored in late 1983. In October, 1983, the national unions were finally able to go to their conferences to elect their own leadership. As the electoral processes showed, the workers roundly rejected the leadership imposed upon them when E K Aboagye, who was then the Chairman of the government-appointed IMC, could not secure a seconding

of his candidature as Secretary-General. A new person, Augustus K Yankey, was elected much to the elation of the workers. The life of the IMC thus came to an end.

4.7.1.6 The honeymoon between the workers and the PNDC did not last long. In 1982, even before the Association of Local Unions (ALU) became the IMC, it took exception to the PNDC's abolition of leave allowances, etc. At the May Day Rally of 1983, there were lots of anti-government sentiments expressed. Shortly after the December 1983 Congress, the TUC got into negotiations with the government over minimum wage. The TUC wanted three hundred cedis (¢300) per day. This was a very unrealistic demand considering that the monthly allowance for National Service personnel was about five hundred cedis (¢500). Chairman Rawlings had some sharp words, such as "crazy" "mad" for the workers who were making that demand.

4.7.1.7 In February or April, 1985, the TUC came out with its "Position on the national economy". In this paper, it expressed its opposition to the direction of the economy. The government's reaction to this was quite hostile, and the TUC was subjected to savage attacks in the newspapers. In 1986, the most serious intervention of TUC was a call for a People's Assembly to be organized to promote political accountability. The call for the People's Assembly was an attempt to involve a larger group of people in governance and to promote government's accountability since the government was very hostile to party politics. The Government responded to this call by inviting TUC to a meeting to discuss the issues bothering organized labour. This meeting evolved to become the TUC-government Joint Standing Committee to which many problems were referred thereafter. This forum also provided an avenue for peaceably resolving conflict between government and labour. 1986 was also important in other respects: the government tried to cancel some allowances eg leave allowance, refund of hospital fees, etc. The government beat a retreat upon the protests of the TUC. However, it was also 1986 that saw the government passing a law to indemnify Cocobod which was trying to retrench its staff without paying the proper severance award. When the TUC organized a big meeting, the mounted police was called in to suppress the agitation and disperse the crowd.

4.7.1.8 By 1987 May Day, the union had moved towards openly calling for multi-partyism. The Secretary-General welcomed the District Assembly concept but proposed that the District Assembly election should be held within the context of a Constitution. Two weeks after this, at a board meeting, it was decided that TUC should make a call for multi-partyism, but in order not to give cause to be attacked, a committee was established to go round and canvass the position of multi-partyism before the TUC could come out openly. This did not happen, however, because the Head of Political Education was arrested a few days after that decision had been taken.

4.7.1.9 In 1988, the TUC made a clear statement calling upon government to return the country to constitutional rule. This irritated the government. To make matters worse, thirty-six union leaders and activists of the Ghana Broadcasting Corporation were dismissed and banned from entering the premises. The TUC was unsuccessful in seeking their reinstatement. The cumulative acts of ineffectiveness against high-handed government action led to efforts to unseat the incumbent Secretary-General at that year's

Quadrennial Congress to elect new leadership. Many radical persons threw their weight behind a young radical, LGK Ocloo rather than the incumbent, Yankey. It was reported that there was a lot of intimidation by the State Security apparatus. The head of national security, Capt Kojo Tsikata (Rtd), attended and remained throughout the congress. He is alleged to have warned the radicals, or “those who wanted to be more Catholic than the Pope” that “they were on a slow boat to China and those who did not know how to swim had better say their last prayers”. All those acts of intimidation resulted in the re-election of the incumbent, Yankey.

4.7.1.10 The year 1990 saw the TUC re-affirming its call for a return to constitutional rule. It was also the year in which two hundred workers, who went on strike over management malpractices at Ghana Italian Petroleum Company (GHAIP), were dismissed without recourse to law. All these acts went to undermine the confidence of workers in the TUC. Eventually, the call for a return to multi-partyism bore fruit, and the TUC was given ten places on the Consultative Assembly that drafted the 1992 Constitution.

4.7.1.11 The TUC appeared to have learnt lessons from its close association with the government and so it made some resolutions on its future relationship with the government during the Fourth Republic. At the Quadrennial Congress at Cape Coast in 1992, delegates resolved that the TUC was to remain independent and resist governmental control, whilst ensuring peaceful co-existence. It also proposed an amendment to the TUC Constitution to prohibit TUC executive officials from taking positions in any political party, and to ban them from speaking on partisan political platforms.

4.7.1.12 The new leadership that had been elected was tasked to fight for the restoration of End-of-Service Benefits of employees that had been frozen earlier by the government. Workers insisted that since the government was going out of power, the issues had to be resolved, for the amounts owed to be paid with interest. Eventually the TUC was able to negotiate with the government for the amounts to be paid with interest over a three-year period.

4.7.2 WORKERS’/PEOPLE’S DEFENCE COMMITTEES (WDC/PDC) /COMMITTEES FOR THE DEFENCE OF THE REVOLUTION (CDR)

4.7.2.1 The Formation of the Committees

4.7.2.1.1 One of the most influential concepts borrowed from Libya was the formation of Defence Committees at the workplace and in the community, as they were seen to be the means by which the people could maximize their power. In no time at all, Workers’ Defence Committees and the People’s Defence Committees (WDCs/PDCs) sprang up all over the country and in many workplaces, thanks to the support given by the revolutionary government, as well as the activism and enthusiasm of those charged with the formation and organisation of the committees.

4.7.2.1.2 The June Four Movement (JFM) and the New Democratic Movement (NDM) were put in charge of giving direction to the PDC/WDC concept because this was largely a JFM idea. The two groups formed an Interim National Coordinating Council (INCC) to oversee the development of the concept, but no clear direction and proper organisation of the committees was given. Chris Bukari Atim, Member of the PNDC, was instrumental in establishing WDCs all over the country.

4.7.2.1.3 Initially, the guidelines announced for the formation of the WDCs/PDCs indicated that they were to be made up of junior staff at workplaces, and of ordinary people in communities. The philosophy suggested that workers in the lower rungs had to police those of the senior rungs because they were morally-upright whilst management personnel were corrupt, lazy and inefficient. Later, it changed to “all persons who are prepared to uphold and defend the basic objectives of the ongoing revolutionary process and who have a proven record of patriotism, integrity and democratic practice”.

4.7.2.1.4 The aims and objectives of the organization, as published in 1983, were as follows:

- To guarantee that the masses of the people of this country form the basis of power to carry out the 31st December revolution under the leadership of the Provisional National Defence Council (PNDC).
- To mobilize the people to know and defend their rights and to be able to organize the affairs of the nation as to ensure the availability of their basic needs such as work, food, clothing, shelter, health, education etc.
- To guarantee the democratic participation of the people – especially the farmers, fishermen and other working people - in the decision making process in this country and in the running of the affairs of their villages, towns, and cities; their offices, factories, and workplaces and in the nation generally.
- To help expose the internal enemies of the people both in business and in the bureaucratic state machinery, for it is through such internal collaborators that foreigners can dominate our lives and plunder both our human and material resources.
- To educate and mobilize the people to combat any form of domination and exploitation.
- To mobilize the human and material resources of the nation for the rapid all round development of our country and people and to ensure that efforts for our development are based primarily on ourselves.
- To organize the people to achieve a perpetual state of readiness for immediate political response to any political attacks on them and the revolutionary process.
- To foster brotherly cooperation and unity between our struggling people and those of our continent Africa and other parts of the world.

4.7.2.2 Structure

4.7.2.2.1 Structures were developed that created a national framework with the National Defence Committee (NDC) at its apex. In 1983, a proper structure was designed for the committees, beginning from the office level, through the zonal, community, district, and

Regional levels, to the National level. The various levels were to have sub-committees or departments with personnel appointed by the NDC, to carry out the following functions:

- Complaints and investigations.
- Monitoring and coordination.
- Education, information and press.
- Administration.
- Projects and programmes.

Other structures were the co-ordinating committees with a co-ordinator and organising assistants and other officers of the WDCs in a locality, district or region.

4.7.2.2.2 The structure was then intertwined with the district political authorities by making a representative of the district secretary, secretary to the District Defence Committee. At the regional level, the following departments were required to be established:

- Education
- Information and Press
- Monitoring and coordination
- Administration
- Complaints and investigations.
- Projects and programmes.

In addition, the Regional Defence Committee was to have a secretary who was a representative of the regional secretary.

4.7.2.2.3 At the National level, there was a two tier system: the NDC secretariat and the NDC itself. The Secretariat had the following departments:

- Education and research
- Information and press
- Monitoring and coordination
- Complaints and investigations
- Projects and programmes.

It was responsible to the inter-departmental committee consisting of the heads of the six departments. The chairman of the committee was also the secretary to the NDC.

4.7.2.2.4 At the apex of the whole structure was the National Defence Committee, consisting of:

- NDC Chairman - PNDC Chairman or his delegate.
- PNDC Coordinating secretary.
- Secretary to the NDC
- National Armed Forces Defence Committee Coordinator/Secretary.

The WDC/PDC system was thus designed to be intertwined with the political structures of the PNDC.

4.7.2.2.5 Subsequently, a new structure was designed that changed the nature and purport of the PDCs/WDCs. They were re-organised, re-named Committees for the Defence of the Revolution (CDRs) and termed “organs of the revolution”. A new breed of official with the title “Organising Assistant” was introduced at the district level. The head of the CDRs was given the rather nebulous designation “The Political Counsellor for the Economic Development of the Committees for the Defence of the Revolution.” The re-structuring was more than cosmetic, for the transformation to CDRs also deprived them of some of their political clout.

4.7.2.2.6 In 1985, the National Secretariat of CDRs was officially opened at the Parliament House by the Political Counsellor. The keys of the building were presented to the CDRs at the ceremony.

4.7.2.3 Functions

4.7.2.3.1 According to the Guidelines, the primary function of the WDC was to do political education of workers, “to give them a clear understanding of the political and economic situation to enable them to participate fully in the national democratic revolution”.

4.7.2.3.2 In order to actualize the slogan “Power to the People”, its other functions were outlined as follows:

WDCs shall participate in the decision making process in their factories, workshops and offices to ensure that such decisions are in the national interest...

WDCs shall work in cooperation with their local trade unions and should not seek to take over the function of the unions.

WDCs shall ensure that the products of their workplaces are distributed according to the national interest as defined by the appropriate bodies.

WDCs shall complement the efforts of and cooperate with the WDCs of the communities in which their workplaces are situated....It shall together with the PNDC and the Ministerial representatives evaluate programmes submitted by PNDC secretaries. These shall then be transmitted through the PDC structure to the people....

...To ensure that the aspirations of the people are attained, the NDC shall through the WDCs educate the people and promote revolutionary discipline. To undertake any other functions as prescribed by law.

4.7.2.4 Activities

4.7.2.4.1 The WDCs were thus expected to keep management in check, report acts of corruption of the management, and ensure improved productivity. In the community, the PDCs were expected to help police the communities, and rid them of anti-social elements. They were also to mobilize the community for self-help activities and other community improvement projects.

4.7.2.4.2 On 9th May, 1983, Accra-Tema Central WDC and workers of University of Ghana took over the university following a Daily Graphic report that the students claimed to have access to arms, and were determined to use petrol bombs against the workers. The universities were closed and the campus of the University of Ghana was occupied by “cadres of the revolution” to undergo a “course” using the university’s lecture rooms and Halls of Residence. The University of Ghana, which suffered the take-over by “occupation forces”, lost a great deal through theft, involving even some of the University’s own employees, rough use of facilities by the cadres” and sheer vandalism. It is officially estimated that this eventually cost the university the equivalent of four million dollars (\$4m) because during “the sojourn of the ‘occupation forces’”, a lot of damage was done to public and private property.

4.7.2.4.3 In many offices, managers were chased out as the new breed of leaders, untutored in the ways of the managing class, took over the running of the organizations. Many such organizations forcibly taken over and run by the WDCs, did not increase productivity as promised, but ended up bankrupt within a few years. Some of these enterprises were eventually returned to their owners, emptied of resources and run into the ground.

4.7.2.4.4 On the positive side, some of these persons, called “cadres of the revolution”, did indeed, work to check malpractices such as over-invoicing and under-invoicing, as well as tax-evasion. Some worked hard because they believed in the cause the government was pursuing, but many others joined the bandwagon because it was fashionable to do so. In the main, however, many became a law unto themselves and interfered with the functions of the local branches of the TUC, as well as in management decision-making.

4.7.2.4.5 In the early years of its existence, the unclear mandate of the Committees also created difficulties at the top of the structure. Members of the NDC believed themselves to be higher than the PNDC, and this became a source of political confusion. Some WDC/PDC members undertook shooting training under the tutelage of the military. At Takoradi, part of the premises of the Public Works Department was turned into a major torture centre, as the WDCs imitated the military in abusing citizens, who came into their clutches, for one misdeed or the other. Those premises were nicknamed “Ginger Barracks”, in obvious reference to the terrible ill-treatment, reminiscent of the taste of the spice, ginger, that one would be put through by those who run the “barracks”. Eventually, the government ordered the place to be closed down, when information on the atrocities being committed there, reached the PNDC Headquarters. The leaders of the “WDC gang” were arrested and subjected to ill-treatment by the military, and those “torture offices” dismantled.

4.7.2.4.6 A power struggle occurred between those on the NDC who had been organizing the PDC/WDC, and the Chairman of the PNDC over the direction of the revolution. The failed bid to wrestle power from the Chairman of the PNDC demonstrated the significance of the PDCs/WDCs in the development of a political power base, as those organizers had managed to acquire power all over the country within a short space of time. A few WDC executives, particularly in the factories in the Accra Industrial Area, became casualties of the clash. In at least one case, the WDC leader was reported missing, and is still unaccounted for, after being arrested and taken away in a military vehicle.

4.7.2.5 The End Of WDCs/PDCs

4.7.2.5.1 At the coming into force of the 1992 Constitution, the CDRs were converted into a Non-Governmental Organisation (NGO) and re-named Association of Committees for the Defence of the Revolution (ACDRs). Together with other “revolutionary organs” they were designated Private Voluntary Organizations.

4.7.3 CONCLUSION

4.7.3.1 This chapter has chronicled the activities of organizations formed by workers and farmers, for the protection of their interests, such as the Trades Union Congress, the Civil Servants Association and Farmers’ organizations, such as the Cocoa Farmers Co-operative Movement. In addition, it has examined a state-funded and state-operated organization such as The Workers’ Brigade, since it was a workers’ organization that was prominent in politics in the early part of the mandate period; as well as the Vigilantes and WDCs/PDCs that functioned in work-places and communities.

4.7.3.2 The Workers Brigade idea was a good one, that was perverted by its conversion into a para-military organization, and a wing of the CPP. Formed in order to help tackle the unemployment problem, it ended up as an instrument of oppression by the ruling party. It developed a fearsome reputation for political violence, which ensured its demise when its patron-government fell from power. In addition, the politicization of a good institution for solving the problem of unemployment, opened it up to misuse for political ends, as well as administrative evils such as improper financial supervision, improper financial administration, poor recruitment practices, and eventually, oblivion.

4.7.3.3 On the part of the Farmers Co-operatives, the distortion of the original mission of the co-operatives, as well as the expropriation of their assets without compensation, have been examined. The exploitation of farmers by their leadership for their own political advantage has also received attention. The conversion of the UGFC, the mouth-piece of the farmers of Ghana, into a wing of the CPP dealt a death-blow to the co-operative movement, and the farmers’ trust and confidence in organizing themselves, or attaching themselves to any such organizations. Farmers still remember the compulsory deductions made from their cocoa incomes that went, eventually, to benefit the CPP, and further the political aspirations of their leaders.

4.7.3.4 The successful implementation of the WDC/PDC concept demonstrated the importance of a mass movement, organized from the local level upwards, for purposes of political control of the country. It also made manifest the power that any individual could exercise nationwide, when put in charge of the organization. The structure of the organization ensured that at every village and hamlet, as well as in every town and office, the government was represented, and had “its eyes and ears”.

4.7.3.5 The chapter has also highlighted the mistreatment or otherwise of some of the leaders of these organizations and other prominent activists, either because the patron-governments had been overthrown, or because their activities were a challenge to the sitting government. It has also discussed the nature of the relationship between members and leadership of these movements and government during their period of office, as well as the extent of political patronage that they enjoyed, leading to their being active perpetrators of human rights abuses or violations, against their own membership, as well as against the citizenry at large.

4.7.3.6 Workers’ organizations throughout the mandate period have suffered from governmental interference, as well as manipulation for partisan purposes. Whenever the leaders lost focus or became interested in feathering their own political nests, then a perversion of their mission occurred; however, whenever they insisted on sticking to their mission, the leaders often ended up paying a price, through detentions and even exile. At various points during the mandate period, the leaders either became instruments through which their organizations were emasculated or controlled and misused by the government, or they themselves became involved in the perpetration of human rights abuses.

Volume 4 Chapter 5 - Professional Bodies (Other Than Legal) And Civil Society Groups

CHAPTER FIVE

PROFESSIONAL BODIES (OTHER THAN LEGAL) AND CIVIL SOCIETY GROUPS

5.0. INTRODUCTION

5.0.1 In reporting on the human rights violations and abuses that occurred during the mandate period, the Commission considered whether or not professional associations and other civil society groups had contributed to the violation or the protection of individual human rights. The scope of this chapter is restricted to the activities of the Association of Recognised Professional Bodies (ARPB), as well as those voluntary and/or political associations that had an impact on the human rights landscape. Consequently, the

Commission did not study all political parties, nor all civil society groups ever formed in Ghana. The groups concerned are professional bodies (other than legal) and other civil society groups.

5.0.2 The Commission believes that a study of the activities of these movements during the mandate period would enable the nation appreciate their importance in the socio-political history of Ghana; be provided with the reasons for change or continuity in these movements; understand why the movements underwent a transformation or ceased to exist altogether, and above all assess their impact on the development or otherwise of a culture of respect for human rights.

5.0.3 This chapter is in two sections: reflecting the two sectors that were studied under the title of this chapter. Part I covers the activities of the professional bodies as they were grouped under the rubric of the ARPB, and other civil society groups with influence over, or interest in national politics. Part II covers civil society in general, as well as groups that operated in the political arena during the mandate period. These were also of two types: (1) the groups such as political parties, formed for the purpose of securing political power; and (2) the others which were formed for other purposes although they became involved in the political struggles of the country.

5.0.3.1 The Political Parties and Groupings: United Gold Coast Convention (UGCC); Convention Peoples Party (CPP); The Ghana Congress Party (GCP) National Liberation Movement (NLM); Moslem Association Party (MAP); Northern Peoples Party (NPP); Togoland Congress; Anlo Youth Association; Ga Shifimo Kpee; United Party (UP) National Alliance of Liberals (NAL); Progress Party (PP); Peoples Movement for Freedom and Justice (PMFJ); Third Force; Front For The Prevention of Dictatorship; Togoland Liberation Movement and National Liberation Movement of Western Togoland; Movement on National Affairs (MONAS); Peoples Revolutionary League of Ghana (PRLG); Kwame Nkrumah Revolutionary Guards (KNRG); June Fourth Movement (JFM); People's Revolutionary League Of Ghana (PRLG); 31st December Women's Movement (DWM); Movement for Freedom and Justice (MFJ).

5.0.3.2 Legon Society on National Affairs; Trade Associations and Market Women's Associations.

5.0.4 This chapter highlights the mistreatment or otherwise of the groups, their leaders and other prominent activists, either because the patron-governments had been overthrown, or because their activities were a challenge to the sitting government. It also discusses the nature of the relationship between members and leadership of these movements and the governments they worked under, during the mandate period.

PART I

5.1 Introduction

5.1.1 Apart from a few of these bodies such as the Ghana Medical Association (GMA), which was formed in 1958; Ghana Institute of Architects (GIA) formed in 1962; the Ghana Institution of Engineers (GhIE), formed in 1968; and Ghana Institution of Surveyors (GIS) in 1969, most professional associations were formed in the 1970s and later. From the available evidence, professional associations were formed for the primary purpose of promoting the interest of members of their respective professions.

5.1.2 In furtherance of the professional interest, most of them sought and obtained state recognition through appropriate legislation, which in some cases regulated their professional activities, including the maintenance of professional standards and ethics. It was upon the formation of the ARPB in the early 1970s, coupled with the speed and manner in which economic conditions deteriorated in the country, that changed the nature of interaction between the professionals, as organized under their associations, and the government.

5.2 6TH MARCH, 1957–23RD FEBRUARY, 1966:
CONVENTION PEOPLE'S PARTY (CPP) GOVERNMENT

5.2.1 Professional associations were not directly concerned with politics as a civic responsibility requiring them to show keen interest in the political fortunes of the country; and thereby availing themselves of the opportunity to make critical interventions when necessary. For them, any activity associated with political parties, politics and even governance, were not to be mixed with one's professional practice. Therefore, involvement in politics as a civic duty was not considered appropriate for a body of professionals. With the exception of the Ghana Bar Association (GBA), the professional associations that existed prior to the 1970s did not feature much in national affairs. For instance, the most momentous piece of legislation of the time, the Preventive Detention Act (PDA), 1958, that empowered the government to detain without trial, any person suspected of acts that might endanger the security of the state, did not elicit any public response from the registered professional bodies at the time, except for the GBA. Doctors and engineers did not see their vocations as entitling them to meddle in issues of governance, even though other groups outside the opposition parties, such as the churches, criticized the legislation.

5.3 24TH FEBRUARY, 1966 – 30TH SEPTEMBER, 1969:
NATIONAL LIBERATION COUNCIL (NLC)

5.3.1 The Formation Of Legon Society On National Affairs (LSNA)

5.3.1.1 A few days after the 24th February coup d'état, a group of seventeen Ghanaian Senior Members of the University of Ghana were called together to form an organization that would mount guard over our patriotic interests and help preserve the coup. On 1st March, 1966, this body organised themselves in a spirit described above, into the Legon Committee on National Reconstruction. The committee's aims and objectives were simple: to help demolish the Nkrumah myth and to assist the NLC in every way possible, within the competence of the committee both as a body and as individuals:

A few weeks ago, one of the four sub-committees of the LCNR, the political, proposed to the main body the establishment of the committee's own organ, as one of the most practical ways – as well as an urgent one of giving assistance to the NLC. The Legon Observer is the result. We aim, through its columns, first, to give loyal support to the NLC.

5.3.1.2 This group, re-named the Legon Society on National Affairs (LSNA), played a human rights advocacy role through its mouthpiece, The Legon Observer. This was its official platform, although very often, it was individual members of the LSNA who protested human rights abuses by the NLC. During this period the official body of university teachers, University Teachers Association of Ghana (UTAG), confined itself to its trade union functions.

5.3.1.3 The LSNA made a “vow” to the nation that it was resolved “to give loyal support to the NLC” in its drive to consolidate freedom and democracy in the country. Though the LSNA was critical of certain NLC policies, its avowed opposition to the CPP compromised its ability to protest at the serious infringements on the human rights of CPP officials and activists.

5.3.1.4 Public opinion, even of enlightened persons, demanded punishment for the corrupt and “bad CPP officials”. These views supported the detention of CPP activists and functionaries, because such detentions were deemed to be necessary for the protection of society. There was also support for the confiscation of their properties allegedly acquired by corrupt means, in order that they would not be able to buy their way back into political power. The LSNA, as other intellectuals in the country, mounted open opposition to the NLC's policy of not seeking vengeance, and pacifying the nation in order to heal its wounds and unite it. Indeed, the former President of the GBA Victor Owusu, was the Attorney-General and Minister of Justice, when these laws were passed.

5.4 1ST OCTOBER, 1969 – 12TH JANUARY, 1972: THE SECOND REPUBLIC – THE PROGRESS PARTY (PP) GOVERNMENT

5.4.1 There was no appreciable change in the activities of professional associations, although more and more groups began to initiate moves to organize themselves. Politics and issues of governance were still seen as the preserve of those within the professional classes, who had political ambitions.

13TH JANUARY, 1972 – 3RD JUNE, 1979: THE NATIONAL REDEMPTION COUNCIL (NRC)/ SUPREME MILITARY COUNCIL (SMC) I & II

5.5 The NRC and SMC I

5.5.1 Involvement Of Professional Associations In Politics

5.5.1.1 The direct involvement of professional bodies in Ghanaian politics can be dated to the 1970s. In the 1970s, their engagement in politics became pronounced when the economy of the country began to show signs of collapse, as a result of misrule and mismanagement of the military rulers. The return of the country to constitutional or civilian rule became the dominant objective, obscuring any other concerns. Before this time, involvement in Ghanaian politics had been the province of individuals (professional or not) and private (non-professional) associations, who would comment on human rights issues selectively and periodically. In general the professional groups, whose members constituted the cream of Ghanaian society, showed the same attribute as the general population, in terms of the lack of appreciation of the intrinsic value of human rights, and of the need for commitment to defend and promote the enjoyment of human rights for all persons.

5.5.2 The Birth Of The Association Of Recognised Professional Bodies (ARPB)

5.5.2.1 In 1977, SMC I regime, under Gen Acheampong, came under strong pressure to return the country to constitutional rule, and Gen Acheampong then introduced the concept of Union Government (Unigov) to which the professional associations took great exception. The Unigov idea was one in which the country was to be governed by representatives of the civilian population, the military and police. The professional associations came together to form the ARPB. The ARPB was formally incorporated on 20th May, 1981, although it had existed and functioned in the political arena since its birth in 1977.

5.5.3 ARPB Begins To Oppose The Government

5.5.3.1 In June, 1977, the ARPB called on the government to resign and hand over power to an interim body to usher the country to a civilian rule, otherwise its members would resort to a strike action. On 4th July, 1977, the Ghanaian Times in its editorial comment appealed to the GMA to rescind its decision to embark on a strike action:

we had had the occasion to invite the ordinary people of this country to fight against and not to pander to the dangerous attempts by the Professionals to return this country to a class struggle. We now appeal to the Ghana Medical Association not to allow other professionals to hide behind the value of the doctor's service to the society to introduce politics into medical practice.

5.5.3.2 Despite the hostility to the ARPB inherent in the appeal, members of the ARPB embarked on a nationwide withdrawal of services in protest against an inefficient and corrupt government on Monday, 6th July, 1977. The strikers called on the SMC Government to step down and until it did so, their services were to remain withdrawn. On the first day of the strike action, Gen Acheampong repealed the Professional Bodies Registration Decree, 1973 (NRCD 143), froze their assets and bank accounts under

Professional Bodies Registration (Repeal) Decree, 1977 (SMCD 103), and put out a public statement to that effect.

5.5.3.3 Prior to the repeal of the Professional Bodies Decree, there was a call by the Ashanti Youth Association (AYA) to repeal the Decree in June 1977. The AYA called on the SMC I Government to widen the scope of the Decree banning political parties to make it unlawful for one professional body to consult, discuss or act in concert with any other professional body, on political issues. In a statement signed by M T K Manu, the secretary, he contended that such measures had become necessary in view of the fact that some professional bodies had demonstrated clearly that they intended to rally together with a view to creating “monolithic professional bodies association” for the purpose of embarking on “general civil disobedience and other notorious political activities.” The newspapers published reports of comments from the general public that were critical of the ARPB, as well as events that showed that some professionals had not joined in the strike.

5.5.4 The ARPB And The Unigov Campaign

5.5.4.1 On 12th October, 1977, the ARPB organized a seminar on the concept of Unigov at the Accra Community Centre. This seminar was broken up by government-sponsored thugs and many persons were assaulted. A Decree, the Union Government (Civil Proceedings) Decree, 1977 (SMCD 139), was passed to protect those who were involved in the assaults. It also prohibited any court from entertaining any civil action against anyone preaching or propagating the concept of Unigov, or for participating in, or attending any debate or discussion of the proposal of Unigov.

5.5.4.2 In 1977, in response to the campaign by the ARPB alleging corruption on the part of the SMC, the Prohibition of Rumours Decree, 1977 (SMCD 92) was passed. This decree provided as follows:

Any person who by print, writing, painting or word of mouth, publishes or reproduces any statement, rumour or report which is false or likely to disturb the public peace or to cause disaffection against the SMC or NRC among the public or among members of the Armed Forces or of the Police Force shall be guilty of an offence.

5.5.4.3 On 5th March, 1977, the Ghanaian Times wrote a scathing editorial, entitled: “The Korle-Bu Professors”, castigating the doctors for believing that they could hold the nation to ransom. On 9th July, 1977, armed soldiers actually stormed the Korle Bu Teaching Hospital in a convoy of trucks and forcibly ejected doctors and their families from their homes. Many were physically assaulted. Some sustained serious injuries while soldiers burnt cars and other properties belonging to the doctors. Other members of the ARPB were harassed, trailed by security forces, and their telephones tapped.

5.5.4.4 Accusing some of the professionals of being agents of foreign powers, the government declared:

... the Supreme Military Council is aware of the activities of some nation wreckers who are doing everything to bring confusion and unrest to our beloved nation. Within the past few weeks, some serious political developments have taken place in our country, which ought to be fully made known to you. The government became aware of the fact that some foreign powers, for reasons known to it, had funnelled huge sums of money to some irresponsible, over-ambitious, disgruntled and unpatriotic power seeking Ghanaians to be used to overthrow the government of the Supreme Military Council and to replace it with its lackeys. In pursuance of this objective, these same persons, using the masks of some lecturers of the nation's universities arrogated to themselves the role of the mouthpiece of the people to dictate terms to the government in the most arrogant and peremptory language.

5.5.4.5 The ARPB later rescinded its decision and resumed work after receiving assurances from the government, giving a guarantee of protection from victimization and molestation of any of the members of the association who might have withheld their services. Many of the most eminent public figures had teamed up with the ARPB, the People's Movement for Freedom and Justice (PMFJ) and the Front for the Prevention of Dictatorship in order to oppose the Unigov proposal, which would have given the military a permanent stake in government.

5.5.4.6 In the crucial referendum of 30th March, 1978, Gen Acheampong was effectively humiliated, although the results that were announced after the Electoral Commissioner had been chased out of his office, indicated that Unigov had received massive endorsement by the citizenry. The results that were announced, did not reflect the real state of affairs, and agitations continued until, four months later, he was ousted in a "palace coup".

5.6 SMC II

5.6.1 On 5th July, 1978, Gen Acheampong was removed from power by his own colleagues on the SMC. He was replaced by General Frederick William Kwasi Akuffo as Chairman of SMC II and Head of State. The SMC II detained Gen Acheampong and also stripped him of his military rank and entitlements, declaring that he had now become a mere "Mr" Acheampong. He was also confined to his hometown, Trabuom in the Ashanti Region.

5.6.2 The announcement declaring Gen Acheampong as "Mr. Acheampong", created strong resentment within civil society. Many people felt that it reflected the lack of respect that the military had for civilians, such that a penalty and a mark of disgrace, was to be a "mere 'Mr.'"

5.6.3 The ARPB issued a statement in which it urged the government to prefer formal charges against "Mr" Acheampong and that he should be put before court without delay. The association also complained, that merely stripping "Mr." Acheampong of the honours he bestowed on himself, and depriving him of his pension rights, were not enough punishment for the gross mismanagement that had taken place under his

leadership. The government did nothing about this, until it was itself overthrown on 4th June, 1979.

5.6.4 The ARPB renewed its appeal to the government to restore the Professional Bodies Registration Decree, which was repealed by “Mr”. Acheampong. Consequently, the assets and bank accounts of the ARPB were defrozen by the Professional Bodies Registration (Repeal) (Amendment) Decree, 1978 (SMCD 171).

5.6.5 After some initial procrastination, the SMC set in motion a programme for a full return to civilian rule when the ARPB protested it’s concept of Transitional Interim National Government, arguing that it was just like the Unigov concept that they had opposed. Eventually, the government gave in, and constituted a Constituent Assembly, to draft a new Constitution for Ghana.

5.7 4TH JUNE, 1979 – 23RD SEPTEMBER, 1979: ARMED FORCES REVOLUTIONARY COUNCIL (AFRC)

5.7.1 By 4th June, 1979, when the Armed Forces Revolutionary Council (AFRC) assumed power, a transitional programme to restore constitutional rule in Ghana by the middle of July, 1979 had already been agreed by various political party leaders and the SMC II government, and even, elections had been slated for 18th June, 1979. From the standpoint of the political elite therefore, the coming of the AFRC was an unnecessary interruption of a process that they had already started. Despite initial fears, a sigh of relief greeted the decision of the AFRC to honour the transitional arrangements already put in place.

5.7.2 The Ghanaian establishment was virtually oblivious to the tectonic shift that was taking place beneath its feet. One reason was that the successful campaign to drive the military from office actually appeared to vindicate ARPB leadership position. The ARPB did not, as a body, lend its support to the AFRC, although some of the members of the individual professional bodies participated actively in the governance activities of the AFRC.

5.7.3 During the June-September, 1979, period when the AFRC was in power, a number of atrocities were committed. In a meeting that took place between the political party leaders and the AFRC, the politicians secured from the AFRC a firm promise to continue with the transitional programme to democratic rule, but nothing was said about the atrocities then taking place.

5.7.4 However, some political leaders, some workers groups and university students pledged open support, justified the “house-cleaning” exercise by the AFRC government, and called for its extension to other social sectors. However, there is no indication that the ARPB took a stand on any of the issues at stake.

5.7.5 In fact, what seemed to have happened during the AFRC period, was that the regime had support mostly from students and some members of the general public. From

all over the country, individuals issued statements appealing to the general public to support the Revolution. Many members of the ARPB were under fire, as they tended to be in senior positions in the public service. Indeed, there was a spate of resignations which caused the AFRC to issue a warning, and to insist that all letters of resignation were to be channelled through the AFRC for approval to be given, before the resignation would be accepted.

5.7.6 When the AFRC government executed the former Heads of State and a number of Senior Military Officers, the Daily Graphic called it “a significant milestone”. There were no public protests from the ARPB, or any of its constituent bodies, except a statement issued by a group that called itself ‘Society for National Welfare’. The Society had issued a statement urging justice, fair play and the rule of law in the government’s effort to punish corrupt persons. In that statement, the Society also urged the AFRC not to abort the democratic process.

5.7.7 The AFRC government seized the assets of a large number of people; private houses were demolished, and special military tribunals were set up to try people alleged to have committed various crimes. Public opinion regarded the actions of the AFRC, as retribution for bad and corrupt leadership, and so tacitly supported them.

5.7.8 The short AFRC tenure graphically illustrated this lack of human rights culture that would move individuals and groups to struggle in defence of human rights. In other instances, the elites led the entire country to condone human rights violations. The leaders of the registered political parties, then engaged in electoral contest for power, were seemingly concerned more about securing the transition programme so that power would be transferred to one of them. The widespread human rights abuses that were committed by the AFRC appeared not to be their primary concern, until after the first round of the elections, when the top five political parties issued a joint statement expressing concern about the executions. They also urged the government to uphold the rule of law in all cases where a crime was alleged to have been committed.

5.8 24TH SEPTEMBER, 1979 – 30TH DECEMBER, 1981
THE THIRD REPUBLIC PEOPLE’S NATIONAL PARTY
GOVERNMENT (PNP)

5.8.1 The ARPB was functioning at a low level on account of the fact that the 1969 Constitution appeared to provide answers to the problems of governance to which it had committed itself. However, it continued to give advice on technical matters to the government. For instance, in 1980, it sent a memo to the Vice-President on the food situation in the country, and recommended action to be taken to address same.

5.8.2 On 20th May, ARPB Executive Council met with the Council of State on the security situation in the country. At this meeting, it advised the government on its handling of the Transitional Provisions as well as its attitude to the former Chairman of AFRC, advising the government to stop the “attempts to give Flt Lt Rawlings a bad name and allow him to settle down quietly into civilian life”.

5.9 31ST DECEMBER, 1981 – 6TH JANUARY, 1993:
THE PROVISIONAL NATIONAL DEFENCE COUNCIL (PNDC)

5.9.1 The Provisional National Defence Council (PNDC) came to power on 31st December, 1981, after a coup d'état led by Flt Lt Jerry John Rawlings, who became Chairman of PNDC and Head of State. There were human rights abuses during the PNDC era. People were assaulted, brutalized, maimed, imprisoned, abducted and killed. Others had their properties seized, vandalized or confiscated. In fact the PNDC period was a period of lawlessness, when the rule of law had completely broken down in the Ghanaian society, and citizens' rights, freedom and liberties were thus taken away from them.

5.9.2 Under the PNDC, when some of the most heinous crimes were committed against fellow Ghanaians, the lack of a culture of human rights struggle, became very obvious. In 1982, resistance to the PNDC by the GBA and ARPB was driven as much by the demand for the restoration of constitutional rule, as by a commitment to defend human rights, although the struggle was not couched in human rights language. Gross human rights violations took place, and were rampant. The murder of the three High Court Judges and a retired Army Officer, shook the rank and file of Ghanaian citizenry, as much because of the gruesome nature of the killings, as by the fact that Ghanaians deeply valued the sanctity of life. However, those horrendous acts could not ignite a movement to stop further human rights abuses, even though the protests and condemnations by the ARPB, religious and other civic bodies were loud and consistent.

5.9.3 ARPB's Struggles With The PNDC

5.9.3.1 The ARPB began its struggle against the PNDC soon after it came to power. It began to issue statements, critical of various government policies which it felt to be against the interests of the Ghanaian public. On 21st July, 1982, the ARPB held a press conference at which it read a resolution which, among other things, urged the PNDC to hand over power to a "Government of National Unity", while making arrangements to return the country to a constitutionally elected government by 1983. On the state of the nation, the ARPB criticized the PNDC Government on the murder of the three High Court Judges and a retired Army Officer in the following words:

We wish to express our revulsion at the callous manner in which three eminent High Court Judges and a retired Army Officer were abducted from their houses on the night of the 30th of June 1982 and murdered and the attempt made to obliterate the evidence by burning their bodies.

Since the 31st December 1981, the law of the jungle has taken over a once decent and law abiding people of Ghana. Law and order has broken down and there is callous disregard for Human Rights and Fundamental Freedoms.

5.9.3.2 The ARPB also called for a lifting of the curfew, because it had become a licence for killings and robbery, and condemned the destruction of the Army hierarchical

structure by the introduction of the Defence Committee System into the Ghana Armed Forces. This criticism was promptly denounced by the Daily Graphic, which lambasted the ARPB for those views. The June Fourth Movement (JFM) also condemned the statement as “waging a campaign against the democratic gains that the other ranks have acquired through the PDCs”. The JFM also described the statement as “insulting to the workers of Ghana who are striving to organise themselves to effectively participate in the decision-making process of the country.” This statement elicited a comment from a columnist, perhaps conscious of the futility of press statements to restrain a military government:

This brings to mind a similar demand made of another military regime some five years ago by the same body. In 1977, the military regime “did not mind” the professionals, and there is little chance that the PNDC will hand over just because the professionals say so.

5.9.3.3 In reaction to the demand by the GBA and ARPB for the PNDC Government to hand over power in September, 1983, two groups, the People’s Revolutionary League of Ghana (PRLG) and the JFM issued statements condemning them. The statements were signed by T. Kodjo Ababio Nubuor, the General Secretary of PRLG and Kwasi Adu, President of JFM, accusing the two associations and The Echo newspaper, of making efforts to negate the good intentions of the people’s revolution. The statements further described the call to hand over power as:

one more attempt at the philosophy of restorationism, and they fell neatly into the framework of a well-thought out master plan, and an attempt to overthrow the revolution and restore the anti-people old order.

The most casual study of the demands made by the professionals point out clearly that they are underscored by a philosophy of restoration. We remember that well before the murder of the judges and the retired major, the professionals wrote various articles in “The Echo” claiming that certain revolutionary forces had planned to commit assassination of some people without ever indicating any concrete evidence to support their claims.

5.9.3.4 Following this statement, there was a workers’ demonstration against the ARPB, whose members were described by the demonstrators as “Selfish yet vocal minority who call themselves men of distinction.” Other demonstrations in other parts of the country followed, and soon thereafter, The Echo was suspended from publication. A prominent engineer who was a PNDC appointee, Professor Mawusi Dake, criticized the ARPB in a feature article in the Ghanaian Times accusing the professionals of wanting to further their own political ambitions by calling for a government of National Unity

The professional bodies are asking for a government of national unity, which will take four years to restore the old institutions. But the same intelligent and supposedly efficient people, who obviously will man the government of national unity, have expected the PNDC, which is committed to building new structures in the face of an inherited bankrupt economy to have realized its goal in fifteen months.

Meanwhile, Dake's own GhiE colleagues in the ARPB had been arrested and detained by the new government.

5.9.3.5 On 28th July, 1982, the ARPB held a funeral service at the Supreme Court Buildings, at which the Chief Justice was present. The ARPB issued a list of over 200 names of individuals who had, by that date, been killed by soldiers, and for which acts no prosecution had taken place, or was likely to take place. The effort was a monumental one, as it covered killings that had occurred, region by region. This effort has left a historical record of those who were killed in those heady days of lawlessness.

5.9.3.6 In April, 1983, the PNDC amended its 1981 Proclamation with PNDC Law 42. The ARPB responded to its provisions by pointing out that it "contains essential elements and highlights the point of arbitrariness and dictatorship which have never seen a parallel in the 26-year history of Ghana". The statement further questioned why Ghanaians had not been consulted about the law and queried: "Were Ghanaians not promised that this was the time for them to be involved in the decision-making process. Is this the substitute for the Parliament which the people of Ghana elected their representatives to?" These activities did not please the government and it was not long before reprisals followed.

5.9.3.7 On 12th May, 1983, the ARPB issued a statement alleging that one of the Food and Drugs Aid parcels sent from Libya to Ghana, and sent to Cape Coast from the Tema Central Medical Stores, was found to contain arms, and not drugs. This allegation was promptly denied by a doctor, Dr. Edwin O. Quaynor, Central Regional Medical Officer of Health. Dr. Quaynor stated categorically "there is no truth in the allegation by the Professional Bodies Association".

5.9.3.8 Following a National Union of Ghana Students (NUGS) Congress which he had addressed in May, 1983, the President of ARPB, Sam Okudzeto, was put before the Citizens' Vetting Committee (CVC) to be vetted. He was subsequently ridiculed in the press for responses he gave when being interrogated by that body. Later he was arrested on 26th June, 1983, and detained without charges, from that date, to May, 1984. In July, 1985, he was arrested again and detained for about six months, and then released without charge.

5.9.3.9 In May, 1983, an attempt was made to arrest and prosecute JAN Attoh and HDL Yartey, the Vice President and the Honorary Secretary of the ARPB respectively, for sedition. They were alleged to have printed ARPB material that was seditious, ie material that tended to put the government into disrepute, or that was critical of the PNDC's policies. Fearing for his life, Attoh fled Ghana in May, 1983, and never returned. The two men were prosecuted and convicted. Yartey, who had been in detention until the day the judgment was delivered, was discharged. However, Attoh, who had been tried in Absentia, was sentenced to ten month's imprisonment. The tribunal ordered that his mini-bus, on which some of the material had been found, be confiscated to the State, for use by the National Mobilisation Committee.

5.9.4 The ARPB Loses Steam

5.9.4.1 The ill-treatment of the leaders of the ARPB had an impact on the life of the ARPB. In January, 1990, its President, Sam Okudzeto, made a report to his mother-association, the GBA, that the ARPB existed only in name. He blamed the ARPB's moribund state on the suffering that the leaders had undergone at the hands of the government. Although the GBA encouraged him to try and revive the meetings of the ARPB, it had lost the will to fight and had been intimidated into silence.

5.9.4.2 In 1991, the ARPB was able to revive itself and held a symposium on the Draft 1992 Constitution. However, it was clear that the ARPB had lost steam. It did not feature on the list of bodies allocated places on the Consultative Assembly, although each of its constituent groups had representation.

5.9.5 Conclusion

5.9.5.1 The professionals have asserted a level of influence over national affairs which is generally far more profound than their limited numbers might suggest. The clout of the GBA and the ARPB has always been much greater than that of the business associations. In that sense, the professionals have functioned as the political vanguard of the dominant class in Ghana.

PART II

CIVIL SOCIETY GROUPS

5.10 RE-INDEPENDENCE

5.10.1 Introduction

5.10.1.1 The formation of civil society groups with political orientation began to be a feature of the national landscape as a result of the introduction of the modern political economy, the subsequent urbanization and post World War II social developments that released young people from traditional control without putting in place any measure to include them in the new political arrangements.

THE FORMATION OF POLITICAL PARTIES IN THE GOLD COAST

5.10.2 The United Gold Coast Convention (UGCC)

5.10.2.1 At the end of the Second World War, the war veterans who had gone to fight in other lands for freedom, on behalf of the colonial power returned home with ideas about the quality of life that they ought to have. However, they were not trained in civil life with appropriate income-earning and marketable skills to achieve that standard, nor were

they given any financial package to ease their transition into civil life. Their return, coupled with the rapid urbanisation and expansion of social amenities and infrastructure in the urban areas, produced a class of politically-conscious young men and women who began to appreciate the anti-colonial posture of the intelligentsia. It was in the midst of all this social ferment that the first mass party, the United Gold Coast Convention (UGCC), was formed at Saltpond in August, 1947, under the chairmanship and financial sponsorship of George Grant, better known as Paa Grant, a wealthy Nzima businessman.

5.10.2.2 With its slogan of “Self-Government within the shortest possible time”, the UGCC quickly attracted a large following, particularly among the educated persons, chiefs and farmers. The speed with which the party gained numbers made its proper organization somewhat difficult for the leaders who were mostly professionals and therefore only part-time politicians. A member of the UGCC Executive, Ernest Ako Adjei, proposed the employment of an energetic young man he had met in England, Kwame Nkrumah, as General Secretary, to do the work of political mobilization full time. Paa Grant paid the £100 passage for the return of Nkrumah to the Gold Coast.

5.10.2.3 The young Nkrumah arrived at the end of 1947, and soon got down to work, establishing structures through which the party could function effectively. In February, 1948, barely two months after he took office, Kwame Nkrumah and five leaders of the UGCC – Edward Akufo-Addo, Emmanuel Obetsebi Lamprey, William Ofori-Atta, Ernest Ako Adjei and Dr. Joseph Boakye Danquah - were arrested because they were blamed for the rioting and looting that occurred as a result of the killing of some ex-servicemen who had gone on a protest march.

5.10.2.4 The ex-servicemen had gone on the march to protest against high prices of goods and general hardship in their living conditions, exacerbated by the failure of the British Government to honour promises made to them on their demobilization benefits. Whilst on the march, they decided to change course and march to the Osu Christiansborg Castle, the seat of government, instead of remaining on the route for which official approval had previously been obtained. At the Osu crossroads, they were fired on when they would not heed an order to halt. Three ex-servicemen, Sergeant Adjetei, Corporal Attipoe and Private Odartey Lamprey, were killed and many others injured. This incident sparked off riots and looting of European and Syrian/Lebanese owned stores in many of the towns in the Gold Coast. By the end of the day, the death toll had reached 29 with 237 injured and property damage to the tune of £2,000,000 had occurred.

5.10.2.5 Although it was not the UGCC that had organized the march, political responsibility for what had happened was laid at the door of the party. The six leaders of the UGCC, who were arrested, were later affectionately named “The Big Six”. They became national heroes overnight as news of their arrest spread around the country. They were sent to prisons across the country.

5.10.2.6 After the release of the ‘Big Six’, Nkrumah set out to organize in earnest. He linked up with political youth groups and formed the Committee on Youth Organisation (CYO). He also established a newspaper, the Evening News, which he used to great

advantage. Conflict over strategy soon developed between him and other leaders of the UGCC. They began to feel that Nkrumah was promoting himself and his personal agenda at the expense of the party that employed him, and he began to feel that they were not ready for his style of organization.

5.10.2.7 A break became inevitable, and on 12th June, 1949, Nkrumah broke away from the UGCC and formed the Convention People's Party (CPP) at Saltpond, taking with him most of the young people he had so successfully mobilised. The period thereafter heralded the nurturing of bad blood between the leaders of the two parties. Attacks in the Evening News on the leaders of the UGCC, especially on Dr. Danquah, as well as a whispering campaign of bribe-taking and allegations of other dubious activities made against the leadership of the UGCC, did a lot to embitter the relationships.

5.10.3 The Convention People's Party (CPP)

5.10.3.1 The CPP under the leadership of Nkrumah grew from strength to strength. During the time when he ran the UGCC, he discovered some very energetic and good organizers who left with him to form the new party. Komla Agbeli Gbedemah and Kojo Botsio were two of these young men who came to be recognized for their organizational abilities as they recruited many other young people to join the fold. Indeed the CPP was virtually a youth movement at its inception, and it had the energy and strategy to match.

5.10.3.2 It adopted a slogan of "Self-Government Now" ("S.G. Now") and this resonated with the youth. In January, 1950, the CPP organized an action of civil disobedience termed 'Positive Action', in order to compel the colonial government to grant immediate self-government. Although planned as a non-violent action, it eventually turned violent and the leadership of the CPP was arrested and imprisoned.

5.10.3.3 Whilst in prison, Nkrumah's party won a majority of seats in the 1951 elections held under the 1951 Constitution (Coussey Constitution). Being the leader of the party that had won majority seats in the elections, he was released from prison to head the government under the title of "Leader of Government Business". The CPP successfully maintained its leadership in the politics of the country, winning majority votes in both the 1954 and 1956 Elections. Ghana attained Independence on 6th March, 1957, under its leadership, after a bitter struggle with some of its opponents.

5.10.3.4 The part played by the youth in the independence movement and the place of the youth in the formation of the CPP, put the youth at the centre of the socio-political arrangements of the country after Independence. A start was made to organize the youth soon after Independence with the formation of the CPP Youth League which was made up of young people with affiliation to the CPP. It functioned as the youth wing of the CPP and it had the same aims as the mother-party. However, it was formally abolished in 1959.

5.10.4 The National Liberation Movement (NLM)

5.10.4.1 In 1954, the National Liberation Movement (NLM) was born. The immediate cause was the agitation for higher prices for cocoa and so it gained popularity in the

Ashanti, Akyem Abuakwa and the Krobo areas which had large tracts of cocoa farms. The remote cause was however, the marginalisation of the traditional ruling classes as a result of the rise of the CPP. The chiefs were also suspicious of the centralist policies of the CPP and feared marginalisation in the governance of the country.

5.10.4.2 The NLM's Ashanti base and the obvious support it enjoyed from the Asantehene as well as the fact that its chairman was the senior linguist of the Asantehene, Baffour Osei Akoto, brought to the fore the fear of domination that had existed between Ashanti and the Colony since Ashanti became a part of the Gold Coast. The NLM's proposal of a federal form of government was a reaction to the highly centralized form of government that they feared would lead to dictatorship from Accra.

5.10.4.3 The pitched battles that were fought in Kumasi between the NLM and the CPP and the political murders that were committed by both sides, showed the ugly face of partisan politics. The NLM with its Action Troopers and the CPP with its Action Groupers so terrorised residents of Kumasi that the political scars created took a long time to disappear, and led to many people being unwilling to be associated with partisan politics.

5.10.4.4 By the time the NLM problem was resolved by the amendment of the proposed Independence Constitution to provide for Regional Assemblies, a lot of harm had been done. There was a great deal of bad blood between adherents of the NLM and the CPP especially because many of the NLM leaders were also dissident CPP members; and thus there were personal animosities between the leadership of the two parties.

5.10.5 The Ghana Congress Party (GCP)

5.10.5.1 The remnants of the UGCC suffered other crises as most of its youth had broken away to join the CPP. In 1951, it merged with another party, the National Democratic Party, formed under the leadership of Nii Amaah Ollennu, a barrister. The merged parties came to be known as the Ghana Congress Party with Saki Scheck as the General Secretary.

5.10.5.2 The Ghana Congress Party was bedevilled by a leadership struggle between Nii Amaah Ollennu and Dr. Danquah. Ollennu eventually left politics and joined the Bench. The next stage of the leadership struggle took place between Dr. Kofi Abrefa Busia and Emmanuel Obetsebi-Lamphey. Eventually the party broke up into two when Obetsebi-Lamphey broke away and formed the Nationalist Party. This break greatly reduced the strength of the GCP. In the 1954 Elections Dr. Busia was the only one to win a seat on the ticket of the GCP. The Nationalist Party achieved little prominence as it never really attracted a following outside Accra.

5.10.6 Togoland Congress Party (TC)

5.10.6.1 This party was formed under the leadership of SG Antor, Kojo Ayeke and Emmanuel Dumoga, to champion the cause of separation of the British Trust Territory of

Togoland, from the Gold Coast. The basis of this desire for separation lay in the arrangements that were made for German Colonies under the Treaty of Versailles, following the defeat of Germany in the First World War. The German colony of Togoland was split into two and administered under the Mandate of the League of Nations, the immediate predecessor body to the United Nations Organisation, by Britain and France.

5.10.6.2 The ‘Mandated Territories’ (as they came to be known) contained ethnic groups, such as the Ewe, Dagomba, Konkomba, etc., that had been split up by the administrative arrangements of the two powers. When the United Nations Organisation was born, the mandate was changed into a Trust, and therefore the territories became ‘Trust Territories’ and continued to be administered as separate entities. In the mean time, the Ewe people of the southern part of the Trust Territories had, since the end of the Second World War, been campaigning for the two Trust Territories of Britain and France respectively, to merge as one independent country, in order to re-unite the Ewe peoples who had been split up by the Mandate of the League of Nations. They feared that the split would become permanent, should separate arrangements be made for the two Trust Territories.

5.10.6.3 Agitation picked up pace. Leading to the birth of the Togoland Congress when, in 1954, the British Government informed the United Nations that it would not be in a position to administer the Trust Territory after the Gold Coast gained Independence. Ewe nationalists in Trans-Volta Togoland (TVT) as the British Trust Territory was known, believed that their chances of re-unification with their kith and kin would be destroyed, if the British Trust Territory integrated with the Gold Coast upon its Independence, as the French were likely to annex the French-speaking part, leading to a permanent split of the ethnic group. This gave them a reason for wanting the TVT to remain separate, until a decision could be taken about the French portion.

5.10.6.4 The issue was made somewhat more complicated by the fact that the peoples of the northern TVT, preferred integration with the Gold Coast so that they could be with their kith and kin as the split had had tragic results for some of the kingdoms. For instance, the capital of the kingdom of Dagbon, Yendi, was located in the Trust Territory whilst a part of it was in the British-held Northern Territories. Other groups also had blood ties with some of the peoples of the Northern Territories and also felt a closer affinity to them than to those of the northern French Trust Territory. These considerations led the General Assembly of the United Nations to decide in December, 1955, that the peoples of the Trust Territory should be given a chance in a plebiscite, to determine if they wished to be integrated with the Gold Coast upon its attainment of Independence, or to remain separate until a decision was taken in respect of the French-administered part.

5.10.6.5 The plebiscite was held on 9th May, 1956, amidst very vigorous campaigning by the Togoland Congress (or Ablorde group), for a “No to integration” vote. Consequently, the plebiscite registered a 55% majority vote in favour of separation in the South. However, the Northern TVT voted massively in favour of integration, and so the ‘Yes to

integration' vote, won by an overall majority of 58%, counting the two parts of the TVT as one whole.

5.10.6.6 The separatists were dissatisfied with the result of the plebiscite and believed that the decision in favour of integration had been procured by manipulation by the CPP. They protested against the vote, and in 1957, there were many disturbances. Efforts to suppress these agitations led to repression of those political activists who refused to accept integration. Many were arrested and detained, and others fled into exile in Togo, and remained there until 1966.

5.10.6.7 Following the passage of the Avoidance of Discrimination Act, 1957 (CA 38), the Togoland Congress joined up with the other opposition groups to become the United Party.

5.10.7 Northern Peoples' Party (NPP)

5.10.7.1 Chief Simon Diedong Dombo and other educated persons from the Northern Territories formed the Northern Peoples' Party (NPP) in 1954. This Party quickly attracted a large following from among the traditional rulers, and it won twelve seats in the 1954 elections. Considering that it had not been formed for very long before the elections took place, it was a remarkable feat. It also showed how attached the people of the North were to their traditional leaders.

5.10.8 The Anlo Youth Organisation

5.10.8.1 The Anlo Youth Organisation was formed by Modesto Apaloo. It operated in the south-eastern corner of the Gold Coast where the Anlo ethnic group is located. It also won one seat in the 1954 elections.

5.10.9 The Moslem Association Party (MAP)

5.10.9.1 The Moslem Association Party was an Islam-based party. Its leadership and followers were drawn largely from the immigrant group of Muslims from neighbouring West African countries. The ranks of its leadership were decimated by a policy of deportations soon after Independence. What was left of it joined up with other political parties and groups to form the United Party.

5.10.10 Ga Shifimo Kpee (Ga Standfast Association)

5.10.10.1 This movement was born as a result of the pressures that urbanization put on lands in Accra in the post- World War II years. These years also coincided with the period when lands were being compulsorily acquired for national projects and when private developers were also acquiring large tracts of land from the Ga Chiefs for private purposes. This created a feeling that Gas were being pushed off their ancestral lands by strangers.

An Act to prohibit organizations using or engaging in tribal, regional, racial and religious propaganda to the detriment of any community, or securing the election of persons on account of their tribal, regional or religious affiliations and for other purpose connected therewith.

5.11.1.2 The formulation of the provisions immediately made it illegal to form a political party with the words “Ga”, “Anlo”, “Northern people”, “Togoland” and “Moslem”, since they referred to “tribe”, “region” or “religion”. The political groups that had participated in the elections and even won seats, found that their continued existence had been rendered illegal. Consequently, in early 1958, at risk of being declared “prohibited organizations” and wound up under the supervision of the High Court, they all came together as one Party, the UP, since they were all in opposition to the CPP. These groups, in the main, were: the National Liberation Movement (NLM); Moslem Association Party (MAP); Northern Peoples’ Party (NPP); Togoland Congress; Anlo Youth Association; and Ga Shifimo Kpee.

5.11.1.3 In November, 1958, 43 of its members, including the entire executive of the Accra branch of the party, still described as members of “Ga Shifimo Kpee”, were arrested, and detained under the Preventive Detention Act of 1958. Some of the persons detained were very young people under 20 years of age and indeed, two of them, Yartey Annan and Oti Ankrah, were only 14 years and 16 years old respectively. They remained in detention until the 1966 overthrow of the CPP Government when they were released. In Ashanti, Volta Region and in Northern Region, similar arrests of activists were made. Some were even arrested and detained for booing at the President whilst he was travelling through their village. By 1962, the leader of the party, Dr. Kofi Abrefa Busia, had fled into exile, and of the 32 Members of Parliament of the UP, three were in detention, one had gone into exile, and twelve had crossed over to the Government-side, leaving only sixteen to sit on the Opposition Bench.

5.11.1.4 There were a number of bomb outrages in Accra, as well as assassination attempts on President, Nkrumah. These outrages caused great suffering, as there were many casualties. The UP was blamed for these outrages, and every such incident resulted in arrests of UP activists. There was a lot of political violence between the two main Parties – the UP and the CPP.

5.11.1.5 The UP, as a legal entity, ceased to exist when the country was declared a One-Party State, in 1964. In reality, the activists had suffered such harassment that the party was all but dead, since its activists were either in detention or in exile in the neighbouring countries.

5.11.2 The CPP

5.11.2.1 On 2nd April, 1960, at the Party Headquarters, Dr. Nkrumah, the Prime Minister, declared:

The Convention People's Party is a powerful force, more powerful indeed, than anything that has yet appeared in the history of Ghana. It is the uniting force that guides and pilots the nation and is the nerve centre of the positive operation in the struggle for Africa irredentism. Its supremacy cannot be challenged. The Convention People's Party is Ghana, and Ghana is the Convention People's Party.

With these views on the CPP, it did not take long for every attempt possible to be made, to actualize the statement that "Convention People's Party is Ghana, and Ghana is the Convention People's Party".

5.11.2.2 On 1st May, 1961, President Nkrumah informed the nation that he had taken over the post of General Secretary of the party, at the request of the Central Committee of the Party. He further announced that as from that date, Regional Commissioners would become the Regional Secretaries of the Party in their respective regions, whilst re-designating the Regional Secretaries of the Trades Union Congress (TUC), United Ghana Farmers' Council (UGFC), National Co-operative Council (NCC), National Council of Ghana Women (NCGW), as Assistant Regional Secretaries. Thus, the named organizations became merged into the party structure, and this was, in turn, merged with the government's structure.

5.11.2.3 In that speech, he outlined the duties and rights of members of the CPP as follows:

Duties of members:

1. To protect the solidarity and unity of the party at all times.
2. To pay dues regularly
3. To protect the good name of the party under all circumstances and to correct wrong views held against the party.
4. To carry out party decisions and directives to the best of his ability and to ensure that any disregard of such decisions or directives is promptly reported to the appropriate party authority.
5. To be the first to obey the laws of the country passed by the government.
6. To defend any action of the party or the government.
7. To try to understand all party government matters and to explain the same to the people.
8. To set an example by working hard, efficiently and honestly and by showing a keen sense of responsibility and duty.
9. To pursue a study of the principles of African Socialism and to endeavour to be guided in action by these [principles].
10. To guard jealously any secrets of the party and to maintain constant vigilance in this respect.
11. To criticize and accept criticism in good faith and spirit and to make frequent self-examination for correction, remembering that all criticism and correction should be made not to destroy, but to build.
12. To be faithful and loyal to the party always and to eschew all qualities of opportunism, nepotism, ostentation, vanity and self-seeking.

13. To remember that the party is supreme and to do everything within his power to uphold this supremacy.

The rights of members are as follows:

1. To take part in all party activities.
2. To attend meetings and freely express views on all matters in discussion, and to vote according to conviction.
3. To elect and be elected to party bodies.
4. To be present in person whenever decisions are taken regarding his activities or conduct.
5. To address any question or statement to any party body including the national executive and the central committee.
6. To appeal against any adverse decision against him from his branch party upwards to the central committee and to the leader of the party in person.
7. To appeal as a last resort to the national delegates' conference.

5.11.3 Ghana As One-Party State

5.11.3.1 In 1964, Ghana officially became a one-party state with the CPP as the national party. This was after a referendum had been held on 24th, 28th and 31st January 1964, to ask the people to approve that step and give the President power to dismiss judges. Following the results of the referendum, variously stated as 99.9 percent and 92.81 percent. The transformation of Ghana into a one-party state was born out of the feeling that the elimination of official opposition would make governance easier as there would be little opposition to government policies. It was also born out of the philosophy, then current, that the need to achieve economic and social rights for people in developing countries necessitated the deferment of enjoyment of civil and political rights. This philosophy, which had a respectable following, particularly in countries inclined towards socialism, suggested that the enjoyment of civil and political rights would be meaningful only if people were well-fed and had shelter as well as other basic necessities of life. Opposition could thus not be tolerated. According to Madam Regina Asamany, Deputy Minister for Labour and Social Welfare, the “No” voters during the referendum, were going to be “mercilessly crushed” because they “thought their display of selfishness and organized assassination could deter us from our progressive course have rather taught us a lesson to reinforce our determination and solidarity...”

5.11.3.2 In reality, Ghana became a de facto one-party state by the end of 1961, when the opposition bench had been virtually emptied by carpet-crossing in Parliament and detentions under the PDA. By the time the one-party status became a legal fact after the referendum of January, 1964, the reality had long been achieved. The farmers, workers and students who, within their unions could have mounted a viable opposition, had all been co-opted to become members of the CPP as the various unions became wings of the CPP. When President Nkrumah charged the students to ensure the “Cippification” of Ghana because “Ghana was the CPP and the CPP was Ghana”, it was clear that it was government policy to exclude all other political organizations or philosophies opposed to that of the CPP.

5.11.3.3 To make the point of the complete “cippification” of Ghana, the colours of the Ghana Flag: red, gold, green, with the Black Star in the middle of the gold band of the Ghana Flag, was changed to the CPP colours, of red, white (with the Black Star in the white band), and green.

5.11.3.4 The perversion of the electoral process, as evidenced by malpractices at many public elections, effectively closed the avenue for ensuring that the government could be compelled to change its style of governance.

5.11.3.5 The declaration of Dr. Nkrumah as the Life President of Ghana effectively put paid to any notions of competitive politics in the country. In 1965, when a date for elections was set down, no elections took place because all parliamentary candidates had been returned unopposed in the general elections. This was because there was a requirement that only candidates approved by the Central Committee would be permitted to compete for office. Since only one candidate per constituency was approved to stand in the elections by the Central Committee of the Party anyway, it was not surprising that all of them were returned unopposed.

5.11.3.6 This mode of giving prior approval to candidates before they could present themselves at elections undermined the notion of parliamentarians being representatives freely chosen by their constituencies to represent them. Effectively, the Members of Parliament were lame ducks from the start, since they were not going to be able to offer any criticism of government or government policy, even if the interests of the constituents demanded it. All these events created their own brand of problems and difficulties that left indelible scars on the national psyche.

5.11.3.7 Corruption began to rear its head early in the government, and President Nkrumah sought to deal with it, even if ineffectively. In May, 1961, he also announced the setting up of a commission to investigate ministers. Consequently on 28th September, 1961, he announced that he had asked six of his ministers to resign:

Komla Agbeli Gbedemah – Health
Ashford E Inkumsah – Interior
Kojo Botsio - Agriculture
Krobo Edusei – Transport
Emmanuel K Bensah – Works and Housing
C. de Graft Dickson – Defence

5.11.3.8 They were also ordered to surrender properties in excess of two houses with a combined value of £ 20, 000, two cars and plots of land valued at more than £500. Gbedemah and Botsio were subsequently expelled from the party on 23rd January 1962.

5.11.3.9 President Nkrumah wrote a fresh will dated 18th February, 1966, in which he willed all his property to the CPP. He also instructed his executors thus:

On my demise, [they shall] cause my body to be embalmed and preserved. But if this cannot be done for any reason then I prefer my body to be cremated and the ashes scattered throughout the African continent, in rivers and streams, deserts, savannas, etc and a few ashes placed in an urn and deposited at a place to be decided upon later. I am not godless but I request on my demise that no religious ceremony shall be performed at my funeral.

It is uncertain whether this will was changed, but it is clear that “Kwame Nkrumah of Africa” (as he described himself in the will), did not envisage a burial in his hometown. Indeed, his wishes for the disposal of his mortal remains as expressed in the 1966 will, were merely a repeat of like provisions in a previous will, dated 26th June, 1965.

5.11 24TH FEBRUARY, 1966 – 30TH SEPTEMBER, 1969: NATIONAL LIBERATION COUNCIL (NLC)

5.12.1 CPP

5.12.1.1 The End Of CPP

5.12.1.1.1 The NLC seized power on 24th February, 1966. Early on the morning of that day, an announcement on Radio Ghana was made by Col Emmanuel Kwasi Kotoka, leader of the troops that seized power, as follows:

Fellow citizens of Ghana, I have come to inform you that the Military in co-operation with the Ghana Police have taken over the government of Ghana today. The myth surrounding Nkrumah has been broken. Parliament is dissolved and Kwame Nkrumah is dismissed from office. All ministers are also dismissed; the Convention People’s Party is disbanded with effect from now. It will be illegal for any person to belong to it...

5.12.1.1.2 The NLC, which was formed under the chairmanship of newly-promoted Lieutenant-General Joseph A. Ankrah, began to dismantle the monolith that the CPP had become. One of the first legislative acts of the NLC was to formalize the dismissal of the President from office, the dismissal of all parliamentarians and the dissolution of Parliament, the banning of the CPP, the only political party at the time, and prohibition of membership of it. The original colours of the Ghana Flag of red, gold, green, with the Black Star in the middle of the gold band of the Ghana Flag, were restored.

5.12.1.1.3 The NLC passed the Protective Custody Decree, 1966 (NLCD 2), under which all ministers, parliamentarians, regional commissioners, district commissioners and senior functionaries of the CPP were detained without trial. The CPP Party and Ghana Young Pioneers’ paraphernalia were banned. Books and publications, related to Dr. Nkrumah and scientific socialism, as well as communist propaganda materials were burnt. Public exhibition of effigies of Dr. Nkrumah, as well as symbols of the CPP, were also prohibited. Persons found with these objects were molested by the security forces.

5.12.1.1.4 The rule of the NLC also saw the freezing of assets and bank accounts of CPP functionaries and CPP-related organisations. The Auditor-General was mandated to audit the accounts of the CPP and CPP-related organisations, and following his findings, the assets were confiscated to the state. Commissions of Enquiry were established to probe the assets of CPP functionaries and assets found to have been acquired by unlawful means were confiscated.

5.12.1.1.5 The NLC banned most of the leading members of the defunct CPP from contesting the 1969 elections. They were also banned from holding public office for ten years. This was applied to members of the CPP after their release from prison.

5.12.1.1.6 Another act of injustice was the enactment of legislation that imposed legal bans on CPP officials and activists for a period of ten years, without a possibility of anyone challenging the ban in a court of law. The NLC enacted two laws, Elections and Public Offices Disqualification Decree, 1968 (NLCD 223), and Elections and Public Offices Disqualification Decree, 1969 (NLCD 332), which disqualified 152 functionaries of the CPP from holding any public office, and disenfranchised them from exercising their democratic rights to choose their representatives.

5.12.1.1.7 This law, which deprived some Ghanaians of the fundamental right of citizenship, was considered justified by the elite of this country, hence its inclusion, even in the 1969 Constitution as article 71. Under this article, Komla Gbedemah was disqualified from taking his seat in the 1969 Parliament, after he had won an election.

5.12.1.1.8 The NLC enacted the Armed Forces Act, 1962 (Amendment) Decree, 1967 (NLCD 131), to enable it to set up military tribunals to try people, including the military, police personnel, and even civilians, charged with sedition. Conviction carried a maximum sentence of 25 years, and there was no right of appeal. It is a principle of the rule of law that a law must not be made retrospective, yet the NLC D 131 of 1967, which took retrospective effect from 24th February, 1966, came into force without public protest as to the unfairness of changing the legal entitlements of citizens, with retrospective effect.

5.12.1.1.9 On 1st October 1966, the NLC enacted the National Liberation Council (Prohibition of Rumours) Decree, 1966 (NLCD 92), and the Criminal Procedure Code (Amendment) Decree, 1966 (NLCD 93). The first dealt with rumour-mongering as a subversive act, while the second gave the police unlimited powers of detention. The oppressive nature of NLCD 93 compelled the Legon Society on National Affairs to describe it as “preventive detention without the Preventive Detention Act of 1958”. There were no other public protests and the law remained on the statute books for two years, before being repealed.

5.12.1.1.10 The NLC enacted the Kwame Nkrumah Property Decree, 1967 (NLCD 154), the Kwame Nkrumah Property Amendment Decree, 1967 (NLCD 180), and the Public Property (Protection) and Corrupt Practices (Prevention) Act, 1962 (Amendment) Decree, 1967 (NLCD 130), and made them retroactive, with from 1962, to cover acts

committed in the A.G. Leventis case. By these laws the NLC Government seized the properties of CPP functionaries who were implicated in that case. In the case of Dr. Nkrumah, the properties seized by the State, included those of his wife, children and mother. There was no public protest against such seizure of property.

5.12.2.1 Reaction Of Civil Society

5.12.2.1.1 The CPP Government was generally regarded as dictatorial and corrupt. Therefore when the NLC overthrew it, Ghanaian opinion welcomed the NLC as liberators; their assumption of power, though unconstitutional, was seen as marking the birth of freedom and democracy. These feelings were not lessened by statements from former leading members of the banned CPP, as to the undemocratic nature of leadership within the party. Indeed, a former Minister, Kwaku Boateng, stated that they had all been reduced to 'gaping sychophants' in the affairs of governance. With such national disposition, public opinion welcomed the policies and actions of that government as a sense of liberation and freedom swept all across the country.

5.12.2.1.2 Many serious abuses were perpetrated against members of the CPP by both the government and society at large. CPP activists were arrested and detained. Officials of the party and its wings such as the Ghana Young Pioneer movement (GYP), suffered brutalities at the hands of their neighbours. Their properties were stolen or vandalized and their books and other movement-paraphernalia were set ablaze. The military, the police and prison officials subjected CPP functionaries to a great deal of ill-treatment. Only a few voices were raised in protest. For instance, whilst P.A.V. Ansah, a member of the LSNA, wrote in the Legon Observer decrying the "rough and ready" justice being meted out by military personnel in various parts of the country, others in the same medium were expressing views supportive of the ill-treatment, as their just deserts.

5.12.2.1.3 Public protests were non-existent even to such cruel acts as the public display accorded an aide of President Nkrumah, Boye Moses, who was captured and paraded in the streets of Accra in a metal cage. According to the Daily Graphic, the crowd hooted and shouted, "kill him", "He is now a monkey". This public reaction was not unusual, judging by the treatment to which suspected criminals were, and still are, subjected.

5.12.2.1.4 The public disposition towards a tendency to take advantage of the vulnerable, was affirmed many times when individuals and groups took advantage of the political situation to attack fellow citizens and/or their properties for their alleged association with the CPP Government.

5.12.3 The Abortive Coup Of 1967

5.12.3.1 Following the abortive coup on 17th April, 1967, and the killing of Lt-Gen Kotoka, his personal Orderly, Sgt Osei Grunshie, and two officers, Capt Cephas Y. Borkloe and Capt A. Avevor, the public was outraged. There was loud condemnation of the coup-makers. Many people gave money as donation to the family of Lt-Gen Kotoka,

and people hailed the NLC when it decided to name the Accra International Airport after him.

5.12.3.2 The government also established a Trust Fund named the Kotoka Trust, to provide for the families of the fallen soldiers, and many public-spirited persons, as well as chiefs, paid money into the coffers of the Trust. For reasons that are not clear, Brig Afrifa was blamed for the coup attempt, with a whispering campaign that he master-minded the coup in order to become Head of State. This unsubstantiated allegation was to dog his steps in the years that followed, and is rumoured to be the basis for his execution in 1979.

5.12.3.3 A military tribunal tried and sentenced Lt Samuel B Arthur and Lt Moses Yeboah to death by firing squad, for their part in the coup; whilst the third Officer, 2nd Lt Osei-Poku was sentenced to 30 years imprisonment. The two condemned men were executed in public at 9.00 a.m. on 26th May, 1967, and a large crowd of people went to the spot, almost in a carnival mood, to watch the public execution.

5.12.3.4 Many other officers were sentenced to prison terms, whilst five officers and about 200 Other Ranks were placed in Protective Custody. Under about ten Protective Custody Decrees made that year, hundreds of people were put into custody on the accusation of jubilating upon hearing news of the coup, before it was foiled. The public played an active part in causing the arrests of the “jubilants”, who were mostly former activists of the CPP. Those arrests were made upon information supplied by the general public, to the military authorities.

5.12 1ST OCTOBER, 1969 - 12TH JANUARY, 1972:
THE SECOND REPUBLIC -PROGRESS PARTY
(PP) GOVERNMENT

5.13.1 THE PROGRESS PARTY

5.13.1.1 The Progress Party (PP) won the elections of August, 1969, and the government was inaugurated on 1st October, 1969. The elections were marred by a campaign tainted by ethnic tensions.

5.13.1.2 The Aliens Compliance Order And Civil Society Reaction

5.13.1.2.1 Soon after the government came to power, pressure began to mount for firm action to be taken against the influx of aliens into the country. The matter was discussed in Parliament and the government announced that it was going to enforce the provisions of the Aliens Act, 1963 (Act 160) and its accompanying regulations in L.I. 265 as amended by L.I. 553. On 19th November, 1969, the government issued the following statement:

All aliens both African and non-African without residence permits should leave the country within 14 days – not later than December 2, 1969.

government officials, party functionaries and activists to report to the nearest police station. They were subsequently sent to prisons around the country to be detained. Many members of the proscribed PP fled into exile in the neighbouring countries. In May, 1972, many of the detainees were freed from custody.

5.14.1.2 Commissions of Enquiry were established to investigate the assets of PP functionaries, including Dr. Busia, the Prime Minister. Dr. Busia's assets, including those acquired before coming into political office, were confiscated to the State, although he was outside the country at the time and could not be present to defend himself. There was very little public sympathy for the members of the erstwhile PP members as the precedent of ill-treatment of officials of overthrown political parties had already been set.

5.14.2 Trade Organisations' Support For NRC

5.14.2.1 Market women in Accra and Kumasi took to the streets, demonstrating in support of the NRC, chanting anti-PP slogans. The women paraded through the principal streets bearing placards, some of which read: "Busia's Democracy is a sham", "Afrifa must face the Firing Squad", "Down with Busia's Tribalism", "Afrifa must face trial", "Open up more employment avenues", "Busia is a thief" and "Down with capitalism." Other groups such as the Volta Region Association of Gold and Silver Smiths sent a message of congratulations to the Chairman of the NRC, whilst others pledged their support to the NRC. The Ghana Co-operative Cattle Dealers and Butchers Association even congratulated the Chairman of the NRC, the Armed Forces and the Police for "the able manner in which they ousted the Busia Administration". With such messages of support, it was unlikely that anyone would criticize the detention of the PP Government functionaries and activists.

5.14.2.2 This form of sycophancy, often motivated by greed and opportunism, accounts partly for the inability to properly appreciate conduct on the part of rulers, that ought not to be condoned. When the NRC/SMC I rule came under immense pressure to relinquish power, and resorted to violence as an instrument for retaining power, it exposed the nation's culture of sycophancy in its most sadistic form.

5.14.2.3 Before and during the struggle over the Union Government (Unigov) proposal, a cross-section of Ghanaians declared support just to enable them to enter the huge lucrative patronage network that the government had constructed. The groups ranged from chiefs, (including individual paramount chiefs, traditional councils, regional houses of chiefs and the National House of Chiefs), civic associations like the Ashanti Youth Association and the Kumasi Youngsters Club, Volta Development and Youth Association, High Blood, Farmers Association, African Youth Command and the Ghana Peace and Solidarity Council.

5.14.2.4 While the government was under intense pressure to return the country to constitutional rule, a number of leading professionals were accepting Cabinet appointments to serve in it, but civil society did not criticize them for doing so. For example, Dr. RKA Gardiner was appointed Commissioner for Economic Planning; Dr.

AK Appiah, as Commissioner for Finance; E R K Dwemoh, Commissioner for Transport and Communications; A. Karbo, as Commissioner for Health; and C K Tedam, as Commissioner in charge of Local Government.

5.14.2.5 In January, 1977, a Committee on Unigov was established to collate opinions on the concept. The committee, chaired by Dr. Gustav Koranteng-Addow, had the following membership:

- Dr. Modibo Ocran;
- Togbe Adja Tekpor VI;
- Kofi Badu;
- Maj Yaw Larson;
- Joe Appiah;
- DCOP B.S.K. Kwakye;
- Nii Okai Pesemaku III;
- Dr. M.M. Owusu-Ansah;
- Dr. Yaw Manu;
- Dr. A Adda;
- F. Wulff Tagoe; and
- Two other unnamed representatives of the Military Advisory Council and Research Bureau of Ministry of Information.

5.14.2.6 This committee drew up a programme for implementation of the concept, which they preferred to be named “National Government instead of Unigov”. A referendum to determine if Ghanaians wanted that form of government was fixed for 30th March, 1978. Immediately thereafter, many pro-Unigov groups sprang up, as it became clear that the government was willing to spread money around in order to purchase the people’s support. Associations such as “The Friends”, suddenly sprang up and spearheaded the campaign in support of the concept. Everyday, chiefs and opinion leaders from every part of the country made their way to the Castle, to “pledge unflinching support” for Unigov.

5.14.2.7 The symbols representing the “Yes” and “No” vote were eloquent in the images they cultivated in the public mind. The “Yes” vote was represented by two hands in a warm handshake (signifying unity) against a sky-blue background, and the “No” by three heads of two males and one female, all facing different directions in obvious disagreement (signifying discord), against a red background. These pictorial gimmicks notwithstanding, the “No” group had massive support.

5.14.3 THE PEOPLE’S MOVEMENT FOR FREEDOM AND JUSTICE (PMFJ)

5.14.3.1 The PMFJ was formed in the mid-1970s to spearhead opposition to the government of Gen Acheampong, and his idea of Unigov as the most suitable form of government for Ghana. The PMFJ, though made up various personalities attracted a large number of young people. Its leaders were prominent politicians such as Lt-Gen Akwasi Amankwah Afrifa, Professor Albert Adu Boahen, William Ofori-Atta (popularly known as Paa Willie), K A Gbedemah, G W Amarteifio (popularly known as “Mr. No”) and Nana Addo D Akufo-Addo.

5.14.3.2 The PMFJ organized public protests and anti-Unigov demonstrations which were brutally suppressed by the State. On one occasion, a PMFJ rally was broken up with force, resulting in the death of three people, with many injured, including Gbedemah.

5.14.3.3 Subsequently, the government ordered that no police permits were to be issued to the PMFJ, alleging that as people hated them very much, if they held rallies in public places, the public might attack them. The PMFJ was therefore deprived of the opportunity to lawfully assemble to campaign against Unigov. There was even an occasion when a police permit that had been issued was withdrawn, only hours before the publicized event.

5.14.3.4 The PMFJ managed to continue campaigning in the face of serious official threats and intimidation until the referendum was conducted on 30th March, 1978, when in the face of massive rigging, the majority vote was alleged to have been cast in favour of the Unigov concept. Very few people, familiar with the events of the Referendum, and the chasing out of the Electoral Commissioner by soldiers, believed the official results that declared to be genuine. However, one of the prominent supporters of Unigov disputed the good faith of such doubters, querying why the “No” votes were believed to be correct and not the ‘Yes’ votes.

5.14.3.5 Thereafter, by the Voluntary Associations (Prohibition) Decree, 1978 (SMCD 161), passed on 4th April, 1978, the PMFJ, together with two other anti-Unigov associations, Front for the Prevention of Dictatorship and Third Force were prohibited by the government.

5.14.4 NATIONAL LIBERATION MOVEMENT OF WESTERN TOGOLAND AND TOGOLAND LIBERATION MOVEMENT

5.14.4.1 In about 1975, the unabated desire of certain persons to secede from Ghana, based upon the dissatisfaction with the results of the 1956 Plebiscite that incorporated the former Trust Territory of Togoland (also known by the earlier name of “Mandated Territories”) into Ghana, resurfaced. Some people began to organize themselves to push for secession from Ghana, and these two movements were formed, with objects which included “advocating and promoting the secession from Ghana of the former British Mandated territory of Togoland”.

5.14.4.2 These “secessionist organizations” were promptly banned, under the Prohibited Organisations Decree, 1976. The Decree also prohibited membership of the organizations or any other organizations with the same objects, as well as advertising meetings or even putting up notices for such meetings to take place. It also made it an offence for anyone to provide financial support by way of contribution, or granting of a loan or even guarantee of a loan, to such an organization.

5.14.4.3 The government followed the promulgation of the Decree with interaction with chiefs from those areas, and the problem abated to some degree.

5.15 24TH SEPTEMBER, 1979 - 30TH DECEMBER, 1981:
THIRD REPUBLIC -PEOPLE’S NATIONAL PARTY
(PNP) GOVERNMENT

5.15.1 THE PEOPLE’S NATIONAL PARTY (PNP)

5.15.1.1 The Third Republic was ushered in with the formal inauguration at the Parliament House in Accra, on the 24th September, 1979. At the handing over ceremony, Flt Lt Rawlings told President Limann that his government was on probation, but this veiled threat against the constitutional government did not elicit any public disapproval.

5.15.1.2 The PNP itself did not help matters, in the manner in which it conducted its affairs. Very early in the life of the government, the party secured a loan of US \$ 1 million from an Italian, Dr. Marino Chiavelli, ostensibly to resettle the members of the AFRC and their associates. A scandal soon broke over the handling of the funds, with allegations of misappropriation of the funds. Such scandals, coming so soon after the era of “house-cleaning”, did not improve the public’s acceptance of, and loyalty to the constitutionally-elected government.

5.15.1.3 In 1981, a member of the PNP, Addae Amoako, sued his party over the disbursement of the Chiavelli loan. The fact of a member of the ruling party suing his own party for an account money involved in a currency-printing contract, caused ripples in the public domain. Whilst some hailed it as a positive mark in the democratic development of the country, others saw it as a weakness in the system; evidence of how corrupt civilian politicians were; and how quickly the new civilian rulers had returned to the “bad old ways”.

5.15.1.4 The factors that made for instability, were enhanced by the impatience of the general populace in the face of constitutionalism and its seemingly slow nature and pace of governance. Against such a background, there were, unfortunately, serious wranglings taking place within the ruling PNP. The PNP appeared to be feeding on itself as factions and groups within it battled the leadership, or harangued it for its inability to articulate and adhere to a leftist ideology.

5.15.1.5 On 31st December, 1981, a band of military personnel, both serving and retired, launched an attack on the State, and succeeded in overthrowing the government. It came as no surprise when, upon the fall of the Limann Government, some members of the youth wing of the PNP took up prominent positions in the new government.

5.15.2 NEW DEMOCRATIC MOVEMENT (NDM)

5.15.2.1 The New Democratic Movement (NDM) was a leftist intellectual organization that shared the ideals of the JFM although it was more in the nature of providing intellectual support for revolutionary change. It was formed in 1980, after the Third Republic had come into being, but its formative period pre-dated 1980.

5.15.2.2 Its roots lay in the mid 1970s, when those who later on formed the NDM operated as part of the group generally known as the “progressive intellectuals” on the various university campuses, but particularly at Legon. By the time the NDM was formed, the members had been operating in about five Study Cells. In 1979, it began to publish a journal called *Direction*, which was intended to help espouse the views of the progressive intellectuals on national affairs. Although many of its members were supportive of the 4th June Uprising, the group was also critical of attacks on small propertied people because the feeling was that the real culprits of the country’s economic problems were the “big boys” of the economy but they had been left intact. The group also criticized the demolition of the Makola Market, as well as the execution of the Senior Military Officers, including three former Heads of State, even though both events were very attractive to a section of the student movement.

5.15.2.3 After the AFRC handed over, the group examined its options and decided that although the group was close in philosophy to the CPP tradition, it would form a new movement known as the New Democratic Movement (NDM). Not all of the members of the amorphous progressive intellectuals group, made the transition to the NDM. However, many other progressive intellectuals joined the NDM as a natural transition from activism in the student movement. Principal among the original members of the Movement were: Ofei Nkansah, Kwame Karikari, Ms Takyiwaa Manuh, Kwasi Adu-Amankwah, Kwame Mfodwo, Tsatsu Tsikata, Fui Tsikata, Dr. Kwesi Botchwey, Ato Austin, Anthony Akoto Ampaw, Jude Quarshie and Ms Cynthia Aninkora Nuamah. In April, 1980, one Dodoo, a Public Servant, became the chairperson.

5.15.2.4 The NDM was basically leftist in philosophy, and its main purpose was to create a platform for the propagation of socialist ideology through seminars, workshops, etc. It functioned through its study groups and study cells, but did not engage in active field operations as did the JFM. It focused on education because it felt that Self-Rule and Independence had not been meaningful to the people of Ghana since the national economy was still dominated by external forces. Consequently, the need to raise the consciousness of the people in order to ensure that social and political policy would be directed at promoting indigenous Ghanaian enterprise. Such awareness-raising would also ensure that democracy would go beyond the articulation of formal political rights to meaningfully impact on the lives of the people. It also believed that Africa stood a better chance of winning the economic war if it operated on a united front. For this reason, the group was committed to promoting pan-Africanism as well as gender consciousness.

5.15.2.5 When the 31st December, 1981 coup occurred, its members became active in the People’s /Workers Defence Committees (PDCs/WDCs) since the establishment of the Defence Committees was an idea that ran through all popular socialist movements because they were seen to be the means by which the people could maximize their power. The NDM also embarked on a programme to provide the people with political guidance, and were active in both the Student and Labour movements. It was in the light of this commitment to conscientise the people that, in 1982, it was active in holding educational seminars on various national issues.

5.15.2.6 The NDM opposed certain aspects of the exercise of people's power, and it remonstrated with those PDCs which were harassing traders to desist from doing so, as well as with the Greater Accra Regional Secretary, for adopting certain measures against vendors in Accra, arguing that those actions did not advance the revolution in any way since its main aim was to fight imperialism.

5.15.2.7 The intellectual debates within the National Defence Committee (NDC) were not idle intellectual debates, but had significance for the direction of the national economy. This was because at the time of the coup of 31st December, 1981, the economy was in shambles, a major justification for the take-over. Thus, right from the first day, a major challenge to the PNDC Government as well as a major threat to its stability was how it was going to manage the economy.

5.15.2.8 The threat to stability increased with every passing day, but the options seemed to be limited. The economy needed a major infusion of capital, but approaches to socialist economies had not yielded much. Therefore it appeared that the economy could get support only if it would agree to the IMF way, and this ignited a huge debate within the regime. Economists, such as Dr. Joe Abbey, were pushing the orthodox line and the debate was as to whether the currency should be devalued, according to the prescription of the IMF. The extreme leftists who dominated the NDC, were completely opposed to any notion of devaluation. Therefore when the Economic Review Team that had been established to manage the economy did a presentation to the NDC on the new direction of the economy, the NDC rejected it. The NDC then appointed another committee to review the plan and propose more acceptable options.

5.15.2.9 Subsequently, from these ideological clashes, it became clear that "government by ideology" was not going to work, and therefore, a move was made to purge the extreme leftists from the PNDC and NDC. The NDC was reorganized, to make the Chairman of the PNDC its Chairman.

5.15.2.10 The NDM was sidelined, and it moved into opposition by December, 1984. It linked up with a Catholic action group led by Rev Fr Joop Visser, a Dutch Catholic priest, and criticized the government's social commitment. It had thus embarked upon a collision course with the government, and it was only a matter of time before the government mounted an attack on it.

5.15.2.11 The time came, when the government announced a programme of decentralization of government structures. This was in 1986. The NDM and other progressive groups opposed the concept and they protested because they suspected that the government was transforming itself from a "provisional government" to a "permanent government" by using the hierarchical structure of District Assemblies, Regional Assemblies, National Assemblies with Chairman Rawlings at the top. The NDM's protest led to the arrest of its principal activists in 1986. However, they were soon released.

5.15.2.12 In 1987, some leading members of NDM were arrested again for opposing government policies. This time, they were detained without trial, for periods ranging from a few months, up to two years.

5.15.2.13.0 Funding

5.15.2.13.1 Evidence put before the Commission, was to the effect that the NDM had no external funding, and that it was the members themselves who funded everything from their own pockets, because the members were motivated by ideas and a will to achieve social transformation.

5.15.2.14 In 1990, on the initiative of the Kwame Nkrumah Revolutionary Guards (KNRG), many of the groups involved in the struggle for a return to civilian rule agreed to work together in one organization known as Movement for Freedom and Justice (MFJ). This body that included the NDM, was inaugurated in August, 1990, with the avowed aim of fighting for the return to constitutional rule.

5.15.3 KWAME NKUMAH REVOLUTIONARY GUARDS

5.15.3.1 Kwame Nkrumah Revolutionary Guards (KNRG) was conceived, originally, as the left wing of the PNP. It was made up of senior CPP members of the extreme left, such as KSP Jantuah, FA Jantuah, Johnny Hansen, Sonny T Provencal and Emmanuel Owusu Gyimah. Its main concern was the maintenance of ideological purity of the PNP, and to protest the policy of deference to the IMF and World Bank; the government's failure to participate in the Moscow Olympics of 1980; President Limann's statement that he had no ideology, etc. It was also to be instrumental in the attempt to secure leftist unity in the country. The group participated in the Forum of leftist groups at Labone Secondary School, at which a decision was taken that Limann's Government was not a socialist government and so was not to be given support by the socialist groups.

5.15.3.2 The KNRG was the first to issue a statement of support for the PNDC. In the Daily Graphic of 4th January, 1982, the KNRG sent a message of congratulations, signed by Provencal, to the newly-formed PNDC. In the statement, the KNRG complained about the "laissez-faire policies" of the Limann Administration that had destroyed many homes and turned many Ghanaians into economic refugees in foreign lands. This attack on the PNP government by a senior member of the PNP was not really surprising since the Labone Forum had reached a consensus that the PNP Government had abandoned the socialist path. In any case, a number of its members who were also senior members of the PNP, quickly found their way into the new PNDC Government, and took up prominent positions.

5.15.3.3 Within the first year of the PNDC, the KNRG began to have problems with the government. When the murder of the three High Court Judges and the retired Army Officer occurred in June, 1982, the KNRG expressed its disapproval and issued a statement condemning the event, although the organization was perceived to be part of the PNDC.

5.15.3.4 In 1985, new personalities were recruited into the leadership. Kwesi Pratt (Jnr), a journalist with leftist credentials, became its General Secretary. By this time, the leftist credentials of the PNDC were being questioned, and so the programme of the new leadership was to attempt a unification of all the truly left-wing groups.

5.15.3.5 In early 1986, the KNRG built an alliance with the NDM and Africa Youth Command (AYC), all leftist groups, although the AYC did not last long in the alliance. The KNRG, joined a campaign for the release of Victor Owusu, leader of the former rightist Popular Front Party (PFP), who had been arrested on suspicion of involvement in a coup plot. This campaign had an interesting aspect: the leftist groups in the country, had joined up with rightist groups, to work for the release of the leader of a proscribed rightist party.

5.15.3.6 The KNRG was also one of the early advocates of a return to multi-party democracy when in 1986, it published a document rejecting the District Assembly concept and calling for a restoration of multi-party democracy. After this period, some of its activists such as John Ndebugre and Kwesi Pratt (Jnr) were arrested in 1987, and again in 1991, when Owusu Gyimah and Kwesi Pratt (Jnr) were arrested at Kwame Nkrumah Circle for putting up posters advocating a return to multi-party politics in 1991.

5.15.3.7 The KNRG began to disintegrate in 1992, when it became clear from the Report of the National Commission for Democracy (NCD) that multi-partyism was about to be restored, and various possibilities for joining various political parties of Nkrumaist persuasion had opened up. The members joined some of the new political associations they believed best represented the interests of the CPP family.

5.15.3.8 Funding Of The Kwame Nkrumah Revolutionary Guards

5.15.3.8.1 The KNRG was financed mostly by members such as Johnny Hansen, Lord Ocloo of ICU and many other people from the CPP. Ebo Tawiah, member of the PNDC, was also a member and provided some funds until he began to disapprove of the direction of the movement.

5.16 31ST DECEMBER, 1981 - 6TH JANUARY, 1993 PROVISIONAL NATIONAL DEFENCE COUNCIL (PNDC)

5.16.1 The Demise Of PNP Government

5.16.1.1 On 31st December, 1981, Flt Lt J.J. Rawlings took over the administration of the country and declared a “Holy War”. In the usual manner of seizures of power, the 1979 Constitution was suspended, the members of the government were dismissed; Parliament was dissolved; and all political parties were banned. Members of Parliament, the PNP leadership and other functionaries, were ordered to report to the nearest police station, where they were detained, and later sent to prisons around the country. This time round, the detentions were not limited to members of the ruling government, but included

Members of Parliament of the minority parties as well. Some of these persons were thereby forced to go into exile in the neighbouring countries.

5.16.2 THE 31ST DECEMBER WOMEN'S MOVEMENT

5.16.2.1 It has been stated that no “analysis of the relation between the State and Women in Ghana would be complete without a consideration of the 31st December Women's Movement.” This statement is no exaggeration as the role of the movement is wound up with the course of the 31st December “revolution.”

5.16.2.2 On 15th May, 1982, a new women's organization, the 31st December Women's Movement was launched by Flt Lt Rawlings at the Nicholson Stadium in Accra. In his address, Flt Lt Rawlings was reported to have said:

Ghanaians could solve their problems if they would put an end to the habit of making the woman responsible for only bringing up children in the home. This habit, he noted had forced women to turn to ‘kalabule’ and trading because they could not feed their children... Flt Lt Rawlings hoped that with the formation of the movement, there was no doubt that a genuine and real revolution was taking place.

5.16.2.3 Formed to be the “Women's wing of the revolution”, women were advised to join the revolution and fight alongside the men and be prepared to die in defence of the motherland. The logo of the movement was a young woman holding a gun above her head with her left hand. The women wanted to be given military training so that they could shoot just as effectively as men, and so the women called upon the PNDC “to institute military training for them too so they could fight alongside their menfolk to defend and rebuilt [sic] the nation.”

5.16.2.4 The founders of the movement persuaded the wife of the Chairman of the PNDC, Nana Konadu Agyeman Rawlings, to become the president of the movement, and this act lent it the political clout and influence it needed.

5.16.2.5 The Movement (known as the DWM) began to spread across the country, using the network of queenmothers for its membership drive. By 1990, it was represented in every region, district and even locality. This massive drive, was said to be on account of the exposure that the First Lady, Nana Konadu Agyeman Rawlings, the DWM's President had, on a visit to Cuba in 1983 to visit women's organizations. Credited with being the turning point in the life of the DWM, the visit to Cuba exposed the political advantages that an organization of that nature carried when represented at the remotest village level, in the country. Indeed, to mark the 5th anniversary of the 31st December revolution, 18 branches were inaugurated at the same time at Cape Coast. According to Takyiwaa Manuh:

Queenmothers were also asked to put the power and the influence they wielded in the community behind the movement and to help in its mobilising and membership drives. In return for supporting the movement, queenmothers were promised representation with

male chiefs on chieftaincy committees of traditional councils a move which boosted their power and influence and also carried some pecuniary advantages.

5.16.2.6 The DWM abandoned its initial militant approach and began to tackle projects aimed at providing income-generating resources for its members. It described itself as “a broad based development oriented Non Governmental Organisation which aspires to achieve these objectives through the effective mobilisation of women.” With its political clout, it soon had tentacles in every facet of economic activity. It became involved in a bakery project at Burma Camp, that had allegedly been begun on the initiative of some soldiers’ wives. The DWM wrestled the project from them, and took over the baking of bread for the Ghana Armed Forces (GAF). Soon a contract for the supply of kenkey with the GAF was also secured.

5.16.2.7 The period 1986-1989 was a busy time for the DWM as it spread rapidly around the country. Various branches were inaugurated in villages around the country and given publicity in national newspapers. At the end of 1989, it was estimated that there were 450 branches of DWM in Ashanti Region alone. The DWM was organized along the lines of the Committees for the Defence of the Revolution (CDRs): it had zonal organizers; district organizers; regional organizers; and national officers. It co-operated with the “other revolutionary organs” and engaged in community clean-up programmes together during the various anniversary celebrations of the 31st December revolution.

5.16.2.8 The DWM also got involved in gari-making, palm oil processing, shea-butter processing, bead-making, pottery, etc. Apart from these businesses, the DWM was also into cultivation of the various crops, shea-nut picking, afforestation, etc. With the onset of HIV/AIDS, health projects also joined the list of the DWM’s projects.

5.16.2.9 With their involvement with women, it rapidly became clear that one of the major concerns and therefore the major obstacle to women’s participation in activities, economic or otherwise, was the welfare of their pre-school children. Therefore, in 1986, the DWM began to open Day-Care Centres all over the country and encouraged their branches to put up structures to serve this purpose. At these day-care centers, pre-school education was subsidized.

5.16.2.10 Many of these centres were not new, or were alleged to belong to private persons, but they were all taken over and branded as the property of the DWM. It is estimated that by 1991, the DWM was financing 500 Day-Care Centres all over the country. However, since there are no independently verifiable statistics of the DWM’s Day-Care Centres, it is impossible to be certain of these figures. For instance, in May, 1990, the estimated figure of what the DWM was reputed to own, stood at 252 Day-Care Centres, but within a space of one year, the estimate stood at 500, making it difficult to give credit to either figure. According to a former member of the DWM:

carved a niche for itself in the gender and development terrain by championing the economic empowerment of women. It also facilitated the participation of women in

small-scale income generating activities through the establishment of day nurseries which enabled women to free themselves of childcare to participate in entrepreneurial activities.

5.16.2.11 Relationship With National Council On Women And Development (NCWD)

5.16.2.11.1 In March, 1982, an activity organized by NCWD was picketed by a group of women, calling themselves “Concerned Women of Ghana”. In truth, these young women were activists of the nucleus group that became the DWM. The take-over of NCWD was therefore on the agenda right from its formation, and so it was not surprising that eventually, DWM used its immense political clout to get its members into the leadership of the NCWD.

5.16.2.11.2 The leadership of the DWM, determined that the NCWD, the national institution, set up in 1975 to mobilize women for national development, had gone outside its mandate of policy-making, into project implementation, and that such functions would be better performed by implementing agencies, such as the DWM, working under the oversight of the NCWD. It also criticized the NCWD for not doing enough gender-advocacy, and for losing focus in the execution of its mandate.

5.16.2.11.3 In 1986, the Governing Council of the NCWD, chaired by Prof Florence Dolphyne of the University of Ghana, was dissolved and an Interim Management Committee (IMC), with Mrs. Selina Taylor, a member of DWM, as its chairperson. Later, Mrs. Gertrude Zakaria-Ali, a founding member of the DWM, became the NCWD’s Executive Secretary. Other members of the DWM assumed various roles and ensured that the once-vibrant NCWD became a quiet little government organization, advising the government on women’s issues. By 1989, the NCWD had become completely emasculated by the DWM, and it was probably because of its statutory nature that it was permitted to exist, and not fully absorbed into the structures of the DWM.

5.16.2.11.4 In other aspects of national life, the DWM was equally prominent. According to Shillington:

It is believed that through the organization and its President, members gained the ear of the Head of State. Petitions and appeals against injustice are referred to Mrs. Rawlings in the sure knowledge that if the case is strong enough, and the allegations of injustice or corruption firmly founded, the details will be passed on to her husband. Then woe betide the wrong-doer as the Head of State, with his customary vigour, activates the full process of law. Similarly it is feared that the converse is also true and that the 31 December Women’s Movement is the eyes and ears of the Head of State.

5.16.2.11.5 Indeed, it was even reported in May, 1989, that the Head of State himself and other members of the PNDC attended meetings of the DWM’s executive committee. These acts gave it the aura of a state-sponsored agency.

5.16.2.11.6 The perception of the DWM as the only recognized national women's organization was given form and substance by the appointment of some of its members to district assemblies as government nominees. Wherever there was a requirement of representation for women, the DWM was the body that supplied candidates and so it had representation on many committees and bodies dealing with issues affecting women, children and the community. Prominent members of the DWM usually filled the slot for women on government delegations travelling abroad. The DWM was even reputed to be the official body administering scholarship schemes for women, especially to countries of Eastern Europe and Cuba.

5.16.2.11.7 The DWM also had affiliate bodies. Some of these were:

- Accra Markets Associations;
- Regional Administration Staff;
- Zion Women's Union;
- West E P Church Women;
- Battor Women's Union;
- Murtarmar Women's Association;
- Financial Institutions (Ladies' Clubs) ;
- Police Wives Association;
- Prisons Wives Association;
- Armed Forces Wives Association;
- Fire Service Wives;
- Achimota Brewery Ladies Club;
- GNATLASSs (Ghana National Association of Teachers Ladies' Associations);
- Dzodze Women's Union;
- Tsui Shitoo Alajo GBC;
- Beverages and Dispensers and Shacks [sic] Association (BEDSA);
- Information Ladies Club;
- Departmental Stores (Ladies' Club);
- Nurses Association;
- Media Ladies club;
- Power Queens Club;
- Ghana Hairdressers and Beauticians;
- Accra Zonal Co-operative Bakers Union Ltd; and
- Prison Officers Wives Association

5.16.2.11.8 In 1988 and 1992, a majority of the women who were elected to the District Assemblies and Parliament respectively, were those with strong links to the DWM as the DWM had created opportunities for women's participation in politics at the local level.

5.16.2.12 Funding Of December Women's Movement

5.16.2.12.1 The funding for this massive institutional structure was always a source of speculation. Many people suspected that it was largely state-funded, although this was vigorously denied often. However, it is incontrovertible that state-funding, by way of subsidies for the remuneration of its employees, was what enabled the organization to

function to the levels that it operated during the mandate period. Many of its Day-Care Centre staff as well as its Regional Organisers and District Organisers were usually teachers still on the payroll of the Ministry of Education, although working full-time for the DWM.

5.16.2.12.2 The DWM did manage to attract funding from international agencies, such as the United Nations agencies of UNFPA and UNDP, etc. Since the DWM usually developed projects in areas where foreign funding was available, it procured funds for its programmes and projects. “Its influence and access to finance and logistics and resultant power or clout in directing policies was unimaginable”. Diplomatic Missions that wished to have improved relations with the country through social relations also made donations to the DWM.

5.16.2.12.3 Direct funding from national resources was also secured, when the Programme of Action for the Mitigation of the Social Consequences of Adjustment (PAMSCAD) policies was initiated. This made sizeable sums of money available to the DWM for those of its operations that qualified for support.

5.16.3 CIVIL SOCIETY REACTION

5.16.3.1 The Early Years Of PNDC Rule

5.16.3.1.1 Workers, farmers, fishermen, drivers, market women all began to declare their support for the revolution. The Greater Accra Branch of the National Canoe Fishermen Council also organized a demonstration to re-affirm the unflinching loyalty of the fishermen to the PNDC and the People’s Revolution. When as usual, Makola Market Women also went to the Burma Camp too, to demonstrate in support of the revolution but were, ominously, chased out by soldiers. Soon, anger began to mount against the market women for increasing their prices.

5.16.3.1.2 Many “mushroom” groups sprang up, each one trying to outdo the other, in their display of revolutionary favour. However, many did not last.

5.16.3.1.3 Cheered on by chants of “J.J.”, “J.J.” and “Junior Jesus”, the Chairman of the PNDC was very much in the centre of national life, as he cleared choked drains himself; helped to lay rail lines; dived to help clear the Volta Lake of aquatic weeds; and generally showed himself to be “a man of the people”. Consequently, there were expressions of popular support for the Chairman of the PNDC, and even the forces of disorder that had been unleashed on the society, did not appear to dim civil society support and reaction.

5.16.3.1.4 The attempted coup of Sunday, 19th June, 1983 (otherwise known as the Gyimah coup), and the reaction of a part of civil society, was the first obvious display of the extent of disaffection against the PNDC Government in the country. Following the foiling of the attempt, there were mass arrests of persons (termed ‘jubilants’) because they were alleged to have expressed jubilation on hearing the news, as well as those who

were accused of having been a part of the plot (termed ‘dissidents’). There was also a crackdown on dissent generally.

5.16.3.2 The Later Years

5.16.3.2.1 The vigorous suppression of dissent, as well as the implementation of strategies for co-optation, produced a general silence in the public domain towards officialdom. Labelled the “culture of silence”, this silence was ominous for the development of the nation because it excluded carefully crafted praise of all official action. A sociologist has lamented on the development thus:

The fact that we applaud certain utterances and behaviour patterns, instead of showing deserved contempt for such conduct, shows the abysmal absence of standards of public decency and decorum in social life, and for reasoned, dispassionate debate in contemporary Ghanaian society. What is even more pitiable is the manner in which people applaud enthusiastically in public, only for the same people to complain bitterly in privacy to confidantes.

5.16.3.2.2 There was mass retrenchment (officially termed “redeployment”) from the public services. This created mass unemployment, as many quickly expended the amounts paid to them as the financial package that went with being “redeployed”. Promises of re-training were not honoured for a vast majority of the labour-force that was shed. Consequently, poverty, particularly in urban areas, as manifested by a rise in female-headed households, began to produce the usual social problems, such as child labour in its modern manifestations, and “streetism”.

5.16.4 MOVEMENT FOR FREEDOM AND JUSTICE (MFJ)

5.16.4.1 This group was inaugurated on 2nd August, 1990, to spearhead the struggle for a return to civilian rule despite attempts by the government through the BNI to scuttle it. Its executive officers were the following:

- Prof. Albert Adu-Boahen - National Chairman;
- Johnny F.S.Hansen - 1st National Vice-Chairman;
- Ray Kakraba-Quarshie - 2nd National Vice-Chairman;
- Dan Lartey - National Treasurer;
- Obeng Manu - National Secretary
- Kwesi Pratt (Jnr) - Deputy National Secretary;
- John Ndebugre - National Organiser;
- Akoto Ampaw - National Executive Member;
- A.Owusu Gyimah - National Executive Member; and
- Dr. T . Darko - National Executive Member.

5.16.4.2 In August, 1990, the MFJ issued a statement condemning the suppression of free speech on account of the existence of “oppressive laws as the Preventive Custody Law”. In 1991, it criticized various aspects of the transition process, such as the composition of the National Commission for Democracy (NCD), charged with devising rules for the

transition. The MFJ also took issue with the government over the manner in which the programme for transition was being pursued without due representation of the citizenry.

5.16.5 THE POLITICAL PARTIES OF 1992

5.16.5.1 The country had been under military rule since 31st December, 1981. In the late 1980s, agitation began to be felt for a return to civilian rule. The NCD under the chairmanship of Mr. Justice Annan, a member of the PNDC, was tasked to go around the country and collate views on the form of civilian government that should be adopted. The NCD reported that the generality of Ghanaians favoured a multi-party democracy. A Committee of Experts was therefore commissioned to prepare proposals for a new constitution and they submitted a report in 1991. A Consultative Assembly was established to prepare a draft constitution for approval in a referendum.

5.16.5.2 Civil society organizations began to spring up which bore names that were indicative of their political agenda. The most prominent of these were: the Danquah-Busia Memorial Club, Our Heritage club, Kwame Nkrumah Welfare Society, Kwame Nkrumah Youngsters Club, Great Unity Club, the Ex-CPP Group, etc. In response to the emergence of these groups, the pro-Rawlings groups also formed the following clubs: Eagle Club, Friends of the Progressive Decade, Rawlings Fan Club, New Nation Club, Development Union, Development Club. These clubs eventually formed the nucleus of the political parties that were formed when the ban on political activities by the PNDC was lifted on 18th May, 1992.

5.16.5.3 A Referendum to approve the draft Constitution was held, amid criticisms that it was a waste of money. The GBA had argued that the Consultative Assembly should be given power to promulgate the Constitution. This was not done, nor was the Referendum made the occasion for the promulgation of the Constitution. The question for the Referendum was:

Do you approve of the Draft Constitution presented by the Consultative Assembly to the Provisional National Defence Council on Tuesday, 31st March, 1992 and published in the Gazette as the Constitution of the Republic of Ghana to come into force with effect from the 7th day of January, 1993?

5.16.5.4 The GBA complained that the formulation of the question for the referendum was unfair as it had rolled two questions into one:

namely whether the voter approves of the constitution as a whole, unreasonable though the question is, and secondly, whether the voter agrees that the constitution should come into force on 7th day of January, 1993, instead of immediately. These are two separate ideas and it should be possible to give a 'Yes' answer to the first while giving a 'No' answer to the second. To roll both questions into one question is, therefore, to prevent the people of Ghana from expressing effectively their views as to whether the Constitution should come into force from the moment of approval or whether its coming into force should be postponed for another 8 months after it has been approved.

5.16.5.5 A new Law on political parties was also promulgated to regulate the formation and administration of political parties. The Law set out the conditions and rules for the formation of political parties, as well as who was competent to form a party. The Law also dealt with the registration of political parties and stipulated among other conditions, that no party was to be formed on ethnic, regional, professional or religious basis; or use words, slogans, symbols which could arouse ethnic, regional, professional or religious division, or use the symbols of the proscribed political parties.

5.16.5.6 As soon as the Political Parties Law was passed, and the lifting of the ban on political activities announced, there was a proliferation of parties, all of which announced their intention to contest the 1992 Presidential and Parliamentary Elections. Among the parties which emerged were the National Democratic Congress (NDC), the New Patriotic Party (NPP), the People's National Convention (PNC), the National Independence Party (NIP), the People's Heritage Party (PHP), the Ghana Democratic Republican Party (GDPP), the National Convention Party (NCP), the Egle Party, the New Generation Alliance (NGA), the National Justice Party, Good Citizens Party, Democratic People's Party (DPP), the Nkrumah National Party (NNP), the Concerned Citizens, Redemption Congress, Obaatan Pa Association, People's Party for Democracy and Development (PPDD), Great Consolidated People's Party (GCPP), etc. The manner in which political parties sprang up was criticized as being likely to create a situation in which some parties would end up "being composed of only founding and leading members, without a broad based membership" Many of these did not survive to participate in the election.

5.16.5.7 These Political Parties claimed to be the inheritors of the legacy of Ghana's previous leaders. Those claiming the legacy of Dr. Kwame Nkrumah, President of the First Republic were: the PNC, PHP, NCP, NIP, NNP and PPDD. The NPP also traced its roots to the political tradition founded by Dr. J B Danquah and Dr. K A Busia. The NDC, the DPP and Egle claimed to be a continuation of the PNDC.

5.16.5.8 Some of these parties presented presidential candidates for the elections which were slated to be held one month ahead of the Parliamentary Elections in November and December respectively. Flt Lt J J Rawlings, Chairman of the PNDC was put up as the presidential candidate for four parties: the NDC, Egle Party, DPP and NCP, that had formed 'the Progressive Alliance'. The other parties had the following as their presidential candidates:

- NIP – Kwabena Darko;
- NPP -- Professor Adu Boahen;
- PHP – Lt-Gen Emmanuel A Erskine;
- PNC – Dr. Hilla Limann.

5.16.5.9 The banning of the old political parties and the prohibition of the use of their symbols under the Political Parties Law, was seen by the leaders of the new political parties as a violation of the fundamental human rights, in particular, freedom of association. They therefore decided to contest the issue in court, and 29 persons, all leaders of the opposition, joined in the suit. They were led by K A Gbedemah, and

included such prominent politicians as B.J. da Rocha, Dr. Hilla Limann, and Professor A. Adu Boahen. They sought a declaration that the Political Parties Law as published by the PNDC was a violation of the fundamental human rights of freedom of association of Ghanaians.

5.16.5.10 This action was dismissed by the High Court, which invoked its inherent jurisdiction in order to declare that it had no jurisdiction to entertain the plaintiffs' action. The Judge, Mr Justice Kwadu Amponsem, merely wished Ghana the "peace of God which passeth all understanding", and dismissed the suit. The newspapers reported that the court had struck out the case because it was frivolous and vexatious, yet the judge specifically stated that the court "was not saying that the Plaintiffs' action is frivolous and vexatious" (emphasis in original). The Interim National Electoral Commission (INEC) therefore proceeded to put arrangements in place for the elections.

5.16.5.11 The parties warmed themselves up into the political game in 1992, when they received their certificates of registration and started vigorous campaigns to win political power. During the elections, soldiers were deployed in Kumasi to keep order, but it was generally felt that they had been deployed to intimidate the electorate. In spite of the fact that the political temperature was high, Ghanaians went through the Presidential Elections peacefully, with the National Democratic Congress (NDC) winning the Presidential Elections in November, 1992.

5.16.5.12 The opposition parties were not satisfied with the results, alleging various electoral malpractices. Consequently, all the parties, with the exception of the NCP, Egle party and DPP announced a boycott of the parliamentary elections. These were the only elections for constitutional government that were held outside the terms of the 1992 Constitution that was to govern the affairs of the Republic.

5.16.5.13 Some activists of opposing parties in Kumasi, in particular, were arrested and detained for two weeks at the offices of the Bureau of National Investigations (BNI) in Accra. They were later released without charge. At Kwesimintsim in Takoradi, a man who was a well-known activist of the NDC was the victim of arson, leaving him nearly dead from severe burns. Activists of the NPP were immediately suspected and some prominent activists from Kwesimintsim were arrested and detained for about two months. There was evidence before the Commission that they were subjected to severe ill-treatment during the time in custody. They were eventually released when no evidence was found against them, and rumours emerged that the source of the arson was due to intra-party squabbles, and not inter-party rivalry.

5.16.5.14 The Fourth Republic was inaugurated on 7th January, 1993, the date for the coming into force of the 1992 Constitution.

5.17 CONCLUSION

5.17.1 Apart from a few which were formed between 1958 and 1968, most Professional Bodies (other than legal) and Civil Society Groups were formed in the 1970s and later.

Professional Bodies and Civil Society Organizations are generally expected, by virtue of their learning and expertise, to be more concerned about and more actively involved in human rights issues and, therefore, spearhead the fight against human rights violations and abuses.

5.17.2 Admittedly, some voices were raised by some of the Professional Bodies and Civil Society organizations at gross human rights violations and abuses during the mandate period. However, these were too feeble, too sporadic and too disjointed to make the desired impact on society, because it was generally felt by professionals that human rights issues are the preserve of political parties and that politics was a vocation that could not be mixed with one's professional practice. Thus, the culture of respect for, and tutelage of human rights per se was hardly one of the objects of the Professional Bodies and Civil Society organizations dealt with in this chapter.

5.17.3 Evidence shows the Professional Bodies (as represented by the ARPB), and the Civil Society Organizations, were very active in the fight for constitutional governance, in particular, during the latter days of the SMC I, through the short-lived SMC II, the AFRC days and finally, during the PNDC regime. The ARPB deserves commendation; it was the loudest voice of opposition, at the time, to unconstitutionality, which was and gave rise to several gross violations and abuses of the human rights of the citizenry

5.17.4 Professional Bodies should not confine themselves to the pecuniary interests of their respective associations alone, but also avail themselves of the opportunity to make human rights interventions when necessary. They should make human rights education and protection an integral part of their professional responsibility and ethics.

5.17.5 Of the four Civil Society Organizations that sprang from the roots of the AFRC Revolution that are discussed in this chapter, only the MFJ was anti-PNDC right from its inception. The others, NDM, KNRG and DWM were overtly pro-PNDC, and therefore saw nothing wrong vis-à-vis human rights issues of the regime. Their concerns were merely ideological, or were focused on widening the support base for the PNDC, and could not be said to have championed human rights issues per se.

5.17.6 It has to be admitted, though, that at the time, in a country where nearly everyone and every institution had either been cowed into silence or co-opted by the PNDC Government, it was no surprise that most Civil Society organizations could only mind their own business, or join the government band wagon in perpetrating further violations and abuses against fellow citizens and institutions that dared march out of step and tune with the “revolution.”

5.17.7 During the mandate period, political parties however, had a lot to do either defending human rights or violating them or even condoning with their violations and abuse. In the pre-Independence period, political associations and groupings were themselves founded, based inadvertently or otherwise, on considerations that promoted one abuse or the other of human and social rights. They were mostly founded on ethnic

or religious or regional affiliations. Only later, were those ethnic – religion – region-based political associations compelled by law to team up and form an opposition that was nationalist in aspect. This was good for the promotion of a sense of nationhood, in a newly-independent country.

5.17.8 Throughout the mandate period, however, the two main political traditions, namely, the CPP and the UP took turns in violating and abusing the human rights of sections of the citizenry, or in condoning violations and abuses as and when they (the parties) were in power or were allied with the military regime that had usurped constitutional governance. Thus, one cannot say of the political parties that they pursued an agenda of championing human rights. Indeed, when in power, they abused and violated them and seemed insensitive to the human rights of those supposedly in opposition.

5.17.9 Invariably, these political parties and their membership too suffered violations and abuses of their human and institutional rights, whenever their governments were ousted in the military take-overs that characterized the mandate period. The power to suppress the human rights of the opponent, was seen as one of the spoils of victory over the opponent.

5.17.10 All said and done, there was not, indeed, a good or even fair sense of the notion of fighting human rights causes, let alone their respect and support among the elite, the leadership and practitioners of party politics. This is a serious shortcoming that calls for remedial action. There is the need to inculcate into the rank and file of the citizenry and also into institutions and organizations such as Professional Bodies and Civil Society Organizations, the need to champion, and so develop the culture of respect for the human and civil rights of all.

5.17.11 In the context of the political parties, this need is paramount, if the art and good practice of partisan politics, the bedrock of good and democratic governance, is to be sustained and the harmonious co-existence of citizens, irrespective of their ethnic, religious or political affiliation, is to be ensured.

5.17.12 On Civil Society generally, an expert on national security has outlined the part that Civil Society plays in maintaining national political stability. According to him,

An irresponsible citizenry is as much a threat to national security as an irresponsible leadership... Where the people do not know their basic rights, or do not care to know, there is a problem, because they can be tossed about and manipulated not only by politicians, but by all those who seek to exercise authority over others. Again where the citizenry is irresponsible to the extent that basic laws and rules that regulate good conduct in the society are violated, in some cases with impunity, there is a problem... An irresponsible or discontented or frustrated or disillusioned people constitute a fertile base for insecurity.

5.17.13 Civil Society must take its share of the blame in the events that have produced massive human rights abuses in the country. It must now be appreciated by all, that taking to the streets and dancing to welcome a usurper, has always been the first step towards condoning, and even giving approval to, all human rights abuses committed by a particular regime. The need to know, respect, uphold and defend human rights is of paramount importance in the march for peace, freedom and justice.

5.17.14 It is clear on the evidence, that abuses are most brutal and rampant during periods of non-constitutional rule. Therefore, it is in the interest of all citizens that democratic and constitutional forms of government be maintained, to create space for the nurturing of a culture of respect for human and civil rights of the citizenry. Therefore, Civil Society also plays a part in ensuring that no usurper is tolerated, or given room to operate, even in the event of seizure of power. Civil Society and Civil Society Organizations must stand up and give meaning to those words in our National Anthem:

“And help us to resist oppressors rule with all our will and might forever more.”

Volume 4 Chapter 6 - The Student Movements

CHAPTER SIX

THE STUDENT MOVEMENTS

6.0 INTRODUCTION

6.0.1 The Commission set out to examine the socio-political environment within which human rights abuses have occurred within the mandate period, and the role played by students, organized as political party wings on the campuses, as Student Representative Councils (SRCs), or as a movement known as the National Union of Ghana Students (NUGS). This chapter has chronicled the activities of the student movements during the mandate period, and has thrown some light on the experiences of their leaders and other prominent activists, either when the patron-governments were overthrown, or because their activities were a challenge to the sitting government. The Commission did not include in its focus of study, movements on the student-front that were not of political significance.

6.0.2 The chapter has also captured the flow of tides that characterized student-government relationships in some detail, to enable the public to follow the history of these movements within the mandate period; understand the activities of these movements under military and civilian regimes; appreciate their importance in the socio-political history of Ghana; be provided with the reasons for change and continuity in

these movements; and also understand why some of the movements underwent a transformation, whilst others ceased to exist altogether.

6.1 PRE-INDEPENDENCE

6.1.1 The National Union of Gold Coast Students (NUGS) (later National Union of Ghana Students) was founded in about 1950 as the national representative of the World Youth Assembly, a body composed largely of university students, of which the Gold Coast was a member. This is understandable in view of the fact that the Gold Coast acquired a university institution in 1948. At that time, NUGS was an official organ with no power but it was transformed into a powerful organization in the 1960s. Agbodeka attributes this development to the coming into being of university-authority-sponsored Student Representative Councils, the breakdown of the Hall tutorial system and “the changing values of Ghanaian society”. Whatever that expression was intended to mean, it does not appear to take into account the rise of nationalism, the adoption of socialism as the national politico-economic philosophy and the transformation of Ghana into a One-Party State where all sections were mobilized into one unit for purposes of national development. It would appear that these events produced a chain of actions and reactions over time that transformed the NUGS from a mere association of university students to a major player in national politics. As subsequent evidence shows, the students were neither oblivious to, nor untouched by the national politics of the day.

6.2 6TH MARCH, 1957 -- 23RD FEBRUARY, 1966: CONVENTION PEOPLE’S PARTY (CPP) GOVERNMENT

6.2.1 Students And National Politics

6.2.1.1 The independence movement involved all sectors of Gold Coast society and this obviously included students. Oquaye observes that there were several youth groups in the forefront of social change, including the Ga Students Association in the then University College of the Gold Coast. Thus, students were active in national politics right from the time when the independence movement picked up steam. Indeed, it was as a result of the involvement in political activity that a group of students in some schools in Cape Coast and their teachers were dismissed in 1949, leading to the founding of the Ghana National College in Cape Coast in order to enable them to complete their education. It, however, took a while before the students were organized as a political entity.

6.2.1.2 The National Union of Gold Coast Students (NUGS) being the official body of the student-representation at the time assumed the role of students’ mouthpiece. Upon the attainment of Independence, the union changed the ‘Gold Coast’ part of its name to ‘Ghana’ but kept its acronym ‘NUGS’. Not too long after Independence, NUGS began to be critical of some of the government’s policies. In 1958, the use of the Deportation Act to silence opposition politicians of the Moslem Association Party (MAP) by deporting them to their countries of origin excited critical murmurs of the students. By 1959, these murmurs had matured into public expressions of disaffection and the students courted the

ire of the government when they adopted a resolution that publicly criticised the passage and use of the Preventive Detention Act (PDA), 1958 (CA 7), to detain opposition figures, at its annual conference of 1959. The government's response according to Rathbone, was to "consider seriously the withdrawal of scholarships of all members of the union's executive". In the end, based on the intercession of the Minister of Education, Cabinet agreed to reprimand them instead.

6.2.2 THE CONVENTION PEOPLE'S PARTY STUDENTS UNION

6.2.2.1 Students were involved in partisan national politics before Independence. By June, 1960, a branch of the Convention People's Party, Convention People's Party Students Union (CPPSU), had been established on the campus of the University College of Ghana and was ready for inauguration. At the inauguration, the Prime Minister, Dr. Kwame Nkrumah, exhorted the students thus:

You who have come together to form this Union subscribe to the programme of the Convention Peoples' Party. You, and those that will join you, are a body of Ghanaian youth seeking knowledge in order to find truth. Your studentship of this College and your membership of the party are not incompatible. On the contrary they are complementary to the extent that the knowledge acquired by studentship is made relative to real issues of our country by membership of Convention People's Party.

6.2.2.2 The CPPSU was very active on the campus of University College of Ghana (UCG) and through the members, the CPP exercised great influence on campus. The government believed the college "had been associated with anti-Convention People's Party attitudes, which is the equivalent of saying that the University College is anti-government of the day". The Prime Minister expressed the hope that the presence of the Union was evidence of the "warm new life which is being injected into its veins by the presence in its halls of the Convention People's Party."

6.2.2.3 The division and dissension that existed on the Legon campus was real, as an atmosphere of fear was created on the campuses. Students reported on their colleague-students as well as on their lecturers. The dissension on the university campuses was exemplified by an event that occurred in 1965, and which Oquaye recounted as follows:

At a formal dinner in Commonwealth Hall, L. O. Cantey a fifth year law student led students to observe a minute's silence in Danquah's memory.[Dr. J.B. Danquah had been detained under the Preventive Detention Act and had died whilst in detention.] The CPP group in the hall led by R.A. Atta-Kesson and J.C. Akosah fiercely resisted the popular will to no avail. The following day, the CPP flag in Legon which had also become the national flag was found torn. Cantey and others were arrested and detained till after the 1966 coup.

6.2.2.4 With such incidents and the existence of a "web of spies that had been established in the universities and the application of the Preventive Detention Act against protesting students", it was no surprise that members of the CPPSU were the target of reprisals

when the regime fell. Many students who belonged to the group were badly beaten up by some of their fellow students, and some were also detained in February, 1966.

6.2.3 THE NATIONAL AFRICAN SOCIALIST STUDENTS ORGANISATION (NASSO)

6.2.3.1 The National African Socialist Students Organisation (NASSO) was formed as the educational wing of the CPP. Although a party organ, NASSO operated as a state-sponsored organization of students who espoused the ideology of African Socialism - the official ideology of the CPP. It had local as well as international branches (in particular, in the United Kingdom) and it was to this organisation that the task of forming party study groups to study African Socialism was consigned. It also had the task of studying and explaining party decisions, programmes and policies of the government in order to achieve the “‘cipipification’ of the national life” . The intrusion of national politics into academic life was therefore mandated.

6.2.3.2 According to student activists of the time, NASSO though a student movement, enjoyed privileged status on campus. For instance, on the campuses, it had offices whilst NUGS had no office of its own. Members of NASSO were favoured with government attention and even sent to the Kwame Nkrumah Ideological Institute at Winneba to deepen their knowledge of socialist ideological thinking.

6.2.3.3 When the 1966 coup d'état occurred, some prominent members of NASSO on the Legon campus were held in “protective custody”. At the UST, the NASSO students burnt the records of the organization on the night of 24th February, fearing that records bearing their names would set them up for political reprisals. There was general insecurity on campus as these students worried about their fate. NASSO continued to exist in international circles on account of the students on government scholarship abroad. Its ranks were considerably thinned by the discontinuation of scholarships of certain students by a screening of all students on government scholarship. This exercise of determining who was a “genuine” student caused a lot of pain as it was seen to be arbitrary. Many otherwise genuine students lost their scholarships in the middle of their academic programmes.

6.2.3.4 The overthrow of the government in 1966 by and large ended the life and influence of NASSO within the country although the international branches operated for some time.

6.2.4 THE NATIONAL UNION OF GHANA STUDENTS (NUGS)

6.2.4.1 The loss of NASSO was the gain of NUGS. As the evidence showed, the leadership of NUGS nearly lost their scholarships as a result of their criticism of the operation of the PDA in 1959. It was thus no favourite of the government, and in 1964, six of its leaders including A.K.P. Kludze a Law student; Yao Fiagbe, a student of Pharmacy; and one Easmon, a student of Engineering, got into difficulties with the government and were detained under the PDA. It was therefore not surprising that the

NUGS would achieve prominence as the official mouthpiece of students in the country, when the government was overthrown. Although Agbodeka indicates that the “politicization of student issues” occurred after the 1966 coup, this does not accurately reflect the state of the student movement of the time because politicization of students and consequently issues affecting them had become a phenomenon by 1966. According to his own findings:

Around October 1964 it was alleged that certain people enjoying a considerable measure of public favour began to incite the university students to ‘watch out for’ and ‘expose’ those of their lecturers in whom they thought they detected unsuitable ideological tendencies.

Although the author excuses these activities on the grounds of necessity imposed by “violent opposition creeping into Ghanaian politics”, it is certain that well before this time, students had become involved in national politics and that NUGS rose up to fill a vacuum created by the demise of the CPP-sponsored student groups.

6.2.4.2 The student-body expressed great support for the act of the coup-makers who consequently formed the National Liberation Council (NLC). Indeed early in the morning of the day after the coup, i.e. 25th February, 1966, the students poured onto the streets of Accra and demonstrated the entire day in support of the coup d’état. The student-body expressed its support for the overthrow of the First Republic in unmistakable terms. There is little documentary evidence of opposition within the student community although one could not overlook the fact that there was such severe repression of CPP-related activity and the suppression of CPP-related documentation, that any exhibition of support for CPP and the former President would have landed that person or organization in serious trouble. It is thus an irresistible conclusion that although a powerful role had developed for students within national politics by the activities of the state-sponsored groups, all of these had died with the end of the regime.

6.2.5 THE UNIVERSITY COMMUNITY AND ACADEMIC FREEDOM

6.2.5.1 The university community is made up of staff and students. These component parts were affected in various ways. For instance, when lecturers or Hall officials were detained or dismissed or deported, it became a matter of concern for the students as they lost teachers and such other persons as made their lives what they wished it to be, on the campus. In November, 1961, the President was formally installed as the Chancellor of both the University of Ghana and the Kwame Nkrumah University of Science and Technology (KNUST). These positions gave him an opportunity to relate to the universities in a dual capacity: as President and as Chancellor. In the latter capacity, the Chancellor sought to control the university even to the extent of appointing professors.

6.2.5.2 A cleavage occurred between the academics and the political authorities, and as it widened, lecturers of the University of Ghana were dismissed or deported and academic freedom came under direct attack. At a university dinner in February, 1963, the President gave the assurance of his absolute respect for academic freedom and urged the staff to

uphold it for “scholars must be free to pursue the truth and to publish the results of their researches without fear, for true scholarship fears nothing”. However, in the same speech he stated that academic freedom could “become the dangerous cloak for activities outside the academic interests and pre-occupations of the community or of the university”, and he urged the academics to “be ready to expose those individuals in the university itself who abuse academic freedom”. These were ominous words for it appeared that academic freedom in the nature of the “freedom to pursue the truth” was not absolute, but was limited to ideas that the government found acceptable.

6.2.5.3 The relationship between the academics and government continued to deteriorate, and by 1964, students were being incited to report on those of their lecturers who espoused “unsuitable ideological tendencies” so that they could be taken to task. Indeed, on 18th February, 1964, E W Nortey Dowuona, Member of Parliament for Accra East, when contributing to the Debate on the Constitution (Amendment) Bill made an ominous prediction:

The temptation given by the colonialists to our Judges to nurture the notion that they were above the law itself and the State, has now been removed and they have now been helped to realize the fact that there is a limit to everything. I pray that soon, indeed very soon, we should help students of our universities and their tutors also to realize this fact and behave accordingly.

6.2.5.4 In the latter part of 1964, a committee was announced to have been formed by the government to inspect books and publications in the bookshops and libraries of the universities to ensure that those that were not in consonance with the ideology of the Convention People’s Party would be removed. The Vice-Chancellor had to address the students on the essence of university education and the importance of developing habits of critical thinking as an integral part of the students’ ability to advance the development of the country.

6.2.5.5 NUGS itself did not escape the ravages of the PDA. In 1964, it reacted to the decision to hold a referendum to enable the President have power to remove the Chief Justice and other Judges on a panel that had acquitted the accused persons in an infamous treason trial involving an attempt on the life of the President by the explosion of a bomb. NUGS believed that this was contrary to the tenets of democracy and issued a statement condemning the act in a campaign for the restoration of the rule of law. The response to this condemnation was for CPP “loyalists” to invade the campus in “an unbelievable demonstration of the masses against the University”. The university students were asked to go home and vote, but other observers opined that the universities had been deliberately closed down in order to prevent the students from demonstrating against the referendum. As already stated, the leaders of the NUGS campaign were arrested and detained and this event silenced the students and a feeling of insecurity developed on the campus.

6.2.5.6 The government’s anxiety to curb the independence of the universities was manifested by moves made through the students to achieve ideological subjugation of the

students, most of who were at an impressionable age. It therefore directed in 1964, that a mandatory period of two weeks ideological orientation at the Kwame Nkrumah Ideological Institute for all students should become a condition precedent to admission into university. It is uncertain what successes this policy achieved, perhaps except to breed more secret resentment against the party and the government. These developments may explain why the students poured onto the streets of Accra on the day after the coup and demonstrated the entire day in support of the overthrow of the government.

6.3 24TH FEBRUARY, 1966 -- 30TH SEPTEMBER, 1969:
 NATIONAL LIBERATION COUNCIL (NLC)

6.3.1 NUGS

6.3.1.1 On 24th February, 1966, the Government of the CPP led by President Nkrumah, was overthrown by a group of military and police officers. The coup was led by Col Emmanuel K. Kotoka, Maj Akwasi A. Afrifa, John W.K. Harlley (Commissioner of Police) and Anthony K. Deku (Commissioner of Police) who with others formed the National Liberation Council (NLC) with Lieutenant-General Joseph A. Ankrah as Chairman. The NLC was established to replace the overthrown government. This development electrified the student front, and they poured out onto the streets in support of the change of government. It was against this background that the first invasion of the UST campus by the police occurred.

6.3.1.2 According to contemporary accounts that are confirmed by the report of the Committee of Enquiry into the KNUST Affairs, the students had grievances against the university administration and the Vice-Chancellor Dr. R.P. Baffour. Before the 1966 coup, the students had grievances such as: the arbitrary withdrawal of a week-end bus service to town; poor catering services; official high-handedness; inadequate accommodation; conflicts between the workers and students; and several other petty grievances. In addition, the Vice-Chancellor was accused of practising occultism ; siting of the KNUST Guest House at Elmina (Elmina, in the Central Region, is off the beaten track and had no relationship with the hospitality needs of the university, except being the hometown of the Vice-Chancellor); nepotism in favour of persons hailing from Elmina in employment and promotion of staff in general, and the university laundry in particular. In addition to these, the students were disappointed when their NUGS leaders were detained and the Vice-Chancellor who had promised to help secure their release because of his personal relationship with President Nkrumah, was unable to do so. When the coup occurred in 1966, the students decided to demonstrate against him and his administration for being unable to resolve their grievances. It must almost certainly have been a factor that with his political connections gone, he had become vulnerable enough for the students to mount a public protest.

6.3.1.3 The demonstration was timed to take advantage of a scheduled visit by the leaders of the NLC, Col Kotoka and Maj Afrifa, who were then paying an official visit to Kumasi. This was because some of the students were the school mates, and indeed, even classmates of Maj Afrifa at Adisadel College, and so they intended to take advantage of

their relationship, to make their grievances known. The students planned to meet the convoy of the NLC near the University Hospital to present their petition to the new national leaders. The students started the protest on the campus and went to the house of the Vice-Chancellor. He had then left for his office and so they followed up there. At this point, reports have it, that the Vice-Chancellor called in the police to suppress the demonstration. It was therefore with some surprise that the students found that the police had come onto the campus with armoured cars to prevent them from marching to the agreed spot near the University Hospital. A confrontation ensued between the police who were under orders to prevent the students from getting to that spot, and the students who were determined to get there to present their petition. The fight led by the students cadet corps, led to the arrest and detention at the Kumasi Zongo Police Station, of four students: J H Owusu-Acheampong, Kwasi Abeasi, Seth Anipa and Emil Dove.

6.3.1.4 Despite these clashes, the students did not give up, but intercepted the convoy and threw copies of the petition into the vehicles as they passed. When the leaders of the NLC read the petition and discovered that it was about student grievances, they agreed to meet with the student-leaders. A meeting between them resulted in the withdrawal of the police from the campus. When the students later learnt that the police action was occasioned by information from the Vice-Chancellor to the Police Commander, that some Malian students had linked up with a few Ghanaian students to intercept the convoy of the NLC members and cause mayhem, they understood the ferocity of the police response. They then moved for an investigation into the incident as well as into their grievances. The government set up a committee of enquiry. The students hired their own counsel and decided to pay counsel's fees by forgoing dessert in the dining hall for a period, thereby making savings on the funds allocated for their feeding.

6.3.1.5 The report of the committee resulted in the removal of Dr R P Baffour as Vice-Chancellor of KNUST (which had by this time undergone a name change from KNUST to UST, dropping the name 'Kwame Nkrumah').

6.3.1.6 However, these matters were brought into sharper focus when the students also began to enjoy "liberation" to the extent that authorities of the universities began to worry about their activities on campus. Ironically, the troubles at UST led once again to another closure of the University of Ghana during this period of "liberation".

6.3.1.7 More than a year on, the support was still solid; for, on 17th April, 1967, when an abortive coup against the NLC resulted in the death of Lt-Gen Kotoka, one of the leaders of the coup and a member of the NLC, NUGS issued a statement condemning the coup attempt and said, among other things:

Students this is the hour for concerted action. The future of Ghana which is yours is at stake. Be alert. Be prepared for anything. Stand by now. Long live Ghana.

This statement indicated that the students were even contemplating physical resistance to the coup d'état. Indeed one writer describes the relationship between the students and the government of the NLC as "cordial."

6.3.1.8 In general, 1968 was a difficult year for students and their authorities. There were strikes and demonstrations in secondary schools, training colleges and even in the universities. In at least one case, some students were put before court for unlawful procession, but in most others the students were sent home and the schools closed down. So many of these incidents involved the destruction of school property that the Commissioner for Education, Modjaben Dowuona had to administer a caution that students responsible for such destruction would be surcharged with the cost of repair. In October, 1968, a major upheaval occurred on the campus of the University of Ghana on account of four students who had been rusticated for publishing obscene material in the *Siren*, the student magazine of the Mensah Sarbah Hall. The student body refused to attend lectures and in the ensuing confusion, the police was brought in to maintain order. The university was closed down on 30th October, 1968, and was re-opened about four weeks later. The students were made to sign a declaration to be of good behaviour; to observe the Statutes of the University; and to pursue their studies with diligence.

6.3.1.9 These protests were against the institution's authorities and did not involve the government directly. Indeed the government expressed regret at the sight of steel-helmeted police on campus and hoped that those kinds of incidents would not recur. The government also pledged its intention to respect academic freedom and the autonomy of academic institutions.

6.3.1.10 Within this period, there were many student demonstrations in the various academic institutions, resulting in their closure for periods of time. One even ended in the courts. Thirty-two students of Amaniampong Secondary School were put before court and remanded in custody for rioting and destroying school property. From the length and breadth of the country, students took to the streets in protest against their school authorities, and it was as if the whole student front was on the boil. The verdict at the time was that students were also expressing their "liberation", and that the coup had created indiscipline among students. However valid the assertion was, it must not be forgotten that 1968 was a very tumultuous year for students in Europe and the United States of America as well, and that there might have been some global influences on the student movement.

6.3.1.11 In general, however, the relationship between NUGS and the government remained cordial. NUGS tried to reform itself by adopting a new Constitution and restructuring its operations so that it could be the mouthpiece of all students in Ghana, instead of just university students. At this time, there were opposing views as to whether or not the NLC should remain in power or hand over to a civilian government. The latter position, espoused by Professor Kofi Abrefa Busia in a statement advocating an early return to civilian rule, generated great controversy which was warmly embraced in academic circles. Despite the cordiality between the students and the NLC, they, being a part of the academic community, were not left out of the reckoning. They waded into the fray and their front was split on this matter of the length of stay in office by the NLC. Vigorous though the debates were, there were no physical clashes between the proponents and opponents, and NUGS as a body, insisted that it would remain neutral in

politics when the ban on political activity was lifted and that it would not throw its weight behind any particular party.

6.4 1ST OCTOBER, 1969 - 12TH JANUARY, 1972:
THE SECOND REPUBLIC PROGRESS PARTY (PP) GOVERNMENT

6.4.1 NUGS

6.4.1.1 The ferment on the student-front continued. So numerous were the student disturbances that Parliament was forced to take note of the phenomenon. By 1971, Parliament had taken a decision to set up a Committee on Student Unrest to study the phenomenon since students of every level were taking to the streets to protest one thing or the other. Most of these protests were violent, and led to the destruction of public property. The Parliamentary Committee was made up of the following Honourable Members: K B Ntim (Chairman), Harry Sawyerr, Sam Okudzeto, J A Anyan, Victor Aidoo, T K Agadzi, S.A.Manson.

6.4.1.2 In 1970, the economy was in bad shape and people grumbled about the level of affluence being exhibited by the government. In a classic display of intellectual arrogance, a Ph.D student of the University of Ghana, G.C. Hutchful, confronted Prime Minister Busia whilst on a visit to the campus and told him bluntly “It is a disgrace to the country for you and your entourage to ride on Mercedes Benz cars. Why don’t you ride in smaller cars like Morris Minor? Why all this motorcade?”

6.4.1.3 In April, 1971, NUGS issued a statement calling upon the government to grant amnesty to all Ghanaians in exile, particularly ex-President Dr. Kwame Nkrumah, and all other Ghanaians who had gone into political exile since 1966 so that they could return and help to rebuild the nation. This call infuriated the government. Oheneba Kow Richardson of the Prime Minister’s Office described the students’ statement as “treacherous and treasonable”. The Prime Minister’s spokesman declared further “their action is overtly meaningful otherwise the NUGS could not have the courage to go to the treasonable extent of raising matters of political implications as contained in their statement. He further went on and called them “ the little minds of our society today” and warned them not to take the government’s magnanimity for a licence as they:

were aware of that scourge of young pioneer movement is making itself manifest in the students who when they were youngsters, joined that movement and were indoctrinated in the act of carrying out political manoeuvres.

6.4.1.4 This harsh response did not appear to have been justified unless one takes cognizance of the frayed relations that existed between the government and the students as a body. Indeed, soon after this diatribe, the NUGS President, Albert Cann Tamakloe, was accused by the President of Progress Clubs (the club of students of the Progress Party), that he was hiding behind NUGS to form a political party with the TUC leader B A Bentum. The President of the Progress Clubs stated firmly that:

we cannot deny them the right to form political parties or join hands with existing political parties, but we deny them the right to involve the whole student body and the entire workers of this country in their ...personal ambition for political power.

6.4.1.5 The President of NUGS defended the effort to co-operate with the TUC, but denied that they were forming a political party. He further explained that the idea had been mooted as far back as 1969, before he came into office as president. His defence notwithstanding, the Progress Clubs of Universities called on executives of NUGS to resign forthwith. The students further threatened that the failure of the NUGS Executive to resign would result in inviting the government to consider the advisability of withdrawing recognition of NUGS. This was a very serious split in the students' front. It showed that student political activists were willing to get the government to ban their own student union merely because they did not agree with the anti-government stance of their leadership.

6.4.1.6 NUGS went to its annual congress and resolved to give an ultimatum to the political leaders to declare their assets, as required the Constitution. Subsequently, the leadership got into difficulties with Parliament over their alleged misrepresentation of communication between the leadership and the Speaker on the issue of assets declaration. The President and Secretary of NUGS were hauled before Parliament on a charge of contempt, and they were made to render a formal apology to the House. This act of humiliation was not calculated to endear the Busia administration to the leadership of the student movement.

6.4.1.7 The government proposed the student loan for university students instead of the full scholarships that every student was enjoying and planned to implement it in the next academic year of 1972-73. This loan scheme proposal did not go down well with the students as it meant that they were no longer going to enjoy university education that was completely free. NUGS criticized the University Loans Scheme as "reactionary and premature", and further complained that the government's efforts to solve the country's problem and that of the university had been misplaced. NUGS therefore suggested that a fuller review of the whole structure of university education be undertaken instead. Prior to this formal reaction of NUGS, students of UST had gone on a four-hour demonstration against the scheme, and a like demonstration at University College of Cape Coast (UCCC) had been averted only at the last minute by the intervention of the Parliamentary Committee on Student Unrest.

6.4.1.8 In addition to the issue of student loans, the government was also proposing to enter into "dialogue" with apartheid South Africa, instead of the total freeze in relations favoured by the Organisation of African Unity (OAU), and pan-Africanists in general. The policy, termed "Dialogue with South Africa", was considered reactionary by the students, who had been raised on the Nkrumaist policy of total liberation of the African continent from imperialist domination, and they strongly opposed it. The relationship between the government and students was thus not very cordial when the military struck again on 13th January, 1972.

13TH JANUARY 1972 -- 3RD JUNE, 1979:
NATIONAL REDEMPTION COUNCIL (NRC)/
SUPREME MILITARY COUNCIL (SMC) I & II

6.5 NRC/SMC I

6.5.1 NUGS

6.5.1.1 The reaction of the student body to the military takeover was predictable. The new Government of the National Redemption Council (NRC) led by Colonel Ignatius Kutu Acheampong, promptly revoked the policy on the loan scheme, cancelled the devaluation; announced the repudiation of Ghana's external debt otherwise known as the "Yentua" ("We won't pay") policy; and renounced "Dialogue with South Africa". All these policies had the desired result of pleasing the student body and ensuring the support of that constituency. The agricultural programme of food self-sufficiency for the nation known as "Operation Feed Yourself" won instant support from the students. So voluble was the support expressed by the students, that the Chairman of the NRC publicly thanked students of the universities for their support.

6.5.1.2 At the 9th NUGS Congress in 1972, the students called for the death penalty for those who would be found guilty of embezzlement and misappropriation of funds; and to vest all land in the state. NUGS took a further decision to demonstrate their support for the government in more concrete terms. A decision was taken to volunteer services to help in national development, by constructing irrigation canals and other infrastructure for improving agriculture. The most famous of these were the construction of the Dawhenya Irrigation Project canal, which was required for the production of rice and the harvesting of sugarcane at Komenda to feed the sugar factory. As a contemporary account goes:

Dawhenya was probably the peak of the cordial relations between students and the Acheampong Government. Streams of students literally kept flooding to this camp every day in support of the government's laudable plan to build an irrigation scheme for the area.

It was great fun for the students as well as a big help to the nation.

6.5.1.3 Soon, the relationship between the students and the government began to deteriorate as the government began to propose policies that the students did not support. According to the NUGS President of 1972-73, the students' position was influenced by interests external to the student body. He has stated as follows:

The students supported the coup d'état of Colonel Acheampong because apart from the problems with the Busia Government, the student movement was under the influence of the old CPP politicians, in particular, Kojo Botsio, the Father of all radicalism at the time.

Although the CPP had been banned. Botsio was recognized by all as the father-figure of the CPP. Since the radical lecturers of the UCC tended to be CPP inclined, they all looked up to him for leadership and consequently, the student movement with its leadership then at UCC, was heavily influenced by him as the leader of the CPP.

When I became a student leader, I was introduced to CPP stalwarts such as Kojo Botsio, Dan Lartey, Tawia Adamafio, etc. by Dr. S.B. Arthur, who had great influence on us at UST. These national political figures gave us political direction in relation to student agitation and student demonstrations.

It was on account of this influence that NUGS and the student body showed such support for the coup d'état that was thought to be CPP-inspired. At an executive meeting, NUGS decided to demonstrate its support for the government by supporting the 'Operation Feed Yourself' Policy. This decision culminated in the "Walatu Walasa" at Dawhenya by the construction of an irrigation canal, and the harvesting of sugar-cane for the Komenda and Asutsuare sugar factories by students. Although it was the Cann-Tamakloe administration that planned the programme, I had to implement it. I had no choice but to continue in that vein.

The relationship between the students and government soured when the relationship between Acheampong and Botsio turned sour. They [Colonel Acheampong and Mr. Kojo Botsio] fell out over the political direction of the government, and General Acheampong even had a conversation with me during which he warned me as NUGS President to be careful of the leftist Lecturers and the 'Kojo Botsio group' under whose influence we operated. He told me that he knew Botsio wanted to overthrow him and so I was to be careful in my dealings with those people as they were leading us into doing things we did not fully understand.

6.5.1.4 The Acheampong Government also began to irritate the students with policies of which they disapproved. For instance, there was a suggestion that all students of tertiary institutions should undergo military training as National Service. This proposal eventually was transformed into the National Service Scheme as it now operates by the intervention of NUGS. Kabral Blay-Amihere gives the credit for the decision of NUGS to vote for National Service in the form in which it now is, to Professor Akilagkpa Sawyerr who addressed them at the NUGS Congress in 1973 and dissuaded the militant UCCC group from opting for military training.

6.5.1.5 At the 1973 Congress, NUGS formally adopted the ideology of Scientific Socialism as its official ideology. By this time, the Arab Oil crisis was underway and the economy had taken a turn for the worse. Rumours of corruption began to seep to the campuses, and students began to be unhappy with the government. The first major protest by students of the three universities was sparked off by an assault on a student of the University of Ghana, Kwesi Doe, by soldiers at Ho in the Volta Region. The act of the protesters, who failed to get to town from Legon as a result of a military blockade on the main Legon-Accra road, presaged more violent confrontations with the government later on.

6.5.1.6 In 1975, police brutalities on the campus of University of Ghana against striking workers of the university claimed a student-victim – Mekki Abbas, a Sudanese student of Legon Hall. The Police were using live ammunition to suppress the demonstration and a bullet killed the student who was not associated with the demonstration in any way. This incident caused great anger among the students and greatly embarrassed the government. The government sent a delegation to the Sudan to hand the body over to the Sudanese authorities, and gave a place on the delegation to the students. The students were represented by a Legon Hall student, Joe Dankwa who later became a police officer himself.

6.5.1.7 The 1975-76 academic year was full of restlessness among students. The economy was deteriorating whilst senior military officers were beginning to exhibit opulence in lifestyle, in a manner that did not match the general deteriorating economic conditions in the country. The students met the visiting United States Ambassador to the United Nations with protests at the Kotoka International Airport. The government was very unhappy about the incident and it reinforced the bad blood that had developed between it and the students. The government issued a stern warning to the student leadership to desist from such confrontations that had embarrassing international ramifications for the government. In May, 1976, the students had a major confrontation with the government over the deteriorating economic conditions. According to accounts of a contemporary student leader, this demonstration was meant to be an on-campus affair to present a petition to the Vice-Chancellor on the general conditions on campus and the deteriorating living conditions of the students. The government got wind of the demonstration and sent word to the student leaders to confine their activities to the campus. The leaders gave this assurance, but the demonstrators decided to hit the streets of Accra with their grievances. A confrontation with the police occurred at the university gates, dubbed “The battle of the Gate”, and a number of students sustained minor injuries.

6.5.1.8 The year 1977 opened with a report that at the 13th Annual NUGS Congress of the previous December, the Congress had adopted a resolution that called for the adoption of a One-Party Socialist system of government instead of the Union Government (Unigov) concept. However, within a few months thereafter, NUGS held a press conference at the National Cultural Centre in Kumasi at which it made a call on the Supreme Military Council (SMC) to lift the ban on party politics since it was busily campaigning for its own Unigov idea. In January, NUGS made an appeal to the government to help reinstate fifteen First Year students of University of Ghana who had been dismissed for attacking the Deputy Registrar of the University on 8th December, 1976. This led to a stand-off between the students and the university authorities. Eventually, some of the students were recalled, but the students wanted the sanctions lifted altogether. The university stuck to its guns and so the students appealed to the government.

6.5.1.9 At this time 50 students of UST had also been deprived of their residential status as punishment for breaching some university regulations. NUGS took up both causes and appealed to the government to step in, but this did not yield the desired response. In mid-

February, the students of University of Ghana began a boycott of lectures. They soon received support from the other universities and it looked as if the universities would be closed again, but the government added its voice to those urging the students to resume lectures by reminding them that boycotting lectures amounted to wasting taxpayers money. The stand-off finally ended when the Scholarships Secretariat gave the students a deadline of Friday, 25th February, to resume lectures, or forfeit their scholarships. The Legon SRC issued a statement calling off the boycott although a majority of the students had taken a vote to continue the boycott. The students did not forgive the government for not coming in to support them in their dispute with the university authorities.

6.5.1.10 On 13th May, 1977, there was another major student protest and this led to the closure of the universities on 14th May. The government proposed that the students would be redeployed in agricultural production since their protest was over the shortage of food and the high cost of living. This decision to close down the universities turned out to be a major mistake on the part of the government for the students dispersed from the campuses to the countryside and carried anti-government messages to all corners of the country. Although it was reported that the intervention of the National House of Chiefs, the Christian Council and the Catholic Secretariat, the Chairmen of University Councils and other well-meaning citizens had caused the government to relent and agree to reopen the universities after about four weeks on 10th June, this version is contested by the student leaders of the time who insist that the meetings were set up, but that they did not attend. The battle lines had clearly been drawn. Before the universities could resume serious work, more upheavals occurred as the government purported to retire two professors of the Medical School, Professors S R A Dodu and E A Badoe.

6.5.1.11 The government responded to these manifestations of instability, by sending intelligence operatives onto the campus to infiltrate the student movement. So heavy was the infiltration, that not only were many students recruited to spy on their fellow students and report on them, but some Military Intelligence personnel were actually assigned to the campus. Subsequently, three of their cars were burnt on the campus of University of Ghana. Although the students admitted to burning at least one of those vehicles, the reaction of the government later aroused the suspicion of the students, that not all of the three had, in fact, been burnt by students and that someone was trying to create an excuse for the students to be sent back home. Eventually, students were able to write their end of year examinations in September, instead of June, that academic year.

6.5.1.12 The year 1978, opened on a bad note in student-government relations. The 13th of January which was the anniversary of Gen Acheampong's coup d'état had, since 1973, become a public holiday marked by military parades. On 13th January, 1978, the students of University of Ghana decided to mark the day with a demonstration against the government on account of its attempt to remain in power by theory of Unigov. According to contemporary accounts, the demonstration was organized as a mock funeral procession on the campus, with students carrying a "coffin" containing the "mortal remains" of the SMC. The protesting students ended their march at the main gate of the university where they burnt the coffin. At the gate, the police had massed up in riot gear, believing that the students intended to go into town and whip up public sentiment against the government

thereby causing disaffection towards it. The students hurled taunts at the police and a few were alleged to have thrown stones at two passing police vehicles. Later that day, the students in retaliation, kidnapped a policeman on guard duties at one of the banks on the campus and seized five rounds of ammunition. This “provocation” proved too much for the Police Command and an order was given for the police to attack the campus.

6.5.1.13 The police beat up the students, staff and even kitchen women in the dining halls indiscriminately. Several students were brutally assaulted and had to be rushed to the University Hospital. The university was closed that day and students were sent down after a two hour notice. The students suffered great hardship as there was no transportation and the university authorities were insisting that the students were to leave the campus or they would be forced out by the police. The academic year suffered great disruption. These events affected the two other universities at Kumasi and Cape Coast and therefore, all the universities were closed.

6.5.1.14 The government was determined to recapture the ammunition and so until 31st January, there was interruption of classes. On 5th February, 1978, representatives of the Police and Ministry of Defence went to search seven named students in the Halls for home-made explosives. They found none. After all these disturbances, more interruptions occurred in the third term which began on 14th April, because by that date some senior members were in detention.

6.5.1.15 There was, however, a curious aspect to the whole episode. This was because there seemed to be an insistence on the part of the student leaders to keep students off the campuses. Whenever the students were invited back onto the campus, the leaders declared “Campus is not safe” and that they were demanding “guarantees” of safety for the students yet they themselves remained on campus without being any the worse for it. Rumours began to circulate that students were being deliberately kept off-campus by the leaders. Available information now confirms that there was truth in the rumour. Had the student leaders compromised themselves with the government in order to prevent students massing up to demonstrate against the Unigov Referendum? Who were the student leaders who were also informants of the government as Blay-Amihere hints at when he writes:

As events and records at the Bureau of National Investigations were to prove later, some of the student leaders who accused my cousin (now Hon Freddie Blay, First Deputy Speaker of Parliament) and me of being government agents were indeed the real agents. After the 31st December [1981] coup d’etat the records of their duplicity and complicity were discovered?

6.5.1.16 Kofi Quantson, a senior intelligence operative, alleges that the government had set up a rival security network by recruiting its own agents who filed false reports against the students. He states categorically that:

Unigov agents filed a report to the Castle that there were three loud bomb blasts at the University of Ghana. That was the time when students had taken a confrontational stance

against the Acheampong regime for a whole lot of reasons. Obviously to depict the students as violent and destructive, that very untrue report was secreted to the Castle. When we investigated we found that the report was fabricated by intelligence operatives drafted to join a Unigov conclave plotting to ensure that the outcome of the campaign resulted in government success. Actually there were no bomb blasts at the University at all. Some evil-minded persons had manufactured a report.

There is thus some indication that the government was actively involved in fomenting the unrest that disrupted the academic year.

6.5.1.17 The Universities re-opened for the completion of the academic year when the SMC was reconstituted after the Head of State, Gen Acheampong, had been removed in a palace coup on 5th July, 1978.

6.6 SMC II

6.6.1 NUGS

6.6.1.1 The University of Ghana finally resumed at the end of July and adopted a crash programme that made it possible for the academic year to be concluded at the end of October. It was on account of this that the academic year which should have been from October, 1978, to June, 1979, was transformed into January, 1979, to September, 1979, resulting in the students being in the middle of the academic year when the events of June, 1979, occurred.

6.6.1.2 During the 1979 academic year, there was not much disruption of a political nature on the university campuses. However, there were social difficulties. Water shortage in Legon was so serious that on 1st March, 1979, the University of Ghana had to be closed down. The government did not seem able to provide the social services necessary to sustain the operations of the university. However, the ban on party politics had been lifted for a return to civilian rule and people were hopeful that the future looked bright. The political parties were actively campaigning and students did not have any problem with the government. On Saturday, 5th May, the students of Commonwealth Hall, University of Ghana went to the Railway station to clean up the place as part of their annual Hall Week celebration. They got into an altercation with the police and one student, Adjei Barimah, was shot dead.

6.6.1.3 This event produced a student demonstration to the Castle, as the students demanded that a judicial enquiry be held into the circumstances surrounding the killing of the student. The committee that was eventually established was under the chairmanship of a High Court Judge, Mr Justice K A Agyepong. Students felt the committee was not sympathetic to the students' cause. The committee was still sitting when the 4th June Uprising occurred. These events may also explain the students reaction to the overthrow and punishment of their perceived "enemies".

6.6.1.4 The rise of the NUGS and the filling of the power vacuum helped to undermine the essence of the Hall System based on the “Oxbridge” model. Agbodeka opines that the effect of the decline of the system was that:

to the extent that Hall control over students was declining, to that extent the university was unwittingly becoming a means of congregating large numbers of young people with different backgrounds in one place with hardly any control apart from the influence of the student handbook which the majority, on admission, might have been too excited to read and digest”.

In addition to this development, “the habit of the government often dealing directly with students instead of through the university authorities further weakened the control [of the university authorities]” with little control and a government anxious to please the students, the students were set up as fodder for any agitator.

6.7
4TH JUNE 1979 – 23RD SEPTEMBER 1979:
ARMED FORCES REVOLUTIONARY COUNCIL (AFRC)

6.7.1 NUGS

6.7.1.1 The events of that day are constructed from contemporary accounts of students of the time. The 4th of June, 1979 was a rainy and cold Monday morning. There had been a blackout throughout the night of Sunday, 3rd June, to Monday, 4th June, 1979, with its attendant water shortage and the Legon campus was in a depressed mood. The announcement that there had been a coup d’état gingered up the campus. Several of the lecturers had not heard of the event. Contemporary accounts have it that the final year class (B A Part II) of Political Science explained their restlessness to their lecturer in the graphic words: “No light, no food, no water and no government” Later on that day Flying Officer Richard Forjoe and other Junior Officers came to the campus to solicit students’ support for the coup. At the frontage of Legon Hall, where quite a few students were congregated discussing the events unfolding in town, he, in a voice almost hoarse with screaming, informed the students that Flight Lieutenant Rawlings, who had then attained folk hero status on campus, had sent him to urge the students to go to town and jubilate in support.

6.7.1.2 With the outcome of the confrontation quite uncertain, many students thought it was somewhat foolhardy to go into town. Nevertheless a few students were rallied round when contact with the student leadership was made, and a bus was arranged to take them to Accra town to jubilate in support of the overthrow of the government. This incident which was reported in the Daily Graphic of 5th June, marked the first in a series of efforts to involve students as partners in the effort to “house-clean”.

6.7.1.3 The students entered the fray in full force and began issuing statements, and giving advice as well as direction to the AFRC. In the Daily Graphic of 9th June, it was reported that the Northern Students Union (NSU) had sent a statement containing a congratulatory message to the AFRC. The statement, signed by its national secretary

Napoleon Abdulai, recommended “the setting up of a government machinery to probe the activities of all top civil servants who have held office since 1972”. The report indicated that the union also “suggested that Managing Directors of all public corporations and other quasi government agencies and organizations should also be probed”. It further “stressed that the revolution must bring about radical transformation of society and suggested that all those who controlled large sectors of the economy should be forced to hand over any illegally acquired property to the poor.” The union then suggested:

a land reform policy under which all lands whether stool or skin should be confiscated without compensation. The NSU recommended that irrigated lands at Veia, Goliaga, Fubesi Valley & Dawhenya should be confiscated and redistributed to the poor.

6.7.1.4 In that statement, the NSU also had suggestions on the distribution of goods. It asked that “the names of all importers and import licences allocated them should be published by the Bank of Ghana in the dailies”. The union suggested that every family that has more than one car be deprived of the others. All Benz and BMW cars should be seized and turned into a nucleus of State Taxi Corp.” In the same statement, the union “warned the AFRC to beware of civilians who have been advising governments wrongly since 1957 and said the Council should let information on their activities flow freely to the public.”

6.7.1.5 On 7th June, NUGS, whose leadership was then at UST following a rotational system of leadership amongst the three universities of the time, issued a statement to the GNA signed by its President, Steve Akuffo. The statement contained an invitation to all NUGS Executive Committee members as well as all past Executive Committee members for the last three years to an Extraordinary Congress at Kumasi on Saturday, 9th June.

6.7.1.6 On 10th June, the extraordinary congress announced its suspension of the President of NUGS, Steve Akuffo, from his position on the ground that he was related to the deposed head of the SMC (II) Gen Akuffo. The Daily Graphic reported that the union believed that such suspension was in the president’s interest as well as in the interest of the union. At that same Congress, NUGS adopted a ten- point resolution in which it pledged its total support to the AFRC and urged “all progressive and democratic forces to support the Council’s revolutionary exercise”. The Congress observed that the house-cleaning exercise was to be accorded top “priority over all national programmes since the success of the Third Republic depended upon the success of the house-cleaning exercise”. The students further agreed with the statement of the Chairman of the AFRC that “A person is either part of the problem or part of the solution” Consequently, the students urged the Council that “all those who formed part of the problem should be eliminated in accordance with revolutionary discipline”.

6.7.1.7 On 12th June, the students of University of Ghana demonstrated through the principal streets of Accra in support of the revolution and ended the demonstration with a march to Burma Camp. The students chanted songs urging the AFRC to kill Gen Akuffo and “Mr” Acheampong, and carried placards, some of which bore the following inscriptions: “Let the Blood flow” “Akuffo no more, Kalabule no more” and “Probe

Parties”. The group was addressed by the Chairman of AFRC who gave them assurances that the AFRC would translate the ideas that motivated them to seize power into reality, since “Ideas not translated into reality mean nothing”. A People’s Court was therefore promised, which would decide the fate of the “nation wreckers”. The newspaper further reported that the spokesman for NUGS, Sakkua Agambilla, explained why students had committed themselves to the revolution and stated that the students would support the AFRC as long as it stuck to its aspirations. The students urged the Council to shoot all those caught in the “net”, and encouraged the AFRC to resist pressure that some politicians were bringing to bear on the Council to hand over power to them.

6.7.1.8 During that address, persons who were in positions of authority were denounced as being guilty of acts that sabotaged the welfare of “ordinary Ghanaians” and the nation was told that since “power rests with the people and not the bosses” they were to “stand up and say ‘this is wrong. I cannot do it sir’”. Consequent upon the belief that it was people in authority who always gave bad instructions and got their subordinates to break the law and do other morally wrong acts against the public welfare, they were branded as “nation wreckers”, and the general populace was urged “to feed the Council with all the vital information (“hard, solid and concrete facts, nothing false”) about the nation wreckers”.

6.7.1.9 These demonstrations were obviously coordinated, for a report from Cape Coast in the same newspaper quoted a GNA report that more than 1,000 students of UCC had also demonstrated through the streets of Cape Coast for two hours in support of the AFRC. The students, according to the report, carried placards that read “clear managers and businessmen”, “workers expose your bosses”, “firing squad for nation wreckers”, “give workers good deal this time” and “watch out for imperialist manoeuvres”.

6.7.1.10 At this time, letters began to appear in the dailies written by persons who gave their addresses as being from educational institutions. These persons did not indicate whether they were students or teachers. These letters urged the government to use executions by firing squad as punishment for those who had indulged in kalabule. A letter bearing an Accra Polytechnic address and written by one E O Awudi, said:

I personally feel that the only drastic measures to clamp down on the Kalabule system of living is to introduce firing squad in the 3rd Republic. Even ancient Babylon which was a devoted Christian city underwent the law ‘An eye for an eye and a tooth for a tooth’ Why can’t Ghana adopt this method to bring sanity into our community. Ghanaians need an exemplary action. If two or three are fired to death it would serve as a lesson to the rest to refrain from their evil deeds.

6.7.2 REACTIONS TO EXECUTIONS

6.7.2.1 The first two Generals, “Mr” Acheampong and Maj-Gen E K Utuka, a former Commander of the Border Guards, were executed by firing squad on Saturday, 16th June. The execution in public of a former Head of State in this manner, was unprecedented and it was condemned in Ghana and abroad. Again on Tuesday, 26th June, 1979, two other

former Heads of State, Gen Akuffo and Lt Gen A A Afrifa, as well as three members of the SMC – Maj-Gen Robert E A Kotei, Air Vice-Marshal George Y Boakyie, Rear Admiral Joy Amedume, and a former Commissioner for Foreign Affairs, Col Roger Felli, were executed. Thereafter, Ghana came under strong international pressure to end the executions. The Governments of United Kingdom, Nigeria, etc, fired protest statements to the AFRC.

6.7.2.2 A letter bearing a School address, Aburi Girls' Secondary School, and co-authored by two females - Caroline Acquah and Vida Nudekor – with no indication as to whether they were teachers or students, appeared in the Daily Graphic on 28th June. The letter expressed indignation at the reaction of foreign powers to the execution as follows:

We would like to comment on British interference on the execution published in the Daily Graphic dated June 27. The British should know that Ghana is no more their colony and is at liberty to do whatever she thinks is right for her provided it does not affect any other community. This execution is our own internal affair not theirs.

The first question we should ask them is the time we were eating yellow corn did they send us a better substitute? We of the lower class had to hang on with the eating of yellow corn whilst those of the higher class were eating delicious foods. We were being told in between their teeth to cope with the eating of the yellow corn which was meant to be given to pigs and for poultry feed.

6.7.2.3 This letter was instructive in airing some of the grievances of the time and indicated the direction of student response to the executions, but it is even more interesting for having been published on 28th June, in reaction to news published in the newspaper on 27th June. This means that the letter was written, sent to Daily Graphic, received and used the very same day, in time to appear in the newspaper the very next day after the publication to which it purported to react was published. This is a most unusual occurrence and creates the impression that it did not emanate from outside the newspaper.

6.7.2.4 At this time, NUGS also reacted to the criticism from the international community by complaining that the AFRC seemed to be losing the resolve to carry on with the “house-cleaning” after receiving international criticism and coming under international pressure to end the executions. In order to strengthen the resolve of the AFRC, NUGS sent a note to the AFRC encouraging it to stay the course, and urging it to keep up the tempo of the revolution. According to a Daily Graphic report, NUGS wrote that it had observed that the present house-cleaning exercise by the AFRC “has set a new precedent in African politics.” NUGS therefore urged the AFRC to keep up the revolutionary spirit, adding that it had no illusions that the Council would succeed. The students also noted that they believed that “through the series of stern actions we will have laid down a framework with all the necessary deterrents within which subsequent governments and future handlers of the peoples wealth will have to act.”

6.7.2.5 The Note further went on to give advice to the AFRC. In an obvious reference to the “National Week of Repentance” declared by the SMC I and II of Generals Acheampong and Akuffo respectively during periods of severe economic problems, the NUGS discounted the value of such measures and urged the AFRC to concentrate on a thorough “house-cleaning” of those who were most to blame for the woes of the country at the time, and that weeks of national repentance by previous governments had had no change whatsoever on the attitudes of the “looters of the peoples wealth”. With their patience exhausted by use of prayer to solve economic problems, NUGS advised that their revolution could only succeed if backed by action or by force. However, the students did not require the AFRC to continue in office after the “house-cleaning” and therefore requested it to hand over power to civilian politicians immediately after cleansing the body politic of its “nation wreckers”.

6.7.2.6 The Note also expressed disappointment of the students at the slow tempo with which the AFRC was enforcing its promises and warning that “any further delay can neither be in favour of the Council’s image nor in the ultimate interest of the common man who has suffered for far too long”. The students also accused Ghana’s neighbours of conspiring with the “nation wreckers”, “When our timber, cocoa, diamond, rice, maize and essential imported commodities were being smuggled to these countries by the few local enemies of the people of Ghana these good neighbours of ours actively collaborated with them”, the students charged. They stated that the foreign powers were protesting about the “house-cleaning exercise” “because they know full well that if this clean-up exercise succeeds it would cut off their supply of smuggled goods.” NUGS also accused the western powers of showing concern because of the zeal with which the executed officers had implemented directives of the International Monetary Fund “and other imperialist organizations”.

6.7.2.7 Since this Note was not an open letter and therefore not originally sent to the media but to the AFRC directly, it must have found its way into the public domain by a deliberate act of someone, to achieve a particular effect – to show that the young people of Ghana expected even more of the AFRC than it had already done. This was therefore intended to discount the value of the voices that had been raised in protest against the executions. Some of these were the Acting Editor of the Daily Graphic, Ms Elizabeth Ohene, who had written a powerful editorial which criticized the AFRC for the executions; the GBA; the Christian Council and the Catholic Secretariat; and a few others who had protested against the secret trials of the AFRC and the executions.

6.7.2.8 On Saturday, 30th June, the Chairman of the AFRC, Flt Lt Rawlings, in a dawn broadcast, informed the nation and “friends of Ghana” that there would be no more executions of people convicted by the Special Courts of the AFRC. Instead, such persons would be sentenced to penal servitude on penal farms and their properties confiscated. Flt Lt Rawlings stated that the AFRC “had taken note of the special appeals for restraint from the world community especially those from sister African states”. He assured Ghana’s friends that Ghana had not abandoned the rule of law and its adherence to the principles of United Nations Declarations on Human Rights, but appealed to them to

understand Ghana's peculiar situation. He also appealed to Ghanaians to understand the situation.

6.7.3 STUDENTS PROTEST DECISION TO END EXECUTIONS

6.7.3.1 This 30th June announcement of the decision to end the executions did not go down well with the students. Believing that it was not just foreign "interference" that had caused the termination of the executions but also internal criticism from Ms Elizabeth Ohene, the Ghana Bar Association, etc. The students took to the streets to express their rage at the effect of those criticisms on the plan to execute more people. Early on Monday, 2nd July, students of the three universities began a series of demonstrations. The Daily Graphic carried the following report from Kumasi under the headline:

"STUDENTS BACK SECRET TRIALS":

Students of UST yesterday paraded through the principal streets of Kumasi to demonstrate their support for the secret trials and executions by firing squad of the eight top officers of the Ghana Armed Forces.

They chanted revolutionary songs such as 'let the blood flow' and carried branches of trees and placards some of which read 'Farming not a punishment, kill them all' 'Down with foreign pressures' 'Lawyers do not pay taxes – away with them' 'Nigeria hoard your oil – we shall clean our house'. 'Let the blood flow. A half revolution is no revolution'

Other placards read 'Elizabeth Ohene Acting Editor must go' 'Can Col Slater weed? Kill him', 'Bar Association, to hell with you' and 'For heavens sake kill'.

The students ended the parade at the Ghana National Cultural Centre where the President of the SRC Mr. Ben Odame handed a resolution to the Commander of the Fourth battalion of Infantry Capt. J.K. Attipoe to be forwarded to the AFRC.

The eight-point resolution which was read before being handed over condemned in no uncertain terms the unwarranted interference in the national affairs of Ghana by countries and bodies who have never shown any concern for the suffering people of this country and who can have no appreciation of the revolution process which is unfolding in this country today'.

It also called on the AFRC to take firm and revolutionary action 'against all the local reactionary forces' like the Ghana Bar Association, the Christian Council of Ghana, the Catholic Secretariat, the so-called political pressure groups defending only the propertied people because it is our contention that all these groups are mainly afraid of the house cleaning exercise for their own reason and have no concern whatsoever for the poor starving people.

It demanded that the AFRC should not relent the task of national housecleaning, which should embrace every sector of the society including the university and that allegations that certain student leaders in the past collaborated with the Acheampong government be investigated and those found guilty made to face the same fate as other saboteurs.

The resolution further demanded that the death penalty be reinstated immediately for ‘no revolution can afford to do without capital punishment and moreover, penal labour is hardly any encouragement to our farmers and labourers and furthermore, the constitution will not permit penal labour after October 1 1979.

It further called on the AFRC to remove Elizabeth Ohene immediately for her counter revolution and treacherous activities using the Graphic to mobilize forces against the revolution in general and the AFRC in particular. It urged the total support of the students for the AFRC and all progressive elements with the GAFF and wish to make it clear that if it is true that power truly belongs to the people, then only the people can determine the course of the revolution and the AFRC must not yield to pressure from any quarters without the people’s concern [sic]’

Captain Attipoe assured the students that he would forward the contents of the resolution and another resolution from the Armed Forces in Kumasi since the contents were similar. He stressed that in all revolutions, corrupt elements must be weeded out. He appealed to the students to come out with information about corrupt persons in the society to enable the AFRC to take revolutionary action against them.

6.7.3.2 The following day, about 200 students of the University of Ghana also took to the streets. In a demonstration through the principal streets of Accra that was reported to have lasted seven hours, the students of University of Ghana made the same demands as those of UST the previous day. The students protested against the punitive measures being adopted by Nigeria and other countries in their protest against the measures adopted by the AFRC to do its “house-cleaning”. The students chanted war songs and carried placards bearing various inscriptions such as “Shut up Nigeria”, “Expose British hypocrisy”, “Let no nation stand in our way”, “Hands off Ghana Imperialists”, “Down with isolationist policy”, “Graphic against the revo”, “Petrol or no petrol the revo must continue”, “People of Ghana don’t bow to external pressure”, etc. The students then went to various places to present protest notes to the following foreign embassies and organisations: the Nigerian High Commission, American Embassy, GBA, the Judiciary and the Graphic Corporation. The students were also reported to have declared their further intention of presenting similar notes to the Embassies of Upper Volta (now Burkina Faso), Benin, Togo and those of the European Economic Community (now EU) countries. They also named the Christian Council, Catholic Secretariat and the Makola Women’s Union as organizations they were upset with for their criticism.

6.7.3.3 In the protest notes, the students expressed disgust and serious concern about the attitude of the countries concerned since their decision to mount an economic blockade against Ghana was interpreted as an act of interference “in the internal affairs of Ghana”. To Nigeria in particular, the students wondered why she, a longtime close neighbour, should place an oil embargo on Ghana for carrying out a necessary house cleaning

exercise. The students pointed out that the then leadership of the Federal Republic of Nigeria was afraid that similar events would be carried out in that country hence the punitive measures since the oil wealth of Nigeria had not benefited the ordinary Nigerian, but like Ghana had gone into the pockets of top military and public officers and foreign interests.

6.7.3.4 At the British High Commission and the American Embassy, the national flags of the two countries were torn into shreds. The students in their protest note addressed to Her Majesty Queen Elizabeth II through the British High Commissioner, stated that from recent developments, they were convinced that the British government decided to accord recognition to the AFRC in order to protect its trade links with Ghana. They also pointed out that they believed Britain's protestations about human rights in Ghana were meaningless since the protest was not backed by action to meet the basic needs of the people in terms of food, housing, clothing, transport and education. The students also drew the attention of the British Government to their own acts of oppression of human rights in Northern Ireland, Nigeria, South Africa and Rhodesia. Although the demonstration was described as peaceful and decent by Edward Holmes, Chargé d'Affaires at the American Embassy, his only regret was that the students had torn the American flag into pieces.

6.7.3.5 The newspapers reported further that, as "the students trooped to the city centre they were cheered and joined by onlookers including market women, workers and children." The demonstration ended up at El-Wak stadium where they were addressed by Flt Lt J.J. Rawlings and other AFRC members. At the El-Wak Stadium, they demanded that Miss Elizabeth Ohene, Acting Editor of Daily Graphic should be dismissed for her views on the executions and the secret trials. To this demand, Flt Lt Rawlings stated that he had respect for Elizabeth Ohene for her past stand on national issues, and so appealed to the students to leave her alone as she was free to speak her mind. He indicated that the Council had no quarrel to pick with the stand taken by the Daily Graphic in its editorials about some measures adopted by the Council in its "house-cleaning exercise".

6.7.3.6 As regards the other "revolutionary methods" for sanctioning wrongdoers, the Chairman took the opportunity to address the concerns expressed by the students in the note sent to the AFRC by NUGS a few days earlier. He therefore assured the students that there would "be no turning back in the Council's revolutionary actions aimed at redeeming the masses" from the economic difficulties they were labouring under, although the Council had had to re-assess its position on some aspects. He asked the students not to misconstrue this tactical retreat to mean "a loss of revolutionary fervor". Chairman Rawlings urged Ghanaians "to stand as solidly as one man behind the revolution", and gave the assurance that "if we are taking some steps which fall short of the expectations of some of you, that is not because we are pulling back." He stated that as they were good revolutionaries, they knew every action of theirs would bring reaction and therefore they had to pause at some point to assess their position so that they could evolve the correct policy to deal with particular situations in which they found themselves. The Chairman also pointed out that they would let down the revolution if they did not analyze their strengths and weaknesses. "To deal a sharp blow to the internal

and external enemies who want to nip our revolution in the bud”, the Chairman cautioned Ghanaians to consider that “even the little that we have done has brought counter measures against us and the people have to understand so that when they feel the pinch, they will know why they are suffering ...” The students accepted this explanation and Vadis Kamassah, the President of the SRC of the University of Ghana, pledged the support of the students to the Council in its “house-cleaning” exercise.

6.7.3.7 On 8th July, the Chairman, whilst on a visit to Mampong in the Ashanti Region, paid a visit to the campus of UST and addressed staff and students on a “meet the people tour”. During his address, Chairman Rawlings attributed the greater part of the country’s present economic and governmental woes to some businessmen who had hidden behind the curtain to dupe the country through trade malpractices and other anti-social activities. He also criticized the past leadership of the country for the disorganized state of the country over the previous 22 years since Independence and accused them of mismanagement.

6.7.3.8 On the night of 12th July, Chairman Rawlings also addressed students of the University of Ghana on the campus. At that meeting he announced that the trial of the “corrupt people who are in military custody” had begun the previous night, i.e. the night of Wednesday, 11th July. Chairman Rawlings further appealed to them to assist in bringing home for trial all those who were on the run, and to exercise patience since caution should be taken in “drawing the line”. He also explained why it was necessary to end the executions because “if the gun were to be used, all of us would be victims because for five years I used my weapons to protect them while they raped the country.” He, however, gave the students the assurance that those who were being held would be severely punished for ruthlessly reducing Ghanaians to where they had got to at the time. He also alerted the students as to the possibility of fraudsters “taking advantage of the revolution for their own selfish ends”, and asked students to be vigilant in exposing them. He exhorted students to eschew cowardice and be bold to tell any person, group of persons or people in authority whose actions were inimical to the interests of the nations to put a stop to their “dubious ways.”

6.7.3.9 Following students protests at “western interference” in Ghana’s internal affairs, the All Africa Students Union (AASU) based in Accra and manned by Ghanaians, issued a statement signed by K. Gyan Apenteng, supporting the stand of NUGS on the “house-cleaning”. The statement condemned western interference in the internal affairs of Ghana and blamed the activities of “past military regimes and their political alliances who did everything to impoverish the masses of the people install a dictatorship and entrench neocolonialism and destroy the base for popular change.” AASU also stated that in appreciation of the political situation prevailing in Ghana, it had decided to hail “the positive democratic gains” in the interest of the people of Ghana. It went further to give the assurance that “in as far as the present situation in Ghana reflects the aspirations and genuine hopes of the people, the positive nature of the measures adopted by the AFRC cannot be denied”. AASU also explained that “the situation presented the revolutionary forces the enormous potentiality and diverse perspectives” and consequently, it assured

the student, youth and people of Ghana of its support against imperialism and neo-colonialism.

6.7.4 MOBILISING STUDENTS FOR LABOUR

6.7.4.1 The student movement at the UCC decided to take a two-week break from their studies and go out to the rural areas to spread the message of the revolution and explain its tenets to the rural people. This decision by students of UCC was communicated to the public in a statement issued in Accra on 6th July, and signed by the President of the SRC, John S Achuliwor. According to the SRC President, the “students’ decision to undertake such an important national assignment was to ensure that the gains being made by the people towards creating a just society are in no way reversed.” Although the students recognized that such a move would affect their own studies they were willing to make that sacrifice as they were of the firm belief “that no efforts should be spared in thwarting the efforts of those who seek to turn back the moving hands of history.” The statement also informed the public that during the period of the assignment, the students would assist the authorities in locating piled up foodstuffs in food growing areas and would be so organized that where possible, they would assist in even the harvesting of food crops. They would also appeal to the producers of food to feel free to bring their produce to the market without fear of molestation or otherwise. This statement was obviously in response to the shortage of food on the market as a result of the fear of molestation from soldiers. This move to quit the campus in favour of conscientising the people in the rural areas was, according to Professor Kofi Awoonor, then a mentor of the student movement, unrealistic given the fact:

“that ninety-five percent of these students did not know what a revolution is. The exercise itself revealed a degree of arrogance on the part of the naïve idealists who actually believed that from the privileged citadels of bourgeois life, they could carry messages of a revolution to a depressed peasantry that had long been exploited...”

6.7.4.2 The AFRC approved this “initiative” of the students, and issued a terse notice on 11th July, informing the public that the students had offered to go to rural areas to explain the revolution to the rural people and that they were to be given any necessary assistance by regional and district authorities. However, on 14th July, the AFRC issued another notice directing the students of UCC to return to campus to complete the academic year. The notice was contained in a statement by the AFRC to the effect that it had come to its notice that students of the university had left their campus to explain objectives of the revolution to the people, and that since the students left without taking their scheduled exams this would disrupt the university’s programmes affecting new students now in the sixth form. The AFRC further noted that the students had already collected their feeding allowance for the rest of the academic term, and a late return to the campus would mean finding additional money to maintain them. The statement then expressed the appreciation of the AFRC for the support and enthusiasm of the students for the moral revolution, although it was of the view that the immediate aim of the students ought to be the completion of their studies.

6.7.4.3 The SRC of UCC promptly issued a statement denying that students of the university had already collected their feeding allowances for the rest of the term as published in the statement of the AFRC. The SRC with a degree of ire, stated that “the students knowing they will need this money after the programme did not take their feeding allowances for even two weeks. Their return to school had become a sore point with them.

6.7.5 RE-AFFIRMING THE BONDS OF FRIENDSHIP

6.7.5.1 The students of UCC became disaffected as a result of the decision of the AFRC in respect of their public education campaign. The announcement of the AFRC that they were to abandon their public education effort and return to campus because they had already collected their feeding allowance for the rest of the academic year, greatly offended the students. The AFRC tried to assuage the feelings of the students by explaining its position. At the 18th July meeting of students vacationing in Accra. Capt Oduro-Kwarteng, a representative of the AFRC, took the opportunity to congratulate the students of UCC for their initiative in “embarking on a worthwhile revolutionary duty countrywide in support of the national clean-up exercise”. He then explained to the students there gathered, that the AFRC had “no sinister motives” behind the decision to ask the students to return to their studies on campus.

6.7.5.2 When the students of UCC returned to campus, the SRC issued an indignant statement denying the fact of their decision being disruptive of the university’s programme, and the allegation that they had already collected their allowances for the rest of the year be taken on the matter, “and it should be clear to you in whose interest it is for such distortions to arise.” The Chairman went to the campus of UCC and interacted with the students. He declared that the AFRC had accepted responsibility for the statement put out in its name and commended the SRC for coming out with the “offensive distortion”. He went on to blame the media because, according to him, publications such as these were put out by enemies of the revolution who gave the wrong information to the AFRC, and attributed ulterior motives to the person since that untruth had succeeded in bringing the public education effort to an end. These same allegations later appeared in the readers’ letters column of 25th July issue of the Ghanaian Times, in a letter authored by one Kweku Arhin Dennis of UCC. The letter stated:

With no one coming out to accept having given false information to the AFRC, I take the opportunity to call on the AFRC to be wary of detractors and counter-revolutionaries who are determined to break the students support for the moral revolution...as we return to campus with our spirits rather low we reconcile ourselves to our belief that ‘It is easier to kill a revolutionary but not at all easy to kill a revolution.

6.7.5.3 This reaction from the students greatly alarmed the AFRC and the Chairman quickly paid a visit to the campus of UCC on 20th July. The Ghanaian Times banner-headlines screamed: “AFRC-STUDENTS BOND IS SOLID” and the Daily Graphic carried the banner-headline: “LET’S MOVE TOGETHER ...TO FIGHT COUNTER-REVOLUTIONARIES”. The newspapers reported that the Chairman of the AFRC had

explained to the students that it was the acts of counter-revolutionaries who were trying to split the AFRC-students bond that had caused the decision to abort the public education campaign. The Chairman assured the students that the bond was stronger than what the distortions could destroy. The Chairman denied that it was the AFRC that put out the notice requesting the students to return to campus. In his own words, “the recently publicized statement attributed to the AFRC and widely publicized in the media seems to me as one of those attempts”, but, he went on:

We respect the initiatives students take because we know that we share common cause with you. Everybody knows how much students have stood in the forefront of resistance to tyranny in this country and how much since May 13 1977 you struggled relentlessly against corrupt and bankrupt leadership in this country... This is what unsettled those who wanted the revolution to be stillborn. They have adopted the strategy of inventing views and statements in the name of the Council in order to break the revolutionary solidarity between us ...I assure you that, we are investigating the circumstances surrounding the issuing of this statement so that appropriate steps can as the one the UCC students found offensive ... and that this was the work of ‘counter-revolutionary elements’ [who] still do not see eye to eye with us in the bureaucracy in the mass media who we have been trying very hard to educate.

6.7.5.4 To prove to the students that sections of the media had counter-revolutionary agenda, the Chairman complained that he had been misquoted on an issue affecting workers in a manner calculated to cause disaffection among the workers towards the AFRC. He took the opportunity to correct the impression created by the media in respect of the story affecting the workers, and also went on to assert that, “We knew too that our openness in not hiding our views or our actions in respecting the freedom of the press and not wishing to take action against even those who openly attack us is probably being abused by some.”

6.7.5.5 The Chairman used the opportunity to assure the students that the AFRC valued their support and initiative “in seeking to advance the revolution” and told them that, “Even while you are on campus there is much you can do for us by way of suggestion, even criticism where we seem to be going wrong.” The meeting ended with the SRC President, Achuliwor, suggesting to Chairman Rawlings to direct an announcement to be made to disabuse the minds of the public that students of UCC had collected their allowances for the rest of the term.

6.7.5.6 There is no indication that this announcement correcting the earlier “offensive” statement that the students had already collected their allowances was ever made. Despite the degree of unhappiness with the announcement, the students accepted the explanation that the earlier announcement was the work of “counter-revolutionary elements”. This hiccup in organization was smoothened over and partnership was restored after the students were made to appreciate that such incidents were to be expected from counter-revolutionaries.

6.7.5.7 The initiative of the students of UCC in going out of campus to do public education had exposed the utility-potential of the students in galvanizing the citizenry into publicly demonstrating support for the revolution. Their subsequent withdrawal to complete the academic year created a vacuum which had to be filled. The plan to mobilize all students on vacation in the towns and cities was then born. The plan caused the government to announce arrangements for the drawing up of an official programme in which all students would actively participate during the vacation. Efforts were made to draft other students such as polytechnic students, trainee teachers, secondary school students, etc, to replace the university students who had to return to campus to complete the academic year.

6.7.5.8 The move to involve students in activities to promote the revolution had support from various personalities within and without the student movement. On Thursday, 12th July, an appeal to students to volunteer to spread the message of the revolution was published in the Ghanaian Times. The message was from the President of the Brong-Ahafo Students Union Kusi Aborah who urged students to see it as their civic duty to “educate the masses” in the rural areas. According to him: “It behoves every student to voluntarily educate the people on issues at stake because the revolution is not one man’s responsibility.” It is instructive that at the meeting at which this appeal was made students of UCC were present, as well as a director of operations for the Brong-Ahafo, Wilson Benneh.

6.7.5.9 The 13th July issue of Ghanaian Times in reporting the meeting between the Chairman of the AFRC and University of Ghana students at Legon, the newspaper gave a cryptic report thus:

He [the Chairman] asked them to fight in a relentless war to protect the economy by exposing the profiteers, hoarders and smugglers, but left it to them to decide on when they plan to go to the villages to enlighten the farmers on the aims of the revolution and bring foodstuffs to the market centres.

6.7.5.10 In that same 13th July issue of the newspaper, an appeal was made by Kofi Lamptey, a former Secretary of NUGS, while addressing Oguaa Students Union at the Cape Coast Town Hall, for secondary school students to take over from university students in educating the rural dwellers. According to the report sourced from Ghana News Agency (GNA): “The former secretary asked the students to be in the vanguard of the present revolution whose objectives are in line with the aims of the struggle waged by NUGS a few years back.” This was the clearest articulation of the reason why NUGS saw itself as the partner of the AFRC in the enterprise of effecting societal change. Consequently, the need for the students to do their fair share of the work involved in the task of achieving this change in Ghana became pre-eminent. Since the students could be found in every nook and cranny of the country and had in fact been used to great effect in the anti-Unigov campaign of the previous year it was not surprising that their contribution to the “revolution” was cast in terms of their obligation to spread the message of the “revolution”.

6.7.5.11 The plan to mobilize the students was put into motion. The AFRC representative organized a meeting of students from secondary schools, training colleges, and Polytechnics on holidays in Accra. The students, reported to number over two thousand, (2000) were addressed by Fg Offr Forjoe and Capt Oduro-Kwarteng both representatives of the AFRC. Fg Offr Forjoe called on all student organizations in the country to mobilize their members to carry the objectives of the revolution to the rural folk. He explained the need for such education by stating that it would “enable the students play an effective role in lifting the country from the present chaotic stage.” He also told the students that the revolution was meant to better the lives of Ghanaians and called for their wholehearted support since they, as future leaders of the nation, would benefit from its success. The AFRC representative also asked the students to assist in the “clean up” effort which had started from the top, but which had to go down the lower rungs of society. He then advised them to start the “clean up” from their own homes and advise their own “kalabule mothers and fathers into repenting and turning over a new leaf.” He was also reported to have further advised the students “If you know your mother is a cheat and your father is kalabule, you better report them now.” An appeal was then made to female students to spend their vacation in more useful enterprises such as “cooking for their male counterparts who are spreading the revolutionary gospel to the people rather than putting on gorgeous dresses with the aim of enticing the corrupt managing directors and managers.”

6.7.5.12 The Daily Graphic’s report of that meeting stated that at that same meeting, six working groups based upon specified residential areas - Tema, Madina-Legon, Nsawam, Winneba, Oda and Accra Central were formed. The working groups elected leaders to join the Interim Co-ordination Committee to plan strategy for their operations. The importance of that meeting and the fact that it had the highest political support, was demonstrated by the fact that the Chairman and other members of the AFRC put in an appearance at the meeting. The students thus received assurances that the speeches and other operational plans were authorized by the AFRC. Thus from a volunteer programme, the decision by the students became a national programme for conscripting the students to give free labour.

6.7.5.13 The newspapers began to fill their pages with reports of student-activities in support of the revolution, but the fact that these activities were organized under official authority was underplayed as information to the public sought to portray the students as partners in the patriotic act of returning Ghana to the moral path. The newspapers failed to disclose the link between the meeting of 18th July, at the Accra Community Centre, where students had been organized into groups based on residential addresses, and the subsequent activities that the students undertook. This omission thereby created the impression in the public mind that the activities of the students was voluntary and on the students’ own initiative. However, the evidence of official organization was incontrovertible, as demonstrated by this notice titled “Student Volunteers” carried in the Daily Graphic of 27th July, which appealed to the public to support and gave a State-House address for receipt of donations in the following terms:

The Greater Accra students have volunteered to use their holidays in educating the public and assuring farmers to harvest their crops in connection with the campaign to spread the June 4 Revolution. A statement from the office of student affairs and signed by Pilot Officer [sic] Fordjoe said the student volunteers would welcome donations from organizations, firms, corporations and individuals.

The official nature of the publication as well as the existence of an office to coordinate student affairs was not left in doubt since the address of the student office provided in the notice indicated that it was based at State House in Accra.

6.7.5.14 From Koforidua came a report that the AFRC representative on student affairs addressed a meeting of students in Koforidua at the Hotel Eredec on 1st August. He urged them to stand behind the revolution and educate the rural people on its aims. He advised the students whose parents were kalabule to denounce them to their friends if they could not do so to the authorities themselves. He also advised those whose parents had already been caught in the net to put away sentiment and concentrate on supporting the revolution.

6.7.5.15 Students in various parts of the country were reported assisting in various ways to achieve the objects of the revolution. In a 2nd August report in the Daily Graphic, students were reported to have worked for five hours, helping to harvest some corn on the farms of Mankoadze Commercial Farms at Gomoa Abaasa. The harvesting group numbering over 200 students and 370 women volunteers from Mankoadze village, was under the Command of Fg Offr J M K Akom-Mensah AFRC representative at Swedru. The group of volunteers was later joined by about eighty “queue contractors” I e conscripts who had been rounded up in different parts of Swedru town for being in queues because queues breed kalabuleism which the AFRC wanted to discourage.”

6.7.5.16 Although there was no documentary evidence of a specific decision by the press or political authorities to manipulate public opinion by portraying students as patriotic and imbued with public spiritedness, the newspapers, then state-owned and government-controlled, began to report on the activities of the students regularly. On a daily basis, students appeared in the newspapers engaged in one activity or the other. The two newspapers reported on the same incidents, often quoting the same portion of documents presented or giving prominence to interviews that explained the rationale for engaging in that activity as “the students’ contribution towards the success of the revolution.”

6.7.5.17 In the newspaper reports, prominence was also given to the leaders of the student group, thus creating a platform for other students to emulate the worthy example of the others. For instance, the Daily Graphic reported that more than 400 students from various secondary schools and technical colleges and training colleges on holidays in Accra conducted a clean up campaign around community centers, main bus stop, Tema Lorry station and Department of National Lotteries. It then went ahead to name the leaders of the volunteers as Elvis Amedekar and Miss Gifty Dadson, and added a few words from the subsequent interviews. The same pattern was repeated in several other instances, such as a report from Ho, which stated that more than 80 students spending

their vacation at Ho under the leadership of G S K Agrah, had undertaken a five-day voluntary labour programme by working on a canteen being built by the Public Works Department. This prominence in the media was bound to be flattering to students, who, like most young people must have been fascinated by seeing themselves in print and it created an incentive for more activism from more and more students.

6.7.6 VIGILANTISM BY STUDENTS

6.7.6.1 Students were reported to be engaged in field operations with uniformed personnel of the Armed Forces. In the Daily Graphic was a report that a combined team of students and Border Guards had impounded one hundred and ten cartons of fish allegedly being hoarded in a cold store at Kaneshie, Accra. The owner was arrested and taken away for questioning. The leader of the students was named as Alex Asare, and he was interviewed as to the circumstances of the arrest and seizure of the fish by L/Cpl Osei Owusu. The same group also intercepted a mummy truck carrying fourteen cartons of fish without any waybill. 4.00 a kilo. The fish was seized, sold to the public at the controlled price of and proceeds paid to the owner. A similar report from Kpando indicated that a combined team of army personnel and students had impounded ten truckloads of fish and that nineteen women had been arrested. The newspaper reported that the students had also taken the women to a nearby classroom and given them more than six hours of lectures on good citizenship.

6.7.6.2 From Ketu District came a report that student volunteers of the Dzodze Students Union had recovered assorted goods either abandoned or hidden in the bush by smugglers at Dzodze in Ketu district. The items included 80 drums of local gin and three bags of granulated sugar. J W K Achilles Akyea, leader of the volunteers and a student of the University of Ghana, explained to the press that they had received a tip off that a group of smugglers had hidden some goods in the bush apparently to smuggle them into Noefe in the Republic of Togo. Consequently, they went into action, and successfully retrieved the goods. The Dzodze Students Union also announced that it had embarked upon a one month civic education of people in the Ketu District.

6.7.6.3 These reports demonstrated the extent of student vigilantism. However, there were muted protests as the following report from Tema demonstrated: the report was to the effect that the activities of the students caused some anxiety and concern among members of the public. Students were accused of harassing market women and thus causing a food shortage which was described as “artificial” because the women were afraid that if they displayed their wares, “they would be subjected to humiliation at the hands of their children [ie students young enough to be their children].” The report went thus:

Students assigned for price control have been asked to go about their assignment with restraint so as not to scare food sellers from bringing their wares to the markets. Egya Ansah, General Secretary of the Tema Voluntary Club said much as the public appreciates the efforts of students in enforcing price control as their contribution to the success of the revolution, the mode of operation of some of them was scaring the women

from bringing their wares to the market places for sale. Complaints have been made to the club at Tema that some students dictated their own prices and that when those prices were not complied with, the sellers were harassed. This Mr. Ansah said had resulted in food sellers being reluctant to display their wares for fear that they would be subjected to humiliation at the hands of their children.

6.7.6.4 Another report demonstrated that not only had student vigilantism been authorized and facilitated by the national authorities, but that difficulties were also addressed by officials of the new government at high official levels. Thus, when some of the students who had gone into the field to enforce price controls and do public education at Winneba began to experience difficulties with the general public, they complained to the AFRC and a meeting was held at Winneba with student representatives and heads of departments to discuss the issue. At the end of the meeting, Wing Commander AK Tamakloe of the Air Force Headquarters, was reported to have urged all, and in particular, traditional rulers and certain governmental agencies such as the police, to appreciate the work of students who had undertaken to spread the aims of the revolution and to give them much needed assistance. The students on their part were advised to stick to checking profiteering, hoarding, lateness and malingering. This advice had become necessary because some of the students were taking over the functions of the police in checking crime. In thus calling a meeting of “heads of departments” of government agencies to address these issues, anyone who doubted the degree of political support the students activities enjoyed was educated on that score.

6.7.7 THE STUDENTS’ SWANSONG

6.7.7.1 The AFRC was due to leave office on 24th September, 1979, when power was to be handed over to President Limann. On 21st September, 1979, the students organized demonstrations ostensibly to congratulate the AFRC and thank them for a job well done. Thus, they appeared to have maintained their support for the AFRC to the very end. The essence of the student demonstrations, was captured by the Daily Graphic in the headline: WELL DONE AFRC, and the Ghanaian Times as STUDENT VOLUNTEERS THANK AFRC. The newspapers reported that thousands of students from the secondary, technical and tertiary institutions had taken part in a peaceful demonstration through the principal streets of Accra, in appreciation of the efforts of the AFRC in bringing sanity into the country’s economy. They carried placards some of which read “WELL DONE AFRC”, “GHANA IS NOT A GOLDMINE”, “R.I.P. KALABULE”, “TAX INVADERS SHOULD BE WARNED”, “EDUCATION SHOULD BE A RIGHT NOT A PRIVILEGE”, “THE FIRE IS STILL BURNING”, “KALABULE YOU ARE NOT CHRIST YOU CAN’T RESURRECT” and “LIMANN BEWARE!”. The demonstration started from the Liberation Circle through Accra Central to the “Revolutionary Square” (El-Wak Stadium) where the students were addressed by Fg Offr Fordjoe, Liaison Officer for Student Affairs.

6.7.7.2 The students also pledged support for the incoming government of the People’s National Party (PNP) under Dr. Hilla Limann, but sounded a warning that the youth were now wide awake from their slumber and were in no way going to compromise principles.

They therefore hoped Dr. Limann and his team would do all they could to make life worth living for the people. They urged Dr. Limann's government to continue, in the revolutionary rhetoric of the time "without fail", the "house-cleaning" exercise as promised. In an interview, Alfred Vanderpuijje, spokesman for the students said the AFRC had done exceedingly well by eradicating to some extent kalabule and other social vices. He observed that the sure way to eliminate these evils is "rigid and frequent checks on public officials and traders' activities." Later, amidst singing of mourning songs, the students burned a coffin to signify the end of "kalabuleism" in Ghana.

6.7.7.3 The demonstration was not spontaneous, and appears to have been organized by the AFRC, or at least with its approval. This is because at the end of it, the report indicated that "the demonstration started from the Liberation Circle through Accra Central (a very "official route") to the "Revolutionary Square" (El-Wak Stadium) where the students were addressed by Fg Offr Fordjoe, [AFRC] Liaison Officer for Student Affairs". Clearly the route used by the students was a pre-determined route. The Liaison Officer had to know about where and when it was expected to end in order to be present to address the students, and the fact that it ended at the so-called "Revolutionary Square" (El-Wak Stadium) and not at the Castle or at Burma Camp was significant. It is in the light of this reality that the warning to President Limann to carry on the "house-cleaning" was ominous.

6.7.7.4 The news reports of the time gave little prominence to a new development that showed signs of the beginning of the end of the "honeymoon" between the students and the AFRC. Indeed, the Daily Graphic did not publish that aspect of the demonstrations. However, the Ghanaian Times gave a cryptic report of another aspect of the demonstration. The AFRC had announced an increase in boarding fees for the new academic year for secondary and technical schools. This did not go down well with the student volunteers because some of them were in secondary school. Therefore, during the demonstration to "thank the AFRC", a cryptic report in the Ghanaian Times confirmed that a "section of the students also demonstrated in protest against the increase in the boarding fees."

6.7.7.5 From Tema, the GNA reported that the Students Union had issued a statement criticizing the government's approval of increase in boarding fees 231.00, for secondary and technical schools in the public $\text{c}\text{150.00}$ to cfrom system. They complained that there had been an increase the previous year and therefore the new increases were not justifiable. The students, however, blamed "some top officials of the Ministry of Education and the Ghana Education Service" for trying to discredit the AFRC by convincing the council to approve such 'killing and prohibitive school fees'.

6.7.7.6 This was an ominous sign that suggested that the "honeymoon" between the two groups may have ended if the AFRC had remained in office longer than it did. The disappointment of the students was understandable because only six weeks before then, the AFRC had issued a warning to proprietors of private schools to decrease their school fees "before the government steps in to do it for them" and that "any proprietor who fails to comply with this instruction will have himself to blame". It was thus surprising that the

same body would authorize increase in fees for public schools. It is therefore not surprising that the students believed that the advice they had received from “some top officials of the Ministry of Education and the Ghana Education Service” had been given by persons who wanted the AFRC to act to its own detriment.

6.7.8 INTELLECTUAL SUPPORT FOR THE STUDENTS

6.7.8.1 The students did not operate without intellectual support. From the mid-70s when the student movement had become radicalized, it had its intellectual fathers. The account of one student leader, Kabral Blay-Amihere, has been written in such fine prose that it is impossible to render the subject in more intelligible language. His account of the role of the intellectual fathers of the students’ movement in shaping its ideological direction goes thus:

Life at the University of Ghana in the 70s was quite an exciting one, marked by radical politics. We had very brilliant lecturers who became our intellectual mentors. There was Ebo Hutchful, an articulate lecturer in political science who hit the headlines during the short-lived rule of Dr. Kofi Busia. He made the headlines when he broke the protocol and security cordon of Prime Minister Busia during a visit to the University of Ghana and traded words with him...Returning after graduate studies in Canada, he joined the department of political science which had other famous names like Dr. Emma Hansen and Chris Hesse.

They constituted the left at the department which had other lecturers of rightist political persuasion, notably Professor Folson. Complementing the dominant leftist camp of lecturers were Dr. Kwesi Botchwey, Professor Akilagpa Sawyerr and Tsatsu Tsikata, all of the Law faculty. What these lecturers had in common was their academic brilliance and Marxism. They indeed inspired my generation to adopt a radical Marxist view of history and political developments. They were popular with the students and were always on the lecture circuit mostly at the University’s auditorium where they engaged other lecturers of the right in debate. Young, fiery and articulate, they obviously won the battle for the minds of students, at least in the radical leadership of the National Union of Ghana Students.

The cold war was still raging on fiercely in the 70s and universities were fertile grounds for winning souls. One lecturer who might have made the greatest impression on students was Dr. Kwesi Botchwey who was in his 30s. He was one of the socialist boys who on the overthrow of Nkrumah had been harassed for supporting the socialist policies of the Convention Peoples’ Party. He later studied at Yale University and taught at the University of Dar es Salaam during the same time that the famous leftist author and historian Walter Rodney who wrote the third world classic –How Europe Underdeveloped Africa was also teaching at Dar es Salaam University ... Dr. Kwesi Botchwey, many years later became Minister of Finance of Ghana and earned the reputation as the best spokesman and defender of policies of the International Monetary

Fund. For the generation of students he so inspired as a lecturer, his new role as defender of IMF policies was a complete ideological U-turn and a paradox of the highest order.

From his radical beginnings to his years as a lecturer, Kwesi B as he was called by his friends was a bitter critic of the International Monetary Fund and other international organisations like the World Bank. For me and many others, his anti-imperialist neo-colonial stance on global developments was what made him an intellectual mentor. He was consistently emphatic in blaming these institutions for all the ‘woes of the third world’. It must have been a source of worry to him years later when he mounted political platforms and spoke of these institutions and their programmes as sine qua non for our development. Of course in the 70s when he was a simple lecturer in the same trenches as other leftists who years later would abandon the ship and become apologists for capitalism, his message touched base with the ideological struggles of many.

Another lecturer who made a lasting impression on students in those days was Dr. Jawa Apronti. He was the doyen of socialists on Legon campus. A soft-spoken, grey-haired noble-looking professor of the Institute of African Studies, he supervised many meetings of our small socialist circle. He was not as fire-spitting as Botchwey, but he made the same impact on us with his soft manner of articulating his views.

It was during this period that I met another lecturer, Atukwei Okai. ... Known as the logoligi man, Atukwei Okai was a staunch Nkrumaist and Pan-African [sic]. His unorthodox poetry had made him famous and popular. I was later to use many of his poems to give headlines to my articles...

These prominent intellectual fathers had several other followers within the academic community as well as the worker-population at Legon.

6.7.8.2 The students of the UCC had their mentors in the leftist academics such as Ms Ama Ata Aidoo, Dr Atta Britwum, Nkunu Akyea and Professor Kofi Awoonor. The UST students also had their mentors who were such leftists as the Soviet-trained Dr S B Arthur and Dr Akyeampong as well as Dr Amoo. Many student leaders acknowledge that these lecturers were a great influence on the student movement as they were held in very high esteem by the students. These mentors of the student movement thus acquired a national platform for their ideas, when the students came into partnership with the Junior Officers and Other Ranks of the Armed Forces. Indeed, as was the case with the youthful leaders of the NLC, many of the Junior Officers who were active in the AFRC were school mates, and even classmates of the leaders of the student movement. It was, thus, not surprising that the mentors of the student movement were roped in to mentor the “revolution” and provide intellectual support for the students.

6.7.8.3 Thus, it was, that on 26th July, 1979, a three-day seminar was organized for students on vacation in Accra at the Accra Community Centre under the theme “Spread the aims of the revolution”. It was unclear who organized the seminar, but it featured Kwesi Turkson, and some of the “intellectual fathers” of the student movement. Kwesi Turkson, a student of UCC explained to the participants the need for the students

themselves to understand the background of the crisis in which they had intervened, hence the need for the seminar. The seminar was also addressed by the representative of the AFRC in charge of student affairs, Fg Offr Forjoe. He lectured the students on the need to keep the revolution going even after the AFRC handed over power, and criticized the Ghanaian public for always wanting soldiers to be at their elbows to protect them, instead of standing up for themselves.

6.7.8.4 The seminar was also addressed by N N K Aggrey Orleans of the Institute of Adult Education, at the University of Ghana, who charged the students to use the opportunity presented by the revolution as an instrument of change, and to act as watchdogs. Cameron Duodu, a journalist, on his part, urged the students to transmit the views of the rural people to the government during their public education effort. Professor Akilagpa Sawyerr of the Faculty of Law, University of Ghana also addressed the students on “The structure of the Ghanaian society and change”. He educated the students on the existing classes within the Ghanaian society as a result of colonialism, and urged them to arouse the consciousness of the citizens as to the presence of imperialist agents within the economy. He also encouraged them to appreciate the force of student power, in the achievement of the aims of the revolution. Other speakers were students of the University of Ghana, Kwasi Adu-Amankwah and Tony Akoto-Ampaw.

6.7.8.5 That these “leftist intellectuals” had great influence on the students is not in doubt. Blay-Amihere relates an incident to demonstrate the influence of these lecturers on the students. The government had proposed that all students should undertake military training as national service. The students of Legon were opposed to the idea, but those of UCC supported the idea. At that year’s NUGS Congress, Professor Akilagpa Sawyerr was invited to deliver a paper on the issue. The very fact that the students had opened up their movement’s congress to a lecturer showed what a high opinion they had of him. Blay-Amihere recounts that:

With careful analysis and powerful oratory he convinced everybody that the militarisation of tertiary students was not proper national service. That nailed the agitation for military training as national service. Instead NUGS voted for the present national service whereby graduates go to work in public institutions, schools and other facilities.

6.7.8.6 There were other academics on the campuses who were influential with the students and helped to shape their thinking. One student leader alleges that some of their resolutions were drafted by their lecturers. Other lecturers were involved in activities that supported the position of the students. For instance, operating under the banner of Society for National Affairs, Dr. Amoako Tuffuor, a lecturer of UST, had issued a statement supporting the executions, and the society had also organized a lecture on 31st July, on the theme “House-cleaning exercise – how to make the benefits permanent”. At this lecture, Dr. Yaw Saffu, a Senior Lecturer at the University of Ghana, expressed the view that “the benefits of the Revolution must be institutionalized, structured and taken beyond the reign of the AFRC”. He also advocated the setting up of a Special Court with a Special Prosecutor to try cases of tax evasion. At that lecture, Agambilla, immediate past

President of the SRC of University of Ghana, and a law student, advocated that the incoming administration of the PNP ought to resist pressures from lawyers to review the decisions of cases tried by the AFRC Special Courts.

6.7.8.7 The views expressed at these lectures were important in indicating the direction of the thinking of the AFRC, because not only was the Special Court idea adopted, but Transitional Provisions containing “almost water-tight” ouster clauses were drafted into the 1979 Constitution. These ouster clauses purported to oust the jurisdiction of the courts in order to prevent them from questioning or reviewing the decisions of the AFRC Special Courts. The review of some of those decisions, despite the prohibitions set down in the Transitional Provisions to the 1979 Constitution, became one of the rallying points of the pro 4th June “revolution” group, and was eventually cited as the reason for the murder of three High Court Judges in 1982.

6.7.9 STUDENTS-WORKERS ALLIANCE COMES INTO BEING

6.7.9.1 Students and workers, particularly on the campuses had not been very cordial in relating to one another. Students constantly complained about the treatment that workers on campus meted out to them. Indeed, this lack of cordiality was not a recent phenomenon as it was one of the grievances that fuelled the disturbances at UST in 1966. Socialist rhetoric bases much of its criticism of the bourgeoisie on the exploitation of the masses, represented by the working people. Since “bourgeoisie” was synonymous with persons in authority at this time, support for the interest of the working people as the basis for societal transformation meant solidarity with workers’ unions. Consequently, an alliance was forged between the workers and the students.

6.7.9.2 On 9th August, 1979, the NUGS issued a statement in which it called on the AFRC to appoint workers on commissions of enquiry set up to investigate charges against corrupt officials. According to the students: “This will give these commissions a more revolutionary and worker character, which is better than their present slow and bureaucratic committees.” The statement explained that the recommendation stemmed from their belief that it was the workers who “lived nearest to the dirt and filth and could do the cleaning better.” On housing problems, NUGS called for extension of the “one man, one house” exercise in Tema to all other government-owned or government-built housing units in the urban centres especially at Dansoman and Teshie-Nungua. Those with more than one house in these areas should be brought to book and severely punished. They said they were satisfied with the implementation of the findings of the committee which probed the State Fishing Corporation and the action taken on Tata Brewery Ltd. NUGS also expressed the hope that time would not be wasted implementing reports on probes on the Black Star Line, the Cocoa Marketing Board, the Timber Marketing Board, RT Briscoe and all other organisations that deserved the broom in the “house-cleaning” exercise. The statement expressed students’ satisfaction with the AFRC’s action in bringing to book all tax evaders and reiterated that the “big fishes” should not be spared. It further called for maximum concentration on the big business houses in the anti-hoarding exercise and the elaboration of an effective system for the distribution of essential commodities and food items. It commended the AFRC for

ensuring that these items were within the reach of the common man. The statement accused Irani Bros of hoarding a large consignment of flour, and other business houses of hoarding large stocks of essential commodities.

6.7.9.3 A few days after this statement, an announcement was made establishing a 58-member committee to dispose of seized assets. The committee included representatives from NUGS, University Teachers of Ghana (UTAG) Trades Union Congress (TUC), Ghana Armed Forces, the police and Lands Department. The committee was to oversee the disposal of assets that would be confiscated to the State.

6.7.9.4 The desire to “house-clean” spread to all other organizations. The demonisation of all persons in authority by the portrayal of all subordinates as hapless victims of the system created by immoral bosses, legitimized any force and violence perpetrated against them. The junior ranks of the Police also mutinied against their superior Officers. This resulted in the creation of a Committee of Enquiry into the Police Service. This Committee was chaired by Capt Karl G Huppenbauer.

6.7.9.5 On 14th August, 1979, NUGS issued a statement commending junior ranks of the Police Force for initiating a clean-up of their institution in tune with the spirit of the revolution. The NUGS took the opportunity to express its disapproval of the premature termination of the action of the junior ranks by the establishment of a committee of enquiry, and observed that the clean-up exercise should have been allowed to proceed to its logical conclusion just like the Armed Forces achieved theirs on 4th June. NUGS thus expressed solidarity with the junior ranks for rising up against their superiors and approved their action because “for far too long the rank and file had been manipulated by their seniors who coerced them to engage in activities that run counter to the ethics of the force.” NUGS, however, declared its faith in the work of the committee by noting that “recent statements by the chairman of the committee have given worried observers some relief and one would not be wrong to assert that the committee is on the right track”.

6.7.9.6 A group calling itself “Students Investigative Bureau” of the University of Ghana wrote to the Chairman of the PNDC complaining that the AFRC had been soft on B A Mensah, Chairman of International Tobacco Company Ltd, Ghana (ITG), who had committed tax offences on the same scale as J K Siaw of Tata Brewery. In the undated and handwritten letter, they alleged corruption on the part of Maj Boakye Djan and Maj Mensah Poku, two members of the AFRC, for this situation and ended with the statement: “all eyes are watching you in these your last days. Action Now. Long live Student/Chairman comradeship”. They supplied some documentation and quoted one Edward Akumfi Agyeman, a former Financial Controller of ITG, who had resigned from the company, and made a surprising request for the man’s re-instatement even though they themselves stated that the man resigned his office. The Student Investigative Bureau document stated that:

Our study of the character of Mr. B A Mensah shows that he is a robust character and therefore is a security risk to the armed forces revolutionary council and the chairman yourself in particular, and could use his wealth to topple any future government. We are

of the view that whether he had paid the tax he evaded or not, once he had committed the offence, he should be brought to book ... We the executives of the Students Investigative Bureau believes [sib] that if the AFRC fails we the students of Ghana in general have failed and therefore we have to work in unison.

6.7.9.7 Although there was no named member of the Student Investigative Bureau, an article published by Kwasi Adu a former General Secretary of NUGS, in the Daily Graphic in 1980, asserted his membership of an investigative team that 20 million tax default, and repeated allegations investigated an allegation of corruption against Maj Boakye Djan as well as their previous associations as student-leader and Military Intelligence official respectively. Not only was this “investigation” the gist of the SIB letter, but it also showed a link between student-leaders and national security officials that is disturbing. Kabral Blay-Amihere, a former NUGS President laments the absence of the student movement in the anti-Unigov campaign in 1977, and categorically states:

it is evident that some student leaders worked then for the security forces. At least one letter from one of my opponents explaining to Acheampong’s Security boss, Buckman, actions he took to delay a demonstration by students confirmed this phenomenon of students working as agents.

Incidentally allegations were made by the Student Investigative Bureau against E K Buckman, the Security boss at the Castle during the SMC regime, as well, and a recommendation that some properties believed to belong to him ought to be confiscated. It is uncertain who these students of the Student Investigative Bureau were, and who provided information on whose properties ought to be seized by the AFRC. What is clear is that whoever they were, they were powerful enough on the student front to be able to assert the right to speak for “students”.

6.7.9.8 Subsequently, Kwasi Adu - then a prominent member of the June Fourth Movement (JFM) who also served on the Confiscated Assets Committee- defended the opposition of the JFM to a public call by Maj Boakye Djan for a probe into AFRC affairs. He maintained that the call was a “dangerous invitation to these international institutions who opposed the AFRC to dismember it”, because opponents of the AFRC would be enabled “to know the little details as to how major policy decisions were made.”

6.8 24TH SEPTEMBER, 1979 -- 30TH DECEMBER, 1981:THIRD REPUBLIC

PEOPLE’S NATIONAL PARTY (PNP) GOVERNMENT

6.8.1 NUGS

6.8.1.1 The Third Republic opened with skepticism from many in the student leadership about the capacity of the constitutional government to meet the aspirations of the people. Some of the new student leaders had tasted power during the brief period of the AFRC, and so linked up with other persons to form the JFM to “protect the gains of the revolution”. The students of the University of Ghana began to turn away from leftist

politics and elected a new NUGS administration on the platform of the ‘Christian Right’. Although out of office at the NUGS level, the Leftist group was still in control of the SRC.

6.8.1.2 The expanse of the university campus provided good cover for any activities that should have been of interest to the state security agencies. As documented by Oquaye,

During the Third Republic, Legon became a den for conspirators against the Limann administration. Captain Kojo Tsikata [(the security chief of the PNDC government)] Amartey Kwei, [(later to be a member of the PNDC)]; Jerry Rawlings [(later to be the Chairman of the PNDC)] and E T Mensah [(then a worker on the campus and later a prominent member of the government of the PNDC)] (all future members of the PNDC) were part of the Legon alliance. Kojo Tsikata had identified the students as a viable source of strength to be exploited to the fullest.

This observation is corroborated by accounts of persons, then students, in the University of Ghana. One account is as follows:

[w]e often saw prominent personalities in the leftist movement on campus such as Mr. Tsatsu Tsikata a Lecturer at the Faculty of Law, Tata Ofosu a member of the leftist organization MONAS, Nyeya Yen, Nicholas Atampugire, Zaya Yeebo the editor of the NUGS magazine ‘Aluta’, Bright Oduro Kwarting (all these people named were in the leadership of the student -movement although they had already graduated from the university) and the former Chairman of the AFRC, packed into a Datsun 120Y vehicle zooming around the campus as if on an important errand. Occasionally, the group included Dr. Kwesi Botchwey also a lecturer at the Faculty of Law. It was the frenzied movements of the group and the fact of the jam-packed Datsun 120Y vehicle zooming off as if on an errand that aroused our curiosity and our suspicion that some untoward mischief was afoot. It was therefore no surprise to us when the coup occurred on December 31, 1981.

The “conspirators” used the freedom on the campus to freely organize and recruit students and this was not surprising as the “intellectual fathers” of the revolution were mostly lecturers of the University of Ghana, with some prominent ones in the Faculty of Law. The Chairman of the erstwhile AFRC was seen so frequently on the campus that it was no surprise when uninformed observers wrongly concluded that he had enrolled as a student of the university.

6.8.1.3 In 1980, the government mounted a sustained overt surveillance on Capt Tsikata (Rtd). This meant that being a frequent visitor to the campus, the intelligence officials always followed his car onto the campus. The SRC of University of Ghana felt concerned enough to write to the Director of Military Intelligence, protesting the Intelligence operation on the campus. In the letter signed by the President, W.K. Asiedu, entitled “TRAILING OF EX CAPT. KOJO TSIKATA ON THE UNIVERSITY OF GHANA CAMPUS” which was given very wide circulation, the SRC of University of Ghana complained about the operation which it described as “inhuman and undemocratic

acts by the Military Intelligence” that was “causing unnecessary uproar and excitement among [the] students on campus”.

6.8.1.4 Later in the month of November, 1980, an anonymous piece entitled “RAWLINGS-TSIKATA AFFAIR” was mailed to lecturers and students on the campus of University of Ghana alleging that the overt operation against then retired Flt Lt Rawlings and Capt Tsikata (Rtd), was a plot by the American Central Intelligence Agency (CIA). The four-page mimeographed piece contained very serious allegations against officials of the Military Intelligence and demanded the deportation of certain foreign diplomats who, it was alleged, were CIA operatives under diplomatic cover. The document ended with an instruction to the addressee thus: “PASS THIS PAPER ON TO ANOTHER PERSON MAKE MORE COPIES FOR WIDER CIRCULATION SPREAD THEM TO OUR TOWNS AND VILLAGES THE TRUTH MUST BE KNOWN.” Such materials freely circulated on the campus at the time, and helped to engender hostility against the Government of the PNP and also prepared the minds of the university community against the Military Intelligence and the subsequent ferocious assault unleashed on them when the government was overthrown.

6.8.1.5 The 17th Annual Congress of NUGS in 1981 demonstrated the level of contempt that the NUGS leadership had for institutions of the Third Republic. The 17th Congress was reported in the Citadel Daily as noting that:

Parliament is now the immediate source of our problems and the first enemy of the people. As a result, our people cannot expect anything from that institution.

The Congress further adopted a resolution that offered congratulations to:

the parliamentarians of the 3rd Republic for doing very very well in the role of supervising the poverty, hunger, and disease of our people ... [and that] they shall never find in us friendship when the people of Ghana come to understand them full [sic] and demand their Birth Right back.

The NUGS' resolution is not surprising when examined against the backdrop of its participation in the 'Labone Forum' that decided that the PNP Government was not socialist enough to achieve anything purposeful for the poor in Ghana.

6.9 31ST DECEMBER, 1981 -- 6TH JANUARY, 1993:
PROVISIONAL NATIONAL DEFENCE COUNCIL (PNDC)

6.9.1 NUGS

6.9.1.1 The last day of 1981 saw a struggle between the forces supporting the democratically-elected government of President Limann and those of Flt Lt Jerry John Rawlings, former Chairman of the AFRC. The struggle was short-lived, and the government was overthrown. On 2nd January, 1982, Flt Lt Rawlings broadcast to the nation, and called upon “workers, farmers, fishermen, artisans, students and soldiers to

make it their collective responsibility to take their destinies into their own hands.” He accused the PNP Administration of failing to continue the “house-cleaning” that it had promised to do and that it was the “most disgraceful government in the history of this country”. He also complained that the PNP Government had gone ahead to “mutilate all the positive and concrete achievements of the people in order to pave the way for their own corruption”, and made democracy mere paper guarantees. Flt Lt Rawlings then announced the suspension of the 1979 Constitution, the dissolution of Parliament and the formation of the new government, the Provisional National Defence Council (PNDC).

6.9.1.2 An invitation was thrown to all progressives and students to join the fight to rebuild Ghana. The students responded to the invitation to participate in the “Holy War” through the leadership of NUGS. The PNDC took a decision not to permit the re-opening of the universities for the second term in order to enable students assist in national reconstruction. In a speech by the Chairman of the PNDC, it was announced that it had been:

decided with immediate effect to constitute a number of task forces consisting of students of all three universities including the Medical and Law schools as well as the students of the Polytechnics, the IPS, the GIJ, the NAFTI and all equivalent institutions of higher education. These task forces will operate under some of the new units we are creating as under existing arrangements ... for the immediate provision of teaching and basic school facilities in our schools.

The justification for this decision as the Daily Graphic reported it was that,

The democratic education policy that was instituted in the country at Independence is what has provided skilled manpower that is now available not only to other countries, but to international agencies and institutions all over the world, even in developed countries. And we are entitled to ask did this country spend all those resources simply to create our own poverty simply so that all the trainees can scatter abroad [and pursue their] personal comfort and not contribute anything to our own development. What use is this expensive education if beneficiaries only see it as an avenue of personal enrichment and then exploit their own people? Have students simply been waiting to get degrees in June so that they can escape the crisis and find brighter pastures outside the country of their birth and their eventual destiny? We know that the development of our African community country is being served by the provision of our skilled manpower and we are not asking people to flock back and abandon their commitments elsewhere...

6.9.1.3 Following this decision, the PNDC caused a radio announcement to be made instructing the universities not to re-open for the second term. The Executive Committee of University of Ghana met on 6th January, 1982, and announced the postponement of the re-opening date which was to have been 8th January, 1982.

6.9.1.4 NUGS welcomed the decision of the PNDC to send university students out to work. Its central committee issued a statement signed by its President, Philip Gardiner, in which it commended the PNDC for taking a decision that was “a demonstration of bold

initiative towards mobilizing the active youth to arrest the deterioration and decadence in the Ghanaian society.” The statement further revealed the fact that “it had always been the wish of students to be allowed to contribute towards nation building” and that “the call has offered us a chance to carry out this very wish.” NUGS took the opportunity to suggest that the task to be assigned to students should be:

the harnessing of students of such institutions to participate in the education of other students in our schools and colleges. The level of knowledge of the third cycle institution student qualifies him under the present circumstances to at least teach our younger brothers and sisters in schools and colleges.

The NUGS further suggested that: “While based in the schools and colleges, the students it stated could also study possibilities and modalities of mass literacy campaigns.” The rest of the statement was a call on: “all well meaning Ghanaians to use this opportunity to make Ghana a better place”, and “to be alert, offer suggestions and help shape out the destiny of the country.” The statement further called for the preservation of the political situation such that its democratic tendencies would be deepened, though in the tradition of student-support, the PNDC was warned that while giving of their best in the present situation, students would be watchful of deviations from the ideals of the PNDC and would not hesitate to criticize if the need arose.

6.9.1.5 Following this approval of the decision to conscript students for work in the rural areas, the PNDC appointed Lt B F Kusi as PNDC Coordinator-in-charge of Student Affairs. The office, with the support of NUGS, set up task forces which were inaugurated at a function held under the auspices of NUGS to launch the programme. The function was chaired by Edwin Oklu, former Secretary of NUGS, and the President of NUGS, Philip Gardiner, performed the formal launching. In a speech at the function, Lt Kusi stated that there was a need for “a vanguard of all structures of the community” and then revealed that the PNDC had made contact with NUGS because it had realized that students “constitute the most important structure in the revolution.” The speech was made to shouts of “yason” (“we have embraced it”), when he announced that the academic year had been suspended so that the programme could be started. He then expressed the hope that students would co-operate for the success of the onerous task ahead.

6.9.1.6 On his part, the NUGS President stated that the students were going out to the rural areas to exchange views with, and help the people to help themselves. He expressed regret that the country inherited an educational system that did not teach students enough about their own people, and that it was on this account that students were being sent to the rural areas to help the people “to initiate programmes of everlasting change”. The NUGS President also informed the students of the scope of the work: some students would be attached to schools that did not have the full complement of its teaching staff. Others would assist to rebuild roads and evacuate food crops and cocoa, and still others would help to implement communal health services and education programmes on electoral processes. Finally, he announced that participation was compulsory since it was “a period when nobody could escape work” and that “attendance to all functions would be recorded to ensure maximum success of the exercise”.

6.9.1.7 There was no doubt that the students formed a part of a mass mobilization programme that the PNDC had planned. This was because Lt Kusi indicated that the students were to “set the ball rolling” so that by the time they returned to school other people could continue from where they left off. He then announced that the PNDC was working on proposals for the establishment of a national secretariat as well as regional and district secretariats and that the outcome of modalities being worked out would be announced in a week. Clearly the students were to be a part of an already designed scheme. Unlike 1979, which saw the students seizing the initiative to be at the forefront of the “revolution”, the events of the first week of January 1982 revealed a project design that had the students as “canon-fodder”. When NUGS suggested that the students should go to schools to teach and that being in university they knew enough to function as teachers, NUGS was, in fact, pleading with the PNDC to limit the scope of work to one, more suited to the scholarly inclinations of students. Had the student leadership been consulted in advance, the “appeal” would not have been contained in the statement issued by its central committee. Another fact that bears out this view is that during the speech, Lt Kusi expressed the hope “that students would co-operate for the success of the onerous task ahead”. It is unlikely that this would have been the case if the students had agreed to be a part of this programme. What it is most suggestive of, is that the students were being presented with a fait accompli. Indeed, there was no evidence of broad support from students in general, although there was enough to suggest that the leadership of NUGS had condoned the plan to put students from the three universities and other higher institutions to work as conscripts.

6.9.1.8 The mobilization was extended to the other regions as evidenced by this announcement in the Daily Graphic:

All students from the universities and diploma awarding institutions under the GES and IPS who live in and around Ho are requested to meet at the Urban Council Hall, Ho, at 10 am this morning for the inauguration of the Volta regional task force. Similar exercises in the districts would be announced in due course.

6.9.1.9 Regional Co-ordinators were also appointed to administer the programme as evidenced by these newspaper reports a few days later:

Certificates of participation are to be awarded to students who will diligently take part in the mass mobilization programme in the current revolution to help improve the living conditions of the people. The Eastern Regional Co-ordinator, Mr Carl Kpetakpa disclosed this at Koforidua on Wednesday at the inauguration of the students task force for the region. He hinted that the certificates would in future be a major factor in determining the justification for the continued free education for the students in higher institutions. The decision was aimed at checking students who would take advantage of the closure of the country’s three universities to pursue their selfish and individual interest rather than the promotion of the ideals of the revolution. He appealed to all students to diligently participate in the programme to avoid any embarrassment to themselves. He told the students that they would be mobilized alongside other units to help cart cocoa and

foodstuffs and would also undertake road construction and other development projects. Students would be assigned to schools where their talents would be required.

The same point was made by the following:

The regional co-ordinator of the Student Task Force for Greater Accra has lined up a number of projects such as road rehabilitation, community health, garbage collection and fertilizer bagging due to begin today. A statement by PNDC said students within the Greater Accra Region had been grouped into zones for the implementation of the projects.

Students living in and around the Airport area, Madina, Legon, Achimota and Kanda would constitute zone 1. And students at Nima, New Town, Kotobabi, and Alogboshie zone II ... Students living in areas not specified should join the nearest zone and buses would be provided to pick them up from the various city express bus stops in their zones to the project sites.

6.9.1.10 The Cape Coast branch of the Student Task Force was inaugurated at Cape Coast by H S Brew, Regional Administrative Officer. The group numbering about 300, cleared rubbish and drains in Cape Coast after the inaugural ceremony.

6.9.1.11 As the students were taken off the campuses, it became necessary to involve officials of the education system and, therefore, the following announcement was placed in the dailies:

The following persons are to meet the PNDC co-ordinator on youth and student affairs at the office of the former Council of State (State House) at 9am today. They are the Director-General GES, and a representative of the Council for Higher Education, 2 Representatives of NUGS, a representative of GNAT and a representative of Ghana Association of University Teachers.

The next day's newspaper carried a report that explained the purport of the previous day's announcement:

A national education committee, which is to examine the task of nation building in the use of the youth and students held its inaugural meeting at the State House in Accra yesterday under the chair of Lt Kusi. Organizations represented were the GES, National Council for Higher Education, and GNAT. Others were NUGS, UTAG and the Press. Lt Kusi called on the organisations represented on the committee to work as hard as they could to spread the message of nation building throughout the length and breadth of the country. He recalled Rawlings speech which said PNDC felt that the fresh energies of the youth of the country could be most taxed in nation building, the students and lecturers constituted a wealth of important talents to deal with the problems of the country. Lt Kusi said the committee on education would have branches in the various regions. The liaison officer made it clear that ... there could be no time wasting on the part of the committee.

After suggestions from members of the committee it was agreed that the meeting reconvene next week to work out the details of how the students and the youth were going to be used. The organizations were also to carry out a lot of homework and present memoranda on the issue. Representatives of NUGS said students would have to forgo most of the comforts because they would be involved in a national exercise of considerable importance.

At that meeting it was also announced that the involvement of students in teaching would initially last three months and that: "Provision would be made in the programme for the continuation of any project when the students return to the classroom."

6.9.1.12 Contrary to what the students had been told about being used to fill classrooms, the following news item appeared in the newspaper:

The PNDC announced that the 'Student Task Force of NUGS' would mount a nationwide cocoa evacuation exercise from Monday January 18th and that "the exercise will begin in Achiasse, Asamankese, Kade, Akroso, Ofoase, Akim Oda and Akim Techiman all in the Eastern Region.

6.9.1.13 Subsequently, on 16th January, the Daily Graphic reported that the task forces had started their work, and in the days that followed the newspapers carried report after report of the activities of the task forces. For instance, on 20th January, the newspaper carried the following report:

About 1000 students yesterday left Accra for Akim Oda to evacuate locked up cocoa in the Birim district of the Eastern Region. Students in very high spirits travelled in 7 Tata buses released by the States Transport Corporation and a Bedford bus provided by the CMB. Gardiner told newsmen that the secretariat initially planned for 450 but 1000 of them turned up at the Accra Community Centre to participate in the exercise ... The leadership had contacted the PNDC to provide more ration to supplement what has been earmarked for the exercise. Seventeen towns and villages will be covered in a three - phase programme in the Eastern Region. In all a total of 28,000 tonnes of cocoa is [sic] expected to be evacuated in six weeks.

The newspapers tracked the progress of the Students Task Force, as well as the various organizations which were donating money for the upkeep of the students.

6.9.1.14 The insistence that there was a shortage of manpower in the country became a little difficult to appreciate when the following notice appeared:

The PNDC has asked private farmers requiring the services of student labour to apply to the office of the youth and student affairs at the State House today. Applications should describe the type of farm, location number of students and the nature of work students would be required to perform. Where it would be inconvenient to submit labour applications direct to the office, such requests should be made through the various

regional and district administrative offices for submission to the national co-ordinator for youth and student affairs by January 18.

6.9.1.15 The students in Accra were also sent out to undertake a clean-up exercise that lasted six hours according to a newspaper report . At the end of the programme, the students converged at the Nicholson Stadium at Burma Camp where they were addressed by the NUGS President, Philip Gardiner, and the Chairman of the PNDC. Gardiner was reported to have affirmed students support for the PNDC and warned that NUGS would force the removal of any imperialist agent who might be appointed to work with the PNDC. Gardiner made it clear that PNDC should not stand in their way if they wanted to change the country for the betterment of the ordinary people. The NUGS President then reminded students of their responsibility to the underprivileged and declared, “if we fail to use our education for the betterment of the people then we are traitors”. To the PNDC, he gave the caution that it should be wary of imperialists because they would do everything humanly possible to obstruct the success of the revolution. To this end, the NUGS President advised the PNDC to stay away from the old way of doing things. As a first step, it was to avoid appointing to high office any persons who could be shown to have subscribed to the past ideals of ruling the country and that no “person with a provable history of links to western imperialists” was to be allowed to control the council.

6.9.1.16 The Chairman of the PNDC then took over and addressed many issues of national importance. He reminded students of their responsibility within the society and urged them to use their creative powers, and abilities for the benefit of their citizens. He urged them to set the right tempo to enable Ghana assume her proper place in Africa and in the world at large, and exhorted them thus: “Your intellectual and physical power is mighty and must be harnessed to project the creative ability of the individual”. “ You are the consciences of this society and you must unearth the creative power in you for the development and growth of this our beautiful nation.” He ended by cautioning students not to permit themselves to be “disorganized by the detractors of the revolution”.

6.9.1.17 The news report makes interesting reading especially as the NUGS followed up on the threat by issuing a statement when certain personalities it did not approve of were appointed to head some Ministries a few days later. The newspaper reported the news thus:

The NUGS yesterday asked PNDC to revoke the cabinet appointments of 4 persons because they represent ‘the enemies of the people’. In a strongly worded statement reacting to the composition of the PNDC cabinet, students stated that they had been extremely disappointed in the inclusion of J A Kufuor, Obed Asamoah, Alhaji Mahama Iddrissu and K B Asante in his cabinet. It described the 4 persons as reactionaries, anti-people Ideologues and active political party functionaries. [The] Students’ body observed that the appointment did not reflect a broad sample of political tendencies but a simple amalgamation of rank reaction and ‘representatives of foreign interests’.

The NUGS explained that the action of December 31 in which several soldiers lost their lives was a move to destroy a situation with which a few political party tycoon of the same basic mould collaborated to rule this country in the interest of foreign imperialist powers to the detriment of the working people. The Statement made it clear that all political parties had the same interests and performed the same functions. This is why the military take-over made sense, rather than waiting for the next election for Ghanaians to vote an alternative party into power NUGS stressed. The statement said the union saw in the appointments the return of political power to the same group of politicians and their foreign masters.

The 31 December uprising appeared now as just another palace coup d'état replacing PNP government which at least was popularly elected with its opposite party the (APP) All Peoples Party. NUGS observed that the character of PNDC government was a wholesale adoption of a programme of the 'National Government' proposed by the professional bodies association and the Bar Association two bodies who have shown continually that they are on the side of the enemy. The student body asked the PNDC to resist the intense pressures of the agents of imperialism to dictate policy even through the Council. NUGS thereby warned PNDC to clearly make an alliance either with the people as it promised or with the enemy. There is no middle way. This national government will simply lead to a lack of direction and inertia which will allow ousted forces to consolidate their power and stage a complete come back. It said the composition of the cabinet was like a group within which the one or two popularly acceptable people would be paralysed and made incapable of fruitful contribution. In the interim, NUGS warned that it would advise itself on possible courses of action should satisfactory resolution to its demand not be immediately forthcoming. It called on workers, farmers, and students to come out and denounce the move in very clear terms.

6.9.1.18 In March, 1982, prominence was given to a statement by a group of students who attended a National Task Force Conference in Kumasi and resolved to continue the work "instead of rushing back to campus". The tell-tale signs of dissent among the students on their continued stay off-campus were visible when this group described those agitating for a return to campus as "anti-revolutionaries". Two days later, the news item was featured again, leaving the strong impression that their position reflected the official position. The following week, students organized under Zone Eight Task Force, issued a statement reacting to the resolution passed at the Kumasi Conference and attributed it to NUGS and maintained that since they had been made to believe that they would be allowed to return to campus in April, the extension of the programme would affect their psychological well-being. The Daily Graphic wrote an editorial on the conflict among the students, and urged the PNDC to intervene to resolve the conflict amicably. This cleavage began to show the non-voluntary nature of the Task Forces, as the leadership of the students appeared to be more worried about who would fill the vacuum created by the departure of the students, than they were with the welfare of their membership.

6.9.1.19 The Task Forces did not just evacuate cocoa, etc, but were reported to be effecting arrests of officials who had allegedly defrauded the state, enforcing price

control on goods, and even demanding the dismissal of “corrupt” officials. They were also involved in checking smuggling and other unhealthy economic practices.

6.9.1.20 NUGS was subsequently awarded the “Order of the Star of Ghana (Civil Division)”, for the work of the Students Task Force. The award, which was presented to NUGS at the closing session of the 18th Annual Congress of NUGS at Cape Coast, was received by Philip Gardiner, then out-going President of NUGS, on behalf of the students.

6.9.2 STUDENTS’ TASK FORCE IS RE-NAMED

6.9.2.1 When the university students returned to the campuses and the secondary schools re-opened for the new academic year, the Students Task Force continued to function. However, it was clear at this point that those left to carry on the work of the Task Force were no longer students, as all “students” had returned to their various campuses. Consequently, those who had just ceased to be “students”, as well as other out-of-school youth were recruited to continue the activities, and so the group was then re-named ‘Students and Youth Task Force’ or just ‘Youth Task Force’. The Task Forces in their new form, continued from where the others left off. They conducted vigilante activities to effect arrests; performed anti-smuggling operations; and performed police duties, such as criminal investigations.

6.9.2.2 Eventually, the Students and Youth Task Force was converted into the National Mobilisation Programme, that was used to absorb the many young Ghanaians who had been deported from Nigeria in 1983, by forming them into work-gangs known as “mobi-squads”.

6.9.3 OTHER ACTIVITIES OF STUDENTS

6.9.3.1 The Ghana Bar Association (GBA) announced after its Annual Conference on 24th September, 1982, that it had no intention of appearing before the Public Tribunals for stated reasons. A group calling itself “Future Leaders Organization”, said to be composed of students and youth numbering “several hundreds”, took to the streets chanting revolutionary songs and accusing lawyers of arrogance. Although the report was careful to name a “Master Abu Mohammed Lawal, a form four student of West Africa Secondary School” as one of the leaders, the demonstration seemed somewhat contrived. The newspaper backed the action of the “students aged between 14 and 18” with a cutting editorial, stating that:

If progressive and honest lawyers do not make their own individual decisions, it seems quite clear that the Bar Association will bring the noose down the entire institution faster than the revolution would determine.

These were chilling words indeed, from the national newspaper, giving credence to the suspicion that the students’ demonstration was organized with official approval.

6.9.3.2 On the same day, the Daily Graphic carried an ultimatum from a group of youth associations in Koforidua calling itself “The Progressives of Eastern Region” to lawyers in Koforidua ordering them to close down their chambers within three days from September 30, or face reprisals. This order was in reaction to the decision of the GBA to boycott the Public Tribunals. One week later, the “Progressives in the Eastern Region” were reported to have besieged five chambers of lawyers in private practice taking away their “law books and legal documents during a four-hour operation code-named ‘Operation Close Down’. In the days following, lawyers’ chambers were attacked and their properties destroyed in a bid to force them out of business.

6.9.4 “INTERNATIONAL BRANCHES”

6.9.4.1 This period also saw the development of a new phenomenon: overseas branches of NUGS. The newspapers began to report on programmes organized by the United Kingdom branch of the NUGS. This was a strange bit of news as this branch had not been known to be in existence before this time. Thus, NUGS had not only assumed a supra-institutional character, but had allegedly developed international branches as well.

6.9.4.2 NUGS had also acquired permanent off-campus offices at the offices of Ministry of Youth and Sports in 1980. Since permanent offices required permanent staff, NUGS appointed some persons, who were former student leaders as staff to run the secretariat. NUGS therefore began to rely on persons who had ceased to be students, to run the offices as full-time staff. These were developments that changed the character of NUGS to a significant extent as it became possible for former student-leaders to retain their influence over the NUGS long after they had ceased to be students.

6.9.5 NUGS MOVES INTO OPPOSITION

6.9.5.1 By the beginning of December, 1982, the students’ disenchantment with the government had begun to spill over. The government and its allies in the labour movement had mooted the idea of students being sent off from campus for up to two years to assist in the reconstruction effort. The students on the various campuses began to protest the policies of the PNDC. On 14th December, some students of the University of Ghana under the leadership of the SRC, went on a demonstration against the government on the campus, echoing a call by the Religious Bodies for the government to hand over power to a National Government. They carried placards, some of which read “DOWN WITH DICTATORSHIP”, “PNDC HAND OVER TO NATIONAL GOVERNMENT”, “NO MORE DETENTION WITHOUT TRIAL”. Another group of students calling itself “Concerned Students” held a counter-demonstration. The Daily Graphic account headlined “LOYAL WORKERS FORCE ANTI-GOVT STUDENTS TO RETREAT AT LEGON” described the confrontation as follows:

Suddenly the WDC members of the university also arrived on the scene carrying placards and chanting war songs in support of the PNDC under the leadership of Flt Lt J J Rawlings. They then took control of all vantage points of the university. Sensing danger, the anti-government student demonstrators started retreating in small groups to escape the

wrath of the workers. The workers and the ‘concerned students group’ then marched to the various halls warning that minority group of students calling on the government to hand over to a national government to stop what they described as evil deeds.

6.9.5.2 The confrontation so affected the atmosphere on the campus of the University of Ghana, that the Executive Committee of the University closed the session a few days early, citing the students’ apprehension about their safety on the campus.

6.9.5.3 The same type of confrontation occurred at UST and with the kitchens and canteens closed by reason of the workers action, the students had to leave the campus for the Christmas vacation a few days early as there was no food. The anti-government students began to be described by such epithets as “reactionaries” and “imperialist agents”, and were accused of being in the pay of “crooked politicians”. The University of Cape Coast also had its “concerned students” group that issued an 11-point resolution in Accra, criticizing the demands of their colleagues as unreasonable, whilst they remonstrated with the workers to be more understanding of the students. NUGS, under its new President, K Amoah Labi, stoutly defended the students’ position and insisted that it was not reactionary, but that its new position had been born out of their experience on the Task Forces earlier in the year.

6.9.5.4 From this point onwards, it appeared that the alliance that had been forged between the students and workers at the beginning of the year was broken. The workers of the University of Ghana persisted in their calls for the university to be closed down and for the students to be put to work to assist in national reconstruction, whilst the students stoutly resisted this demand. It had become clear that the workers resented the students for enjoying privileges funded by the tax-payer, whilst being unwilling to sacrifice for the comfort of the underprivileged in the country.

6.9.5.5 The year 1983 was a difficult year for NUGS, as its anti-government stance widened the breach between the government and university workers on the one part, and students on the other. At the urging of the workers, a proposal was mooted to extend the National Service Scheme to two years instead of the original one year, because students ought to contribute more to national development. NUGS resisted this idea, maintaining that it was doing enough. NUGS renewed its call for the PNDC to hand over power so that a civilian government could take over the reigns of government.

6.9.5.6 As if on cue, there was a newspaper publication two weeks later to the effect that the leadership of NUGS and the Association of Recognised Professional Bodies (ARPB) had met an agent of the Central Intelligence Agency (CIA) of the United States of America and assisted the agent to collect sensitive information about Ghana. Those leaders were also accused of secretly circulating the report of the Special Investigation Board to foreign embassies. These accusations, coming in the middle of an anti-CIA campaign that demonized the agency in Ghanaian eyes, had very grave implications for the persons concerned as anti-student sentiments had been whipped up among workers. Stephen Asamoah Boateng, one of the student leaders concerned, denies this alleged NUGS link with the CIA, maintaining that it was he who, as the NUGS officer in charge

of international relations, sent those materials in person to foreign embassies as part of NUGS strategy to fill a perceived leadership-vacuum and to keep the wider world informed about the goings-on in Ghana.

6.9.5.7 On 4th May, 1983, the NUGS Annual Congress, meeting at UST, was disrupted by a demonstration by workers of Obuasi Mines. The miners had been transported to the campus in a large number of buses by the Ashanti Regional Secretary, Kwame Dwemoh-Kessie, to UST ostensibly to demonstrate in favour of the Workers Defence Committee (WDC) of the University. Why it was that it was miners from Obuasi, rather than other workers of Kumasi itself, who travelled on a working day to demonstrate on the university campus in solidarity with the workers of the university is not immediately obvious. However, what is not surprising is that the students read this as an attack on them on their own campus and a violation of their “territory” and fought off the miners. The miners thus got the worse of the encounter as the terrain was unfamiliar to them and so they could not make a speedy exit. About five persons were injured, and one of their vehicles was set ablaze by the students. The next day, TEWU of University of Ghana issued a press statement in which it condemned the students of UST whilst congratulating the miners for demonstrating on the university campus. The government also issued a statement in which it condemned the students of UST and the stage was thus set for a showdown between the students on the one hand, and the government and workers on the other.

6.9.5.8 On 6th May, 1983, students of the three universities went on demonstrations against PNDC in Accra, Kumasi and Cape Coast, asking the government to hand over power to the Chief Justice in preparation for a civilian government. The students of University of Ghana led by the NUGS leaders, Arthur Kennedy and Asamoah Boateng carried placards, some of which read: “JJ WE HELPED YOU IN AND WE SHALL HELP YOU OUT” and “WE DETEST MILITARY RULE”, and marched to the centre of town. At the Makola area, they burnt the effigy of the Chairman of the PNDC. They then re-grouped and set off for the offices of Graphic Corporation and the New Times Corporation to demonstrate their displeasure at the uncritical support the press was lending to the government. The march turned violent when the students were ambushed on the New Times Corporation area which is a narrow corridor linking Ring Road East to the Industrial Area of Accra, and attacked by soldiers and persons suspected to be thugs. According to eye-witness accounts, the fleeing students were chased to offices of businesses in the area where they had sought refuge, dragged out and subjected to severe beatings. Many students suffered various degrees of injury. The People’s Daily Graphic report gave a slightly different account of the incident, maintaining that the protesting students banged on a passing military vehicle and the occupants fired warning shots. The newspaper account did not explain why the occupants of the military vehicle abandoned their journey and chased the students from office to office.

6.9.5.9 Following this incident, the National Defence Committee (NDC) and the TEWU of University of Ghana met and passed a resolution asking for the universities to be closed down. Some workers of the university also arrested a vehicle belonging to the American Embassy, suspecting it of espionage on the campus, manhandled the Ghanaian

driver, and sent it to the Graphic Corporation to show it to the press. They urged the government to close down the universities for five years, after which the students were to be made to re-apply for admission. At Cape Coast, the students of UCC also marched to the offices of 'Graphic Corporation' and 'New Times Corporation' at Cape Coast and seized about 800 copies of 'People's Daily Graphic'.

6.9.5.10 A group calling itself the Progressive Students Front of University of Ghana issued a statement dissociating itself from the demand of NUGS and accused Arthur Kennedy and the other NUGS leaders of being in league with reactionaries to derail the revolution. The statement, signed by its leader, Marlon Anipa, criticized the NUGS for its "reactionary posture" and that the NUGS leadership was only representing its own self and no one else. The statement further alleged that Sam Okudzeto and William Ofori-Atta, two veteran Ghanaian politicians described as "bankrupt politicians", participated fully in the NUGS Congress and suggested that it was these personalities who had influenced the adoption of the anti-government stance. This statement from the Progressive Students Front, showed a split in the student front at a time it was engaged in a life and death struggle with the government. The NUGS leadership was subsequently isolated politically, and it was no surprise when it was reported in the newspapers in June that the President of NUGS, Arthur Kennedy and another student, Stephen Asamoah Boateng were on the run. Unfortunately for one other student leader, Hans Djaba, a medical student, he was arrested and detained in prison.

6.9.5.11 On 9th May, 1983, Accra-Tema Central WDC and workers of University of Ghana took over the university following a People's Daily Graphic report that the students claimed to have access to arms, and were determined to use petrol bombs against the workers. The situation was so chaotic that the university authorities sent the students home. The JFM hailed the closure of the universities by the workers as a good step that would let the students stay at home and also experience the kind of suffering that workers had had to undergo. The campus of the University of Ghana was occupied by "cadres of the revolution" to undergo a "course" using the university's lecture rooms and Halls of Residence.

6.9.5.12 On 16th May, 1983, the government issued a statement that the universities should remain closed indefinitely, and that consultations would take place with the university authorities and representatives of workers on the future of the two universities. Subsequently on 2nd June, 1983, the University of Cape Coast was also closed down following clashes between the pro-NUGS and pro-Government student groups. Although Civil society organizations, in particular UTAG and the Religious Bodies mounted pressure on the government to re-open the universities, they remained closed for ten months. As time passed and there was no word from the government, parents and students began to experience frustration. Meeting after meeting between the authorities of the universities and the government yielded no result. Finally, after eight months, with one set of school-leavers waiting at home for the old academic year to be completed so that they could also enter university, the government began to relent. The government agreed to reopen the universities on condition that the students would reapply for admission.

6.9.5.13 On 12th January, 1984, the Committee of Vice-Chancellors of the three universities met and issued a notice informing the students to re-apply for admission. The application had to contain the following pledge:

“I of the Department ofin the University of do hereby apply for re-admission into the University. I make this application on the understanding that

- (1) I will not at any time engage in any activities which could have the effect of disturbing the academic life of the university.
- (2) I will behave responsibly in accordance with the University’s statutes and regulations as well as the laws of the land.

Date..... signed

Each student was expected to fill this form, sign and return it to the registrar of the university concerned.

6.9.5.14 The universities were finally allowed to reopen at the end of March 1984. The University of Ghana, which suffered the take-over by “occupation forces” lost a great deal through theft, involving even some of the university’s own employees, rough use of facilities by the cadres” and sheer vandalism. It is officially estimated that this eventually cost the university the equivalent of \$4 million because during “the sojourn of the ‘occupation force’”, a lot of damage was done to public and private property.

6.9.4.15 By the time of the re-opening, many students had found placement abroad in foreign universities. Sixth Form leavers had to wait one year before entering university and so they were put on National Service in order to use the wait-time profitably. Those who had options to attend school outside Ghana exercised the option and thus began the practice of students aiming for foreign universities and filling application form after application form in order to attend a university – any university – outside Ghana. The workers of the universities had by this time, managed to press their demand to be represented on the governing councils of the universities. Consequently, in February 1984, the university councils were dissolved and reconstituted with worker and student representation.

6.9.4.16 The clashes did not end. In 1986, the government announced a planned withdrawal of subsidies from the Second and Third cycle institutions. This caused tension between the students and the government. The students began to agitate against the government. In the course of such agitation , the Secretary of NUGS, Kakraba Cromwell, was arrested allegedly on charges of being involved in drug trafficking. A statement by Kwamena Ahwoi indicated in a public statement that Cromwell was arrested at the airport in 1982, for attempting to smuggle marijuana out of the country and that he had since been on bail. He had also been implicated in a marijuana smuggling case in Dakar, Senegal, and that his name was on the list of international drug traffickers. This explanation did not sit well with the students since no attempt had been made to pursue the charges until he became a student leader. Eight students of the university and one

from the Ghana School of Law, who had met with government on the Kakraba Cromwell issue, reported the proceedings to the student body. Their report led to a boycott of lectures by the students of University of Ghana.

6.9.4.17 The government reacted by dismissing them from the university, claiming that they had so skewed the report that they had misinformed the student body on campus about what had happened at the meeting with government. The affected students were: Kwame Akyianu, Kofi Ofori Yeboah, Kofi Gyamfi, Bedu Ansah, Abeku Brew, Amoah Larbi, Kwaku Paintsil and Arthur Kennedy. In addition to this order, Amoah Larbi, Arthur Kennedy, Tony Akoto-Ampaw and Augustina Agyirigah were ordered to report at the Nima Police Station on the following 9th May, 1987, and were also barred from entering any educational institution in the country. On 8th May, 1987, however, the government closed down the university, and issued a statement in which it alleged that the disturbances on the campus were the result of “activities of political agitators and agent provocateurs as well as people hiding behind the cover of the student movement to perpetrate criminal and subversive activities.” The government statement further stated that it:

“would not tolerate the adventures of infantile leftists who would under the hypocritical guise of championing legitimate causes, were seeking to create conditions for the paralysis and destruction of certain vital national structures. The permanent closure of the university is only one of their callous designs on the insane and simplistic premise that universities are breeding grounds for elitism, reactionaries and the bourgeoisie.”

6.9.4.18 The government seemed to be addressing particular persons, and the inclusion of Tony Akoto-Ampaw, a prominent member of the New Democratic Movement (NDM) in the list of persons banned from entering any educational establishment was very revealing for more than one reason. First, the statement cast the dispute in the old mould of the struggle for control of the revolution that occurred between the intellectual Left and the leadership of the PNDC. This appeared to be the last phase of the struggle since the leadership of the PNDC had, by this time, abandoned all trappings of leftist ideology. Second, it was revealing because the government had a substantial number of past student leaders amongst its own ranks, and must have been familiar with the political agenda of student leaders.

6.9.4.19 The People’s Daily Graphic followed this blistering statement from the government with a diatribe of its own in the form of an editorial on the front page entitled “Dishonest Poison”. This editorial, remarkable for its personalised use of invective against the individual student leaders and their intellectual mentors with swipes against some family of their members in a state-owned newspaper, was remarkable in other ways. It stated that:

This nation is presently having to examine the extent to which the fabric of our revolutionary process has been contaminated by the unprincipled, dishonest poison of little minds which have been turned sour by empty ambition.

We are referring to those who, on our university campuses have been focal points of misinformation and distortion and have spread their own poison to young minds in a bid to destroy that which they cannot control”.

It proceeded to further explain its position on the closure of the university thus:

When the government closed down the University of Ghana and dismissed certain students last week, many people may have thought this was a harsh step.

Others who have been more aware of the activities of the past and present student leaders may, on the other hand, have wondered why the government has been so tolerant for so long, and why it has gone to considerable lengths [sic] to avoid publicizing and holding up for public ridicule and condemnation the carefully orchestrated game which they have been playing. It is about time, we consider, that their tactics were exposed.

6.9.4.20 The newspaper editorial then took to task some named persons described as “pseudo-intellectuals, the super leftists, the pretentious talkers who have become campus fixtures over the past decade” behind the students’ action. Accusing them as a “super radical clique”, they were blamed for having corrupted many “good cadres by poisoning their minds.” In specific terms, blame for the 1982 misadventure of Sgt Alolga Akata-Pore that led to his departure from the PNDC was laid squarely at the door of these “infantile leftists.” The newspaper also stated that it was these same “super radicals” whose impractical theories had led to confusion in the Interim National Coordinating Council (INCC) of the PDCs/WDCs and that it was their influence that had so misled the PDCs/WDCs that they had to be changed to Committees for the Defence of the Revolution (CDR). The People’s Daily Graphic editorial left one in no doubt, by the way it attacked the “super radicals”, that the 1987 student-government clash was known to be a part of the 1982-84 struggle for ideological supremacy that caused the extreme leftists in the PNDC to attempt to usurp power in 1983, and that also immobilized and destroyed the INCC.

6.9.4.21 Akoto-Ampaw denies this link between the two events and explains that the NDM had nothing to do with Akata-Pore’s problems with the PNDC; but that the link was drawn in an attempt to discredit all the leftists by lumping unrelated events together. Be that as it may, a cryptic notice appeared in the Daily Graphic of 15th July, 1987, requesting all persons in the TUC, NDC, INCC, NDM and KNRG to hand over all weapons and ammunition in their custody to the Inspector-General of Police for registration by the 16th of July. The inference from this notice is that some civilians were provided with arms and ammunition without proper registration procedures being respected. However, Akoto-Ampaw denies this, and maintains that the notice was part of the intimidatory tactics adopted against them, and that they had never been provided with arms and ammunition as the notice claimed. It is uncertain whether he could make this denial on everyone’s behalf since it is unlikely that he knew what everybody in those named groups had been involved in within the relevant period.

6.9.4.22 The end to this saga came when the student leaders, with the exception of Akoto-Ampaw, failed to report to the police and instead, fled into exile. From this point on, NUGS became even more disaffected with, and estranged from the PNDC and actively worked to see a return to constitutional rule. In May, 1991, it organized a demonstration at Cape Coast after a meeting of its central committee, to protest the membership of the Consultative Assembly. Some of the placards the students carried, read “What do HAIRDRESSERS, MECHANICS AND BUTCHERS KNOW ABOUT CONSTITUTIONS?”, “PNDC HAS DESTROYED THE ECONOMY”, “NO REFERENDUM”. At Tamale, a week later, another demonstration, obviously under the auspices of NUGS took place. The placards there read: “JJ STEP DOWN”, “PNDC ENOUGH IS ENOUGH” and “NUGS CALLS ON PNDC TO QUIT”. What is worthy of note is that such demonstrations no longer took place in Accra, nor were they reported on the front page of the state-owned newspapers where such action used to be a few years earlier.

6.9.4.23 A few months later, NUGS joined a group known as the Coordinating Committee of Democratic Forces (CCDF) that organized press conferences, beginning from 6th August 1991, to take a stand on the need for a return to civilian rule. The group was said to be open to “all independent organizations that stand for multiparty democracy, respect for fundamental human rights, the rule of law and the sovereignty of the people of Ghana.” (emphases in original). The need to form the group was made manifest “by the continued intransigence of the PNDC in the face of popular and democratic demands and by the need to unite all democratic forces to press forward, with greater effect, the struggle for democracy in Ghana and the assertion of the sovereignty of her people”.

The group was made up of the following organizations:

1. The Movement for Freedom and Justice
2. The National Union of Ghana Students
3. The Danquah-Busia Memorial Club
4. Our Heritage
5. Great Unity Club
6. Ex-PP Group
7. The Kwame Nkrumah Welfare Society
8. The Ashanti Youth Association
9. The Gold Coast Ex-Servicemen Union
10. The Kwame Nkrumah Revolutionary Guards
11. The New Democratic Movement.

The NUGS had thus come full circle when it joined other democratic forces in the struggle for a return to constitutional government and multi-party rule.

6.9.4.24 1992, NUGS condemned the transitional timetable of the PNDC, the continued detention of political prisoners, as well as the inclusion of indemnity provisions in the Draft Constitution. NUGS expressed its opposition thus:

It is a paragon of bunkums for the PNDC to have convicted and punished innocent Ghanaians since 1981 through its own kangaroo court viz. the Citizens Vetting Committee only to turn round to indemnify itself against the due process of justice. Is it not ironic to extend the indemnity to the coup plotters of 1966 and 1972 when their leading members have already been killed by the incumbency? Of better profit to them would have been for the PNDC to wish them “rest in peace”.

NUGS also asked for a general amnesty to be declared, to enable political exiles to return home.

6.9.4.25 Following the disagreement over the results of the Presidential elections in 1992, NUGS adopted a resolution on 26th December, declaring a boycott of the 29th December, 1992 Parliamentary Elections, complaining that it was a subtle attempt to “return this country to a one-party dictatorship”, because the Voters Register was flawed. NUGS thus shares the credit for the victory that pro-democracy forces achieved, when they enabled Ghana to return to constitutional rule in January, 1993.

6.10 CONCLUSION

6.10.1 The student movement was active in national politics throughout the mandate period. It co-operated with the military rulers and was always in the forefront of public demonstrations of support for every usurper-government. However, the students were usually, also the first to publicly oppose the government. This usually marked the government’s decline and subsequent inability to hold on to power.

6.10.2 It is obvious that the student movement played a big role in national affairs during the mandate period. It was also observable that the role got even larger during periods of unconstitutional government than during periods of constitutional rule. During the AFRC days in 1979, it became a partner of government as it put its numbers behind every policy of the government. It participated actively in the events that resulted in massive human rights abuses. The student movement will never live down the moment when it made the call “Let the blood flow”, in agitation for more executions. During the first few days of 1982, it was also counted on as a base for support when the PNDC came to power.

6.10.3 The leaders of the student movements also suffered harassment and detentions in much the same way as the politically-active members of the general population did. During the SMC I days, students did a lot to bring down that government.

6.10.4 The anti-government position it took up early in the life of the PNDC, gave the government the impetus to break up the body so that it could be neutralized. It could be stated that a government that started its life with past student-leaders as its basic human resource, ended its life as an implacable enemy of the student movement.

Volume 4 Chapter 7 - The Youth Movement

CHAPTER SEVEN

THE YOUTH MOVEMENTS

7.0 INTRODUCTION

7.0.1 The task of the Commission was to determine whether or not the youth movements had contributed to the violation or protection of human rights during the mandate period. The chapter has chronicled the activities of the politically-inclined youth movements of the mandate period. In the main, these were the Boy Scouts and Girl Guides Movements; Ghana Young Pioneers movement (GYP); the National Youth Service Corps (NYSC); the June Four Movement (JFM); the People's Revolutionary League of Ghana (PRLG); and the Movement on National Affairs (MONAS). The chapter endeavours to shed some light on their activities, mode of organization and funding. In addition, the impact of their activities on the human rights terrain is also highlighted. In this regard, the fate suffered by their leaders and other prominent activists when the governments that sponsored them were removed from office. It also discusses the nature of the relationship between members and leadership of these movements and government during their period of office.

7.0.2 The chapter is organized to reflect the historical chronology of their life as youth movements under particular regimes, and the part they played in sustaining the regime. The hope is that the public would better appreciate the whys and wherefores of these movements, as well as the importance of their contribution to the socio-political history of Ghana; be provided with the reasons for change and continuity in these movements; and understand why the movements underwent a transformation or ceased to exist altogether, during the mandate period.

7.1 PRE-INDEPENDENCE

7.1.1 Mobilisation of the youth had always been a part of traditional society, and the youth had a place within the social and political arrangements of traditional society. "Youth" was not necessarily a reference to people of a certain chronological age, but of social standing as well. Consequently, those referred to as "nkwan kwaa" or "youth" were the "commoners" or non-royals. Youth movements began to be a feature of the national landscape as a result of the introduction of the modern political economy, the subsequent urbanization and post World War II social developments that released young people from traditional control without putting in place any measure to include them in the new political arrangements.

7.1.2 The part played by the youth in the independence movement and the place of the youth in the formation of the CPP put the youth at the centre of the socio-political arrangements of the country after Independence. A start was made to organize the youth soon after Independence with the formation of the CPP Youth League which was made up of young people with affiliation to the CPP. It functioned as the youth wing of the CPP and it had the same aims as the mother-party. However, it was formally abolished in 1959.

7.1.3 BOY SCOUTS ASSOCIATION AND GIRL GUIDES ASSOCIATION

7.1.3.1 The Boy Scouts Association was incorporated in England by a Royal Charter granted on 4th January, 1912. The Association of Girl Guides was also incorporated as the Girl Guides (incorporated), on 24th September, 1915. Branches of these associations were started in the Gold Coast by the instrumentality of Lord and Lady Baden Powell. They were given statutory recognition under the Boy Scouts Association Ordinance, 1918 (Cap 265), and the Girl Guides (incorporated) Ordinance, 1922 (Cap 271), respectively.

7.1.3.2 These associations organized young boys and girls of the Gold Coast and taught them how to use their leisure hours profitably for self-development and service to others.

7.2 6TH MARCH, 1957- 23RD FEBRUARY, 1966: CONVENTION PEOPLE'S PARTY (CPP) GOVERNMENT

7.2.1 BOY SCOUTS ASSOCIATION AND GIRL GUIDES ASSOCIATION

7.2.1.1 Upon the attainment of Independence, the two associations were re-named the Ghana Boy Scouts Association and the Ghana Girl Guides association (Incorporated) on 16th December, 1960, and 13th February, 1960, respectively. The Associations began to come under pressure when nationalists began to criticize them for not teaching nationalism to the Ghanaian children and holding out foreign role models for Ghanaian children. There was even a suggestion on the floor of Parliament that it should be abolished in favour of an indigenous youth movement.

7.2.1.2 The members of the associations were used at public functions to perform errands, assist in crowd control, etc. When the GYP was born, the associations fell into official disfavour as the GYP tried, with official backing, to supplant them in schools. The roles performed by them at functions were given over to the GYP and the associations were so side-lined that they lost their vibrancy, although they were never formally abolished.

7.2.1.3 Following the 1966 coup d'état, efforts were made to restore both associations to their former status, as the GYP had been banned. The Scouts and Guides Decree, 1969 (NLCD 399), was passed to regulate the activities of the associations. For the first time, the objects were put on statutory footing. Some of the objects were specific to Boy Scouts and some to Girl Guides. The two shared the following objects:

- (a) to encourage loyalty, thoughtfulness to others and good citizenship among boys (or girls) and help develop their character;
- (b) to promote the physical, mental and spiritual development of boys (or girls), and
- (c) to encourage international goodwill and understanding by establishing friendly contact with boys (or girls) of other nations.

The objects that were specific to the Scouts were as follows:

- (a) to train boys in habits of observation, obedience and self-reliance;
- (b) to teach boys services useful to others and handicrafts useful to themselves.

The Guides on their part, had these specific objects:

- (a) to train girls in habits of courtesy, obedience and service to others;
- (b) to develop in girls an interest in homecraft, health, social service, love of nature and traditional arts and customs.

7.2.1.4 The members of these associations were specifically prohibited from claiming or pretending “to be or to act as the police force or of the Armed Forces or any agent or officer of the Government.” They were also specifically prohibited from engaging in any:

attempt by virtue of wearing any uniform or badge token of either association or appearing to be such, to enforce or exercise authority otherwise than in accordance with and as authorized by the bye-laws, rules or orders of either association.

7.2.1.5 Once the State formed its own Youth Association, the associations reverted to their roles of character-moulding and the cultivation of useful leisure hour activities, as well as service to others.

7.2.2 THE GHANA YOUNG PIONEER MOVEMENT (GYP)

7.2.2.1 After Independence in 1957, a need was felt to attack attitudes born of the socialization produced by a state of mind derived from colonial subjugation. The need to improve the education of young people and to mobilize them for national development was also keenly felt. The CPP Youth League was largely made up of children of CPP members and was restricted to a few urban areas. One truth that was not lost on the leadership of the CPP, was that anyone who wished to influence the future with new ideas, had to get to young children and introduce those ideas to them. The need to inculcate patriotism of the new country called “Ghana” into its newly-liberated citizens meant that the youth had to be targetted if the changed relationship between the citizen and the State as well as the new responsibilities inherent in the changed relationship were to be properly appreciated. Subsequent governments found the youth a ready vehicle to reach impressionable minds and harness their energies in favour of the government’s policies.

7.2.2.2 The Ghana Young Pioneer movement (GYP) was founded on 14th June, 1960, as a youth movement to “inculcate in the children of Ghana a feeling of pride for the country. It would also seek to foster physical fitness, respect for manual work, self-discipline, sense of duty and of responsibility and above all love for and a strong desire to serve the country”. The model for its formation was derived from the findings of a delegation sent on a study tour to various countries to study their mode of youth training. The delegation was made up of Kofi Baako; Krobo Edusei; Professor William Abraham; Kofi Batsa; Mowbray Elliot; and Reverend J S A Stephens. The group brought home a recommendation that, based on what they had seen, the most appropriate models for youth training were those of East Germany and the USSR. There was close collaboration between Russian Committee of Youth Organization and the leadership of the movement. Indeed, many of the leaders were sent to Russia under the aegis of the Russian Komsomol Schools and to other institutions in Eastern Europe to study youth training. At the time of the overthrow of the CPP Government in 1966, many GYP members were in Eastern European countries undergoing training in youth leadership, and other academic disciplines, and their scholarships were withdrawn. Consequently, many of them got stranded in Europe.

7.2.2.3 At the formation of the GYP, the Ministry of Finance was requested to make £G5,000 available for the administration and organization of the movement; and so it was a fully-funded state organization. In 1961, it was put on a statutory footing by being made a part of the Ghana Youth Authority (GYA) under an Executive Instrument, the Ghana Youth Authority Incorporation Instrument E I 130. The National Organiser of the GYP was also appointed the Chief Executive of the GYA, and although the GYP was to operate under the general direction of the GYA this was a cosmetic provision since the chief executive of the authority was also the National Organiser of the GYP.

7.2.2.4 Even though the GYP began in Accra as a voluntary movement, it was soon introduced nationwide by order of the President, into schools for children and young people aged between four years and twenty five years. It also covered out-of-school youth, and was reported by the Evening News to have a membership of 20,500 within a year of its formation; and according to official reports, had ballooned to 500,000 within two years of inauguration. According to a post-Nkrumah Government of Ghana publication, the GYP reported to the President in September, 1964, that its membership had risen to one million children and young people, and it was operating 3000 centres in various districts. It was organized by age-group in four categories, each with its focus. Group I was known as Young Party League, consisting of ages twenty one years to twenty five years, and these were given various forms of technical and ideological training both in and outside Ghana. Group II known as “Nkrumah Youth” consisting of ages seventeen years to twenty one years, focused on providing technical and ideological training for mostly out of school youth. Group III known as ‘Young Pioneers’ was made up of ages 8 years to sixteen years, and concentrated on cultural activities such as drama and artistic crafts. Group IV, the “African Personality” group, was for children aged between four years and seven years. The main activity of this group was to sing and recite poems about “The Great Osagyefo”. School teachers were recruited as organizers and instructors and there was a code of discipline which was rigidly enforced.

7.2.2.5 The GYP was fully funded by the State though supposed to be a wing of the CPP. The Minister of Education and Social Welfare justified the state expenditure by declaring that “The C.P.P. is Ghana, and Ghana is the C.P.P.” Although membership was said to be voluntary, this was not its mode of organization in reality. At least for children in the rural areas, membership was compulsory for all school children and was enforced by school authorities as such. When the Hon Miss Regina Asamany suggested in Parliament that “it is wise to abolish such youth movements as the Boy Scouts and other similar organizations”, the Minister’s response was that the suggestion was “too true”, and that a Bill was going to be put before Parliament to ensure that Boy Scouts and Girl Guides movements were abolished. A little later on, the President directed that the GYP, having been “constituted as the sole youth authority in Ghana”, had the responsibility to ensure “that all organizations of youth are conducted in accordance with our national directives and not in relation to any foreign directives.” This was obviously a reference to the Boy Scouts and Girl Guide movements which had their roots in British colonialism.

7.2.2.6 With support from the highest political authority in the land, the GYP developed a fearsome reputation. Heads of institutions who were not keen to promote it in their schools suffered punitive action. There were also whispered allegations of how public criticism of the movement could lead to one’s detention under the Preventive Detention Act. By the time it celebrated its third anniversary, the President could order that its programmes be made compulsory for all youth groups. This was a clear indication that the government was not in support of the existence of any other youth groups. The President justified the new policy thus:

The youth of Ghana should stand together in singleness of purpose in order to meet loyally and boldly this supreme challenge of our time. We can no longer afford to see the energies of our youth dissipated and their loyalties confused, as a result of protracted membership of a variety of organisations, the aims and policies of which, however worthy they may be, are not always in our national or cultural interest.

7.2.2.7 Thus young people lost their freedom to freely associate or not to associate and parents their right to determine what activities their children could engage in, or to what ideas their children could subscribe.

7.2.2.8 GYP programmes were held after school and even during school hours, and all children had to attend or face punishment in school. Red silk scarves with borders in the colours of the CPP had to be worn by school children. Many people felt that the movement was a vehicle for indoctrination of children and the promotion of a personality-cult of the President. For instance, M N Tetteh corroborates allegations of blasphemous acts taught to children, although he blames enemies of President Nkrumah, whom he described as “fascist secret agents within the movement with a definite mission to destroy the image of the movement and its founder”. According to him, these “fascist agents” “were reported to have gone to one selected centre in a region and actually orchestrated the blasphemous act of dropping some sweets and food items from a ceiling of a Pioneer Centre while calling on Nkrumah in a mock prayer”. Thus the blasphemy lay in the fact that according to contemporary accounts, the ability of the President to supply

the children's wants by having "sweets and food items" rain down during a mock prayer was contrasted with the inability of God to do likewise since nothing happened when they called upon God. These accusations were denied at the time, and the denial is supported by Pobee who states that "in our researches we have not come across any youngster who experienced it". It is thus somewhat surprising that one of the officials who ought to know the truth would recount the incident many years later and blame "fascist agents" who had been planted on the GYP.

7.2.2.9 The GYP also had sentences extolling the greatness of the President that had to be recited by school children everyday. For instance, the Young Pioneer Pledge was seen as a vehicle for indoctrinating the children and building up a personality cult around the President. This criticism had some justification as the text reproduced below, of the pledge that was to be recited any time the youth met, suggests:

"YOUNG PIONEER CODE AND PLEDGE"

- I sincerely promise to live by the ideals of Osagyefo Dr. Kwame Nkrumah, Founder of the State of Ghana and Initiator of the African Personality;
- to safeguard by all means possible, the independence, sovereignty and territorial integrity of the State of Ghana from internal and external aggression;
- to be always in the vanguard for the social and economic reconstruction of Ghana and Africa;
- to be in the first ranks of men fighting for the total liberation and unity of Africa, for these are the noble aims guiding the Ghana Young Pioneers;
- as a young Pioneer, I will be a guard of workers, farmers, cooperatives and all other sections of our community;
- I believe that the dynamic Convention People's Party is always Supreme and I promise to be worthy of its ideals."

7.2.2.10 Some of the sentences such as: "Nkrumah does no wrong"; "Nkrumah is our Leader"; "Nkrumah is our Messiah"; and "Nkrumah Never Dies", were thought by many to be an undue indoctrination of school children and the creation of a personality cult around the President. Some of the lyrics of popular GYP songs had images borrowed from the Bible. One of such songs was:

If you follow him, If you follow him,
Kwame Nkrumah, he will make you fishers of men, fishers of men, fishers of men, he
will make you fishers of men if you follow him.

Other songs had secular lyrics but put to tunes of church, especially Hymns, were viewed as an attempt to imbue the personality of the President with Christ-like qualities since the

phrase “fishers of men”, was derived from the Biblical story of the calling of the first disciples by Jesus Christ. Indeed, in some elementary schools, the practice was for the leader of the Young Pioneers in the school to conduct a parade and raise the GYP Flag and the Ghana Flag during the school’s Morning Prayer assembly while the school’s teachers looked on.

7.2.2.11 Opposition to the movement was strong, being largely spear-headed by the churches, but largely covert as any expression of open opposition at the time could portend detention for the particular person or deportation for a foreigner as the experience of Anglican Bishop Reginald R. Roseveare, Chairman of the Christian Council, amply demonstrated. He was deported as a result of an address he gave at the Anglican Annual Conference in 1962. In that address, he criticized the movement in the following manner:

Not only myself, but the heads of churches in Ghana, are shocked by the godlessness of this movement and by some of its phrases and songs for the children to repeat or to sing. We made our views known to the Minister of Education last April, saying that we found it impossible to give our support and co-operation in the development of the movement as at present constituted. It is an affront to our age-long traditions that, in Ghana of all countries a national institution for the training and development of boys and girls should entirely ignore the existence and claims of Almighty God. Moreover, it seems that the movement confuses the work and example of a great man with divine acts which are unique in history. The incipient atheism is quite foreign to the traditional concepts of African Personality. Surely it is our duty to ask that some consideration be given to convictions of loyal citizens of Ghana who, by virtue of their Christian Faith, desire that nothing shall hinder their children from growing up to be loyal and faithful Christian men and women. Is there a finer basis for citizenship than this?

7.2.2.12 Bishop Roseveare was promptly deported as being a person whose “presence in Ghana was not conducive to the public good”, after being subjected to name-calling in the state media as “the neo-colonialist Lucifer”. He was also criticized for being a part of an “ungodly clique and quislings”, who did not appreciate that: “God does not like imperialist chicanery, religious sabotage and anti-national manoeuvres (sic), nor is he impressed by chauvinistic Christian ballyhoo or hypocritical and deceptive Synod addresses”. He was accused in CPP quarters of stabbing the President in the back since he had had dinner with the President the night before the Synod. He was eventually allowed back into the country only after he had apologized and had formally applied to be allowed to return. From then on, there was no indication that the church ever openly criticized the GYP.

7.2.2.13 The motivation to inculcate patriotism in children of school-going age was a good idea, but the implementation was problematic. There was no doubt that the organizers of the GYP were overly high-handed in their treatment of dissent, but this was in line with the culture of those days. Blaming “fascist agents” from within for the excesses of the GYP, is obviously a disingenuous attempt at blame-shifting and revisionism since the same Tetteh himself admits that at some point in time, stories that reached the President caused him to set up a five-member committee to study the

situation and submit a report, and that the report led to the adoption of some reforms. Since, in those days, it took much less than obvious subversion of the government for a person to be detained under the Preventive Detention Act, it is somewhat curious that no one was punished as a “fascist agent”, when the committee submitted the findings upon which reforms were initiated.

7.2.2.14 The GYP attracted other types of criticism such as it being a means by which parental authority was being weakened in favour of loyalty to President Nkrumah. The movement was alleged to be encouraging children to spy on their own parents. M.N. Tetteh denies this, though he asserts that the children were asked to join the search for the bomb-throwers who were maiming and killing some of their colleagues. Therefore if any parent happened to be a bomb-thrower, then it was in response to this patriotic duty that the children informed on them.

7.2.3 Bomb Outrages

7.2.3.1 The GYP came under physical attack when many of its members became victims of the bomb-throwing incidents that became a feature of Ghana’s politics as certain persons alleged to be members of the opposition, in a bid to assassinate the President or cause disaffection for the government, detonated bombs and other explosives at public gatherings when the Young Pioneers would be in attendance. Many children, not necessarily Young Pioneers only, were killed on such occasions, and others maimed for life. At least on three of such occasions, twice at Accra Sports Stadium and at Arena in Accra, Young Pioneers attending functions at which the President was to be present were prominent among the victims when the explosive devices were detonated. Ms Elizabeth Asantewa, Master Ayikwei Hammond and Ms Elizabeth Hammond were prominent among such victims of each of those incidents.

7.2.3.2 At Kulungugu in the Upper East Region, an assassination attempt was made on President Nkrumah, and it was alleged that a number of GYP children were killed. Indeed, contemporary accounts of the time indicated that the source of the bomb was a bouquet presented by a young girl who was consequently killed in the blast. As recounted by Tetteh, “a member of the movement in the infants division was blasted to death in cold blood by a bomb which was secretly planted in a bouquet which a young lass was given to present to the President”. However, this account of the incident is contradicted by an eye-witness, Gariba Ndego Tijani, then a 12-year old boy at the time, and now a graduate of the University of Ghana and a tutor at Bolgatanga Secondary School:

I had to struggle with adults on a tree top to catch a glimpse of President Nkrumah on the first day of his arrival from Accra (Saturday, 30th August) en route to Haute Volta (now Burkina Faso). Tree trunks along the road through the village were whitewashed before the day since the President was to make a stop over in Kulungugu before proceeding to Burkina Faso. He arrived after twelve noon on 29th August amidst shots of gun salutes [sic]. I could not see the sequence of events around the President since the crowd of adults shielded him from my view. And after about thirty minutes, the President proceeded across the border into Burkina Faso [then Upper Volta].

7.3.1.1 The life of the GYP formally ended when the First Republic ended in 1966, when the CPP was proscribed, and membership of it banned by the National Liberation Council (Establishment) Proclamation Decree, 1966 (NLCD 1). The National Organiser of the GYP, as well as all its functionaries were detained under the Protective Custody Decree, 1966 (NLCD 2).

7.3.1.2 The NLC caused the accounts of the CPP and its wings to be audited by the Auditor-General, and then declared all those accounts confiscated to the State by the National Liberation Council (Forfeiture of Assets) Decree 1967, (NLCD 23).

7.3.1. 3 The GYP died as it were in 1966, but its influence still lingered on for many years.

7.4 1ST OCTOBER, 1969 – 12TH JANUARY, 1972:
THE SECOND REPUBLIC PROGRESS PARTY (PP) GOVERNMENT

7.4.1 NATIONAL YOUTH SERVICE CORPS

7.4.1.1 The Progress Party (PP) Government had a problem as to what to do with out-of-school youth. The National Youth Service Corps (NYSC) was started on 15th December, 1969, to encourage young people to contribute to national development by putting them to work on community-improvement projects. With its motto “Brotherhood in Action”, the NYSC set out to support the government’s rural development programme.

7.4.1.2 Registration for membership of the NYSC began with the unemployed youth, who were then sent to work on community projects, such as building places of convenience, cultivation of farms, etc. Its popularity and mass appeal was diminished by criticism that the government was starting another GYP in a different form, and that the Prime Minister was asking other people’s children to do manual work in rural areas, whilst his own children schooled abroad.

7.4.1.3 Although the programme went into abeyance when the life of that government also ended. The idea was resuscitated, and re-instituted into a National Service Programme in 1972.

7.5 13TH JANUARY, 1972-3RD JUNE, 1979:
NATIONAL REDEMPTION COUNCIL (NRC)/
SUPREME MILITARY COUNCILS (SMC) I & II

7.5.1 NATIONAL SERVICE SCHEME (NSS)

7.5.1 Following the withdrawal of the Loan Scheme for students of the universities and the restoration of full scholarships, it became clear that students had to offer some service in reciprocal generosity. The National Redemption Council (NRC) initiated discussions towards the involvement of university students in nation-building as their contribution to

a nation that had provided them free university education. The original proposal was for military training for the university students to improve their level of discipline. However, further discussions with the student leadership resulted in the institution of the National Service Scheme, as it currently exists.

7.5.2 GHANA NATIONAL RECONSTRUCTION CORPS (GNRC)

7.5.2.1 The NRC government found it necessary to mobilize unemployed young people to support the “Operation feed Yourself” programme. Under the leadership of Sarpong Kumankumah, young people were mobilized to go into farming, and were settled on some of the State Farms that used to be operated by the Workers Brigade. They were fully funded by the State, but they did not make the desired impact on the food supply situation.

7.5.2.2 Many of the GNRC members were involved in the Unigov campaign, and were involved in the physical attacks that were perpetrated on some citizens. Indeed the GNRC was listed among the political organizations that the GBA demanded to be banned after the referendum.

7.6 4TH JUNE, 1979 – 23RD SEPTEMBER, 1979: ARMED FORCES REVOLUTIONARY COUNCIL (AFRC)

7.6.1 The AFRC was in power for a very short time, however, the youthfulness of its leaders inspired many young people to flock to them in response to the call for the youth to save their country. Under its youthful Chairman, Flt Lt Jerry John Rawlings, and its Spokesman, Capt Kojo Boakye Djan, the AFRC itself was, in many respects, a Youth Movement.

7.6.2 Before the end of its short tenure of office serious differences had emerged, splitting the AFRC into two factions led by Flt Lt Rawlings and Capt Boakye Djan respectively. These factions had their following in the young civilians who associated themselves with the AFRC and it led to the birth of three Youth Associations, all claiming leftist ideological leanings: the June Fourth Movement (JFM); People’s Revolutionary League of Ghana (PRLG); and the Movement on National Affairs (MONAS), that were to influence the politics of the nation for many years.

7.6.3 MOVEMENT ON NATIONAL AFFAIRS (MONAS)

7.6.3.1 This organization was formed and inaugurated on 22nd September, 1979, two days before the inauguration of the Third Republic when the AFRC handed over power to President Hilla Limann. It was inaugurated by the Spokesman for the AFRC, Maj Boakye Djan at the Accra Technical Training College (ATTC) at Kokomlemle in Accra.

7.6.3.2 It was formed as an organization to structure a front for political activities by students workers and youth in the country. The group was made up of students, workers

and youth organizations either as individuals, or as corporate members. For instance, the following examples would suffice to show who the members were:

1. Labour Movement – Peter Arthiabah (Administrative Secretary of TUC); and Opare Ababio – (of the Public Services Workers Union (PSWU))
2. Youth elements who used to be members of Socialist Revolutionary Youth League of Ghana, an organization registered with the National Youth Council as a youth movement - Yaw Adu Larbi, Nat Ayivor, Kweku Baako (Jnr).
3. Groups - Pan African Youth Movement (PANYMO).

7.6.3.3 At about the beginning of September, 1979, about two weeks before the end of the rule of the AFRC, Maj Boakye-Djan met with the above-named persons at the Star Hotel in Accra to plan the formation of a movement that would assist in consolidating constitutional democracy. This was made up of persons who had actively supported the Uprising of Junior Military Officers against the Senior Officers on 4th June, 1979, but who also firmly believed that the soldiers had no role in governance after a civilian government had come into place, and therefore, they were to return to barracks and remain there, playing their traditional role of ensuring internal and external security.

7.6.3.4 This group had emerged because in the course of AFRC rule, there were cleavages based on ethnic, ideological and political differences. One of the causes most central to the cleavage was whether or not there should be a handing-over at all. Although every one on the AFRC publicly supported the handing-over, the story was different in private. Consequently, two factions developed: the Rawlings faction; and the Boakye-Djan faction. The former emerged because some people were opposed to the handing over of power after such a short period of time to civilian politicians. They therefore conspired to disrupt the handing-over ceremony and so abort the entire process. In order to effectively counteract the activities of the Rawlings faction, the Boakye Djan faction made up of persons in favour of the return to civilian rule re-grouped and sought ways of thwarting the objectives of the Rawlings faction. Intense rivalry between the two factions developed and it is alleged that it was when the more powerful Boakye Djan group won the day, that the handing-over occurred.

7.6.3.5 MONAS was thus formed and inaugurated as part of the strategy to provide support for the return to a constitutional order in the course of the struggle for power between the two factions. It was also intended to ensure the survival of constitutional rule by providing a platform for constructive criticism of the government and its policies although its commitment to the maintenance of constitutional rule was beyond question.

7.6.3.6 MONAS was headquartered at Labone at the residence of the late Kofi Baako – a prominent Minister of State in the First Republic and the father of one of the members, Kweku Baako (Jnr).

7.7 24TH SEPTEMBER, 1979 – 30TH DECEMBER, 1981:
THIRD REPUBLIC PEOPLE’S NATIONAL PARTY
(PNP) GOVERNMENT

7.7.1 The Genesis Of The Youth Groups Of The Revolution

7.7.1.1 After the handing-over to the civilian administration in 1979, it was felt in many sections of the country that the civilian government would be unable to protect the “gains” of the 4th June Uprising on account of the fact that some of the “nation wreckers” and “corrupt politicians” had jumped on the political bandwagon of the PNP. Some students, former student leaders and out-of-school youth, formed various associations either to protect “the gains of the revolution”, or to defend the concept of constitutional government. These groups attained some pre-eminence on the political landscape as events on the political landscape began to unfold, leading eventually to the toppling of the PNP from political power.

7.7.1.2 The roots of some of these groups lay in the events that produced the 4th June Uprising (usually referred to as the “June 4 Revolution”), and the subsequent modes adopted for addressing the fallout of that event. After the AFRC handed over power to the PNP administration, the problem was what to do with these young army officers and other ranks, amongst whom were twenty-two year-olds who had to be rehabilitated in order to protect the cohesion of the army. This was because problems affecting Command and Control within the military had been created by the fact that Senior Military Officers had been obliged to pay respects to very junior officers and other ranks on account of their membership of the AFRC. This turned the Army’s traditions upside down and greatly affected morale on both sides of the Command Structure. Another major problem was the great factionalism that had been spawned by differences - both personal and ethnic - between the Chairman of the AFRC, Flt Lt Rawlings, on the one part and the Spokesman and Number-Two man of the AFRC, Maj Boakye-Djan, on the other. These differences split the AFRC down the middle, and spawned two major factions both within and outside the Armed Forces. The government took a decision to offer the AFRC members a resettlement package to go abroad for further education. Many of them, including Maj Boakye-Djan, accepted the offer and left Ghana, but Flt Lt Rawlings is said to have turned down the offer of resettlement, and remained in Ghana.

7.7.1.3 The respective decisions by Maj Boakye-Djan to leave Ghana, and Flt Lt Rawlings to remain in Ghana had consequences for their respective factions. The Boakye Djan faction became orphaned, whilst the Rawlings faction grew from strength to strength. Notable among the latter faction were personalities such as Kwasi Adu, Tony Akoto Ampaw, Augustus “Gussie” Tanoh, Yao Graham, Nicholas Atampugire, etc. Some members of the two factions formed the People’s Revolutionary League of Ghana (PRLG); and others in the Rawlings faction split up into two groups, the June Fourth Movement (JFM) and the New Democratic Movement (NDM).

7.7.1.4 These groups were instrumental in shaping the direction of Ghanaian politics after 1979. Even the overthrow of the Limann government was an act endorsed by the leftist youth groups of the time. An event occurred on 3rd October, 1981, that was to prove the watershed for the continued survival of the Third Republic. On that date, there was a Forum of leftist youth and workers organizations at Labone Secondary School. Most of these were groups such as: NUGS, MONAS, JFM, PRLG, NDM, Socialist Society of

Ghana (SSG), African Youth Command (AYC), African Youth Brigade (AYB), Pan African Youth Movement (PANYMO). The convenors of the “Labone Forum” were Osei Poku the editor of Evening News, and S S Baffour-Awuah of the African Youth Command (AYC). The Forum, attended by senior members of the PNP (“Old Guard”), deliberated on the state of the nation and arrived at the consensus that the government of the PNP had veered off the path of socialist ideology. The Forum also articulated the view that the constitutional regime no longer represented the aspirations of the people, and its downfall would have popular support. Many of those who participated in the Forum and who were outspoken in their criticism of the lack of ideological direction of the PNP Government, ended up being a part of the structures of the PNDC when the constitutional government was overthrown two months later.

7.7.2 THE JUNE FOURTH MOVEMENT

7.7.2.1 The June Fourth Movement (JFM) was a leftist movement made up largely of young people, workers, radical young academics and students that began after the AFRC handed over power to the civilian government of President Limann. Before the handing over, there were concerns that the aims of the “June Fourth Revolution” would not be pursued by the incoming government and that whatever the revolution had achieved would be lost. Therefore this movement was born in order to defend the “gains of the revolution” and it was no surprise that the Vice-President of National Union of Ghana Students (NUGS) in 1979, became one of its early General Secretaries. The JFM was vociferous in its opposition to the call by Maj Boakye-Djan for a probe into AFRC affairs. It is alleged that originally, Flt Lt Rawlings was not a member of the JFM, but became a member after his forced retirement from the Armed Forces in 1979.

7.7.2.2 The Movement was organized along Marxist lines and propounded ideas as to how Ghana could be governed after the fashion of Marxist countries such as Cuba and Libya. Within the Movement, there were Revolutionary Committees modelled after the Libyan system. According to Emmanuel Hansen, Flt Lt Rawlings paid a visit to Libya in the summer of 1980, and came into contact with this organizational structure, and adopted it. He further maintains that the Revolutionary Committees formed the basis for the organisation of the People’s Defence Committees and Workers’ Defence Committees that were introduced into this country in early 1982, after the Provisional National Defence Council (PNDC) came to power.

7.7.2.3 The JFM published a newspaper, the Workers Banner, that contained this notion of PDCs /WDCs and that is credited with radicalizing some of the soldiers who took part in the coup of 1981, to participate in the process. However, Shillington maintains that “His [Rawlings] forced retirement from the Air Force notwithstanding, his leadership of the JFM brought into the organization a number of useful radical soldiers, especially from among the non-commissioned ranks.” In the editorial of 14th-20th July, 1981, the Workers Banner, the organ of the JFM, wondered whether indeed, there was a revolution under way or we were merely engaged in a “reform”. The Workers Banner insisted that “if we were in a revolution we should be seeing activity at Teshie firing range, even identifying, by name, possible targets.”

7.7.2.4 The pre-eminence of the JFM in the plot to overthrow the constitutional order of the Third Republic as well as the initial direction of the government that was established thereafter cannot be underrated. According to Shillington:

The JFM, NDM and other left-wing movements of the period were important in providing the ideological rationale for the 31 December revolution ... as well as providing a corps of dedicated cadres who could implement a revolutionary programme on a national scale... [T]he JFM in particular, provided Rawlings with a public platform from which to 'sensitise' people and to hold the government accountable.

7.7.2.5 Indeed it was under the auspices of the Movement that the most public of the threats against the government of President Limann were uttered during a speech to celebrate the first anniversary of the June Fourth Uprising. Little wonder that it was represented on the PNDC by no less a person than Chris Bukari Atim, then the General Secretary of the JFM. According to Hansen, the move to make the JFM visible on the PNDC was to bind the JFM, the student movement and the youth to the revolutionary initiative. At the 17th Annual Congress of NUGS, fraternal greetings sent by the JFM and the PRLG ended with "REVOLUTION OR DEATH". "The JFM was crucial in providing the link between the military who had staged a coup and the civilians who would turn it into a revolution."

7.7.2.6 The JFM came to the attention of national security during the Third Republic as it was suspected of plotting subversion. The JFM started a farm at Katamanso, which land was procured through the instrumentality of the President of the Nungua Branch in order to go into farming in fulfillment of its belief in the dignity of farming. However, National Security thought otherwise, and insisted that far from it being an attempt to take to farming, the JFM was using the place as a training ground for revolutionaries to subvert the government. The JFM was also associated with the activities of a foreign revolutionary then known as Wilhelm Harrison Buller, and later as Albert Odinga, a national of Belize (former British Honduras), who had been expelled from his own country for subversive activities. He was suspected of carrying on subversive activities by giving military training to some young Ghanaians for purposes of overthrowing the government and was arrested for overstaying his visa. Although the government could not prove the allegation of subversion and subsequently deported him, the suspicion of untoward activities hung around the JFM until the coup occurred on 31st December, 1981. As subsequent events proved, the suspicions were not unfounded.

7.7.3 MOVEMENT ON NATIONAL AFFAIRS (MONAS)

7.7.3.1 One week after the handing over of power, Maj Boakye-Djan left Ghana in fulfillment of an agreement between the AFRC Government and the new administration of the PNP, leaving the group somewhat orphaned, but it carried on its activities. In its role of supporter of the constitutional order, it needed to collaborate with institutions of state to concretize the support. MONAS therefore formed official and organized links with the state security agencies, the Youth Wing of the People's National Party (PNP)

and Members of Parliament, all with a view to ensuring that the regime could serve its first term, and thereafter give the people of Ghana a chance to use the ballot box to decide the way forward. MONAS also published a newspaper known as “The Message” in which it espoused its beliefs. The movement was also in the forefront of public criticism of the decision by the National Olympic Committee in 1980 to boycott the 1980 Olympic Games in Moscow. In 1980, the movement was described in a newspaper as:

“a clique... which describes itself as ‘a mass research organization – for whatever that means – but believed in student circles to be working closely with Mr. Kofi Batsa of the PNP.”

This view of MONAS as a PNP government-influenced outfit seems to be supported by the admission by one of its leaders that since their avowed aim was to support constitutional government, they co-operated with the Intelligence system.

7.7.3.2 Early in 1982, MONAS attempted to facilitate the organization of a counter coup and so the leaders were arrested and detained for periods ranging between six months and two years initially in military guardrooms, and later in State prisons.

7.7.3.3 The long period of incarceration of the leaders, coupled with infiltration by national intelligence made it difficult for a meeting to be called. MONAS therefore fizzled out as a mass movement and its influence as an active player on the political scene effectively ended.

7.7.3.4 Funding

7.7.3.4.1 MONAS was funded from various sources. Contributions were obtained from Maj Boakye-Djan, the family of Kweku Baako (Jnr), Nana Okutwer Bekoe, Chairman of the PNP and other “friends” of the society.

7.7.4 PEOPLE’S REVOLUTIONARY LEAGUE OF GHANA (PRLG)

7.7.4.1 The PRLG was another leftist group that was also active on the youth front. It was related to both MONAS and JFM because it shared common membership of some of the organisations already named as being members of MONAS. Born during the AFRC rule, its membership was eventually split between the MONAS and JFM. In August, 1979, the President of the Central Committee of the PRLG was Kweku Baako (Jnr), later of MONAS, whilst T Kojo Nubour Ababio, the General Secretary, later became a member of the JFM. The PRLG considered itself a group to the extreme ideological left. For instance, in October, 1979, when an Accra High Court reviewed and granted bail to some convicts of the AFRC ‘People’s Courts’ and ordered their release, the PRLG that took to the streets to demonstrate against the reviews, ending at the Castle where the leaders, Kweku Baako (Jnr), Nubour Ababio and Quaynor-Mettle, presented a petition to the Vice-President.

7.7.4.2 Late in 1979, a leaflet appeared attributed to Military Intelligence in which allegations of tribalism were made against Flt Lt Rawlings. Some members of the PRLG such as Kweku Baako (Jnr), Riad Hozaifeh, Nubour Ababio and Flt Lt Rawlings planned a counter-strategy of producing counter leaflets to refute the allegations and distributing them at various places, including Burma Camp, and at other military installations. In the course of distributing the leaflets in the Military Hospital area, some of the members were arrested for carrying on subversive activities in a restricted area.

7.7.4.3 A split in the PRLG occurred when in February, 1980, Maj Boakye-Djan and Maj Mensah Poku, both members of the former AFRC, paid a visit to Ghana, and held a press conference at the Ambassador Hotel to refute some allegations of corruption levelled against them. This was on account of the fact that the newspapers had begun publishing various allegations of misconduct on the part of AFRC members. At the press conference the two ex-military officers asked for two things:

1. A commission of enquiry into the affairs of AFRC in order to investigate allegations of personal misconduct of AFRC members and even supporters; and
2. A fact-finding commission to find out whether in the course of dispensing revolutionary justice, some miscarriage of justice occurred so as to give a basis for a review of the Transitional Provisions in the Constitution.

7.7.4.4 The request by the two men to clear their names was supported by some of the members of PRLG, and they gave their support to the request publicly. The reason for the support, according to them, was that some effort was being made by some persons to set aside decisions made by the People's Revolutionary Court in respect of certain persons. For instance, a letter from the "Office of the Chairman of AFRC, Arakan Barracks Burma Camp to the Director of Prisons copied to The Chairman, Special Tribunal, State House" dated 19th October, 1979, asking for the "setting aside of the sentence of J W K Harlley by the authority of the People's Revolutionary Court." This letter, ostensibly signed by Squadron Leader E K Dargbe, the President of the erstwhile People's Court, and written nearly one month after the AFRC ceased to exist as a legal entity, suggested that there were clandestine efforts to review some of the sentences even after the AFRC handed over power to the government of the Third Republic. Such clandestine efforts were tantamount to an admission that not all the decisions of the People's Court were unassailable, and created sufficient doubt that the call to re-open the cases was well-founded. The public support given to the call for a public probe, did not go down well with the Rawlings faction. The tensions between the two factions boiled over into the public domain, as those members of the Boakye-Djan faction who had given public support to the request were accused of betraying the cause publicly opposed by the PRLG, ie the review of the decisions of the AFRC People's Court. Those members of the PRLG in question were therefore announced to have been dismissed, but this occurred at the same time as they also claimed they had resigned their membership. A break between the PRLG and MONAS then occurred, as those who had been "sacked"(or who had "resigned") were mostly those who belonged to MONAS as well.

7.7.5 RIVALRY BETWEEN THE FACTIONS (MONAS AND JFM)

7.7.5.1 In 1981, Maj Boakye-Djan, member of the former AFRC and patron/founder of MONAS returned to Ghana with Capt K. Baah Achamfour, another member of the former AFRC, and repeated the earlier request for a probe into the affairs of the AFRC. At this time, Flt Lt Rawlings was reported to be still going to the barracks to intervene in Command and Welfare problems, thereby undermining the Military Chain of Command. The soldiers still called him “Chairman” and deferred to him more than to the legitimate political authority. These acts were obviously incompatible with his status as a subordinate officer of the Ghana Armed Forces, and the information was brought to the attention of President Limann. Members of MONAS believed that the President had by then, cultivated such a cordial relationship with Flt Lt Rawlings that he did not take appropriate action. They also contend that the President’s apparently inexplicable conduct was occasioned by wrong information that Maj Boakye-Djan was the one planning a coup against his government, and that this contradictory information became a distraction such that even warnings by Military Intelligence as to the danger presented by Flt Lt Rawlings to the stability of the regime were ignored by President Limann. However, Professor Nabila, then Minister for Presidential Affairs, contests this information, and maintains that the lack of action was caused by indecisiveness and “too much ‘buck passing’ “ by the professionals within the national security apparatus”.

7.7.5.2 The JFM dominated NUGS, as many of its members were in the leadership of NUGS. It had become one of Rawlings’ platforms, although he himself did not become a member of JFM until 1980. The political positions of NUGS were therefore more in alignment with the JFM than with MONAS. The battle between the two groups was carried on in the press. In the “Citadel Daily”, a newspaper published by Dan Lartey and edited by Nubuor Ababio, the attacks on the person and character of Maj Boakye-Djan was a constant theme, as well as articulating the political position of NUGS. This attitude was understandable since the editor of that newspaper was also the General Secretary of JFM, and also a former leader of NUGS. The newspaper also published articles that damned the civilian administration, that is, the Executive and Parliament, and called for a revolution. MONAS disagreed with the position of the Leftist forum and this completed the break between it and the other groups such as the JFM.

7.7.5.3 The rivalry between the two groups was very much in evidence on the university campuses and this divided the front of the student leadership.

7.7.5.4 On 1st January, 1982, Sgt Alolga Akata Pore, a member of MONAS, is alleged to have paid a visit to his MONAS friends, to persuade MONAS members to join Flt Lt Rawlings who had overthrown the constitutional government the previous day. This was a surprising development since he was a member of MONAS. Clearly some of its members had not been faithful to the objectives of the movement, and the personal animosities that had developed between the MONAS and JFM had rendered the group very vulnerable. Their position was made more difficult because Maj Boakye-Djan had granted an interview to the British Broadcasting Corporation (BBC) radio on 1st January, 1982, condemning the takeover. MONAS drafted a three-paragraph statement that was non-committal and designed to buy them time.

7.7.5.5 The statement did not achieve the desired result, because Nana Okutwer Bekoe, Chairman of PNP and one of financiers of MONAS, while in custody at Gondar Barracks, had allegedly stated that Maj Boakye-Djan had accepted a bribe of US\$200,000 from the PNP to share among his “boys”.

7.7.5.6 The members of MONAS were arrested and detained for periods of up to two years, when information leaked to the authorities that they were involved in a plot to subvert the new regime. The battle for supremacy between the two AFRC protagonists appeared to have ended with the emergence of Flt Lt Rawlings as the unchallenged leader in 1982, and the JFM as the most-favoured youth group.

7.7.6 THE JFM

7.7.6.1 On 3rd January, 1982, barely forty-eight hours after the PNP Government had been overthrown, the JFM led a group of workers to demonstrate in support of the revolution. As part of their demonstration of support, they paid a visit to the Graphic Corporation to threaten the journalists there not to publish negative news about the revolution because the workers would not suffer that to happen. The spokesmen of the group, Kwasi Adu and Quaynor Mettle, both former student leaders and recent graduates of the University of Ghana, complained about the hardship in the country and accused the Daily Graphic of unfair editorial slant against the June Fourth Uprising on account of the publication of negative stories about the event. The newspaper quoted Kwasi Adu as saying: “We shall meet the enemies pen for pen and boot for boot.”

7.7.6.2 The JFM and the NDM were put in charge of giving direction to the PDC/WDC concept by the formation of an Interim National Coordinating Council (INCC) because this was largely a JFM idea. Shillington blames ideological conflicts between the two groups as largely responsible for the absence of clear direction and proper organization of the PDCs. Chris Atim was instrumental in establishing WDCs all over the country and was constantly on the move, inaugurating the committees. These PDCs/WDCs were to be made up of junior staff and working class people. Managers and other persons of high social standing in the communities were not allowed to be members. This resulted in a bisecting of Ghanaian society into “people” and “citizens”. The need for the PDCs/WDCs to be brought under more central control was amply demonstrated by the amount of power that those who were involved in their organization had managed to accumulate within a short space of time. The implementation of the concept also demonstrated the importance of a mass movement organized from the local level upwards for purposes of political control of the country.

7.7.6.3 JFM is also credited with proposing Dr. Kwesi Botchwey, a member of the NDM, as a member of the Economic Management Team that was formed, before he eventually got appointed as the Secretary for Finance and Economic Planning, as well as influencing the initial socialist policies of the PNDC. Indeed on 21st July, 1982, the Association of Recognized Professional Bodies (ARPB) held a press conference at which it read a Resolution which, among other things, urged the PNDC to hand over to a “Government of National Unity”, while making arrangements to return the country to a constitutionally

elected government by 1983. The association buttressed its proposal by making a complaint that “Not even the June Four Movement (JFM) was altogether certain about what the nation had embarked upon.” This statement suggested the importance of the JFM in giving direction to the new government. A member of the Steering Committee of the JFM, Kwasi Adu, promptly accused the association of double standards. In particular, he criticized the Ghana Bar Association for being behind the Resolution adopted by the ARPB, and accused the lawyers of starting a reactionary campaign against the revolution, since they were the same people who had aggressively defended the AFRC convicts.

7.7.6.4 The end came for the extreme leftists in the JFM when they were accused of plotting to depose Flt Lt Rawlings as leader of the revolution and they were purged from the leadership. It is alleged that led by Sgt Alolga Akata-Pore, the leftists made a move to oust the Chairman of the PNDC, Flt Lt Rawlings, because they began to feel that the revolution was losing leftist impetus. As they erroneously believed that their control of the “grassroot organization” could be exploited to their political advantage, they sought to use their influence to isolate the Chairman and to effect his removal. Chris Atim, the mouthpiece of the ideologues at the time, categorically denied this assertion and stated in his letter of resignation to the Chairman of the PNDC that those of his friends so accused, had been framed by their political enemies in order to get rid of them. Whichever version of events represents the true situation, there were interesting developments after he resigned from the government. He left the country and went into exile.

7.7.6.5 After the purging of the leftists, the JFM was heard of mostly when the anniversary of the 4th June event was approaching, when they issued statements glorifying the event and organized public activities and programmes. The political power of the JFM within the revolutionary movement, became greatly diminished although the appearance of importance and influence was maintained by the leadership of the revolution.

7.7.6.6 In 1986, the PNDC announced that it was going to celebrate the 4th June anniversary as a national event. The day was declared a public holiday, and an elaborate programme of celebration was drawn up. The tri-colour flag of the JFM was hung on all major streets and a carnival of events was launched. The JFM was a central piece of this celebration of its “birthday”, and the day became the occasion when route-marches were held by the Security Services, fiery revolutionary lectures were delivered, and glamourised versions of the events of 4th June, 1979, were recounted. Nugent observes that by 1986, the “revolutionary banner” had become an illusion even though the leadership tolerated the behaviour of the cadres who were inclined to behave as if the revolution was still on-going.

7.7.7 OTHER YOUTH GROUPS

7.7.7.1 Early into the rule of the PNDC, several youth groups made their presence felt by issuing messages of support. Whilst the Akropong Youth Association urged the PNDC to nationalize all lands, the Dagomba Youth Association thanked the PNDC for releasing

some of the Ministers from custody, and indicated that that act had demonstrated the good intentions of the PNDC.

7.7.7.2 A decision was later taken to establish a National Youth Organising Commission (NYOC) to replace the National Youth Council following a two-day seminar on the youth, that was organized at the University of Ghana. A 15-member Commission made up of individuals as well as representatives of some youth groups was appointed to help organize the youth. The individuals were Dr. Kwesi Botchwey, Kwesi Pratt (Jnr), Shaibu Ahmed Gariba, Ms Belinda Agoe, Ms Cynthia Nuamah and Obliteyfi Akwetey, President of NUGS. The other nine who were not named, were to be representatives of the then nine regions. Kwesi Pratt (Jnr) was the first elected Secretary of the NYOC and the task was to form a mass youth movement on the lines of the GYP. However, the objective was not achieved, and many of its leaders left it to take up other responsibilities such as the Finance and Economic portfolio for the Chairman, etc.

7.7.7.3 The Democratic Youth League of Ghana (DYLG) was a “mass youth movement” that was launched in Accra on 19th November, 1982. Its first major statement was to criticize the students of the universities who had begun to oppose the government on some of its anti-student policies. However, it does not appear to have achieved any purpose and was never a major player on the political field.

7.7.8 BOY SCOUTS ASSOCIATION AND GIRL GUIDES ASSOCIATION

7.7.8.1 In 1982, the Boy Scouts entered into public life again, perhaps in answer to the call for mass mobilization for national development. In September, 1982, the Scouts held a meeting at Baden Powell Hall in Accra to discuss how to mobilise the youth to play vanguard roles in national reconstruction. Consequent upon these deliberations, the Scouts set up a committee to enable the association play a vanguard role in national reconstruction.

7.7.8.2 Despite the stated objects of the association, Scouts joined the revolutionary organs in activities of law-enforcement. Without proper authority, they began to enforce curfew regulations and to engage in acts of vigilantism. In rural communities, they were accused of harassing traders and were involved in the policing of curfew-compliance, the enforcement of price controls leading to the locking out of women from markets, whipping of market women, and enforcement of sanitation laws of district authorities. At the Border areas, they joined in border patrols to help check anti-smuggling activities. Indeed, some saw themselves as, and acted the part of, a uniformed branch of the PDCs and Students and Youth Task Force.

7.7.8.3 In consequence of the complaints engendered by these acts of vigilantism, a one-day seminar was organized for them by the Military authorities at Ho, under the theme “The role of Scouts and Girl Guides in the Revolution”. The seminar, reported to have attracted over 400 members of the associations, was intended to educate the membership of the associations to respect the human rights of the citizenry even though they were expected to assist in exposing economic saboteurs.

7.7.8.4 The acts of vigilantism brought the Scouts into conflict with the communities in which they operated. In 1983, an alleged smuggler was killed because he allegedly threatened a Scout on border patrol with a knife.

7.7.8.5 It is uncertain how long this para-military posture of the association was maintained, but what is certain is that, in the communities in which they operated, the Scouts lost their image as a friendly civil society organization.

7.8 CONCLUSION

7.8.1 No youth movement has ever been given the place and prominence that the GYP enjoyed in its heyday. The National Youth Council was revived, and in 1967, it regained its seat on the International Youth Council lost in 1961, as a result of the formation of the GYP as the sole organization for young people. Every government found it imperative to organize the youth, particularly the out-of-school youth and those without employable skills. Other political interests found the idealism of the youth a fertile ground on which to sow ideas of societal change. As the post-Independence population increased, the significance of the youth in national politics became more and more obvious.

7.8.2 The Youth Associations that were born out of the 4th June, 1979 Uprising, brought together young people with energy and drive, who defended the idea to which they had given their support. They were behind many of the human rights violations and abuses that occurred, as, in their youthful exuberance, they urged “revolutionary” punitive measures against “enemies of the revolution”. They competed for control over power at the national level, with deadly consequences for some of its members.

7.8.3 Other youth groups that were meant to provide moral training for young people, such as the Boy Scouts, corrupted their mission and perverted their existence by joining in activities that resulted in the perpetration of human rights abuses on the communities in which they operated, particularly against women traders.

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CHAPTER EIGHT

THE ROLE OF CHIEFS - COMPLICITY OR RESISTANCE
TO HUMAN RIGHTS ABUSES FROM
6TH MARCH, 1957 -- 6TH JANUARY, 1993

8.0 Introduction

8.0.1 This chapter deals with the role that chiefs have played in the political history of Ghana between the period 6th March, 1957, and 6th January, 1993. The assessment of the role of chiefs is done with specific reference to their efforts in the protection or otherwise, of human rights. One fact that became obvious from the work of the Commission was that, the chiefs themselves were often victims of human rights abuses, and that the chieftaincy institution suffered human rights abuses more than any other institutions, during the mandate period.

8.0.2 Land ownership in Ghana since colonial days has been in the hands of families, clans, and traditional rulers or chiefs. The latter's position on land ownership supersedes the rest in most Ghanaian societies. The chiefs were seen as holding economic power, controlling, as they claimed to do, access to land and the people who worked on the lands, as well as what could be grown on it, dug out of it, and the labour to do all these works. By and large, not until the establishment of the 1992 constitution, all lands in the Northern, Upper East and Upper West Regions of Ghana were vested in the Government of Ghana. On the other hand, from Brong-Ahafo Region down to the coastal regions of Ghana, lands are in the hands of families, clans and traditional rulers.

8.0.3 Those in charge of these lands usually release them to individuals who want to invest on the land and in return these people pay royalties or some kind of compensation or rent. One could obtain a parcel of land for a project by lease or outright purchase from the land owners. However, the acquisition of land and its management is bedevilled with a myriad of problems, ranging from double sale of a parcel of land; improper documentation, encroachment by unauthorised individuals or groups or families; litigations and disputes. Along side these, most lands compulsorily acquired by government; and its agencies, little or no compensation has been paid to the owners of these lands. Where compensation has been paid, the land has been left unattended to for so many years, allowing all kinds of peoples, individuals and families to claim ownership.

8.1 Pre-Independence

8.1.1 In modern times whatever role chiefs have played in the governance of Ghana, has depended very much on the attitude of the nation to the chieftaincy institution. In Ghana, the interference in the exercise of powers by chiefs formally began with the signing of the Bond of 1844, under which some chiefs claimed protection from the British and agreed to respect British authority in respect of the adjudication of specified crimes. As Kumado put it, "the British convinced themselves with the cumulative effect of the treaties like the bond and the various Annexation and Protection Orders in the Council to mean that they have vested in them, the power to administer the areas".

8.1.2 One major legislation that created some kind of uncertainty with regards to some of the powers of the chiefs, was the introduction of the Supreme Court Ordinance of 1876 and Native Jurisdiction Ordinance of 1878. These laws facilitated and regulated certain powers and jurisdiction of the chiefs and more so the power to dismiss chiefs, but

with prior approval from London . In 1883, the 1878 Ordinance was repealed, after some chiefs had protested.

8.1.3 In 1904, the Chiefs' Ordinance was passed, and this provided a situation whereby chiefs could apply to the Governor for the confirmation of their election and installation. The confirmation by the governor determined the lawfulness of the applicant's status as chief in his traditional area and the colony. As Kumado observed, "by 1910 the central government had, through legislation, weakened the authority of the chiefs, by making their position dependent both in law and on central government prop".

8.1.4 As the process of colonisation crystallised, the chiefs gradually lost their judicial and military roles, since the defence of the territory became the prerogative of the colonial government. In addition, more and more disputes were adjudicated upon in courts set up by the colonial government as the authority of the chiefs' courts was pared down by legislation. By the time the colonial government introduced Indirect Rule as a formal administrative policy in the Gold Coast in the early part of the twentieth century, the subjugation of the chiefs to British authority had become complete and the political and judicial roles of the chiefs had become circumscribed.

8.1.5 The history of Ghana is replete with cases, in which several courageous chiefs stood up to colonial governors and challenged their authority. In 1866, for instance, King Aggrey of Cape Coast refused to recognize the authority of the Governor of Cape Coast Castle beyond the bounds prescribed by the Bond of 1844. King Aggrey considered himself to be the lawful enthroned King of Cape Coast, for which reason the Governor had no right to set limits to his powers as king, and to set free, persons he himself had tried and imprisoned. The dispute between the King and the Governor led to the dethronement and exile of the King to Sierra Leone .

8.1.6 Some chiefs attained prominence within the colonial administration of Sir Hugh Clifford and Sir Gordon Guggisberg as Governors. Chiefs, such as Nana Sir Ofori Atta I, Nene Sir Azu Mate Kole, Togbi Sri and Nana Sir Tsibu Darko even served as members of the Legislative and Executive Council in the Gold Coast . The Guggisberg Constitution of 1925 introduced the Provincial Council of Chiefs. Through this council, the chiefs of Gold Coast had the opportunity to participate in government at the highest possible level as it was the first organised group to be consulted by government on major issues .

8.1 .7 The struggle against the colonial government as to whether it had the authority to interfere in the chieftaincy institution continued well into the twentieth century and those chiefs who maintained their opposition to the colonial government were marginalized.

8.1.8 The picture was somehow different in the northern part of Ghana. In the Northern Territories, even though kingdoms existed, their political authority had been weakened on account of the activities of the slave raiders, before the impact of colonialism and formal politics in Ghana was felt. Treaties concluded with the British government were signed

during the closing years of the 19th century bringing those areas under the protection of the British Government.

8.1.9 By 1911, Northern Ghana had been subdued by the British with the use of the Gold Coast Police Force. Having consolidated their control of the area, the British decided to involve chiefs in their administration just as they did with the chiefs in Southern Ghana. At that time, Northern Ghana had two categories of political groups – the acephalous and the centralized groups. The acephalous political groups lacked a centralized authority and machinery of governance, whilst the centralized political groups had chiefs. On account of possessing more identifiable political authorities, the authorities of the centralised groups were easier to locate and appoint as agents of the colonial government, than were those of the acephalous groups where the exercise of political authority was more diffuse in nature of political authority.

8.1.10 The weakness inherent in the absence of a centralised authority was further accentuated by slave-raiding activities of Samori and Babatu. Even in the centralised states, the slave raiding activities contributed to undermine the authority of the chiefs, but the effects were worse on the acephalous groups. A further significant factor was the incidence of intra-state and inter-state wars in the late 19th century. The result of all these factors that weakened the chiefdoms was that chiefs were unable to control the people who were supposed to be their subjects. This situation was even worse for the non-centralized groups. Once they had no institution around which to rally, the British took advantage and created new political organisations with the chiefs of the centralised communities as heads. The introduction of indirect rule in the northern part of Ghana empowered some chiefs to be political authorities, and brought whole areas under their control. This was done by putting smaller and independent chiefs under bigger ones and then creating paramountcies out of the bigger polities. Consequently chiefs, who were previously autonomous were forced to come under these paramount chiefs. Prominent among such Paramount Chiefs were the Nayiri of the Mamprusi, Ya Na of the Dagomba, the Yagbumwura of the Gonja, the Wa Na of the Wala, and the Krachi Wura of the Krachi.

8.1.11 The British Government empowered the chiefs to exercise their authority within the new political organisation. They also had to create chiefs in the acephalous areas that had no chiefs. State power was put at the disposal of the new paramountcies and new chiefs used State power to suppress all resistance from new subjects. Consequently, the foundation on which the chief's power rested in the northern part of Ghana was in the hands of the "white man." With the outbreak of the First World War, and the withdrawal of colonial officials for service outside their stations, the weaknesses in the new system began to show, as the chiefs became vulnerable in the absence of colonial support.

8.1.12 As a result of these developments, a fundamental contradiction in local administrative policy in Northern Ghana became evident. The chiefs had become agents of colonial rule, many, with little or no claim to traditional authority, or to the status of chiefs, and were thus completely dependent on the colonial administration. This situation made them vulnerable to manipulation by the colonial government.

8.1.13 When partisan politics became prominent in Northern Ghana in 1954, the two main political parties, Convention People's Party (CPP) and the Northern Peoples' Party (NPP) began to court the support of the chiefs. The parties realized that they could not make any progress among the people, who were still under the effective control of their chiefs. During the 1954 and 1956 Elections, the NPP was regarded as the party of chiefs and the CPP was seen as being anti-chief. In the 1956 elections, the CPP recognised the necessity to find and field candidates with chiefly backgrounds in order to make an impact. Though the two parties courted the support of chiefs, the NPP had more support from the chiefs and this showed in the massive support that the NPP enjoyed. It thus became imperative for politicians, who wanted votes in Northern Territories, to court and win the support of chiefs first. This phenomenon has remained in Ghana's political life till the present time.

8.2 Chiefs And Land

8.2.1 Pre-Independence To 1957

8.2.1.1 The British Colonialist was reticent and even more cautious when it came to regulating Gold Coast's (now Ghana) economic resource, land. There were many discussions about the importance of land reforms, but no such reforms were ever to take place. So far as the vast majority of Ghanaians were concerned, land allocation mostly in the form of confiscation, taxation and rights were matters controlled by chiefs and their council.

8.2.1.2 The British then passed the Native Jurisdiction Ordinance (NJO) in 1883, which entrenched them in Southern Ghana and reduced the traditional rulers and their people from the status of protégés to that of subjects of the British. The Ordinance also set up democratic local councils, which took over certain lands in the Colony (the south) and in the Ashanti Region onto their care. As a result, the chiefs lost control of what were traditionally stool lands, and even if the general ownership of those lands remained vested in the stools and hence, the communities which owed allegiance to those stools.

8.2.1.3 In 1900, the Concessions Ordinance was enacted to regulate the granting of concessions for the exploitation of timber and mineral resources. The law was made to certify as valid a concession, granted by the persons having authority to do so and which protect the customary rights of the people living in the area. The concession rent was to be paid to a treasurer appointed by the Governor and distributed to the entitled individuals. It thus meant that, the revenue from these lands, derived from local taxes on farmers, land and concession sales as well as from royalties on timber from the forest and minerals, which was the ancient basis of chiefly inheritance, was to be collected by the newly created local councils, as one element of local revenue. Chiefs were no longer at liberty to alienate stool lands without the assent of local councils.

8.2.1.4 From these reforms, the revenue accruing from stool lands and from native courts went directly to the treasuries of local councils, and they appropriated the annual grants to chiefs for their administration and for the maintenance of their retinues.

8.2.1.5 Although the NJO met with the resistance and protests from chiefs, it was the protest over land that was to channel all such dissidents into a single protest movement in the late 1890s, led by the Aborigines' Rights Protection Society (ARPS). The ARPS protest against the Land Bills of 1894-1897, centred on the contention that there was no waste land or public land which could justifiably be taken over by the government; and secondly the claim that the bill would reduce all the chiefs to mere squatters and lead to the abrogation of their ancestral rights. In view of this, the ARPS appeared to be right to assist the chiefs, and successfully, they protested against the Land Bills that would have vested all vacant lands in the Crown. From then on to the late 1950s, governments have invigorated their effort to acquire lands through series of legislations

8. 3.0 Post-Independence Governments

8.3.1 Like the colonial governments before them, post-colonial governments of Ghana also recognised the importance of chiefs in the mobilization of their subjects. The post-colonial governments, however, sought through legislation to control the chieftaincy institution and the personalities that occupied those offices. Post-Independence governments made development projects dependent on loyalty to government. Chiefs were in effect, forced to do the will of government in order to attract development projects to their traditional area, otherwise, the chiefs risked facing the displeasure of their subjects for the absence of such projects.

8.4. 6TH MARCH, 1957 -- 23RD FEBRUARY, 1966: CONVENTION PEOPLE'S PARTY

8.4.1 Nkrumah And The Chiefs

8.4.1.1 One scholar has said: "Dr. Kwame Nkrumah rode partly on the back of discontent against chiefs to gain political victory in 1951 and subsequently through all pre-independence elections until independence was attained in 1957". This discontent of Dr. Nkrumah and his followers was directed against chiefs, because they were perceived as "agents of the colonial government." Nana Ofori Atta II observed that in victory, and after independence, Dr. Nkrumah and his supporters waged war against chiefs, and in some instances, he openly taunted chiefs saying that those of them who refused to conform and would not do business with the CPP Government "would run away and leave their sandals behind."

8.4.1.2 The CPP Government realized the need to take a firmer control over the chieftaincy institution. It therefore devised a way of ensuring that only people whose support it could count on, could become chiefs. The first Chieftaincy Act of the Parliament of Ghana, the Chieftaincy Act, 1961 (Act 81), stipulated that government recognition was required to validate the enstoolment/enskinment and destoolment/deskinment of chiefs. The clear result of this was that persons who did not support the government were never given the necessary recognition, notwithstanding the fact that they had been customarily nominated, selected and enstooled/enskinned as

chiefs. This Act thus compelled loyalty of those chiefs who did not wish to fall foul of government and excluded from office, those who did not support the government.

8.4.1.3 By operation of Act 81, the Government of Dr. Nkrumah was able to give recognition to supporters and sympathisers, while it removed from office those chiefs, who identified themselves with the opposition. In the Ashanti Region where the CPP had the biggest opposition, it was reported that the Government considered the position of 27 chiefs, who were to be officially recognised through a publication in the Government gazette. In a similar situation, the government withdrew its recognition of the Okyenhene, Nana Ofori Atta II, Chief of Akyem Abuakwa. This was on the grounds that the Okyenhene was a staunch supporter of the National Liberation Movement (NLM), which was then the opposition party. In fact, in August of 1958, the Okyenhene was destooled. A Ghana Gazette notice declared the Okyenhene, Nana Ofori Atta II, as destooled with effect from June 13, 1958. Following the report in the Daily Graphic, Nana Ofori Atta II was evicted from his palace.

8.4.1.4 Soon after independence, the government mounted an assault on some of the structures through which the chiefs were exercising power under colonial rule. Dr. Nkrumah was reported to have said: "The Chiefs' Regional Officers had had their day." He further claimed, that the chiefs "often found themselves in the difficult position as Civil Servants endeavouring to carry out duties which are really appropriate to a member of government.... it is therefore necessary to abolish the posts of Chiefs Regional Officers." In a memorandum dated 2nd April, 1957, to the Cabinet, Dr. Nkrumah decided to have in each region, political representatives of the government and as Chief Executive Officers of the government. This immediately deprived the chiefs of revenue that was going to them for the administration of those offices.

8.4.1.5 The role of chiefs came under attack when it was announced that they were going to be restricted to their "local administrative duties." The Joint Provincial Council, which was then the mouthpiece of the chiefs, formally disapproved of the impending change, and as a result, sent a letter to the then Minister of Local Government. A portion of this letter described the planned change as "an insidious attempt on the part of government to subvert the office of the heads of the regions and place them under an effective control of party interest." The policy pursued by Dr. Nkrumah's Government was one that tended to treat chiefs with disdain, and this was particularly directed towards chiefs, who either opposed or attempted to oppose government. In the infamous statement that "the chiefs would run away and leave their sandals behind" if they continued to oppose his government, Dr. Nkrumah showed that he meant to get tough with chiefs who were supporting the opposition. The chiefs realised that soon after Independence they had to ensure their own survival. It was reported that the then Ga Mantse, Nii Tackie Kome II, on behalf of the Joint Provincial Council of chiefs, submitted a 29-point memorandum to the government on the "role of chiefs in self-governing Ghana". Earlier on, the council had forwarded a 21-point resolution of protest to the government after meeting at Dodowa in reaction to the government's plans to appoint or create Regional and District Political Commissioners, to take charge of government programmes. According to the resolution, the government's decision regarding these appointments was to be regarded as

acting “ultra vires.” The chiefs viewed the imposition of district political authorities over them as an attempt by the government to usurp their power over these district authorities.

8.4.1.6 The creation of Regional Commissioners led to the reduction of financial aid from central funds to traditional authorities. Subsequently, the then Minister of Local Government, Mr. Kofi Baako was alleged to have made some remarks at Kade saying: “We are only accountable to God and the people and not to those who continue to classify themselves as occupants of this stool or that stool.” The chiefs perceived this pronouncement as an indication of the CPP Government’s intention to sideline the chieftaincy institution. Mr. Kofi Baako was also reported to have said, “A chief is a chief, because the government recognised him as such.” Sensing danger, the chiefs met on 18th October, 1957, to discuss the position of chiefs in the country. The then President of the Joint Provincial Council, Nene Annorkwei II, lamented that the future looked bleak for the chiefs. Subsequently, the chiefs held discussion with the Prime Minister, Dr. Nkrumah, at his office, on a number of issues, concerning the chiefs and the withdrawal of recognition by the government from the Okyenhene.

8.4.1.7 In view of this development, some chiefs saw that continuing to oppose the government was a risk. The majority of the chiefs therefore, began to succumb to or soften their stand when it came to dealing with the CPP Government. The impact of all of this upon vulnerable chiefs was predictable. Many chiefs began their courtship with the CPP Government. For instance, on 29th October, 1957, the Omanhene of Abura, speaking at an emergency meeting of the Abura State Council, decided that it was now his “civic duty to support the government in power.” Following this, the Omanhene of Assin Attandansu, Nana Tsibu Asare X, also said, “it is my duty to support the government in power.” Since these developments many chiefs have felt obliged not to be critical of the government on issues considered to be political.

8.4.1.8 It could be said therefore, that the situation in Ghana during the administration of the First Republic, was one in which chiefs could not fight against the human rights violations that were perpetrated by the government. Some chiefs were, in fact, themselves victims of human rights abuse, under the recognition clause of Act 81 and the Preventive Detention Act, 1958.

8.4.1.9 In order to streamline the institution of chieftaincy, the CPP Government set up the National House of Chiefs in November, 1958, by an Act of Parliament. This national body replaced the territorial assemblies of chiefs namely, the Asanteman Council, the Joint Provincial Council, and the Northern Territories Council. The first President of the National House of Chiefs was Nana Kwafo Akoto III, who was then the Omanhene of Akwamu Traditional Area. In his maiden address, he admonished all chiefs to refrain from politics, and cooperate with the government. The Omanhene of Western Nzema, Nana Amakye III, described those who opposed the Prime Minister, Dr. Nkrumah and his CPP as no more than “tittle-tattle.” The term “doing politics” became a phrase synonymous with expressing opposition to government policy, whilst expressing support for the government was viewed as responsible leadership.

8.4.1.10 These changes in attitude were precipitated by the fear of the government's power to recognize and/or withdraw its recognition of a particular chief. Throughout Dr. Nkrumah's era, rumour persisted that chieftaincy would be abolished, and this went a long way to cause many chiefs to sway allegiance and focus their interest on the CPP Government. Chiefs who were regarded as "good boys" were promoted to the status of paramountcy. In like manner, some sub-chiefs were also made paramount chiefs, thus making them equal in status to their traditional overlords.

84.1.11 The carving out of Brong-Ahafo Region from Ashanti for administrative purposes without affecting customary allegiances, also created a situation where chiefs in the Brong Ahafo Regional House of Chiefs owed allegiance to Asantehene in Ashanti Region, thus creating split loyalties. This has left a legacy of conflict within that Region.

8.4.11. 12 It could be said that Dr. Nkrumah and the CPP dealt a heavier blow to chiefs and chieftaincy by the introduction of Regional Political Representatives, Reduction of funds, the recognition clause, and the introduction of Preventive Detention Act, than any acts of the colonial government. The only way for the chiefs to survive was for them to openly support the government in power or to keep silent, even in the face of human rights abuses and violations.

8.5 24TH FEBRUARY, 1966 – 30TH SEPTEMBER, 1969
 NATIONAL LIBERATION COUNCIL (NLC)

8.5.1 Chieftaincy And NLC

8.5.1.1 The treatment meted out to chiefs during the Nkrumah regime was to focus the attention of Ghanaians on the proper role that must be assigned to the chiefs in our society when the regime was overthrown in 1966 . Legislation was passed by the NLC Government, ostensibly to correct the problems afflicting the chieftaincy institution. The NLC therefore promulgated the Chieftaincy (Amendment) Decree, 1966 (NLCD 112), Chieftaincy Decree, 1967(NLCD 136), Chieftaincy Decree, 1967 (NLCD 203), and Chieftaincy Decree, 1968 (NLCD 287).

8.5.12 In passing these Decrees, it was hoped that the chieftaincy institution would be healed of the abuses committed against it by the CPP Government. In other words, the aim was to restore tradition to its correct and respectable place. Under these Decrees, people who had become chiefs, apparently because they were party faithfuls were removed; and those who had been raised were also to be reverted to their former positions. A newspaper report categorically stated: "All chiefs who were elevated to the status of paramount chiefs during the Nkrumah's regime were to be restored to their original status by the N.L.C Decree." The newspaper report went further to state that all those who were enstooled/enskinned in place of non-CPP chiefs were also to lose government recognition. In the report, it was stated that the NLC could not rectify illegal acts of removal with proper judicial process that was why recognition was to be withdrawn from all chiefs, who were made chiefs in place of those removed without proper judicial process. Subsequently, there was another newspaper publication, which

carried the caption: “133 Nkrumah Chiefs sacked.” The report stated that the NLC had withdrawn recognition from 133 persons who were made chiefs by the Nkrumah regime in place of those who were lawfully and customarily elected by their people and were opposed to the previous government. The newspaper also carried the list of sacked and demoted chiefs as provided under the Second Schedule of NLCD 112. The regional breakdown was as follows:

- Eastern Region - 42;
- Central Region - 3;
- Western Region - 1;
- Ashanti – 35;
- Brong Ahafo – 18;
- Northern – 1;
- Upper Region – 25; and
- Volta - 9.

8.5.1.3 The Decree was not without its own difficulties. According to Kumado:

the Schedule to the Decree which was to effect the NLC policy made the Kukuom (located in the Brong Ahafo Region) chief, a sub-chief to the Asantehene. But the chief refused and he was prosecuted. The Kukuom chief argued that by custom, he was independent chief of the Asantehene and therefore refused to pay customary allegiance to him. The battle between the customary constitutional position as it was claimed under the Kukuom Constitution and Statutory scheme of things contained in NLCD 112, was resolved interestingly in favour of the Kukuom Constitution.

8.5.1.4 Some chiefs and traditional councils in the country joined in the public condemnation of the wrong done by the deposed CPP Government. These condemnations were largely done through newspapers, of which one of the captions read: “Chiefs back the big revolution.” This particular quote is attributed to the Eastern Regional House of Chiefs, during an emergency meeting of the House, held at Dodowa. At this same meeting the Eastern Regional House of Chiefs also expressed its profound gratitude to the Ghana Armed Forces and the Police for delivering Ghana from the tyrannical rule of Dr. Nkrumah and his henchmen. Nana Kwafo Akoto III, then the Omanhene of the Akwamu Traditional Area and the President of the House, said chiefs had been deprived of their resources and subjected to indignities, which were shameful to recount. He said that chieftaincy, which was entrenched in the Constitution of Ghana, was actually being abrogated step by step. Recounting the numerous hardships chiefs had experienced under Dr. Nkrumah, Nana Akoto said that after Dr. Nkrumah had come to power, he amended the Constitution, removed heads of regions and replaced them with Regional Commissioners. He further complained that laws were made to take over proceeds on stool lands and this rendered the chiefs very poor; and chiefs who spoke against these actions of the CPP Government were threatened with removal and detention. Subsequently, the House passed a resolution pledging its wholehearted support to the NLC.

8.5.1.5 The Ashanti Regional House of Chiefs on its part, sent a congratulatory message to the NLC for appointing various Commissions of Enquiry to look into the malpractices of the deposed regime of Dr. Nkrumah. The Asantehene, Otumfuo Sir Osei Agyeman Prempeh II, declared the wholehearted support of the Ashanti Regional House of Chiefs for the overthrow of Dr. Nkrumah and his regime. This stance of the Asantehene also revealed that he had to sacrifice his linguist, Baffour Osei Akoto, to save the Ashanti Kingdom from being destroyed by Dr. Nkrumah and his CPP Government. According to the Asantehene, Dr. Nkrumah threatened to put him in detention if he failed to renounce Baffour Akoto. In view of this, he had no alternative, but to give up Akoto to save the Ashanti nation from destruction, because Dr. Nkrumah had the power to destroy the Ashanti nation.

8.5.1.6 All over the country, chiefs expressed their support for the overthrow of the CPP Government. In the Volta Region, Togbe Adedza II, Awomefia of Anlo, who was also then President of the Volta Regional House of Chiefs was reported to have led about eight thousand jubilant supporters, including chiefs, to a mock burial of two officials of the deposed CPP Government. Nana Kwaku Kwaah II, Omanhene of the Atebubu Traditional Area and the President of Brong Ahafo Regional House of Chiefs, on behalf of his people congratulated the NLC Regime. The Omanhene, together with the chiefs and people of Brong Ahafo pledged their total co-operation and full support for the efforts being made by the NLC Government to restore to Ghana, true liberty and democratic freedom. In addition, the Brong Ahafo Regional House of Chiefs sent a 26-point petition, which was signed by twelve paramount chiefs of the House to the NLC Government to allow the Brong Ahafo Region to continue to remain autonomous. The Chiefs supported the NLC because they believed the NLC Government was the surest means to retain the dignity of chiefs and preserve the chieftaincy institution. In the petition, were allegations that Brong Ahafo Region had been neglected in the award of scholarships and in the provision of development projects. They also complained that paramount chiefs had been placed under sub-chiefs in Ashanti.

8.5.1.7 The chiefs and people of the Ga Traditional Area, in a message signed by the Ga Mantse and President of the Ga Traditional Area, Nii Amugi II, pledged that they would do everything possible to assist the NLC to right the wrongs, which the former government had for fifteen years, inflicted on the people of Ghana.

8.5.1.8 The views expressed by these traditional councils, showed that they wholeheartedly supported the NLC Regime. There was thus no room for them to criticize the undemocratic means by which the NLC Government had taken over power from a constitutional government. Indeed, most of the reports criticized the previous CPP Government and not the existing government of the NLC. The negative feelings the chiefs had towards the CPP made it impossible for them to even condemn detentions without trial in the form of protective custody as well as the ill treatment that CPP activists suffered at the hands of the Government of the NLC.

8.5.1.9 This support also manifested itself in the condemnation that greeted the coup attempt of 17th April, 1967, in which Lt Gen Emmanuel Kwasi Kotoka was killed. After

the failed coup attempt, several newspaper publications and reports showed that the chiefs were in full support of the NLC Government. Some chiefs called for action to be taken against all persons, be they military or civilian, who were involved in the coup act against the NLC. To this end, the Eastern Regional House of Chiefs sent a three-point resolution to the NLC, through Nana Kwafo Akoto III, the Akwamuhene. Several traditional councils and chiefs in the country also made donations to the NLC and signed the Book of Condolence. Among such chiefs were, Nana Akuamoah Acheampong, Omanhene of Kwahu Traditional Area, and Nana Ofori Atta II, Omanhene of Akyem Abuakwa. The Chief of Juaben also donated cash to Kotoka's family, and when the Asantehene went to the Christianborg Castle to express his condolences upon the death of Lt Gen Kotoka, he made a cash donation to the NLC.

8.5.1.10 Although the NLC had pledged not to meddle in chieftaincy affairs, it however got involved in the Yendi Skin Affairs. In November, 1968, the NLC supervised the enskinment of Mion-Lana as Ya-Na Andani III. This move of the NLC was approved and supported by the District and Regional Administration, and by local units of the Army and Police. The Abudulai family, however, protested against this to the NLC Government, and a committee was appointed under the chairmanship of Nene Azu Mate Kole, Konor of Many Krobo to investigate the Yendi Skin affairs. The terms of reference for the committee was for it to ascertain the customary procedure for the selection and installation of a Ya Na, and also to determine if Ya-Na Andani III had been properly selected and installed or not. The committee was also to determine whether or not, if the said installation was unduly influenced by the presence of armed soldiers and policemen as well as the District Administrative Officers in the area.

8.5.1.11 While the committee was at its work, the NLC Government concurrently gave Ya-Na Andani III de facto recognition. As a follow up to this action, representative of the government paid a courtesy call on the Ya Na in early December 1968, and Ya-Na Andani III also received the salary of a Ya Na. This move clearly prejudiced the outcome of the committee's investigations and led to a protest by fourteen chiefs of Dagbon. It, however, won for the NLC some influence with the Ya Na.

8.5.1.12 The committee eventually declared the installation of Ya Na Andani III null and void but by this time Ya Na Andani III had died. Members of the Andani family occupied the palace of the Ya Na and refused to leave. Government troops sent to evict the occupants, fired on them, and in the ensuing melee, 23 members of the Andani family were killed and about 40 of them wounded. Members of the Andani Family put the number of their dead at 36. On account of the fact that there was no judicial inquiry into the killing of at least 23 citizens, it is impossible to know for certain how many really died in that incident. This event has left a legacy of bitter feuding between the two Gates of the royal family.

8.6 1ST OCTOBER, 1969-12TH JANUARY 1972:
THE SECOND REPUBLIC (PP GOVERNMENT)

8.6.1 Aliens Compliance Order And “Apollo 568”

8.6.1.1 The main issues of controversy during the time that the Progress Party (PP) was in power under the leadership of Dr. Kofi Abrefa Busia were the government’s policy on the Aliens Compliance Order; and the dismissal of 568 public servants now known as “Apollo 568”. Perhaps the silence of chiefs on human right abuses during the Progress Party government might have emanated from the fact that it was an era of democratic governance, and for which reason, the affected persons had many avenues and the opportunity to seek redress for their grievances. This notwithstanding, there were no opposing views from the chiefs, especially on the Apollo 568, which definitely affected some of their own subjects.

8.6.2 The New Chieftaincy Act

8.6.2.1 In 1971, a new Chieftaincy Act, Chieftaincy Act, 1971 (Act 370), removed the recognition clause from the definition of “Who is a chief.” The removal insulated chiefs from having to court government support.

8.7 13TH JANUARY, 1972 – 3RD JUNE, 1979 NATIONAL REDEMPTION COUNCIL / SUPREME MILITARY COUNCIL (SMC) I&II

8.7.1 Chiefs and NRC policies

8.7.1.1 The Military Government of the National Redemption Council (NRC), which later evolved into the Supreme Military Council (SMC) I & II, overthrew the PP Government on 13th January, 1972. In spite of the initial lukewarm attitude to the coup, the NRC received public acceptance as it gave redress to the various interest groups that were in dispute with the PP Government. The new government announced a war on hunger with the new policy ‘Operation Feed Yourself’. Chiefs all over the country openly expressed support to the NRC. The Asantehene, Nana Opoku Ware II, for instance, paid the new Military Government of the NRC a visit at the Castle, where he expressed support for the government and its policy of “Operation Feed Yourself”, and pledged the readiness of his chiefs to make lands available for farming to ensure the success of the “Operation Feed Yourself” programme. Just as in the past, messages of support for the NRC came from chiefs throughout the country.

8.7.1.2 Several other chiefs also paid visits to the Chairman of the NRC. The Ga Mantse met the NRC Chairman and pledged the support of the Ga Traditional Area to the NRC. The National House of Chiefs, then headed by Nene Annorkwei II, the Paramount Chief of Prampram and President of the Eastern Regional House of Chiefs, presented a resolution, which the House had adopted in support of the NRC. The Chairman of the NRC at an emergency meeting held in Kumasi received the resolution of the House.

8.7.1.3 In order to win the favour of the chiefs in Ghana, the NRC issued a statement that the NRC Government would not meddle in chieftaincy affairs. The Chairman of the

NRC, Col Ignatius Kutu Acheampong, re-affirmed the government's position when he addressed a delegation of eighteen chiefs from the National House of Chiefs at the Burma Hall in Accra, in July, 1972. The Chairman also told the chiefs that the action taken by the Armed Forces on 13th January, was not against chieftaincy. The chiefs were so delighted by the NRC Chairman's statement that they also registered their unflinching support for the NRC government and wished it well. The chiefs further asked the NRC to deal ruthlessly with those involved in an alleged coup plot that had just been announced. After this meeting between the NRC Chairman and representatives of the National House of Chiefs at Burma Hall, the Central Regional House of Chiefs condemned the plot to unseat the NRC. Nana Akyin IV, Omanhene of Ekumfi Traditional Area also accused Dr. Busia, the deposed Prime Minister of the PP government, of masterminding an alleged coup plot to overthrow the NRC. This statement was followed by similar ones from Nana Kwaku Boateng II, Omanhene of New Juaben in Koforidua and Togbe Adom II, Chief of Akoefe Zorko in the Volta Region. In all these messages, the chiefs called on the NRC government to request the British government to extradite Dr. Busia to Ghana to stand trial for treason.

8.7.1.4 In order for the NRC to win complete allegiance of the chiefs, the government adopted the bulk of the 1971 Chieftaincy Act and re-enacted it in a Decree. Under the Decree, chiefs in the Traditional Councils, the Regional House of Chiefs and the National House of Chiefs were assigned the following statutory functions:

- a. The settlement of chieftaincy disputes with final appeals, not to the political authorities but to the Court of Appeal; and
- b. Advising the Central Government on, and helping the revision of customary laws.

This Decree appeared to have gone down well with the chiefs, perhaps that is why the NRC had support from the National House of Chiefs. However, contrary to the NRC's declared policy of not meddling in chieftaincy affairs, the chiefs of Akyem Kotoku and Wenchi were removed by Decree by the NRC regime.

8.7.1.5 In 1975, the NRC was transformed into the Supreme Military Council (SMC). During the campaign for Union Government (UNIGOV), the SMC committed a series of human rights violations. In all these instances of human rights abuses, the chiefs were silent. On the contrary, they trooped to the Castle and pledged "unflinching support" to Gen Acheampong and praised Unigov as a divinely inspired concept to cure the ills of partisan politics.

8.7.1.6 Gen Acheampong was overthrown in a palace coup by his colleagues, and the Supreme Military Council II was formed under the chairmanship of Gen Frederick W K Akuffo.

8.8 4TH JUNE, 1979 – 23RD SEPTEMBER, 1979 ARMED FORCES EVOLUTIONARY COUNCIL (AFRC)

8.8.1 Chiefs And AFRC Policies

8.8.1.1 On 4th June, 1979 a section of the Ghana Armed Forces, mutinied and the Government of SMC II fell. The AFRC was formed under the chairmanship of Flight Lieutenant Jerry John Rawlings of the Air Force.

8.8.1.2 The AFRC Government under the policy of “house-cleaning” perpetrated and permitted the perpetration of serious human rights violations and abuses, during its short tenure of office. Notable among such acts were: the execution of eight senior military officers including three former Heads of State; killings; the public flogging of Ghanaian citizens, some of whom were stripped naked; seizure and the destruction of property; the demolition of houses, markets and market stalls; rampant searches of citizens for acts of hoarding; and detentions without due process. All these acts of human rights violations and abuses, demanded public or institutional protests or at least criticism, but there was none.

8.8.1.3 Newspaper reports of the period show several appeals made by chiefs to their subjects, requesting them to adhere to the “control price” policy. The chiefs, however, failed to say anything concerning the atrocities that were meted out to their subjects by the AFRC Government. Apart from declaring their support, some of the chiefs also asked the AFRC Government to extend the “house cleaning” exercise to all manner of people.

8.8.1.4 In reaction to the price control enforcement exercise, farmers and market women refused to sell food items in the urban areas. The chiefs stepped in to encourage their subjects to take their wares to the market centres and sell them at control prices. Some of the chiefs supervised the sale of foodstuffs at the Kwahu District in the Eastern Region. In the Central Region, Nana Mbrah V, Omanhene of the Oguaa Traditional Area, visited a number of villages to educate the farmers and market women on the need to send their goods to the market and sell at reasonable prices. In Accra, the Ga Mantse, Nii Amugi II, also appealed to market women in Accra and its environs to forget about any molestation they might have suffered soon after the 4th June Uprising, and bring out their wares for sale at control prices.

8.8.1.5 Other chiefs expressed support for the aims of the 4th June Uprising, because they saw the event as the panacea to Ghana’s problems. The then Kadehene, Barima Appiawia II, was reported to have called on the village development committees in his area to mobilise the rural people for them to give their best towards the success of the new regime. In like manner, Nana Osei Kwadwo II, Omanhene of Bekwai, told his people that no traditional ruler would go to the aid of any person who fell foul of the new regime, if that person made himself a stumbling block in the way of the revolutionary process.

8.8.1.6 In support of the new regime, Otumfuo Opoku Ware II, the Asantehene, stressed that civilians could not escape blame for the harassment and molestation allegedly meted out to them by some soldiers, and he proceeded to ban sixteen traders from selling in any market in Kumasi. These traders had been brought before the Kumasi Traditional Council for allegedly selling foodstuffs at prohibitive prices. Otumfuo also warned traders that anyone of them found selling at unapproved prices would forfeit his or her stalls, be banned from selling in any market and would then be handed over to the military.

8.8.1.7 Admittedly, the short stay in power by the AFRC Government was full of apprehensions; yet the chiefs did not speak out, except to urge their subjects to respect the price control laws.

8.9 24TH SEPTEMBER, 1979- 30TH DECEMBER, 1981:
THE THIRD REPUBLIC

8.9.1 Chiefs and the Third Republic Constitution

8.9.1.1 The 1979 Constitution guaranteed the institution of chieftaincy, as it exists under customary law. Further, article 205 (6) entrenched the clause by providing that it could not be amended except by referendum. This constitutional provision was of great advantage to the chiefs, because it removed the power of governments to interfere in chieftaincy affairs. During the previous regimes the lack of acknowledgement of chiefs prevented even the best of them from being independent arbiters between government, or senior statesmen and the people in times of conflicts.

8.10. 31ST DECEMBER, 1981 – 6TH JANUARY, 1993:
PROVISIONAL NATIONAL DEFENCE COUNCIL (PNDC)

8.10.1 Chiefs And PNDC Policies

8.10.1 The 31st December 1981 coup d'état brought into power the Provisional National Defence Council Government, headed again by Flt Lt Jerry John Rawlings. The PNDC, like any of the previous military regimes, sought to establish a good relationship with chiefs. One of the steps it took to realize this goal was to reinstate some chiefs, who had been removed by the NLC, under NLCD 112. To this end, the PNDC passed the Chieftaincy (Restoration of Status of Chiefs) Law, 1983(PNDCL 75). The preamble to this law states in part:

...And Whereas the Provisional National Defence Council having considered the circumstances of the withdrawal of recognition by the then Government of the National Liberation Council of the persons named in Part I of the Schedule to this Law as chiefs is satisfied that the said person having been lawfully enstooled or enskinned as chiefs should be restored to the original status as chiefs of the places specified respectively in relation to them....

On the basis of this law therefore, the PNDC Government purported to restore to their respective stools and skins, those chiefs that the NLC had removed.

8.10.1.2 The PNDC abrogated the 1979 Constitution, but retained the definition of chief contained in article 181 of the 1979 Constitution . Despite this retention, the early sign was very disturbing. There was the Osu Stool Property (Seizure) Law authorised the Accra City Mayor, to take possession of Osu Stool Property. Other legislative instruments were laid down to affect places like Nungua and Winneba Traditional Areas.

8.10.1.3 PNDCL 75 appears to have been an attempt by the government to restore some chiefs to the status quo ante NLCD 112. However, the exercise failed to do so for all as it was limited to only sixteen of such chiefs, all from the Upper East Region, out of the 133 chiefs that were removed under NLCD 112. It is unclear what criteria the PNDC government used to reinstate the 16 chiefs. What is clear, however, is that it marked a return to the old way of doing things, and was bound to have a ripple effect on the chiefs since it encouraged them to foster closer links with the government of the day.

8.10.1.4 Upon assuming power, the PNDC Government declared a “Holy War” to clamp down on kalabule, and in the process, perpetrated widespread human rights violations and abuses. These violations included killings, disappearances, the violent seizure and occupation of private and public property respectively, the beating up and harassment of citizens, the detention of political opponents, torture of suspects and the wrongful dismissal of hundreds of people from their employment. Notable among the human rights abuses of the period was the kidnap and murder of three High Court Judges and a retired Army Officer. In all these cases, soldiers and/or other agents of the PNDC Government were to a large extent, the perpetrators of these violations.

8.10.1.5 As had happened during previous military takeovers, chiefs openly expressed support for the PNDC coup. For this reason, the chiefs were not able to speak against the myriad of human rights abuses that occurred during the era of the PNDC Government. There is no evidence that chiefs complained about the numerous human rights violations that took place during PNDC era.

8.10.1.6 The few chiefs who spoke out, concerned themselves only with the criticism of kalabule traders, the establishment of community farms and expressions of support for the cocoa evacuation exercise. Chiefs were exhorted by some of their own colleagues not to sit on the fence, but to mobilise their subjects to play an effective role in the PNDC Revolution. One of the chiefs who made such a call was Nana Kyei Baffour, the Omanhene of Twifo Hemang Traditional Area in the Central Region. According to him, the “Holy War” declared by Flt Lt Rawlings was to be seen as Ghana’s salvation from her economic and social woes. The chiefs and people of Abura Dunkwa in the Abura Traditional Area also declared their unflinching support for the PNDC and charged the PNDC to uproot kalabule once and for all, from the Ghanaian society. Some of the chiefs concerned themselves with the cocoa evacuation exercise that took place during the era. For instance, the Omanhene of the Akyem Kotoku Traditional Area, Okofrobuo Agyeman Attafuah IV, together with his elders, led a team of about 200 young men to give a helping hand to the Student Task Force, to evacuate tons of cocoa from Akim Oda in the Eastern Region.

8.10.1.7 Some of the chiefs did not urge only their subjects, but indeed, all Ghanaians to embrace the 31st December Revolution. Nana Kusi Appiah, Omanhene of Manso Nkwanta in the Ashanti Region, urged Ghanaians to accept the December 31st Revolution and make it work. He summed up his call as follows: “If we have been sitting on the fence, let us now remove ourselves from that position. After all the gains of the revolution will be for us all.” Nana Kusi Appiah delivered this message after he had led

his people to clear a 300-acre land earmarked for a local community farm. The Asantehene, Otumfuo Opoku Ware II, also pledged support to the PNDC. He assured the PNDC Government of the readiness of all the chiefs under him to assist in making the revolution a success. Consequently, he urged chiefs to freely release land for the establishment of community farms.

8.10.1.8 It is to be noted that the activities for which the chiefs supported the PNDC Government were not bad in themselves. Indeed, it was morally binding on them to help the government of the day succeed. What was regrettable, however, was that they all appeared to be interested in championing the cause of the new government, to the neglect of the human rights abuses suffered, both by themselves and some of their subjects at the hands of the very government to whom they had made pledges of support. Even though the chiefs appeared to be acting in favour of national development and aspirations, they failed to speak up for those who were undergoing abusive treatment.

8.11 Chiefs And Land

8.11.1 Post-Independence 1957-1993

8.11.1.1 In the late 1950s, and during the First Republic (early 1960s), Dr. Nkrumah in his haste to develop the newly independent nation socio-economically and industrially, embarked on massive projects including the construction of new roads and bridges, and improvement/upgrading of existing ones, schools, colleges, hospitals and clinics. Others were irrigation and hydro-electric dam, large housing estates, manufacturing (import substitutions) and industrial estates, and the establishment of state farms which demanded large tracts of land.

8.11.1.2 The newly acquired independent State with powers and new conception of the nature and role of the Ghanaian State resulted in massive compulsory acquisition of land, sometimes for purposes which were not demonstrably public. Governments have controlled land use throughout the country, and have manifested the control by the promulgation of a number legislation, each of which reduced the level of the chiefs' control over their lands.

8.11.1.3 Most of the lands that were "acquired" by the state, for the purposes outlined above, were taken from skin/stool, families or private land owners. The state at that time, in taken the land, took the position that land acquired (for public use) was in the public interest. The State Land Act, 1962 (Act 125) , provided the power for the government to acquire land compulsorily and thereby control its use as owner. In some cases, the government declared the state land or stool land, to be a selected area for a specific purpose, such as the Accra International Airport, Achiase Jungle Warfare training sites, etc.

8.11.1.4 Some traditional rulers have also entrusted stool lands in the care of the government, for the stools concerned and directed that the whole community be beneficiary of the revenue accruing thereof. Such moves marked the first bold attempt

by governments to assert power over the management and administration of the customary proprietorship. Beside, the government can take over the ownership of concessions created on stool lands in trust for the stool concern . Again, for the consolidation of laws relating to land administration and to introduce uniformity in the system throughout the country, an Act was passed on 1962 , which sought to split ownership such that legal ownership in vested land passed on to the state, while the beneficial ownership remained in the stool . More so, the ownership and control of lands endowed with mineral deposits, has been vested in the care of the President in trust for the people of Ghana . All these were been done to control land use by governments towards an effective and efficient sustainable land management and administration in Ghana.

8.11.1.5 The problems associated with these acquisitions of land are many and these leave much to be desired. In some cases, little or no effort was made by the state agencies effecting such acquisition, to follow the legal procedures, and properly register the lands. There were instances where no compensation at all was paid. In others, what was paid to the land owners was grossly inadequate. It must be admitted that in some instances, no compensation was paid largely because, there were disputes as to ownership, over who were to the rightful recipients of compensation. There were instances where site plans for acquired areas were found to be inaccurate, due to mistakes in surveying or other technical difficulties.

8.11.1.6 This has led to delays in payment of compensation and commencement of development projects, as disputes have had to be litigated in court, and over very long periods of time. Such unfortunate situations have often resulted in the extensive encroachment on these lands by individuals, families and groups who felt that the land belonged to them, because they were never paid the appropriate or adequate compensation.

8.11.1.7 Some individuals, families and chiefs in their bid to protect their lands, have engaged land guards, to whom they paid huge sums of monies (sometimes they also sold plots of land), to drive away prospective investors and developers, on their acquired lands. The land guards have many times destroyed building structures, and even, maimed and sometimes killed innocent people who they perceived to be encroaching on the lands that belonged to their bosses.

8.12 CONCLUSION

8.12.1 Various governments have ruled Ghana since 1957. Through the promulgation of Decrees and Acts, these governments made it impossible for chiefs to be independent of central government control. The dependence of chiefs on the central government was also partly due to the relative powerlessness of the chiefs themselves, as they were not able to exert themselves enough to protect their independence. The situation was such that while chiefs were supposed to be independent from government control, they had no power of their own to be so. This was the dilemma in which chiefs found themselves, during both

constitutional governments and military regimes, starting from 6th March ,1957 to 6th January, 1993.

8.12.2 The CPP Government, led by Dr. Nkrumah, was able to get its supporters to become chiefs by means of the recognition clause in Act 81, as this clause enabled the government to give or withdraw official recognition to the claimants of stools or skins at will. Consequently, after the overthrow of the First Republic in 1966, the new military government, the NLC purported to correct the situation by enacting legislation such as NLCD 112, NLCD 136, NLCD 203 and NLCD 287 designed to remove chiefs who were described as “CPP Chiefs”, and also to restore stools and skins to their proper customary positions.

8.12.3 Part of the chieftaincy dilemma in Ghana during the period under review (from 6th March, 1957, to 6th January, 1993), was that, chiefs were permitted to engage in partisan politics. Thus, it was not at all easy to keep politicians and chiefs in two separate worlds. The problem was exacerbated during periods of military rule.

8.12.4 During the mandate period, the governments, especially the military ones, courted chiefs for support, and chiefs courted government for development projects. Many chiefs sought partnerships with the government of the day with the hope of using their contacts to secure projects for their respective traditional areas. Accordingly, chiefs usually expressed full support for a government as soon as the old government was overthrown. They thus rendered themselves liable to the tag of collaborators of whatever human rights abuses were perpetrated by the various governments.

8.12.5 Another consequence of such act of collaboration was that it weakened the independence of the chieftaincy institution, and created a situation where the individual chiefs could not be critical of sitting governments, and therefore could not offer their subjects any protection when it came to government-sponsored human rights violations and abuse.

8.12.6 The chiefs, families and individual land owners have constantly protected their land since colonial days and continue till date. However, where it matters most legislation by successive governments have rendered such protection ineffective, and some of these land acquisitions cases have also been battled in the corridors of the judiciary. More over, seeking legal action against families, individuals, chiefs or the state has not always been successful, since none of them seeking the relief may have proper title to the lands in question.

8.12.7 Within the mandate period, chiefs did not exert their collective influence to protest against any of the violence and excesses that emanated from military regimes nor did they confront civilian governments on issues of human rights violations. The Regional and National Houses of Chiefs still remain an untapped asset for strengthening the influence of chiefs in the governance of the country.

Volume 4 Chapter 9 - The Role Of Religious Bodies – Complicity Or Resistance To Human Rights Abuses

CHAPTER NINE

THE ROLE OF RELIGIOUS BODIES – COMPLICITY OR RESISTANCE TO HUMAN RIGHTS ABUSES

9.0 INTRODUCTION

9.0.1 The interventions of religious bodies on matters of social concern, especially socio-political issues, have always carried weight. Therefore, the protest or silence by these bodies or institutions, on human rights violations and abuses influences the perceptions of many people in Ghana. To facilitate the assessment of the role, if any, of religious bodies regarding the complicity or resistance to human rights violations from 6th March, 1957 to 6th January, 1993, the Commission focused its work on the Churches in Ghana, the Islamic religion, both the Orthodox and the Ahmadiyya Muslim Mission, the Traditional Religious groups with reference, particularly, to the Afrikania Mission.

9.0.2 The religious bodies are the conscience of the nation. In this regard, they are expected to be able to point out abuses, and work to protect and defend the rights of all Ghanaians, with a view to bringing about improvement and progress in socio-political life. religious bodies can transform individuals in society, and bring about social change that prevent human rights violations and abuses. Consequently, the following roles are expected of them

- to provide prophetic witnessing;
- to oppose human rights abuses in society;
- to build awareness on morality and human rights issues;
- to provide moral education;
- to seek moral transformation through advocacy;
- to speak clearly and without equivocation and provide moral direction on important moral issues; and
- to counsel, exhort, warn or commend the leaders and general citizenry, as and when the occasion demands.

It is expected that these roles would be performed through constant prayer regular calls for prayers, positive use of their moral authority and effective social actions.

9.0.3 The focus of this chapter is to examine the role of religious bodies in spearheading resistance to human rights abuses, contributing to the promotion of respect for human

rights, as well as the impact that these activities had on the human rights landscape during the mandate period. The chapter also highlights the significance of statements, communiqués, pastoral letters, Press releases etc, from these religious bodies, at the critical times when they were issued. It is hoped that the religious bodies would be strengthened to keep up with their advocacy role and continue to provide moral guidance to the nation.

9.0.4 The chapter is divided into three parts, based on the three main religions represented in Ghana, namely Traditional Religion, Islam and Christian religion. The discussion is organised in the chronological order of the various political eras within the mandate period.

9.1 ABOUT THE THREE MAIN RELIGIONS IN GHANA

9.1.1 THE TRADITIONAL RELIGIOUS GROUP

9.1.1 History

9.1.1.1 Traditional Religion is the oldest religion in Ghana. It is not organized in the manner of Christian or Islamic religions. The nature and history of the Traditional Religious group is quite different from other religious groups. It has no organised hierarchy or association to spearhead its activities at the national level and so its influence on national politics has been minimal. In 1985, the late Osofo Okomfo Damuah, a Roman Catholic Priest, left the Catholic Faith to establish the Afrikania Mission of Ghana. This Mission, for the first time, provided a mouthpiece for the various traditional religious groups that had come together to form the Mission.

9.1.1.2 The practice of Traditional Religion has different cults that deal with specific issues or aspect of life. For example, there are fertility cults, healing or medicine cults, war cults, protective cults, prosperity cult, witchcraft cults, etc. Secondly, Traditional Religion is the belief system underlying the Ghanaian culture, and could be described as the belief or spiritual substructure of Ghanaian culture. This is because some aspects of this religion are practised at the sub-conscious level, such that even though the average Ghanaian might not be an adherent of the practices of Traditional Religion, its belief system pervades the entire culture as reflected in the use of language, names, naming and burial systems, etc.

9.1.1.3 The role that traditional religion played in human rights abuse was an indirect one. Rumours of rituals for protection have become part of our socio-political culture. The phenomenon of ritual murder has been part of the Ghanaian system of cultural beliefs, and has, in fact, gained prominence in legends and folktales. This phenomenon has also served as explanation for strange or extraordinary homicide cases in the country.

9.1.1.4 There was also an Akan belief that a messenger must accompany a dead chief on his last journey to the land of his ancestors. Someone therefore had to be killed to serve that purpose. The murder of Akyea Mensa (Apedwahene), a case popularly referred to as

“Kyebi Murder Trial” was purported to have served as a ritual sacrifice, to accompany a dead paramount chief of Kyebi. The deceased was killed and buried on a riverbed, after the murderers had diverted the course of the brook and redirected the same brook to conceal the grave .

9.1.1.5 Another belief system relates to the acquisition of power through the use of juju. This involves rituals performed with human blood or body parts. On 23th February, 1988, Nana Twene, Krontihene of Abesim, and his wife, Susana Ameyaa, together with four others at Abesim near Sunyani, in the Brong Ahafo Region , kidnapped and murdered a 38-year old housewife, Madam Lamley Sampah. During the trial by the tribunal sitting in Sunyani in the Brong-Ahafo Region of Ghana, it was revealed, inter alia that, the Krontihene wanted the blood and some body parts of the named victim to enable him secure power, so that, no one could challenge him when he spoke.

9.1.2 Traditional Religion In Relation To Ritual Killing For Political Power

9.1.2.1 In the 1960s, rumour was rife, that office holders carried out ritual killings to consolidate their political power. In 1967, for example, during the abortive coup in which Lt-Gen Emmanuel K Kotoka lost his life, it was widely rumoured that the fetish priests who made juju for his successful coup the previous year, were the same ones whom the coup makers from Ho Mortar Regiment approached. This therefore accounted for the ability of the coup makers to overcome Lt-Gen Kotoka. Whether these rumours were true or not, they are alleged to have been the basis for the elimination of some fetish priests many years later. A case in point is the killing of the popular fetish priest, Akakpovi Ahiaku, a.k.a Yeye Boye of Atidzive near Abor . There was evidence before the Commission that the fetish priest was arrested by soldiers at his village in March, 1982, and taken to the Residency of the Volta Regional Administration at Ho, ostensibly to be transported to Accra to meet with the political authorities. He was later found dead, with his body partially burnt. His home containing his shrine was vandalised and burnt to ashes, as were also the homes of the elders of the cult.

9.1.2.2 Traditional Priests were also believed to have power to assist persons plotting to destabilize governments of the day, through the use of magico-religious powers. They therefore featured in every allegation of coup plot in the mandate period.

9.1.3 Traditional Religion In Relation To Killing For Ritual Purposes

9.1.3.1 Traditional religion has also been linked to human rights abuse on account of the widely-held belief that through the use of human parts, rituals could be performed to affect the material circumstances of the individual making the request. Consequently, some individuals were killed for purposes that must have been related to the performance of rituals. The circumstances surrounding certain killings that occurred, and the way the dead bodies were found, lent credence to the suspicion that they were not ordinary murders. Very often the bodies were found mutilated with some vital parts missing. A number of murder cases reported in some parts of Ghana in the 1980s fall into this category. For instance, in January, 1981, the body of Kingsley Ackaah, alias Kwame

Kaya, a fifteen-year-old schoolboy and native of Baakrom near Sefwi Bekwai, was found without his head. Again, in November, 1981, the body of nine-year old Kwasi Gyimah was found at the outskirts of Sefwi Bekwai without his head. Similarly, in November, 1984, Kwaku Nkrumah, a sixty five-year old palm wine tapper of Sefwi Bekwai, was found dead in the bush without his head. Also, in May, 1986, thirteen-year old Akwasi Ampomaning, a schoolboy from Sukusuku near Sefwi Bekwai was found dead with his arms missing. Again, Kumade Mensah Zormelo was killed for a sacrifice that is required annually, in accordance with traditional practices, to enable the fishermen of Kedzi, to have bumper fishing season. All these killings are believed to have been committed to serve ritual purposes.

9.1.3.2 There is also the quest for wealth. For this reason, there are some people who believe that through the use of juju, their state of poverty can change for the better. Thus, with the hope of becoming rich overnight, the drive to commit ritual murder has been noted among certain categories of persons. In one murder case, which took place in Sefwi Bekwai in the Western Region of Ghana, the killers were the victim's uncle and three other men, who were promised a reward of an amount of c3 million as "contract fee". Similarly, the Chief, Nana Agyei who was charged together with the killers, was said to have been the one who requested a human head, to send to a shrine located along the Ghana - Côte d'Ivoire border in the Western Region for it to be changed into cash.

9.1.4 The Perpetrators Of Ritual Murder

9.1.4.1 There are two main categories of perpetrators – namely, those who hire the services of others to do the killing on their behalf, and those who do the killing themselves. Many a time, the people who are arrested or charged on murder cases appear to be poor people, struggling to make ends meet. They are hired by the well-to-do in society to do the killing on their behalf, such as the case of the Sefwi Bekwai murder case. Nana Agyei, one of the culprits, was said to have engaged the services of the four others charged, in return for a certain amount of money, if the plan was well executed. In other instances, the well-to-do actually took part in the ritual killing.

9.1.4.2 Some fetish priests and herbalists are also believed to be involved in ritual murder. Some fetish priests have been accused of using human body parts and blood to prepare juju for their clients. Where these body parts and blood were secured from, is yet to be ascertained. However, one of the rumoured charges against some traditional priests tortured and killed in the Volta Region, was the allegation of murder against them. In April, 1982, for instance, soldiers arrested Avorga Ahiagba of Wlite near Akatsi, for possessing human skulls. He was alleged to have pleaded that the skulls were ancestral property. Possessing no other evidence to the contrary, the court fined him ₵700.00. Subsequently, Ahiagba mysteriously disappeared, after his release from prison-custody, but was later found dead with his body partially burnt, near the Ho stadium.

9.1.4.3 In all the known ritual murders tried in the courts, women have been conspicuously missing in the list of alleged perpetrators. There was, however, one instance in which a woman was involved, and in which the victim was a woman.

9.1.4.4 One other fact that also needs to be mentioned is that some of the perpetrators either know their victims or have close blood relations with them. In the case of Kofi Kyinto in the Sefwi Bekwai murder case, it was his uncle, Benjamin Affi, a 28-year old farmer, who lured him to be killed. Benjamin Affi witnessed the actual execution of his nephew.

9.1.5 Trokosi

9.1.5.1 Trokosi is a traditional religious practice, which evolved among the Ewes and Dangmes and which prevails in shrines where there are deities. In the past, the essence of the deity was to protect the community, and the fundamental problems and questions of everyday life were also addressed to these deities. In those societies, it is to the shrines that a large number of people turn for resolution of life's problems – be they physical, mental or spiritual. The exact period when the Trokosi system began is unknown. Oral tradition estimates that the practice could have started in the 17th century. The first original Trokosis in Eweland were, Torgbui Adzima, Tornui, and Sui. The practice of giving up of vestal virgins by families as payment to the shrines for an infraction committed by one of its members evolved from these original Trokosis. A Trokosi is also sometimes called Fiasidi, meaning “a marriageable King's initiate.” Many reasons have been put forward to explain why young girls and occasionally young boys, are committed to the gods. Foremost among these reasons is that it forms part of the administration of justice and maintenance of law and order within the particular society. The practice also involves pledges made to the gods in time of war to ensure victory.

9.1.5.2. Trokosi practice is now mainly regarded as a means of averting the wrath of the gods. This is done by invoking the gods for mercy, in cases where an offence has been reported to the shrine. It is also a traditional judicial system, but one fraught with serious human rights violations, as the practice involves the incarceration and abuse of innocent young women. The practice of Trokosi is now recognized to be akin to slavery. The predominant modern view is that the Trokosi system is obnoxious, inhuman and a violation of the human rights of the persons involved, and therefore must be stopped.

9.1.5.3 There are 51 known shrines where the practice of Trokosi still goes on in the country. The composition and the geographical spread of the practice in Ghana show that the Volta Region accounts for forty three out of the fifty one shrines, Greater Accra Region, five and Eastern Region, three. In the Eastern and Greater Accra Regions, the shrines are concentrated in the Dangme East and Dangme West Districts. The 3 shrines in the Eastern Region seem to be related to those in the other regions. There are three shrines in the Yilo Krobo area, three in the Dangme West, and 2 in Dangme East. The victims of the practice are mostly female, although on rare occasions, males are also involved. It was estimated that by 1998, there were about four thousand and forty two Trokosi in bondage, out of whom only about ten were male. There are both priests and priestesses who administer the various cults.

9.1.6 Witches' Camps

Belief in witchcraft is widespread in Ghana. People are sent to shrines to be “de-witched” after being accused of being witches, often by their close relations. Sometimes, the formal “outing” of a witch is done by a fetish priest(ess) of a shrine in the locality. The practice of ostracising such persons from their community, and confining them in hopes of eliminating their evil influence, has been identified as a cultural practice in parts of northern Ghana. In Gambaga and Gnaani in the Northern Region, the site of two major Witches’ Camps, there are to be found, people, mostly women, who have been chased out of their communities for practising witchcraft. On arrival at the camp, they are sent to the chief or the elder, who performs rituals on them to “de-witch” them. Thereafter, they are absorbed into the community, and although permitted to return to their original homes if they so desire, the hostile social milieu and stigmatisation, discourage such re-entry. Most of these women are poor and elderly women, and the practice removes them from the support, financial and material that old age requires. This therefore violates their right to a peaceful old age and the right to live with their families.

9.1.7 Summary

9.1.7.1 Traditional religious practices have been labelled as being obsolete, thus, crimes such as the serial killing of women, which took place in Ghana in the later part of 1999, have been explained away by some people as ritual killings.

9.1.7.2 Again, so long as it is believed that the acquisition of power and wealth accords one instant respect and the best treatment wherever one finds oneself, and the fact that this can be achieved through the use of juju, the drive to commit ritual murder may continue to persist.

9.1.7.3 The impact of legends and folktales on the belief systems and motives of traditional religion may drive some people to resort to such practices that invariably trample upon peoples rights.

9.2 THE ISLAMIC RELIGIOUS GROUP

9.2.1 Historical Background

9.2.1.1 There are two main branches of Islam in Ghana, namely, the Orthodox Islam, and the Ahmadiyya Muslim Mission. The inception of Islam in the country was through the efforts of traders and itinerant Islamic clerics and teachers. There are many Orders in Orthodox Islam. The two best known in Ghana are the Qadiriyya, founded by Abdal Qadir, and the Tijaniyya, founded by Ahmad Tijani in Algeria.

9.2.1.2 In 1921, a movement was introduced into the Gold Coast, known as the Ahmadiyya Movement. This movement originated from the Indian sub-continent, and was founded by Mirza Ghulam Ahmad in the nineteenth century; it began as a reform movement within Islam.

9.2.2 Government-Muslim Relations

9.2.2.1 Successive governments since the colonial era have tried to influence the leadership and organizational structure of the Muslim community. They did so either in the name of uniting the Muslims or soliciting their loyalty in the implementation of their programmes.

9.2.2.2 Since the inception of multi-party politics in Ghana, various Muslim communities have allied themselves with different political parties that they believed would best protect their interests.

9.2.2.3 Prior to agitations towards Independence, the Muslim community was apprehensive that its right to exist might not be recognized. In view of this, the only way for the community's existence to be guaranteed was to come together as a unified body. This, they did by forming the Moslem Association Party (MAP) in 1954, that assumed a violent anti-CPP stance. The MAP was later banned, when the CPP government promulgated the Avoidance of Discrimination Act in 1957.

9.2.2.4 The Gold Coast Moslem Association (GCMA) was among the early Muslim organizations to emerge. Its leaders were Imam Abass (Chief Imam) and Alhaji Amadu Baba (Zongo Chief of Kumasi). GCMA's objectives were to harness the material resources of the Muslims, and also to cater for the social and religious needs of the Gold Coast Moslems. The GCMA departed from its social objectives to actively participate in politics in 1939, after the earthquake in Accra. The Muslims felt that there was unfair distribution of building materials to the affected Muslim communities. Thus, it was GCMA's social concern for Muslims that pushed it into politics. When it turned to politics, an Accra lawyer, Mustapha Awoonor Renner, and a Kumasi lawyer, Cobbina Kessie, became its leaders. The GCMA later metamorphosed into the MAP in the early 1950s.

9.2.2.5 The Nkrumah administration saw the emergence of this party as a threat to his effort to win more Muslim support, and to increase CPP membership. Consequently, Dr. Nkrumah established the Moslem Youth Congress (MYC) of Ghana to serve as the mouthpiece of Muslims. It was believed that the formation of the MYC was intended to undermine the leadership of the GCMA, and to limit its political influence in the country. In addition, Muslim leaders considered the establishment of the MYC as an imposition, since the government handpicked the leaders. The MYC was therefore not only seen to be opposed to the GCMA, but also a wing of the CPP.

9.2.2.6 The leadership of the MYC gradually gained prominence and political influence. For example, Z B Shardow, who was the co-Chairman of the Muslim Youth Congress, became the National Organiser of the Ghana Young Pioneer movement (GYP). In the same way, Mallam Futa was made the Imam of Accra, after Dr. Nkrumah had removed Mohammed Abass from that office in 1959. Both the MYC and the GCMA became ineffective and lost their prominence after the overthrow of the CPP Government in 1966.

9.2.2.7 In reality both the GCMA and the MAP were anti-CPP, because they thought the policies of CPP were a threat to the people they represented. By adopting this anti-

government position, the leaders of these two Muslim groups lost some rights and privileges. In addition to these, the deportations of some of their leaders and the removal of the Imam from office, coupled with detentions under the Preventive Detention Act silenced them and reduced their influence in national affairs.

9.2.3 6TH MARCH, 1957- 23RD FEBRUARY, 1966 :
CONVENTION PEOPLE'S PARTY (CPP)

9.2.3.1 The MAP

9.2.3.1.1 In the late 1950s the MAP, was dismembered by a series of Deportation Orders made by the government, as the leaders were alleged to be of Northern Nigerian extraction. Over a period of time the number of people within the leadership of the MAP who were deported was as follows: 68 in 1957, 62 in 1958, 75 in 1959, and 54 in 1960 . The issue of the deportations raised some moral questions in their application. There were allegations of riots among the various Muslim groups, that made them liable to the charge of violence, and the CPP Government resorted to the deportation of some of the Muslim leaders. Those who were deported were known allies of the National Liberation Movement (NLM).

9.2.3.1 2 Later, the MAP merged with others to form the United Party, when the Avoidance of Discrimination Act , 1957 (CA 38) prohibited the existence of religious-based political parties.

9.2.4 24TH FEBRUARY, 1966 – 30TH SEPTEMBER, 1969:
NATIONAL LIBERATION COUNCIL (NLC)

9.2.4.1 The National Liberation Council (NLC), which toppled the CPP Government on February 24, 1966, banned the GCMA and the MYC of Ghana, due to their anti-CPP and pro-CPP rivalry.

9.2.4.2 The issue of human rights abuses during the NLC against certain individuals that raised public concerns were the public ridicule of Boye Moses, one of Dr. Nkrumah's security aides, who was paraded in a cage on the streets of Accra , the strike involving the mine workers of Ashanti Goldfields in Obuasi, during which three of the workers were shot dead by the police , and the decision of the government to ban most of the leading members of the former CPP from contesting the 1969 general elections. All these violations did not elicit any comment from the Muslim communities and their leaders at the time. In short nothing much can be said about the activities of Muslim Organizations under this regime.

9.2.5 1ST OCTOBER, 1969 – 12TH JANUARY, 1972
THE SECOND REPUBLIC

9.2.5.1 In 1969, the efforts of the Busia Government to unite the Ghana Muslim Mission and the Ghana Muslim Community led to the creation of the Supreme Council for Islamic

Affairs. Some Ga Muslims and Muslims in the northern part of Ghana formed the council. Alhaji Haruna Attah, then a Minister in the Second Republic, inaugurated the council in April 1970 at Tamale. In his inaugural speech, Alhaji Attah praised Muslims for coming together to form the council to deal with Islamic Affairs. He urged them to render genuine services, adding that by their unity, they would be laying a firm foundation for a better administration of the affairs of Muslims.

9.2.5.2 One of the most significant landmarks of this regime was the enforcement of the Aliens Compliance Order. Many Muslim immigrants were affected by this Order. The implementation caused great suffering, and there were many pathetic scenes as the deportees scrambled for transport to locations that were completely foreign to some of them. For instance, according to an eye-witness account, a man committed suicide by slashing his throat on the steps of a bus, while he and others were being transported to Upper Volta (now Burkina Faso), because he had no idea where he would stay in Upper Volta, having been born and bred in Ghana.

9.2.5.3 There was also the dismissal of 568 civil servants that became known as ‘Apollo 568’ and caused unease in the era. This too might have affected some families of the Muslim community. There were no such petitions or protests from the Muslim groups or their leaders.

9.2.6 13TH JANUARY, 1972 – 3RD JUNE, 1979:
NATIONAL REDEMPTION COUNCIL (NRC) AND
SUPREME MILITARY COUNCIL (SMC) I & II

9.2.6.1 Ghana Muslim Representative Council (GMRC).

9.2.6.1.1 Colonel Ignatius Kutu Acheampong came to power on 13th January, 1972, as Chairman of the NRC and Head of State. He received pledges of support from the Muslim leadership. In the same year the NRC set up the National Islamic Committee to settle all disputes among Islamic organizations in the country and to ensure unity among Muslims. The NRC was of the view that, it was only reconciliation and unity of purpose that would restore to the Islamic groups the influence that they had lost .

9.2.6.1.2 On 10th October, 1972, Alhaji Mahmoud Lampitey, an Imam of the Armed Forces who was the chairman of the committee presented to the NRC Government, a report on the proposals for a Muslim organisation in the country. The Report was received on behalf of the government by Major Roger J A Felli, who congratulated the Committee for a good work done and said it was the aim of government to unite all Islamic organisations in the country .

9.2.6.1.3 The efforts of the NRC Government in ensuring peace and harmony among Muslim bodies gave birth to the Ghana Muslim Representative Council (GMRC). It was inaugurated on 23rd March, 1973, at the Accra Community Centre by the Commissioner for Information, Lt Col Chumogo D Benni. In a special message to Muslims on the occasion, the Head of State, expressed his happiness for the country, that a distinct body

had succeeded in settling amicably, all disputes among Muslims. On the Muslim front, Alhaji Dauda Otoo praised the government for its contribution to the unity of the Ghana Muslim Community, the Ghana Muslim Mission and the Supreme Council for Islamic Affairs, a goal that had been impossible to achieve over a period of 20 years by previous governments .

9.2.6.1.4 Indeed, the GMRC after its formation became the mouthpiece of all Muslims in national politics .The council was very instrumental in the campaign for the adoption of the Union Government (UNIGOV)concept, which was proposed by the SMC in the late 1970s. Alhaji Mohammed Alhassan, who was of the GMRC declared in a seminar that: “it will be suicidal for the country to return once more to the game of party politics which has no respect for old age and which had sowed seeds of dissension in the country” . The GMRC also represented the Muslim Community in the 1979 Constituent Assembly, which drafted the 1979 Republican Constitution. Alhaji Bashiru Futa, a legal practitioner, represented the Council.

9.2.6.1.5 On 6th February, 1979, a press conference was held in Accra by a number of Muslims, who claimed to represent the entire Muslim community. At the press conference, they rejected the idea of party politics, which “once divided the Islamic religion by the formation of the erstwhile Muslim Association Party.” Therefore they embraced the idea of UNIGOV. In a statement read on behalf of the Muslim chiefs by their secretary, Alhaji Ramadan Ibrahim, they said:

We overwhelmingly embrace the proposed Union Government, which is in line with the basic principles of the Islamic concept that all men are equal and united.

9.2.6.1.6 In another development, Sheikh Ibrahim Amartey of the council urged Ghanaians to eschew their apathetic attitude to the proposal of UNIGOV and unite to support the government in the search for a suitable government for the nation.

9.2.6.1.7 The statement was typical of the several statements that came from various Muslim groups between January and March, 1978. For instance, a nine-member committee led by Chief Adama Damaley, head of the Sabon Zongo community in Accra, urged all religious people to vote ‘Yes’ at the 30th March, 1978 Referendum, to ensure progress and stability . Also, Alhaji Yakubu Tetteh, founder and National Organiser of the Muslim Association asked an audience at Zenith Hall, Sekondi, to support UNIGOV, because Islam and the Holy Quran stressed, in essence, unity.

9.2.6.1.8 A fact worthy of note is that some of the Muslim chiefs were also politicians. For example, Alhaji Salihu Maikankan was the Chairman of the Darkuman branch of the Ghana Peace and Solidarity Council. That body was a political wing of General Acheampong’s Unigov campaign. Therefore, suggestions that some of them were involved in politics in the name of religion, cannot be ruled out of discussions on this issue.

9.2.6.1.9 Having openly declared their support for UNIGOV, they were not in a position to criticise the human rights abuses that the regime indulged in, during the campaign for the referendum on Unigov.

9.2.7 4TH JUNE 1979 – 23RD SEPTEMBER 1979:
ARMED FORCES REVOLUTIONARY COUNCIL (AFRC),

9.2.7.1 The AFRC under the chairmanship of Flt Lt Jerry John Rawlings. replaced the ruling Supreme Military Council government on 4th June, 1979. The government proceeded to deal ruthlessly with people it perceived to have committed various offences. These atrocious actions of the AFRC government included public caning, especially of market women stripped to near-nakedness, arbitrary dismissals, seizure of property and indiscriminate killings by soldiers men.

9.2.7.2 Such actions of the military government elicited public outcry from civil society, religious bodies and other organisations. However, the GMRC, under the leadership of Alhaji Dauda Otoo commended the AFRC's decision to despatch those found guilty by revolutionary courts .

9.2.7.3 The Ahmadiyya Muslim Mission in Wa suffered abuse of its rights, when soldiers seized many bags of grains meant for the poor in the area. It was thus only the Ahmadiyya group that spoke vehemently against the arbitrary seizure of property of which it had fallen victim.

9.2.8 24TH SEPTEMBER, 1979 – 30TH DECEMBER, 1981:
THE THIRD REPUBLIC

9.2.8.1 The political influence of Hajia Amina Baby Ocansey, the National Women's Organiser of the People's National Party (PNP), brought about the formation of the National Assembly of Muslim Women in 1981. This Assembly was established to organise and co-ordinate the activities of Muslim women. Although, the GMRC was still the official mouthpiece of the Muslims, it was not vibrant.

9.2.9 31ST DECEMBER, 1981 – 6TH JANUARY, 1993:
PROVISIONAL NATIONAL DEFENCE COUNCIL (PNDC)

9.2.9.1 The GMRC continued to champion the cause of Muslims and constituted the official mouthpiece of all Muslims until the 31st December, 1981 coup. This coup brought into power the PNDC, again under the chairmanship of Flt Lt Jerry John Rawlings. A number of Islamic associations such as the United Ghana Muslim Representative Council (UGMRC) and the National Muslim Task Force, emerged after the coup. The National Muslim Task Force was under the leadership of Alhaji T.B. Damba, and it aimed at mobilizing Muslims towards the National Economic Recovery Programme of 1982.

9.2.9.2 Attempts by the PNDC Government to unite the GMRC and the UGMRC led to the establishment of the National Islamic Secretariat in 1985. Again, when Colonel Muammar-al-Qathafi of Libya paid a visit to Ghana in 1985, he made a call for Muslim unity. This brought about the formation of the Federation of Muslim Councils in 1987. In response to PNDC Law 221, to monitor the activities of religious bodies in the country, Din-il-Islam was also established in Ghana in 1989, to register under this law, “as the superstructure” for all orthodox Islamic associations, as one religious body in the country.

9.2.9.3 The way and manner, these organizations were set up, coupled with the fact that, the initiatives were not generally from the Muslim masses, limited their activities. The new organisations failed to receive the mandate of the general Muslim body, and this situation led to the manipulation of the organisations by a few, in the name of all Muslims, particularly in its dealings with the central government.

9.2.9.4 Thus, rivalry developed between the GMRC and the UGMRC in championing the destiny of Islam and Muslims in the country and this situation led to calls from individuals, Islamic institutions, Islamic and Arab Missions and government for peace and unity in the Muslim community. Among these were personalities such as Hajia Amina Baby Ocansey, National Assembly Women’s Organiser, Sgt Muhammed Alidu Upper East Regional Organising Assistant of Police, in-charge of Committee for the Defence of the Revolution (CDR), and the Royal Embassy of Saudi Arabia.

9.2.9.5 Ultimately an accord between the GMRC and the UGMRC was signed on 7th July, 1985, in Accra, and led to the formation of the National Islamic Secretariat as an umbrella body for all Muslim organizations (Sunni) in the country. Each of the two bodies had five representatives on the National Islamic Secretariat with Alhaji Dauda Otoo and Alhaji B A R Braimah, as the first two National Co-ordinators.

9.2.9.6 Colonel Muammar-al-Qathafi’s call for Muslim unity as a means of promoting the advancement of the 31st December Revolution was accompanied by his pledge of Libya’s preparedness to provide financial support to the Islamic Council. The pledge was redeemed in January, 1987, when a Libyan delegation participating in the 5th Anniversary of the 31st December Revolution, made a presentation of items worth ₵22 million to the National Islamic Secretariat. The delegation also extended an invitation to the leadership of the National Islamic Secretariat to attend an International Islamic Conference to be held in Tripoli .

9.2.9.7 Thereafter in 1987, the National Islamic Secretariat sent a high-ranking delegation of over 30 Muslim leaders, to participate in the 3rd National Islamic Conference of West African Countries held in Tripoli, Libya. The Ghanaian delegation held a series of discussions with the World Islamic Call Society (WICS). These discussions led to the signing of the Tripoli Accord between the two parties. One of the issues contained in the “Tripoli Accord” was that the National Islamic Secretariat, be replaced with the Federation of Muslim Councils. This was to serve as the General Secretariat, and it was to be run by the heads of the various Islamic Councils in the ten regions of Ghana.

9.2.9.8 On the 4th April, 1987, Chairman Rawlings inaugurated the Federation of Muslim Councils in Accra. In his inaugural speech, Flt Lt Rawlings made it clear that the Federation of Muslim Councils would not by itself guarantee the hopes and aspirations which led to its formation, unless Muslims, as individuals, and as a group, were prepared to support the Federation to achieve its goals, with singleness of purpose, understanding and tolerance.

9.2.9.9 Alhaji Dauda Otoo, again, served as the first National Co-ordinator of the Federation of Muslim Councils. The structure of the Federation of Muslim Councils was not different from that of National Islamic Secretariat, thus constituting a departure from the Tripoli Accord.

9.2.10 Summary

9.2.10.1 Looking at the facts presented above, it can be seen that, since Independence, various Muslim communities have allied themselves with different governments, which they considered would best protect their interests. Political parties in government have also used Muslim communities to further their own sectoral goals.

9.2.10.2 By and large, there have been many attempts to institute a Muslim council, which would act as the umbrella organization for all Muslims, but the attempts have not always been successful. There is now in existence the Office of the National Chief Imam and the Head of Ahmadiyya Muslim Mission. These are all attempts to establish an identifiable national identity and give Muslims a voice in national affairs.

9.2.10.3 Generally, the Muslim communities feared that colonial rule would impose Christianity on them. This led the Muslim communities in Ghana to isolate themselves from active participation as a group to react to issues, which bordered on human rights abuses against either them or other people in society.

9.2.10.4 It could therefore be said that Muslims in Ghana had, never as a group, championed any cause, when it came to issues of public agitation against human rights violations and abuses. During military takeovers in Ghana, people were maltreated, maimed, whipped, killed and some properties were seized, but none of these produced official comment from the Muslim Community. This is not surprising since at most times the leaders of the new Muslim unity organizations were handpicked by the government of the day. The result of this silence has been the marginalization of Muslims in issues relating to the protection of human rights. Apart from a few Muslims in politics, the Muslim communities have not been politically active in terms of formal protests or endorsement of government policies and directives. The Ghana Muslim Mission was not in favour of the Preventive Detention Act, yet because of its non-political stance, the Mission could not officially and openly condemn the Act, although some of its members suffered under it.

9.2.10.5 The Ghana Muslim Mission has stated that because of its non-political stance, it did not make any official protest against the effects of the PDA. It is unclear what “non-

political” means, because the refusal to comment on the arrest and deportation of its own members on account of non-political stance would appear to be an abdication of the organization’s social responsibility to its own members. It is fair to conclude that the organization did not get involved for fear of reprisals.

9.2.10.6 The implementation the Deportation Act to get rid of prominent leaders of the Muslim community during the CPP regime, helped to silence the Muslim community.

9.2.10.7 Neither the Ahmadiyya Muslim Mission nor the Orthodox Muslims supported brutalities, killings, seizure of property and other related human rights violation. However, although they frowned on human rights violations such as flogging in public, detention without trial and the parading of human beings in iron-cage, they did not openly protest those atrocities.

9.3 THE CHRISTIAN RELIGIOUS GROUP

9.3.1 Historical Background

9.3.1.1 Christianity came to Ghana, then Gold Coast, through Christian Missionary work in Elmina. It all started with the arrival of the Portuguese in 1471, and from that time to date, a lot of churches have sprung up. Notable among them are the Presbyterian Church, the Methodist Church, the Anglican Church, the Roman Catholic Church, and several Pentecostal and Charismatic Churches.

9.3.1.2 The Christian Church has had a great impact on the Ghanaian society and has shaped a number of our modern national institutions. This is as a result of the nature of the missionary activity, such as formal education, that brought Christianity to Ghana. Although in principle, the colonial government practised the modern theory of separation between church and state, its modus operandi inadvertently propagated and infused Christian ideals and values into national institutions. Ghana was therefore regarded as a Christian nation, not by virtue of numbers, but by institutional affinity and residual Christian ideals and values in our society. The close relationship between the Christian church and colonialism, whether by default or design, gave the Christian Church a great social recognition in the socio-political life of this country.

9.3.1.3 In Ghana, some leaders of the various Christian religious groups have been vocal in drawing government’s attention to what is seen as human rights violations abuses in Ghana’s political life. Christian religious bodies and successive governments have sometimes collaborated in various areas, especially on issues of socio-culture interest, because in Ghana there has not been a clear distinction between the sacred and the secular.

9.3.1.4 The rapid socio-cultural and political transformation of Ghana, made it necessary for adjustments to be made in such collaborations between Church and State in the post-Independence Ghana. Consequently, when Christian religious bodies got involved in politics, they did so not as a matter of civic duty, but mainly on the basis of certain

ideologies, laws, and pronouncements by certain personalities, which were perceived as blasphemies and in contravention of international human rights laws.

9.3.2 6TH MARCH, 1957 – 23RD FEBRUARY, 1966:
CONVENTION PEOPLE’S PARTY (CPP)

9.3.2.1 From the time of Independence, ie from 6th March, 1957 up to at least 1962, it was clear that majority of the people of Ghana supported Dr. Kwame Nkrumah; the reason being that he had created order, after the chaotic campaign for independence. Through this feat also, he won respect for Ghana from the international community. For many Ghanaians, Dr. Nkrumah had saved them from unemployment, personal degradation and humiliation. Even, foreign powers saw him as a force to be reckoned with.

9.3.2.2 The first sharp conflict between the State and the Christian Church occurred, when Bishop Reginald Richard Roseveare, the Anglican Bishop of Accra, criticized the formation of the Ghana Young Pioneer movement (GYP). Bishop Roseveare was subsequently deported after having been vilified in the press. Although he was later allowed to return, the church had been sufficiently cowed. Rev Fr Vincent K. Damuah of the Catholic Church, was also briefly detained for criticising the government over Bishop Roseveare’s deportation and other church-related issues. It took the personal protest of Archbishop John Kodwo Amissah, Catholic Archbishop of Cape Coast, to secure his release.

9.3.2.3 Again, some of the heads of educational institutions owned by the Christian religious groups displeased the government when they failed to show support for the formation of the GYP movement in their institutions. For example, the Headmaster of Mfantsipim School in Cape Coast was dismissed, and the Headmistress of St Monica’s Girls Secondary School Mampong, Ashanti, came under official pressure, when they would both not support the formation of the GYP in their respective schools.

9.3.2.4 In general, the relationship between Christian religious bodies and governments has been fairly respectful and cordial. Since Independence, Christian religious leaders have been accorded a high position in the Ghanaian socio-political context, and they have been influential in various areas, particularly in the provision of schools and the moral formation of the citizenry.

9.3.2.5 There were a few occasions when the churches openly protested actions that they believed to be blasphemous, during President Nkrumah’s administration. In particular, the churches were unhappy with the messianic ascriptions that were used in adulation of the President. After his statue of about 20 feet had been erected in front of the Old Parliament House in Accra, with the inscription, “Seek ye first the political kingdom and all other things shall be added unto you”, the Christian Council, found it necessary to challenge this. This was because the inscription was an adaptation of the biblical quotation, “But seek ye first the kingdom of God, and his righteousness; and all these things shall be added unto you.” The Christian Council of Ghana sent a letter, dated 28th

April, 1958, to the Minister for Works, E. K. Bensah, asking him to remove the quotation from the statue of Dr Nkrumah and substitute it with a non-biblical inscription. Threats were issued from the government that such an action from the Christian Council was an offence against the provisions of the Avoidance of Discrimination Act. The government further tried to silence the Christian Council by accusing it of carrying out a political agenda.

9.3.2.6 On 1st July, 1960, the programme for the celebration of Republic Day included the pouring of libation to solicit spiritual protection. The Christian Churches considered this as idolatry and unacceptable and therefore protested against it, even though Ghana was a secular State. The churches felt that if spiritual protection had to be sought, then it had to be according to Christian practice and teachings.

9.3.2.7 There were many instances in which people sought to deify Dr. Nkrumah. In fact, there emerged a cult of President Nkrumah that was nurtured by the CPP. Part of the practices of this cult in its deification of Dr. Nkrumah was to ascribe several appellations to Nkrumah. Such appellations included “Osagyefo”, “Kantamanto”, “Oyeadecyie”, “Kasapreko”, “Asuo’dumgya”, and even “The Messiah.” The churches frowned on these appellations, which seemed to elevate President Nkrumah above other mortals.

9.3.2.8 The people of Ghana were subjected to propaganda that suggested that President Nkrumah’s emergence was more extraordinary than the emergence of Buddha, Jesus Christ and the Prophet Mohammed. In an editorial of the Evening News was the inscription, “All day, all night we are reinforced in our belief that the whole phenomena [sic] of Dr. Nkrumah’s emergence is second to none in the long history of the world messiah from Buddha, Mohammed and Christ.” To enhance that image, there were continued appellations in the media and on various platforms. For example, Dr. Nkrumah was alleged to have gone to the wilderness for spiritual exercise just as Jesus Christ did. Again, according to the Evening News, just as John the Baptist heralded the Mission of Christ on earth, Dr. Nkrumah’s emergence was also said to have been foretold by Dr. Kwegyir Aggrey. The Evening News in a report captioned: “The Seven Days in the Wilderness”, and “Nkrumah in the Hour of Transfiguration”, graphically compared Dr. Nkrumah and Christ. Dr. Nkrumah was also considered martyr par excellence by J R P Marutle in the following poem:

For your sake he was imprisoned;
For your sake he deliberately plunged himself into supreme sacrifice by declaring
Positive Action at a time he knew fully well the imperialists would hit back;
For your sake he suffered shame and degradation;
For your sake he abandoned law and came at the call of the UGCC;
For your sake he has incurred the hatred of imperialist hypocrites and all who do not want
the common man to have a place under the sun;
For your sake he was tortured, suffered persecution, libel cases, contempt of court and all
sorts and manners of injustices;
For your sake his residence at New Town was bombarded by an executive officer... of
the opposition.

This poem is just an extended parody of the biblical exhortation, “For your sake, he was crucified.” Some began to sing Dr. Nkrumah’s praises by substituting some words of the Canticum “Te Deum Laudamus”. All these acts of deification offended the churches.

9.3.2.9 On 24th May, 1961, the CPP Member of Parliament for East Nzema, J A Kinnah, announced that a “shrine” should be built to the name of President Nkrumah, in Nkroful, President Nkrumah’s hometown, in the Western Region of Ghana. These ideas did not sit well with the Christian Council of Ghana, especially as P K K Quaidoo, CPP Member of Parliament for Amenfi Aowin, who spoke against the erection as being premature was described as a “Catholic slave and hypocrite”. The shrine received visits from many people who believed they were on a pilgrimage. In 1962, about 100 members of the GYP from all the regions of Ghana went on pilgrimage to the shrine where they kept an all-night vigil, and organised a route march. The Christian Council felt that the adulation of the President had gone too far and was becoming idolatry. The last straw that broke the camel’s back was when President Nkrumah was called “The Messiah” and children of the GYP were seen as being indoctrinated into a cult that upheld the immortality and infallibility of the President.

9.3.2.10 Between 1957 and up to the overthrow of the CPP Government in 1966, the Christian religious bodies mainly played a human rights advocacy role under the name of the Christian Council of Ghana. The Catholic Church also later joined in this crusade. During this era, the issues of concern included the introduction of the Preventive Detention Act (PDA), the Deportation Act and the bomb-throwing outrages that resulted in many deaths, especially those of GYP, in the 1960s.

9.3.2.11 The Christian Council put in a lot of effort to stop Parliament from passing the Preventive Detention Bill, but the Bill was rushed through Parliament in July and passed. Later, in a letter dated 7th January, 1960, Rev G Thackray Eddy, the retiring Chairman of both the Christian Council of Ghana and of The Methodist Church, Ghana, wrote to the Prime Minister, Dr. Nkrumah, indicating the council’s concern over the PDA. Indeed, later that month of January, 1960, Reverend Eddy wrote another letter stating the following:

The council believed the bill to be contrary to natural justice, which requires that any accused person should be given an opportunity to defend himself face to face with his accusers. The letter further indicated that the bill would discourage free and honest criticism and that it would cause people to live in apprehension.

The Prime Minister in response stated:

I am satisfied that my party and government have taken their stand in this matter from a realistic point, and I am unable to advise them to shift their ground. I think that if the Christian Council and the churches want the Preventive Detention Act to be withdrawn, it should be their duty first of all to take positive steps to remove the causes, which led to the passing of the Act. As long as they have not done so, my colleagues and I cannot see

that you and your colleagues have any right at all, moral, or otherwise, to intervene in this matter.

Dr. Nkrumah thus rejected the concern expressed by the Christian Council.

9.3.2.12 In 1962, the Christian Council expressed the concern of its members on the assassination attempt made on President Nkrumah. A press release by the council after he escaped assassination at Kulungugu read in part as follows:

The Christian Council of Ghana meeting at Accra on the September 14, 1962, reaffirms the Majesty and the Lordship of Jesus Christ, realizing that he is still in control. The Council rejoices in the President's escape from assassination. The Council strongly condemns the recent acts of violence and has shown their sympathy in a practical way by giving the sum of (£G150) One Hundred and Fifty Ghanaian Pounds towards the relief of those who suffered. The Christian Council recognizes the right of the churches to affirm its conviction that the church has its duty to speak on any issue, which affects the spiritual and moral welfare of its members and the nation in general.

9.3.2.13 The Christian Council followed up with a personal letter to the President on his lucky escape, and the following response was received a few days later:

Donation for the relief of Kulungugu victims: I am directed by Osagyefo to acknowledge on his behalf receipt of your letter dated September 15, 1962. Osagyefo also wishes me to convey through you the Christian Council of Ghana an expression of his deep gratitude for its very handsome contribution towards the relief of the Kulungugu victims.

9.3.2.14 In the early part of 1960, Bishop Andrew van den Bronk, the Catholic Bishop of Kumasi, fell foul of some people due to his utterances, perceived to be anti-government. He was attacked in the press as indulging in "crook politics". In a write-up captioned "Bishop Bronk Must Go," Rev V G Kobina-Mensah, of the Church of Africa, Accra, urged his expulsion from Ghana. It is also believed that some people, even of the Catholic Church, wanted an indigene as bishop of Kumasi, were therefore behind the political situation of the time, to compel his departure. His house was actually attacked with dynamite on one occasion. He eventually became a victim of the Deportation Act. There is no evidence that the Christian Council offered any visible support to the beleaguered Bishop.

9.3.2.15 However, when in October, 1962, the Deportation Act was used against Rt Rev Roseveare, the Christian Council took up the matter. A letter was sent to President Nkrumah pleading for Roseveare's return. The result was his return to Ghana in November, 1962, upon which the Christian Council sent the following telegram of gratitude:

On behalf of Ghana Christian Council, we request you to kindly convey to Osagyefo the President warmest gratitude for graciously granting council's humble petition and permitting Bishop Roseveare's return. This most generous gesture will rejoice the heart

of multitudes of Christians throughout Ghana and in many other Lands. We pray for the Almighty God's continued guidance, support and blessing for Osagyefo.

9.3.2.16 The Christian Council of Ghana, in collaboration with the Joint Provincial Council and the Asanteman Council, also protested the deportation of some Muslims leaders including Alhaji Amadu Baba, Lardan Lalemie , Salami Lagos, Aliu Allao, Musa Derikikiyi, Idris Braimah and Sam Moshie .

9.3.3 24TH FEBRUARY, 1966 - 30TH SEPTEMBER, 1969
 NATIONAL LIBERATION COUNCIL (NLC)

9.3.3.1 In March, 1966, the Christian Council of Ghana held a non-denominational service at the Accra Sports Stadium, following the overthrow of the CPP Government by the NLC. It was a Thanksgiving Service to thank God for liberating the country from the one-party rule of the CPP Government. This gesture and the accompanying message of the Christian Council was, undoubtedly, a show of support for the coming into power of the NLC.

9.3.3.2 Following the overthrow, CPP office holders and other government functionaries were detained without trial. Indeed, one of the security men of President Nkrumah, Boye Moses, was put in a cage and paraded through the principal streets of Accra, amidst public ridicule. The security apparatus of the President had been so feared and hated, that no one gave a thought as to what ill-treatment was being meted out to those who constituted it; and so no one, not even the Churches, condemned this undignified treatment of a human being, and the violation of Boye Moses' human rights, in particular.

9.3.3.3 On 17th April, 1967, there was an attempt to overthrow the Government of NLC and as result Lt-Gen Kotoka , Capt Cephas Y. Borkloe, Capt Anthony Avevor and Sgt Osei Grushie, the personal Orderly of Lt-Gen Kotoka, were killed. The leaders of the attempted coup, Lt Samuel B Arthur and Lt Moses Yeboah, were subsequently executed in public on 9th May, 1967. This was the first public execution to be carried out in Ghana. The Christian Council protested against the public execution of Lt Arthur and Lt Yeboah. An excerpt of the letter of protest sent by the Christian Council to the NLC read as follows:

Sir,

Holding of Executions in Public: At a meeting of the Executive Committee of the Christian Council, on May 16, 1967, the subject was discussed and we were made aware that many members of the churches and of the general public, were profoundly distressed that the public should have been involved to witness the execution of the Lieutenants Arthur and Yeboah on May 9. There was no questioning of the verdicts and sentences on these men, but the Executive agreed with the view that holding the executions in public encourage crude demonstrations of hatred and excites morbid curiosity in the on-lookers and in the public at large.

9.3.3.4 In view of the possibility of other executions, the Executive Committee asked that these views should be made known to the NLC in a letter to be presented by a delegation of church leaders. In reply to the above, the NLC sent the following:

Dear Sir,

I am directed to acknowledge with thanks, the receipt of your memorandum on the above subject dated 30th May 1967, and to assure you that the council has no intention of carrying out, in the near future, any execution in public.

There were no further public executions during the NLC regime.

9.3.4 1ST OCTOBER, 1969 – 12TH JANUARY, 1972:
THE SECOND REPUBLIC PROGRESS PARTY (PP) GOVERNMENT

9.3.4.1 The leaders of the Christian religious bodies did not approve the overthrow of the Government of the Progress Party under Dr. Busia. This was because Dr. Busia was generally considered to be a good Christian and a God-fearing leader. However, a few incidents occurred which called for critical comment from the churches, such as the mode of implementation of the Aliens Compliance Order, and the dismissal of the 568 senior civil and public servants. There is no evidence of the churches' official protest to these events that caused such human suffering.

9.3.5 13TH JANUARY, 1972 – 3RD JUNE, 1979:
NATIONAL REDEMPTION COUNCIL (NRC) /
SUPREME MILITARY COUNCIL (SMC) I & II

9.3.5.1 Soon after Col Acheampong seized power from the government of the Second Republic in 1972, his style of administration became suspect in the eyes of the leaders of the Christian religious bodies. The government launched the "Operation Feed Yourself" programme which was very popular with the entire citizenry. Members of the NRC also embarked on a programme of instilling discipline in the Ghanaian body politics. Although this entailed the use of force and unorthodox methods, such as military-style drills, the churches did not disapprove because falling standards of discipline within the Ghanaian social life had been one of their constant themes since 1966.

9.3.5.2 As the same economic problems that led to the overthrow of the Progress Party re-emerged, opposition to the continued stay in office by the Military began also began to coalesce. In addition, to the economic mismanagement, the growth of kalabule and the attendant degeneration in moral standards roused the Christian religious bodies to action. They began to send Memoranda and Joint Pastoral Letters to the government, expressing concern over the emerging social problems. They also began to preach against the immoral lifestyles that were emerging and the social consequences of such immorality.

9.3.5.3 The change in structure of National Redemption Council to Supreme Military Council merely changed the membership but not the policies or the lifestyles of which the

churches had been so critical. The Chairman of NRC and the new SMC, now General Acheampong, began to court the disfavour of the Orthodox Churches.

9.3.5.4 The Christian Council of Ghana, and the Ghana Catholic Bishops' Conference opposed Gen Acheampong's proposal for the formation of a Union Government (Unigov). This was to be a constitutional government, which was to have representation of the Armed Forces, the Police and civilians. The two religious bodies saw it as an attempt to perpetuate military rule in the country. As time went by, anti-military sentiments of the church leaders became more vehement, because of serious human rights abuses then being perpetrated by the government.

9.3.5.5 As wanton arrests and beatings continued, heads of the Christian Council and the Catholic Bishops' Conference issued a joint memorandum of protest, after a meeting with Gen Acheampong in which they protested against acts of arbitrary arrests. They specifically, protested the arrest and detention of K Addai-Mensah, National Secretary of the Ghana Bar Association, in Kumasi on 21st February, 1978; the brutal beating up of Peter Owusu Donkor, Headmaster of Opoku Ware Secondary School, as well as the Assistant Headmaster and students of Opoku Ware Secondary School; and students of Mfantshipim School in Cape Coast respectively, by supporters of the concept of Unigov. The Memorandum also protested the denial of such basic human rights as the freedom of speech and of association to the citizenry.

9.3.5.6 A pastoral letter by the Catholic Bishops' Conference condemned the human rights violations perpetrated by members of the security forces; and more particularly, complained about the denial of freedom of expression to such civil society organization as the People's Movement for Freedom and Justice (PMFJ) during the months preceding the referendum on the Unigov concept. The repression of the PMFJ was criticised as being the antithesis of government pronouncements on public education on the concept of Unigov, since the law-enforcement agencies should have been the ones to give protection to the PMFJ, and not the ones to lead in the molestation of citizens expressing their dissent. The pastoral letter also protested against the biased nature of the campaign, which was supposed to educate people on the impending referendum, as evidenced by the fact that members of the government and other personalities were either openly campaigning on behalf of Unigov or the so-called National Government.

9.3.5.7 In order to promote the concept of Unigov and to give it some spiritual backing in order to hoodwink the ordinary citizen of its divine origin, Elizabeth Clare Prophet, also known as Mother Prophet, of the Summit Lighthouse of the Keepers of the Flame Fraternity of Southern California, was invited to Ghana by Gen Acheampong's government in January, 1978. She re-defined and expounded the Christian doctrine of the Trinity in terms of Unigov. She urged that the Unigov was to be accepted, because it demonstrated the Christian doctrine of the Trinity. The Armed Forces represented God the Father, the Police represented God the Son, and the Civilians represented God the Holy Spirit, leading people to confer the nickname 'APC' on her version of the Unigov concept. She even discovered a "fourth person of the Trinity" in the Mother of God, represented by the Women of Ghana. She therefore exploited the Christian religion to

support the new political concept of governance of General Acheampong. The Christian Council vehemently expressed disagreement with Mrs. Clare Prophet and on 14th February, 1978, issued the following statement:

The Christian Council wishes to express its disagreement with the religious and constitutional opinions of Mrs. Clare Prophet ...She was ill-advised to make a statement about Christian belief which has no basis in the Bible and in the tradition...We deplore that whereas the place of the army and the police in any future government is a controversial issue, Mrs. Clare Prophet took the opportunity to claim on behalf of the soldiers and police among others a “divine right”, no less, to participate in government. The Christian Council wishes to declare that no individual or section of the public has any divine or other right to participate in government except by the choice of the electorate freely expressed through the ballot box.

In the light of this, the orthodox churches boycotted all activities of Mrs. Clare Prophet’s two-day seminar .

9.3.5.8 The role of the Christian Council of Ghana and the Ghana Catholic Bishops’ Conference, established the Orthodox Churches also as credible reconcilers of warring factions in society as was evident during Gen Acheampong’s regime. For example, their mediatory role in the clash between the Ghana Registered Nurses Association and the government, and between university students and the government, showed them in a positive light. They, on many occasions, established themselves as the voice of the voiceless, pleading for the cause of political detainees, and in this role earned the wrath of Gen Acheampong. According to the Christian organisations, “the church’s task is to protect and defend the rights of every human being and to protest against the violation of these rights by any fellow man or woman.” It is possible to conclude from the events of those days that during the Acheampong regime, the orthodox churches were by virtue of circumstances, dragged into the political life of the country . In a nutshell, when the orthodox churches opposed General Acheampong’s regime, they were accused of meddling in politics. The same accusation was, however, not heard when the orthodox churches intervened on behalf of the government in disputes.

9.3.6 GEN ACHEAMPONG’S RELATIONSHIP WITH THE NEW PENTECOSTAL CHURCHES

9.3.6.1 It was impossible for General Acheampong to influence and win the support of the leadership of the Orthodox Churches of Ghana, during his campaign to popularize the Unigov idea. He therefore turned his attention to the new Pentecostal Churches. He found ready allies in the leaders of the “spiritual churches.” He went as far as attending their church services and this gave him the opportunity to launch his campaign on the Unigov either personally from the pulpits of these churches, or through the church leaders .

9.3. 6.2 As a result, some individual religious leaders were driven by personal ambition to seek public office. In view of this, some of the spiritual church leaders were placed in high positions and this enabled them to campaign for General Acheampong’s Unigov.

For example Rev Dr Blankson Amankwa, leader and founder of the Bethany Church of Ghana, and Presiding Director of the National Christian Ministers' Union, also belonged to The Friends, one of the pro- Unigov political organs of Gen Acheampong, was appointed Chairman of the University Council of the University of Science and Technology, Kumasi. When in 1974, Bishop Peter Kwasi Sarpong, Catholic Bishop of Kumasi, declined to serve on the Charter of Redemption Committee, it was Rev Charles Yeboah-Koree, founder and leader of F'Eden Church, and an ardent supporter of Unigov, who was appointed in his stead as a member of the National Committee of the Charter of Redemption. Rev Yeboah-Koree at the Easter Convention of his church at the Jackson Park in Koforidua, asked his congregation to endorse Unigov, since it was divinely inspired. They were also to use divine wisdom and power to influence the next constitutional committee . He went on to say:

To balance the moral and political imbalance of the present and the past, Ghanaians must be committed to the search for God's divine plans, for, in it alone can one enjoy lasting peace.

9.3.6.3 On several other occasions, Rev. Yeboah Koree went on national television to proclaim Unigov during his televised sermons. There were many others in the pentecostal churches, who saw Unigov as a revelation from God. Examples of these were Rev Dr KO Thompson, one of the leaders of the Cherubim and Seraphim Church of Ghana, Takoradi , and Rev Francis Walters of the African Religious Congress. Some also joined secular groups to campaign for the concept of Unigov.

9.3.7 4TH JUNE, 1979 – 23RD SEPTEMBER ,1979:
ARMED FORCES REVOLUTIONARY COUNCIL

9.3.7.1 The 4th June, 1979 coup brought untold hardship to many Ghanaians for the first time in the annals of Ghana's political life. The AFRC regime lasted for only three-and-a-half months, but it perpetrated widespread human rights violations dubbed 'house cleaning', in the nature of killings, beatings, flogging in public, seizure of property and detentions. Some religious leaders pledged open support for the "house cleaning" exercise by the AFRC Government, and even called for its extension to other social sectors.

9.3.7.2 However, the Catholic Bishops' Conference and the Christian Council of Ghana hoped that the AFRC would not resort to unreasonable force in the execution of the 'house cleaning' campaign. Other individual church leaders such as Bishop Dominic Andoh showed concern about the acts of atrocities committed by the AFRC. The Catholic Church denounced violence of all kinds and protested vehemently to the arbitrary killings that took place. There was also a strong affirmation that each Ghanaian had the right to security of life and legitimate prosperity. Each Ghanaian was bound by the divine commandment, "Thou Shall Not Kill." In a joint memorandum, submitted to the AFRC in July, 1979, however, the Catholic Bishops' Conference and the Christian Council merely expressed the hope that the 'house cleaning' exercise embarked upon by the AFRC would be pursued without recourse to acts of vengeance and violence.

9.3.7.3 The AFRC executed eight Senior Military Officers, including three former Heads of State, in two batches. After the second batch of executions, the leaders of the Christian Council and the National Catholic Secretariat were among the other civil society groups that appealed for justice to be tempered with mercy. However, there were other members of the clergy, who supported the execution. Such supporters included priests such as Rev Fr Dr. Vincent Kwabena Damuah of the Catholic Church, who wrote:

We do not love those executed less but we love our country more. Why all the fuss about execution? I believe that the A.F.R.C has the right to exact capital punishment for the common good of the country. We hope and pray that the number is not too large. Christ died on the cross to save mankind. We hope and pray that those who have to die, accept the challenge courageously and prayerfully to save Ghana.

9.3.7.4 The Standard, a Catholic Weekly, also expressed similar views on the executions as a way of ensuring social justice in the future. In an editorial under the heading: “The Great Lesson,” it stated the following with reference to the executions at the Teshie Range

:

The sordid history surrounding the notorious second military regime, which put itself in power in 1972, has come to a close. The disciplinary action has been taken by the Armed Forces Revolutionary Council in public to serve as deterrent to anybody who goes about clinging on to power to amass illegal wealth and put Ghanaians into the economic predicament in which we find ourselves today.

9.3.7.5 The seizure of assets of a large number of people, the demolition of private houses and the establishment of “People’s Courts” to try people in secret for various alleged crimes against the state, received public support. Although there was very little information on the operations of these “People’s Courts,” no one demanded an open trial for the supposed offenders.

9.3.7.6 The AFRC Government had the shortest life-span in the annals of governance of this country. However, the atrocities perpetrated under this regime were phenomenal. The killing of the Senior Military Officers, the public flogging of people, some of whom were stripped naked, the seizure and destruction of people’s property, were enough instances of human rights violations that caused great concern in the country. In the main, the Christian Religious Bodies protested against such acts of inhumanity.

9.3.8 24TH SEPTEMBER, 1979 – 30TH DECEMBER, 1981:
PEOPLE’S NATIONAL PARTY (PNP) GOVERNMENT

9.3.8.1 There were very few occasions on which the churches had cause to protest against government action. One of those occasions was when the government mounted overt surveillance Capt Kojo Tsikata. The Standard criticised the flagrant violation of the rights of Capt Tsikata.

9.3.9.0

31ST DECEMBER, 1981- 6TH JANUARY, 1993 PROVISIONAL NATIONAL DEFENCE COUNCIL

9.3.9.1 The Government of PNDC under Flt Lt Rawlings initiated what he described as “Holy War” on vices. The spate of violence, terror, arbitrary imprisonment and torture that characterized the early stages of the revolution attracted sharp criticism from various quarters, notably, the Christian Council of Ghana and the Catholic Bishops’ Conference.

9.3.9.2 Early in the life of the PNDC, certain events occurred that caused the religious leaders to express disagreement with the government. The Catholic Church’s unequivocal stand against human rights abuses was contained in a joint pastoral letter of the Catholic Hierarchy of Ghana on “Moral Conversion and National Reconstruction,” issued on the occasion of the 1982 Easter celebration. This was to serve as the church’s reaction to the political situation in the country at that time. The Catholic Church denounced violence of all kinds, including the arbitrary killings that were going on, emphasizing that each Ghanaian has the right to security of life and legitimate prosperity. The church, once again affirmed that each Ghanaian is bound by the divine commandment: “Thou Shalt Not Kill”.

9.3.9.3 In separate memoranda, the Christian Council of Ghana and the Catholic Bishops’ Conference called on the PNDC Government to publish the interim report submitted to the Attorney General by the Special Investigation Board, which investigated the kidnap and murder of three High Court Judges, and a retired Army Officer on 30th June, 1982. They also urged the government to consider the immediate possibility of handing over power to a representative government.

9.3.9.4 It was clear, during the PNDC period that the terror unleashed by the regime was such that only established bodies such as the Christian Council of Ghana, the Catholic Bishops’ Conference and Association of Professional Bodies were capable of collectively expressing condemnation of the regime's excesses. One Christian leader has remarked that, “It was a miracle that the leaders of the Christian Council of Ghana and the Ghana Catholic Bishops’ Conference were able to exhibit such courage during the early 1980s and to survive the fury of Rawlings' regime.” This, according to him, was due to the grace of God.

9.3.9.5 Rev Dr Vincent Kwabena Damuah, a Catholic Priest, became a member of the PNDC and took active part in most of the decisions during that time. A few Ghanaian priests spoke against the membership of Rev. Damuah on the PNDC, such that social commentators were divided on the issue of the involvement of religious leaders in politics. While some believed that priests should eschew politics, others were convinced that the appropriate role for the clergy was in the advisory capacity. Rev. Dr. Joseph Osei-Bonsu, then a lecturer at the University of Ghana, Legon, indicated that although the inclusion of a Catholic priest on the PNDC was indicative of the regime’s recognition of the important contribution which the church could make to the development of the country, it would have been better if he had been appointed to an advisory role, as such participation in the government could cause a rift in his congregation. The official position of the Catholic Church was to suspend him from priestly duties.

9.3.9.6 In November, 1982, the Catholic Bishops' Conference in its Statement on the State of the Nation, condemned the "cold-blooded, cowardly murder" of the three High Court Judges and a retired Officer of the Ghana Army, and also expressed the hope that those found guilty of the savage act would be punished. The Statement further expressed concern about the lawlessness in the country and recklessness of the People's Defence Committees in sowing seeds of discord and bitterness in the country; the unrestrained violence of the security forces that had claimed many lives and maimed others; and the situation of insecurity created for every one in the country.

9.3.9.7 In a Memorandum from the member Churches of the Christian Council of Ghana to the PNDC, the churches entreated the government, in the name of the Lord Jesus Christ, to listen and pay attention to the cries of the people. The memorandum mentioned the following atrocities:

...the numerous kidnappings, confiscation of properties, buildings, and cars without adequate enquiry or even any investigation at all...Detentions without trial of politicians and other citizens and increasing violence by progressive organizations...

9.3.9.8 In a document entitled, "20 Points for Study," The Christian Council of Ghana mentioned other concerns including the following:

Never before in our history have so many Ghanaians disappeared in suspicious circumstances as in the period since December 31, 1981. The cases of the three judges and a retired major are typical of the other incidents including two hundred listed on the 28 July 1982 by the Association of Recognised Professional Bodies.

These criticisms did not go down well with the government.

9.3.9.9 The Standard also consistently criticised the government on the atrocities of the time. The government took umbrage at these criticisms and expressed its displeasure by banning the newspaper on 13th December, 1985.

9.3.9.10 In 1989, the government sought to control religious bodies by requiring that all religious bodies should be registered under the Religious Bodies Registration Law, 1989 (PNDCL 221). The Catholic Bishops' Conference and the Christian Council informed the Chairman of PNDC, by a joint memorandum on 11th August, 1989, of their displeasure at that law and refused to register under the Law. The message explained to the Chairman and members of the PNDC that the law constituted an infringement on the fundamental human rights of the basic freedom of worship as stated by article 18 of the Universal Declaration of Human Rights. The message further alleged that the Law also contravened article 8 of the African Charter on Human and Peoples' Rights, and even the government's own enabling Law, the Provisional National Defence Council (Establishment) Proclamation (Supplementary and Consequential Provisions) Law 1982, (PNDCL 42). Section 1(b) of PNDCL 42 which provided as follows: "Respect for fundamental human rights and for the dignity of human persons are to be cultivated among all sections of the society and established as part of the basis of social justice."

The religious bodies believed that the registration requirement was the first step in a bid to deny legal existence to those bodies that the PNDC might not favour. The Christian Religious Bodies in keeping with the ethics of rendering “service to mankind” protested against all the above-mentioned incidents of human rights abuses.

9.3.9.11 In the same year of 1989, four religious groups made up of the “Jehovah’s Witnesses”, “The Church of Jesus Christ of Latter Day Saints”, ‘The Lord is My Shepherd’ Church, Kumasi and Prophet Ekwam’s Church at Gomoa Budumburam were proscribed. The Orthodox Churches protested in meetings with the government, on their behalf. In particular, the ban on those groups demonstrated the importance of resisting the registration requirements being introduced, since that would have given power to governments to determine questions of doctrine and religious orthodoxy.

9.4 CONCLUSION

9.4.1 The CPP Government was generally regarded as dictatorial. The NLC Government was therefore described as a “liberator,” when it overthrew the CPP Government. Even though it was an unlawful take-over of power by force of arms, the Christian religious organizations supported it.

9.4.2 Even though numerous acts of brutality took place during the initial period of the NLC regime, public protests against such acts were minimal. Furthermore, a number of laws were promulgated to disqualify some people from contesting or holding public office. Notable among these laws were the Elections and Public Officers Disqualification Decree, 1968 (NLCD 223), and the Public Officers Disqualification Decree of 1969 (NLCD 332), which disqualified 152 CPP functionaries from holding public office for ten years, and prevented them from contesting elections to public office. The failure of Ghanaians in general, and Christian Religious Bodies in particular, to protest against these discriminatory and unduly punitive laws gave the impression that these laws were justified.

9.4.3 During this period, a number of laws were made that took retrospective effect, but this did not elicit any protest.

9.4.4 The religious bodies did not have open clashes with the Governments of the Second and Third Republics. There was, however, at various times, tension between the Christian Religious Bodies notably, the Ghana Catholic Bishops’ Conference and the Christian Council of Ghana on the one hand and on the other, the Governments of NRC, SMC, AFRC and the PNDC.

9.4.5 From the facts outlined above, it is clear that Christian religious bodies have clashed with various governments that ruled Ghana. This was because of the particular stance that they took on certain human rights abuses perpetrated by these governments. In pursuance of their advocacy role, the religious bodies have engaged in activities in the form of issuing protest letters, communiqués, memoranda, pastoral letters etc. For example, the Christian Council of Ghana, and the Ghana National Catholic Secretariat

have often spoken with one voice on matters that they considered worthy of such joint action. It is worth noting that, not much has been heard from the Islamic Religious groups in an advocacy capacity, and the Traditional Religious groups have played no advocacy role at all.

9.4.6 Religious bodies have members in every stratum of society. Consequently, the opinions and actions of the leaders of these bodies shape public morality and behaviour. The ‘culture of silence’ that pervaded the political fabric of Ghana during the days of the PNDC, had a serious impact on the advocacy role of the Christian religious bodies. All the same, the Christian religious bodies especially, the Christian Council of Ghana and the Catholic Bishops’ Conference were always persistent and consistent in criticizing governments on human rights issues.

9.4.7 Instances of religious groups seriously engaging governments in terms of protests and other actions on human rights issues have been commendable, even though on a few occasion such protests fell short of expectation. On issues such as the Preventive Detention Act, the bomb outrages of the 1960s, the killing of the Senior Military Officers, the flogging of citizens in public, the demolition of public properties, the disappearance of certain individuals, and the abduction and gruesome murder of the three High Court Judges and a retired Officer of the Ghana Army, have all elicited protest from them.

9.4.8 It is hoped that now that some of the traditional religious groups are organized under the Afrikania Mission, they would be more vocal in speaking out on national issues as well as reforming some of their practices that constitute human rights abuse.

9.4.9 The Muslim groups should also be heard more on matters of human rights, so that the task of infusing morality into our governance would not be left to the Christian groups only. Already there are hopeful signs that the need to ingratiate themselves with ruling government has become a thing of the past, and so this should enable them to criticize the government whenever the need arises.

LIST OF ABBREVIATIONS

NRC – National Reconciliation Commission
MAP – Muslim Association Party
CPP – Convention peoples Party
GCMA – Gold Coast Muslim Association
NRC/SMC– National Redemption Council/Supreme Military Council
GMRC – Ghana Muslim Representative Council
UGMRC – United Ghana Muslim Representative Council
UNIGOV– Union Government
PNP – Peoples National Party

AFRC – Armed Forces Revolutionary Council
WISC – World Islamic Call Society
PDA – Preventive Detention Act
NLC – National Liberation Council
NLCD -- National Liberation Council Decree
PMFJ – Peoples Movement for Freedom and Justice
NPP – Northern Peoples Party
PNDCL – Provisional National Defence Council Law