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## EDITORIAL

### ONE YEAR OF FREEDOM AND SANITY

IT IS almost a year now since the N.L.C. took over the reins of government in Ghana. In a popular coup an end was put to insane and unrealistic economic policies, maladministration and unnecessary ideological rigidity (an index of political immaturity and primitive political consciousness).

At the time of the coup it was found necessary to explain the resort to unconstitutional means to Ghanaians and the world. We explained ourselves to the point of being apologetic about the coup. But was such an effort necessary? On any adequate view of history men in all parts of the world have had at one time or the other to resort to unconstitutional means of changing their political systems: Britain did it in 1649, America in 1776, Russia in 1917 and China in 1949.

As David Hume, the English political theorist, said there is hardly a nation in this world whose government is not ultimately based on illegal acquisition of power. The important thing is that at a time of a coup, barring peaceful opportunity to change a government, there must be a universal realization in the country that the country's rulers have lost popular support and are maintaining themselves in power by resort to undemocratic political devices. Ghana before 24 February 1966 was in such a position. This is the justification for the coup. The important thing is that Ghanaians thought the coup was necessary; and that is that.

What has been achieved since the coup? It will be generally conceded that there is no officially imposed one climate of social and political ideas. There is growing confidence in the economy of Ghana. The bare necessities of life are now not so difficult to come by, and, to an extent compatible with state security, there is freedom of speech. There is increasing sanity and rationality in the approach to our economic problems; less arrogance about running the affairs of state; the N.L.C. has begun to deal with corruption.

Much still remains to be done in dealing with proven cases of corruption. In this exercise the Civil Service has been very slow and lacks a sense of urgency. There is the need to either infuse a sense of urgency into the Civil Service, or to by-pass the Civil Service and appoint special bodies to deal with the job of clearing the mess left by the self-seeking politicians of the old regime.

In the Constitutional and the Electoral Commissions, there is evidence of a gradual progress towards civilian rule. However, it is necessary for the government to be more precise about how the Constitutional Commission's Report will be implemented. For instance will the Constituent Assembly which will approve the Report be elected by the

## SUPPLEMENT

The Liberators and the  
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people? If so, how can this be done with the present ban on politics?

Mistakes have been made—genuine though they are, as any acquaintance with N.L.C. members amply proves—but some, like the passing of Decrees 92 and 93 (which on the available evidence have never been used), could have been avoided. By all accounts, before 24 February 1966, Ghana was on the verge of bankruptcy, and the economy would have ground to a halt by now. The 24 February coup is a relief all round.

## ***L.C.N.R. Communication***

### FUNDAMENTAL RIGHTS (1)

By

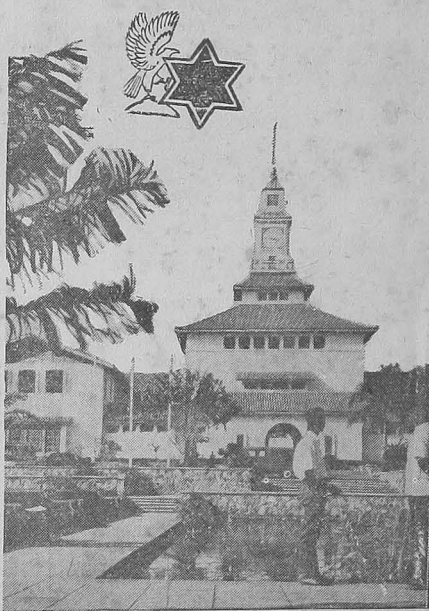
Our Political Correspondent

IT IS particularly important to write about fundamental rights during the anniversary week of the coup. Whilst one can point to several lingering habits of the old regime one can also point to many reassuring differences between the present regime and the old one. There is the attempt to put the economy back on a more or less rational basis; there is the determination to bring back sanity and at least a little integrity into public life; there are the wholly successful attempts to improve our relations with our neighbours. But, perhaps, the most reassuring difference between the present and the past regime is the attempt—not yet entirely successful, though — to restore our lost fundamental rights.

#### The Nature of Rights

It is perhaps necessary in considering the place of fundamental rights in the new Constitution to start by offering some explanation, however perfunctory, of the nature of these rights. In discussing this it is necessary to avoid dogmatism and rigidity for this is an area where great minds have not been able to secure general agreement. It may be suggested that rights are demands that are made by individuals either on other individuals in Society or on Society as a whole. They are conditions that individuals demand must be fulfilled in relation to them because without their fulfilment the individuals will be less than human beings; without them the individuals cannot develop their personalities, they cannot, as the Ancients used to say, lead the good life. Clearly, what constitutes the good life has differed from time to time and from Society to Society. What, therefore, constitutes rights has also differed according to time and place. But the general movement of modern thought, certainly since the French and American Revolutions of the late eighteenth century, has reached a fair amount of agreement on what may reasonably be regarded as the more fundamental of human rights. Fundamental in the sense that, regardless of what society one may have in mind in the modern world, these rights ought to be guaranteed to all human beings and that it is a violation of their essential humanity to be denied them. There is a certain dignity—perhaps, even divinity—inherent in every human being by the

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very fact that he is a human being. To violate this dignity is to treat him as if he were less than a human being. In dealing with a human being, therefore, there are certain minimal conditions which must be observed without fail. These minimal conditions are the fundamental (some would say 'natural') rights of man.

#### The Right to the Vote

In a democracy the most fundamental of the citizen's rights is the right to the vote. Every citizen should be entitled to vote in accordance with his conscience without discrimination as to sex, race, religion and political belief, without interference from any quarter whatsoever and in secret. Where there is no wide popular franchise there can be no democracy, that is, there can be no government by the people or government with the consent of the people. That is partly why questions involving the exercise of the vote were dealt with in our discussion of the Constitution before everything else and apart from the general problem of fundamental rights. The question of the exercise of the vote was dealt with apart from fundamental rights also because of the practical problems it leads to. This separate treatment enabled us to suggest specific institutions and ways of safeguarding the free exercise of the vote. In considering the general problem of fundamental rights therefore all that need be said in regard to the vote is that it is one of the fundamental rights which must be guaranteed and entrenched in the new Constitution.

#### Freedom of Speech

What are the remaining rights? First comes freedom of speech. Man is a thinking animal; it is a contradiction in terms to speak of a normal human being who does not think: where such a human being exists he is clearly sub-normal and he is, by universal agreement, excluded from the exercise of some, at least, of the fundamental rights. Thinking issues naturally in speech. To deny a human being his freedom of speech is therefore to deny his nationality. There is, however, a more practical reason for insisting on freedom of speech. It is vital to good government. No agreement on earth is infallible; indeed, incompetent and dishonest governments are commonplaces in Africa today, as in most parts of the world. And the first safeguard of good government is freedom of speech. It is when people can expose publicly the misdoings of governments, it is when different contributions by educated and thinking people can be publicly made so as to influence the whole society that one can have a reasonable assurance of a modicum of good government. The suppression of freedom of speech is the first step alike to slavery and bad government.

In the modern world freedom of speech cannot be confined merely to the word of mouth or even to the writing of books. These necessarily reach only a very small portion of the modern mass society. Freedom of speech, if it is to be effective, must embrace all those institutions which reach the mass of the people. That means that freedom of speech must embrace the press, the radio and the television. These are the effective media through which the public, in modern Society, can be reached. The new Constitution must ensure that these mass media of communication are not controlled by the government of the day, in the sense that they are not used to propagate only those views that are acceptable to the government. If good government

demands that the actions of government must be publicly assessed, what is the point in entrusting to the government itself the control of the very media through which this assessment can be done? And if human beings must not be reduced to slaves through being denied their rationality, what is the point in entrusting to the government the very instruments by which this can be most effectively done?

#### Freedom of Association and Assembly

Secondly, freedom of association. To this may be added, thirdly, freedom of assembly. The significance of these twin freedoms is that they enable the individual to act, first in defence of his other rights and also to realize other objectives he may consider worthwhile. The individual, especially in modern large-scale societies, is powerless, utterly powerless, at least in the short run, by himself. If he is to be able to act then he must be able to associate with as many people as he may wish or he may find necessary to achieve his aims. The right of assembly is, of course, part of this process of associating with as many people as possible. If it is remembered that in the modern world the individual's rights are more often than not threatened not by other individuals but by big organizations such as governments, economic units like Corporations, factories, trading firms etc. it can hardly be doubted that the right to organize is fundamental. It is not an accident that modern dictators and totalitarian rulers always destroy the freedom of association and assembly either by banning certain associations altogether or by depriving them of their independence, thus emptying the freedom of its content.

#### The Right to Property

There is, fourthly, the right to property. Everybody should be entitled to the use and enjoyment of his property in peace and comfort so long as the property has been lawfully acquired. What is unlawful property is of course laid down by law already and it should not be possible for the government of the day or the legislature to deprive people arbitrarily of their property under the guise of Socialism or social justice, as under the discredited regime. Property here does not mean only the means of consumption, our personal effects, but also the means of production, distribution and exchange. It is of course recognized that there may be conditions under which it may be expedient, even imperative, to "nationalize" or "socialize" properties belonging to private people. To ensure that this is not done arbitrarily or according to the whims and caprices of a "Messiah" or an "Mwana" it is suggested that this form of expropriation should always be accompanied by prompt and adequate compensation. Where the owner objects to either expropriation itself or the adequacy of the compensation a public enquiry by an independent tribunal, whose decision must be binding on the government, must be set up. The public will thus be able to know whether property is being compulsorily acquired for public ends or for private ends; the public will also be in a position to determine whether the government intends to treat as criminals people who have acquired their property within limits permitted by the existing law.

#### No Imprisonment without Trial

Finally, we may consider a right which can best be stated negatively and which is of particular importance to us Ghanaians because of our recent history.

No person shall be imprisoned or detained without trial by the ordinary courts of the land set up under the authority of the new Constitution. The practice of preventive detention is peculiarly vicious. It lends itself so easily to gross abuse that no one should ever again be entrusted with it. It is so paralyzing that no society in which constant resort is made to it can be considered healthy. And, above all, preventive detention is so flatly incompatible with human dignity and good government that no free society can possibly tolerate its use at ordinary times.

#### Limitation

In this world of ordinary human beings there are no absolutes; everything, especially in matters social and political, is necessarily imperfect. It is unfortunate, but nonetheless necessary, therefore, that even fundamental rights should be limited. The argument that fundamental rights are so sacred that no attempt should be made to limit them is impracticable for the simple reason that unlimited freedom leads to its opposite or, at the very least, leads to practices incompatible with a good quality of life. The story is told of a ruffian who, having struck his neighbour on the nose, was charged with assault. The ruffian's defence was that as a free person he had the right to swing his arms in any direction he chose. In reply the judge trying the case very properly retorted that a person's freedom to move his arms is limited by the position of his neighbour's nose! If the freedom of association is not limited it would mean that thieves will be entitled to organize to further their objectives. If the right to property is not limited then taxation itself would be illegitimate and the Constitution would approve or even actively encourage the existence of large masses of private property side by side with abject poverty—something that nobody with a social conscience should accept. Such examples can be multiplied *ad nauseam*. The argument for the limitation of fundamental rights is unanswerable.

It is true that a government or a legislature bent on destroying fundamental rights may be tempted, as has been the case in the past, to do this under the pretence of limiting them in the interest of freedom itself. But there are two ways by which this threat can be effectively reduced. (It is, of course, not possible to abolish this threat completely.) First, proper provisions should be made in the Constitution for safeguarding the fundamental rights against the attacks of the government or, for that matter, against attacks by anyone else. We shall consider these provisions later. Secondly, as much of the limitations as possible must be stipulated in the Constitution itself and not left to the unstable fancies of the government or the legislature. The Constitution may also lay it down that only the legislature may lay down limitations in addition to those stated in the Constitution and that limitations should only be in the interest of freedom itself. This would mean that limitations that are clearly directed at undermining freedom could be invalidated by the courts.

#### Emergencies

It is universally admitted that during an emergency fundamental freedoms have necessarily to be violated. For that very reason the Constitution must carefully regulate the conditions under which emergencies may be declared and what powers may be exercised under those conditions. It must be made absolutely clear in

the Constitution that there can be an emergency only when a State of Emergency is declared. Nothing is more subversive of individual rights than the crude idea of permanent emergency in developing countries, an idea which has of late been canvassed by upstart dictators and their paid propagandists. The Constitution should lay it down that only the legislature should declare a State of Emergency, but that where the legislature is not sitting the Head of State should have the power to declare it, provided that in such a case he should be bound to summon the legislature within fourteen days of the declaration. The legislature should then approve or reject the declaration. If the legislature rejects the declaration then from that moment the State of Emergency ceases to have force. No State of Emergency should be declared for more than six months. At the end of the period of six months the legislature may renew it for periods not exceeding six months at a time.

It is not possible, either in this article or in the Constitution itself, to deal with all the rights that may be violated during a State of Emergency. A word may, however, be offered on the most dreadful of these violations: preventive detention. It is probably inevitable that during a State of Emergency some people may have to be detained or imprisoned without a proper trial. It is suggested that in such an unfortunate eventuality a person so detained should be promptly informed of the reasons for his detention. Any such detention should be subject to periodic review by an independent board of review appointed by the Judicial Service Commission (about which more later). The board of review should be competent to go into the reasons for detention in any particular case. In other words, if a Minister simply claims that someone was detained because his face was not conducive to the safety of the state this should not be sufficient. The Minister should be able to show the specific acts or conduct on the part of a person who is detained that makes his unrestricted movement dangerous to the security of the state. This enables the detainee to rebut any false accusations either by himself or through his lawyer. If the tribunal finds, considering all the circumstances making for the emergency, that there are no reasonable grounds for detaining a person that person must forthwith be set free. This procedure will ensure that even in an emergency the individual cannot be deprived of his rights for flippant reasons. It will also teach our rulers to understand that the public welfare is not regulated solely by ripples in their not very trustworthy imaginations.

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## Africa

### NIGERIA: PRESENT, INTERIM AND FUTURE

TO THINK that only the absence of the Eastern delegates has brought the Lagos conference to a standstill would be to mistake the symptom for the disease. The will to reach agreement had faltered earlier and had not been properly renewed. Several reasons explain this failure. First, from the beginning a basic ambiguity has hung over the power of those delegates to make an agreement that would bind the vast majority of the groups in the country. Neither ourselves nor the delegates nor anybody else knew just how much power they had, where they had got power from, and who might eventually ratify anything they did with whatever power they had. Second, built into the first problem is a certain uneasiness over the delegates themselves. The relations between the chief delegates and their delegations were not always clear; there was constant awkwardness over the relations between the Lagos and the Western representatives; and few of us wanted a small group of people (some of whom might possess vested interests of their own) to make decisions that touched all our interests. Third, the outbreak of widespread killings in the North, added to the July change of power, threw the East back into a defensive isolation. Yet for all the visible isolation of the East (and the Ibo fears and retreat into themselves that it has roots in) it should not be forgotten that the Eastern position has differed less from the Western than people might think. The intelligentsia of the two most massively modernised Nigerian peoples still remain highly distrustful not only of one another but of their situation within the country generally. In short, the refusal of the Eastern delegates to come to Lagos has done no more than to underline a stalemate that had already been reached. It has not created the stalemate.

Since the stalemate rests on the ambiguity of power, the pattern of the representation and the mutual distrust of the ethnic groups, it can be broken best by moving beyond those obstacles. Two obvious forms of breakthrough suggest themselves. The first is that the military governors should meet. Hence, the Eastern proposal needs to be taken up and no bones made about the venue. Even if it means meeting outside the country, the men must meet. Nigerian pride may not like such tactics but the pride itself presupposes that Nigeria can continue meaningfully. Only those men wield effective power at the moment, so they alone can make decisions that permit others to go on working on negotiations.

But we cannot expect a few military men to work out solutions beyond some points of principle. Once they have met, we need to move again to consultation between representatives. Here the second breakthrough might be made. This time let us move from the few who have been unduly prominent to include representation that comes from the provincial level. In that way we can get over the uneasiness that will remain with us while negotiating remains in the hands of a tiny number of individuals. At the present moment a lot of things that touch on the national interests but that are likely to be raised only by individuals or groups from particular areas (we don't just mean the 'minorities' but are thinking rather of groups among the majority peoples themselves) are being lost to sight be-

cause the top representation has been too monolithic and narrow.

What we need to do now is to get back a time perspective into both negotiating the future and into running the country. Both are intimately connected. We may need to think of a number of meetings between the military governors and we may want a continuing dialogue between their meetings and the discussions of provincial representatives. But unless we can make interim arrangements work, the whole country—each region and each area—will drift towards disaster. The obvious way to keep things going is to use the existing federal-regional arrangements. And not the least important part of underpinning these arrangements is to implement decisions to put a civilian element into the government.

### Regional Calculations

It is a well known fact that the individual's perception of his self-interest inevitably influences much of his actions. This is not to suggest that such self-interests are always rationally calculated, or even if they are, that actions based on such calculations turn out to achieve the results intended, the well known 'unintended consequences' theorem. What is true of individuals is also true of groups of individuals and other collectivities such as regional governments. In the present debate over the future of Nigeria, there is something to be gained if we try to examine the underlying self-interests of the different regional governments, to understand their motivations. By doing this, we may come to understand each other and ourselves better. This is not an unfamiliar exercise with psycho-analysts.

### The North

Having for some five years been in a position to dictate to the federal government, the North now finds she has lost that advantage. And from feeling that she was large enough to stand by herself, she now finds that to survive, she needs the federal government to continue. The problem for her has been how to keep a federation in which the North will not lose altogether the initial advantage which she had. But the difficulty here is that the North is no longer what it was. The old-guard traditional oligarchy of the North seems to have lost control to a new breed of more radical young men who now want to 'clean up' the North. The September ending killings and the exodus of Easterners that followed, and the disorganisation which has resulted, now threaten the whole of Northern society, particularly, the threat of in-fighting, now imminent in places like Jos and southern Zaria. Should this start, it could easily spread throughout the North and the trouble would be the absence of a stabilising force. Though the radical elements of the North seem to be in the ascendant, they are as yet probably not in control of the machinery of government. The result is a power vacuum with no one seemingly in a position to take over all decisions.

### The East

It would be foolhardy to attempt to understand the East's position without at the same time recognising, and sympathising with, the traumatic experience which thousands of Easterners have gone through, an experience which has fostered a sense of personal and group insecurity. Their attitude finds expression in reiterated statements such as "we are no longer wanted in the federation". But it is a short step from this to the position of saying "we no longer want a federation" and from this to

the attitude of "if we don't want it, then you cannot have it since you cannot have it without us". It would seem that the East is not unprepared to take this step and therefore not unwilling to hold the rest of the country to ransom. And no amount of argument or assurance can avail against such an attitude. But at the same time, the East seems still to want a country in which freedom of movement, freedom to trade wherever the individual wants, to own property without molestation, etc., is guaranteed and by an authority which it nevertheless refuses to concede. There may not be much point in expecting or asking the East to forget, but we can at least ask them to forgive. And we can ask them to think again on what their intentions and interests are.

#### The West

While one can appreciate the positions of the East and the North, this is not so easy with the West. Yorubas seem to be motivated by the belief that they have always been 'cheated'; that they have been the victims of the misuse and abuse of power in the old republic; that their territory has been dismembered and point to Lagos, Ilorin, Kabba and Akoko-Edo. From this arises the attitude that whatever problem there is in the country is essentially one between the North and the East who should be left severely alone to settle their differences. In the meantime what best could the West do but expect to pick up the mantle of leadership and use the stalemate to benefit themselves. Hence the fad of taking cues from others, of largely re-acting to situations and refusing to argue any proposals based on principles, except where such principles derive from the myths to which they have themselves contributed.

#### The Mid-West

Caught in the struggle for leadership between the 'big brothers', the Mid-West cannot but argue the continuation of the federation as a condition of its own existence, in effect then, a form of enlightened self interest.

The burden of the foregoing is to point out the limited and often inconsistent perspectives from which much of the negotiations now taking place have been conducted. The main flaw in much of the position being taken is that the federal authority is still being thought of in terms adequate only to the old republic, one in which the central government was largely a ploy of regional governments and their politicians. What most people seem to have ignored is the simple fact that for the first time, we now have had a central government which is in a position to take decisions on its own initiative. But instead of working to reinforce this new departure from past experience, the unfortunate fact is that the positions being taken only serve to plunge us back into what no one really wants: a central authority manipulated by strings tied to the regions.

#### Politics and Economics of Repatriation

The movement of masses of people across regional boundaries in the search of security has created a host of immediate problems which Nigeria's resources are ill-equipped to handle. The simple problems of housing and feeding the returned Ibos in the East are immense, not to mention the even more complex problems of restoring a normal standard of living to people who were quite well-to-do. In the North the losses of skills are enormous. Some Northerners may find employment in the place of Ibos who have fled, but hardly any can immediately replace skilled men.

And many Northerners are out of work because the general economy has sagged without the Ibos. The West also probably needs some Ibo skills. Moreover, Ibos and Yorubas were tightly bound into one economy in the South and the absence of Ibo customers may hurt some Yoruba traders.

There are effects that are not so obvious. Those traditionalists who encouraged the attack on the Ibos in the North are most likely to find themselves overwhelmed by the new classes that the need for Northern technical skills will create. In the meantime the inevitable fall in Northern standards of living is bound to create social dissatisfaction. Such dissatisfaction may from the start move against traditional authority in the North. And it may well spark off trouble between different groups within the North. Already there are signs of tension in the ghost town of Jos.

In many parts of the West and the Midwest there are ready people with certain skills who can quickly, in response to local needs, replace Eastern skills. Nothing but custom reserved certain forms of trading to particular groups. Easterners should realise that within two or three weeks those who leave may never be able to return to communities where their services have been replaced.

The continued absence of senior Easterners from posts in federal institutions such as railways and harbours, universities and hospitals may well do grave damage to the unity of the country. Much though many of us sympathise with men who felt insecure, we need to realise that there are many shortsighted and selfish persons who argue that the case for extreme regionalism is clear from the absence of individuals from posts of responsibility and with the suspicion of an intent to sabotage. If the country is to continue, room must be kept for the Easterners to return. Fortunately the premature deadline of October 15 has been withdrawn. But though there is simply no way of integrating all senior Easterners from the federal service and public corporations into the Eastern service, many may well prefer to stay in the East and do nothing until some change takes place. The change that may well take place is the eruption of dissatisfaction among the already large but now greatly swollen ranks of the unemployed of the Eastern Region. A certain 'oil' psychology seems to give confidence to many educated Easterners that they can cope with all their economic problems. But apart from the limits of oil earnings, it is going to take several years before investment can turn capital into projects and provide employment. Long before that—and quite possibly in the months that are ahead—popular dissatisfaction will have grown.

There is everything to be gained at present from mobilising opinion in favour of retaining people in the part of the country in which they live and of persuading people who have fled to return. This means not only that unscrupulous lorry owners who spread panic rumours and charge crisis prices be prosecuted but also that papers like the *Sketch* that are publishing extremely tribalist views should be curbed. Colonel Ojukwu would also do well to recall to reason the journalistic policy of the *Outlook* which still goes on emphasising atrocities in a misguided search for Eastern solidarity rather than trying to elaborate rational solutions to what are really national problems. There is much also to be gained from a stronger federal tone

in the speeches of Colonel Gowon— he has never condemned in strong enough terms the barbarities committed in the North — and a recognition that the refugees are a National and not just a Regional problem. Not least is the need for a human response to human suffering and fear—an open expression of sympathy and good-will on the part of the colleagues of those who have fled. Some members of the University of Ibadan have already expressed their views in a letter to Colonel Ojukwu. But other statements need also to be made. Finally, it is important to make clear in those institutions which have been federal in character and inspiration that there might be some self-seekers who aspire for promotion and security by filling empty shoes. These are a small and despised minority.

### The Crisis and Interregional Trade

For the whole of Southern Nigeria interregional trade in foodstuffs is of vital importance. Though no figures are available for the past it is certain that the inter-regional exchange of foodstuffs increased rapidly during the last ten years. The main reasons are:

- the rapid rise of urban population (particularly in Lagos and its mainland suburbs);
- the slower increase of rural population (and of marketable foodstuff surplus) which is the complementary aspect of the drift towards the towns;
- the extension of agricultural production for exports;
- the improved transport facilities (particularly on the road);
- the increasing mobility of the people (prior to the crisis) since the emergent ethnic minorities in the North and in Lagos developed a demand for foodstuffs from their regions of origin;
- the shift towards superior foodstuffs which accompanies the rise in real income (for instance yams instead of cassava, more rice, etc.); the surplus areas for these foodstuffs are mostly in the North while demand increased particularly in the Southern towns.

Recent events in the Federation have led to a sharp decline in interregional trade in all directions. Trade between the North and the East had already gone down after the May riots and came to a complete standstill in October. The exchange between the East and the West has equally stopped following the ban on foodstuff exports with which the Military Governor of the Eastern Region reciprocated the export ban for foodstuff movements from Lagos ordered by the Supreme Commander. (The ban in Lagos was lifted after a few weeks when it became apparent that this measure did not make much sense. The Eastern Region, on the contrary, may be well advised to maintain the ban for the time being and possibly as a medium term measure as well.) But also trade between the North and the West (including Lagos) has suffered a severe blow: while in March of this year the number of lorries carrying foodstuffs from the North to the West and Lagos was 40 per day this figure dropped to a mere 10 per day in early October. This refers to trade with the North beyond Jebba bridge. Movements from Ilorin Province were fairly normal: about 18 lorries per day (4 day average) both in March and in October. This means a certain relative decline since an increase might be expected after the harvest under normal conditions.

The immediate effects of this breakdown in trade are felt most in Lagos while the long term effects will be most serious in the Eastern Region. The prices of rice and beans rose throughout Southern Nigeria immediately following the curtailment of supplies. Lagos depends on the North not only for the supply of these commodities but also for the supply of yams, the main staple food. Lagos is the only town the population of which is largely without direct link to the agricultural hinterland. It draws its supplies to a great extent from both the North and the East. Except for rice and beans the effects seem to have been less severe in the Western Region. Supplies from the East never have been of any importance here, and with respect to yams the West should be able to meet the demand at least at this time of the year. Generally speaking, the fact that the disruption of trade occurred in the post-harvest period when supplies are plentiful everywhere has helped a lot to mitigate the immediate effects.

The causes of the breakdown of interregional trade are clear enough as far as relations between the North and the East are concerned. The standstill of trade between the East and the West is explained by the Eastern export ban (trade was mostly in East-West direction). The first explanation for the low level of trade between the North and the West would seem to be that trade and transport were largely in the hands of Easterners who migrated back to the East, together with their lorries. This hypothesis is contradicted however by the findings of A. Hay and R. Smith according to which the North/West trade was fully in the hands of Northerners and Westerners. (There is no doubt however that many Easterners owning lorries have transferred their vehicles to the East and that, consequently, there is shortage of transport in the North. There are reports of very steep rises in rates for foodstuff transport in the North. It may be of interest to follow the number of licenses being issued in the East within the next year when the renewal of licenses of vehicles formerly in the North becomes due.) The correct explanation seems to be that the assembling of foodstuffs, the system by which food is collected at village level and centralised in market places, was largely in the hands of Eastern Nigerians. (This was confirmed by the Military Governor of the Northern Region in an interview accorded to the *Daily Times* on October 4th in which he stressed the urgency of Northerners taking to trading now.)

The sharp decline recorded in October cannot be explained entirely in terms of lack of adequate assembling facilities. We must take into account the psychological situation as well. Many traders, whatever their origin, at that time through caution refrained from sending their lorries on long distance trips. Information about the attitude of people (and the army) in distant territories was scanty and contradictory and wild rumours were abundant. It would be surprising if inter-regional trade between the North and the West has not recovered to a certain extent by now. (Another survey on the main trade route is scheduled for the very near future and will provide precise information on this point.)

The West should not rely on this revival of trade (which will probably be partial only) and should prepare itself for the possibility of another food shortage period next year. This is certainly not the time to encourage farmers in a yam area like Ekiti to grow

cotton, as the Military Governor did recently. It is true that the harvest in the North, according to recent information, promises to be excellent. This is a challenge and an opportunity for traders in the West. If these harvest reports are accurate the bumper crop may provide a quite different challenge and opportunity for the country as a whole (if it remains a whole). It is obvious that the East will face serious food problems in the course of the next year, at least until the impact of increased production can make itself felt. If the situation in the country returns to normal the Central Government can take advantage of this abundant harvest to finance and operate a food relief programme for the East demonstrating thereby the solidarity which it has so far failed to express convincingly both in words and deeds.

(Culled from the *Nigerian Opinion* Vol. 2 No. 11)

## SIERRA LEONE: EXPLOSIONS IN A CONSTITUTIONAL CRISIS

By

*K. A. B. Jones-Quartey*

THE "tensions of a constitutional crisis" in Sierra Leone of which I wrote in the last issue of the *Observer* (Vol. II, No. 3) have since advanced in status to that of explosions. And on this occasion, as on the first, I am forced to anticipate intensification and to say that unless patriotism and realism are given the ascendancy over personal or purely political interests and considerations, the explosions will get bigger—and not better. They have been alarming enough as it is. In the two weeks since our analysis of the tensions a series of ominous incidents have occurred.

These must be summarised here and their background given in full, in order to provide our readers with the complete record.

The most disturbing incident was the announcement by the Prime Minister, Sir Albert Margai—himself the centre of the controversies—that his Government had uncovered and foiled an army officers' plot to stage a military coup. The aim of the coup, said the P.M., was to have been the assassination of himself and several of the key ministers and other officers and officials of his Government, the overthrow of his regime thereby, and the setting up of a caretaker administration that would have included members of opposition parties and groups. This announcement was made in a national radio broadcast by the Prime Minister on Wednesday, February 8.

Secondly, Sir Albert himself confirmed reports that had reached his people, through Guinea Radio and the BBC, of Guinean troop movements to the Guinea-Sierra Leone border. The reports on Sir Albert's speech quoted him as thanking Guinea President Sekou Toure for having responded to his (Sir Albert's) invocation of an agreement—a "treaty"—between them for

mutual military assistance, in case of "internal subversion" in either of their states. The Sierra Leone opposition parties and press (*Think*, Feb. 5, 8, and *We Yone* (Supplement), Feb. 7) state in challenge to these actions and moves not only that they have taken the country by surprise and thrown the people into a state of extreme alarm, but that a secret military treaty of this nature was an illegal act on the part of their Prime Minister.

These two explosions were triggered off by a series of previous incidents. The first occurred on Saturday, January 14 (*We Yone* of that date), when the Government addressed letters to a number of well-known members of the opposition elements directing these to surrender their passports to the Ministry of External Affairs. The individuals so ordered included Mr. Siaka Stevens, Leader of the Opposition; the Messrs M. O. Bash Taqi and C. A. Kamara-Taylor, Members of Parliament; Dr. Raymond Sarif Easmon, the leading independent critic of Sir Albert Margai and his party; Mrs. Nancy Steele; and the Messrs. Ibrahim Bash Taqi (editor of *We Yone*), S. T. Koroma, and A. B. S. Tanneh.

The second predisposing incident occurred on January 20-21. It came in the form of a Reuter report from New York, reproduced in the local press and confirming rumours which had been current in Freetown and the provinces for weeks. This was about the imminent appointment, as Acting Chief Justice of Sierra Leone, of Gershon Collier, then the country's chief United Nations representative and its Ambassador to the U.S. Mr. Collier, a political confidant of Sir Albert, is held in great disfavour by most of the Prime Minister's opponents as well as by the majority of members of the Sierra Leone Bar. The Bar Association in fact passed a resolution in anticipation of Collier's appointment which read in part, that "*Mr Collier will not command the respect of members of the Bar which the holder of such a high office deserves.*" (*Italics mine.*) The tension over this appointment came to its explosive peak at some of Mr. Collier's statements to the American press about his translation to the Bench, in his country. He is reported to have said that even as Chief Justice he would continue to take an interest, to the extent of participation, in Sierra Leone's foreign affairs, at the U.N. and elsewhere.

Most agitating of all these building-up episodes to the Sierra Leoneans, according to press and private reports, was the Republican Constitution, which was rushed through Parliament and into the Statute Book in a matter of hours, on Wednesday, January 25. Readers may remember that Sir Albert Margai's proposals for a

Republican Constitution formed the core of the impending difficulties we analysed a fortnight ago. By then the climax of feeling had already been reached, to be followed soon afterwards by the explosions described at the beginning of this article. Which means we have come full circle on the facts of the present situation, and must now devote the next few paragraphs to a quick review of Sierra Leone's basic problems: background to the tensions and explosions of today.

We can both assume and briefly dismiss certain ones of these basic problems, as being true but relatively insignificant in this particular situation. For instance, ethnic pluralism. This ever-present factor in African socio-political life is no less present in Sierra Leone than in Ghana or Nigeria. But ethnic differences in Sierra Leone are not a crucial element in the politics of the day, since it is not the point of departure at the leadership levels where real power comes into play and manoeuvres all the forces available. It was shown in my previous article that at the top levels of decision making in Sierra Leone both Government and Opposition forces show a remarkable mixture of "tribal" affiliations: Sir Albert Margai, a Mendi himself, has Bertham Macauley and Gershon Collier as two of his chief lieutenants, and these two are Krios; the Leader of the Opposition, Mr. Siaka Stevens, a Limba, works in complete political harmony with Krio intellectuals like Dr. Sarif Easmon and Professor Eldred Jones. This top-drawer of examples must of necessity be repeatedly cited as the definitive proof of this particular point.

For the same reasons one must also dismiss a closely related second problem, that of the otherwise historical social cleavage between "Colony" and "Protectorate". Die-hard traditionalists among the Creoles (now "Krios") of the former Colony area, and especially the members of the oldest surviving generations, still look with some disdain at the "countryman" from the former Protectorate areas. But most of the younger people of Freetown and all the realists among the Krios recognise the facts of modern political and social life when they see them, and just now they see the particular fact of an established democratic majority in their country—where democracy is the sought ends for the state. So although the Krios would, in the minority of cases, still wish to enjoy an ascriptive status of privilege, and in the majority would certainly insist on justice for their smaller but better prepared group, they would not all, on mere principle, wish to cut their nose to spite their own face by frustrating progress for the whole country, in retaliation for their political eclipse.

Some may still be contemptuous, but even they must realize the futility of expecting a return to Krio ascendancy. So, not much trouble here either.

There are other matters, like past stagnation in politics, economics, education, and, therefore, in general social progress. At the moment, however, three conditions above all threaten the peace of Sierra Leone: (1) a weak economy, (2) a fissiparous political leadership, and (3) a generalised condition of bribery and corruption. Now these are not all differences in kind when compared with conditions elsewhere in the new Africa. But even differences in degree can be for some cases crucial, though not for others. Certainly a bribery-and-corruption condition in Sierra Leone which is only greater or less than it is in Nigeria or Ghana would also be more affective on a so much smaller and basically weaker economy as that of the former country, compared with either of the latter two.

Actually, mismanagement, conservatism, and, in colonial days, cynical and selfish capitalist exploitation, rather than absence of sources of national wealth, are chiefly responsible for Sierra Leone's economic backwardness. The single illustration of diamond mining would suffice here. Sierra Leone boasts some of the richest alluvial diamond fields in Africa, but everyone who knows anything about it at all knows that these fields are also a rogues' paradise, and that the country loses through diamond smuggling more revenue than it gains from the mining royalties and export taxes due on the industry. Sir Maurice Dorman once said to the writer, in private conversation during Dorman's Governorship more than 10 years ago, that he would place the annual loss to Sierra Leone from diamond smuggling in those days at not less than £6,000,000—which was probably the understatement of the year! The rate of loss has without doubt risen considerably since Sir Maurice's day.

*(To be concluded)*

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TO ADVERTISE  
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# ***The Economy***

## **NEED FOR A COMPREHENSIVE LAND-USE PLAN**

By

*K. B. Dickson*

ON REVIEWING the country's economy over the past year, one immediately notices that most of the economic measures undertaken by the N.L.C. were meant specifically to stay the rot that had been eating through the economy under the Nkrumah regime. Most of the measures necessarily were emergency first aid operations and did not form part of a calculated all-embracing plan to assure future happiness and a decent standard of living for all. It would be pointless to cavil at the lack of a carefully calculated plan, for it was imperative, immediately after the coup, to take steps to alleviate the heavy burden of living that lay on the shoulders of the normal Ghanaian. Now that nearly all the problems requiring immediate attention have been seen to, it is necessary to pause and ask ourselves the broad question: how are we going to organize ourselves on the land and utilize its resources for the benefit of all?

### **Pattern of Population Distribution**

It is of fundamental importance to know right at the beginning just where people live or do not live on the land and why. A look at the 1960 census map showing population distribution reveals many striking features. Most obvious and puzzling is the existence of a very sparsely populated stretch of land sweeping in a broad convex arc from about south of Tumu and Lawra to the northern part of Kete-Krachi district. It takes in practically the whole of Gonja, most of the wooded grassland plains of Brong Ahafo, and the Afram Plains. Just as puzzling is the high degree of population concentration in the northeastern and northwestern corners of Northern Ghana. The population map also reveals the existence, outside Northern Ghana, of several patches of thinly populated areas not far from thickly populated ones.

It would be futile to attempt to explain this peculiar pattern of population distribution solely in terms of environmental quality, that is, by appealing to good or bad soils, presence or absence of water or minerals, and so on. The trouble is you find the population often ignoring areas which are no worse than those in which it chooses to live. Herein lies our fundamental problem: the way in which the population is distributed does not show close adjustment to the economic potential of the land. We are under-utilizing

our resources in some areas while straining them to the limit in others. To put it briefly the pattern of population distribution is "immature". The consequences are not always pleasant, especially in the heavily populated areas where there is hardly any top soil left, or vegetation to protect what little there is left of the top soil.

What is clearly needed is a careful resource inventory and the creation of suitable incentives to attract people from the overpopulated rural areas to the underpopulated ones. The problem of inducing people to leave their traditional homes to live elsewhere is not an easy one; it is at once economic and sociological, as we saw in the case of the Gonja Development Company's abortive resettlement scheme at Damongo in the 1950s.

### **Population and Food Production**

The immature pattern of population distribution is not the only fundamental problem that faces Ghana. Our growing numbers also pose the question of how to increase food production. The problem is bad enough now, though not desperate; but it would soon be so if we continued to multiply at the rate we are doing. Death rate has decreased, but not birth rate; yet our methods of farming are not such as could produce a great deal more, while successfully conserving the soil, to support a vastly increased population.

The details of how to improve our agriculture need not concern us here; but whatever solutions we suggest, we should seek to bring a greater area of the land surface under cultivation. This could be done in two ways: by eliminating the fallow land the existence of which reduces the effective area of cultivable land, and by bringing some of the vast but thinly populated areas under cultivation. All this calls for patient and careful experimentation. We should not lose sight of the futility of rushing into vast expensive schemes which have not been given much forethought and carefully tested on a smaller scale. This is not the time for heroic but ill-considered ventures like many of our state farms where the soil is deteriorating as fast as the useless machinery employed to break it up. The unsuccessful but enthusiastic attempts between about 1900 and 1916 to cultivate cotton on a large scale in the empty lands of Gonja should be added to the list of those things which should always serve to remind us of the need for careful planning.

### **The Towns and the Rural Areas**

While it is true that most of the fundamental economic and social problems spring from the countryside, the home of the majority of the people, it is equally true that the relatively few

towns with their fast growing populations also raise a number of urgent problems. Some of our towns are growing too fast, mainly because of the disproportionately large amounts of public or private development capital invested in them; and while these towns grow, others decline. Yet a town, however small it may be, is an economic phenomenon with very definite functions which it discharges to the surrounding countryside.

A rural area deprived of its settlements with these specialized urban functions is simply drawn into the sphere of influence of larger towns which might not be so near; in which case the problem of effective links between the rural and urban areas becomes more difficult. For certain essential services the farmer may have to travel miles. Admittedly, the existing large towns are more attractive from the point of view of, say, the siting of industrial establishments. But would it not be wise also to seek to stabilize urban functions outside the few sprawling—and in some cases ugly—cities? Neither should we forget that the larger a town or city grows the more acute the problems of planning become, especially if that rate of growth has not been foreseen and allowed for. In how many of our towns is the use of the land space so carefully organized as to show clearly defined functional or use areas (including recreational areas) all linked one to the other by an effective communication system?

Whatever one may say about the lack of aesthetic appeal of some of our towns, there is no doubt that in the minds of many of us it is still preferable to live in towns where the lights are particularly bright (ignoring for the moment the annoying frequency of power failure). And so many young men from the rural areas are drifting into the towns to swell the numbers of the unemployed and to increase the acreage under slum buildings. Both the rural areas and the towns suffer. In the rural areas productivity goes down since there are fewer people to work on the farms, while in the towns foodstuffs become dearer since they are not forthcoming in large enough quantities from the rural areas. Besides, the towns become scenes of thuggery and other social evils.

#### Developing the Land—the urgent problem of the North

In thinking of how to make the best use of the land, we should give much attention to the Upper and Northern Regions which together occupy nearly two-thirds of the total land surface area of Ghana and yet form the poorest part of the country. The problems we must seek to

understand and solve are associated not only with the physical environment but also with the people themselves. A determined effort to understand the land and its laws and to apply well tested techniques understood and appreciated by all would yield results that would astonish the cynics. Let me emphasize that the problem of Northern Ghana is urgent.

#### ... Suggested Strategy

After taking stock of everything, we should attempt to make a reasonable division of the country into planning units in each of which would be encouraged a rational response of human activities to the nature of the land, broadly considered. Also, all the manifestations of our occupation of the land, eg. villages, towns, farms, industries, should be carefully considered in relationship to one another. Finally, we should think of how we could weld all these regions into an effective whole. The answer would naturally be an efficient network of roads, railways, waterways, and air routes so distributed as to link farm to village, village to village, village to town, town to town, and the interior as a whole to the coast.

Here then is a broad framework within which could be considered the details of our economic and social problems. The point of this article would be missed if it was not realized that all problems of land and of man's response to it are closely interconnected, and that what we should do now is to take a cool sober look all round at our present and future needs and capabilities, and get down to prepare a plan for the wisest use of our allotted physical space here on earth.

## Politics

### INSTITUTIONALISED CORRUPTION

By

J. A. Peasah

THE APALOO and Azu Crabbe Commissions, set up to enquire into Kwame Nkrumah's properties and Nadeco Ltd. respectively have both presented their reports. The reports contain an unalloyed condemnation of Kwame Nkrumah and his C.P.P. regime, but it appears to me that to view the reports from this angle, is to take a highly superficial stand indeed. We have a general idea of Nkrumah's material worth, the extent and techniques employed by him and his corrupt colleagues but to me, the findings high-light more than anything else certain important economic, social and political problems especially in a developing country like ours. The problems are so intertwined that it would be almost impossible to disentangle and solve them individually. The solution has to be on a total front, but for purposes of simplicity, I shall attempt to isolate and pinpoint some of them.

### The Problems

What I want to draw attention to is that the economic situation is fraught with a number of social and political problems which are here with us and which were merely worsened and not initiated by Nkrumah and the C.P.P. regime. Removing Nkrumah and the C.P.P. regime, therefore, does not automatically usher in the millennium; it only gives us a fresh opportunity for reassessment and for the application of new solutions. These problems, which relate to social norms and values in regard especially to business and politics, include corruption and selfishness, inefficiency, sycophancy, ethnocentrism, leadership, ideologies and practice, the role of the politician and the unnecessary tendency towards the politicisation of the most irrelevant and personal of our problems. The general impression one gets after reading the two reports is the appalling and disheartening high level of the corruptibility of all sections of Ghanaian society. Intellectuals, politicians, farmers, messengers, civil servants, businessmen, women, men etc., etc. are all easily susceptible to corruption. One only has to glance through the list of names mentioned in the two reports in order to satisfy oneself of the validity of this point.

The saddening thing is that, in a country where skills are in such short supply, the beneficiaries of such a corrupt system are not generally the persons who would make good use of their booty. Their first reaction is to consume and not to engage themselves in any profitable enterprise. In Europe, America and such "developed" parts of the world, corruption can be better absorbed because the money usually goes back immediately into internal production. But here in Ghana "the ex-action trooper" who gets a "windfall" of £10,000 immediately imports a Benz and that is the end of it because he knows no better use of his money; at best, he imports iron sheets, rods and cement for a mansion. Such persons have no sense of shame even when they are found out. There is no repentance and there is always the preparedness to seize the earliest opportunity for some more looting.

### Foreign Firms

While blaming the Ghanaian we may pause to reflect on the fact that foreign firms and companies are not in any way averse to engaging in activities which give reason to doubt their probity. It is shocking to find that the names of certain important foreign firms are connected with some of the activities which the Commissions found corrupt. This should make it quite clear to us that if we want to ruin our own country, there are powerful foreigners who are prepared to goad us on. They do not have the slightest interest in our long-run welfare so long as they can get their short-run booty and profits. Such foreign firms deserve the closest watch because their first concern is to maximise profits, even if this could be done only with the devil's aid. If Parkinson Howard, for instance, gave commissions, one would wonder how many times they inflated their costs.

### Ideologies

This last point, in fact, can be linked with the problem of ideologies and practice. Ideologies are quasi-religious beliefs which are supposed to be capable of immediate application thus creating heaven on earth for the adherents. In these ideologies, all questions have their answers and all the problems their solution. In fact, ideologies are myths which are deemed to contain

the panacea for all ills. The two reports expose the old regime as paying lip-service to its own ideology.

The old regime declared itself committed to socialism and anti-neo-colonialism. The first implied active participation by the state in the economy in an attempt to ensure a decent living standard for all citizens, and the second, while not exactly implying economic autarky, meant an aversion for anything that smacked of foreign domination especially in the economic field. Both aims were completely betrayed by the activities of the old regime.

The oligarchy, that constituted the inner circle of the party, fattened themselves up, while shouting from rooftops their intention of not only equalising economic opportunities but also of reducing the gap between the rich and the poor. It is now quite clear that the rich were getting richer while the poor were sinking even deeper into poverty and indebtedness. What is even more serious is that in their avidity for wealth, the oligarchy handed over the economy into the hands of foreigners provided these were prepared to do one simple thing, i.e. share the profits with the members of this oligarchy. The result is that while there has been some increase in Ghanaian private and public owned enterprises, our economy is no less at the mercy of foreigners than it was sixteen years ago. One lesson, that should therefore be learnt by all Ghanaians, is that ideologies invariably diverge from reality and practice.

The problem then is not how to condemn the old regime but whether in a "developing" country, hurriedly undergoing change and wanting to change, people will cease to be easy victims of ideological panaceas and myths. People want simple problems and simple answers; in fact, they want the answers before the questions. Will anyone who "solves" problems before analysing them be not the magical idol of the bewildered? Will cool-headed calculation not be too readily shoved aside as academic and unreal? Some people need myths and they get them to their own detriment. Have we outgrown the age of ideological myths—not necessarily only that of 'scientific socialism'? This is a question that still stands in need of an answer.

### Role of the Politician

The next thing that is thrown into bold relief by the two reports is the problem of the role of the politician. This must be taken together with our propensity towards the politicisation of almost all our personal problems. Is the politician to dedicate himself to the pursuit of broad national goals or should he add to this such roles as a father, a personnel officer, a judge, a jurymen, a war-leader, a clan or ethnic group leader, etc. etc.? An elderly woman wants to complete her building and she sees no less a man than the President of the whole country! A building! A car! Where are the banks? The politician is expected to find jobs for known persons, to settle family quarrels, to look after family children, to give gifts to any passer-by etc. etc. Should he fail to do all these? What kind of politician is he? Where does he get the means? Are all these away with the old regime?

It would be the height of naivete if anyone said that they are. These questions are here with us and will be with us for many more years. The pressures which we heap on our politicians do not, in fact, help our cause. We want them to combine business with politics and we thereby encourage them to be even more corrupt. We make our politicians appear more important than

they really are or should be; they get used to these roles and we, minions and sycophants, chase them for the crumbs that fall from their stolen loaves, because we believe that political power is the "Open sesame" of the golden age. Skills are not necessary; the job will come at the press of the button at the political powerhouse. We prefer personal contacts and arbitrariness to institutions and the law. The results are there for anyone to read in the two reports. Have we really stopped thinking along these lines?

#### Leadership

The next problem is that of leadership. What we stand in dire need of now is a leadership that will set impeccable standards and bake a good "cake of custom". The pessimists among us may still have good reason, in the light of the above, to entertain doubts about the possibility of this, because our society does not seem to have patience for the impartial, the honest and the hard-working. But the optimists may take consolation from the fact that as a people undergoing tremendous changes, we show signs of preparedness to learn both the good and bad. It is, therefore, our duty, while impressing upon our leaders to set good standards to help them to do so. After all, before their election into, say, Parliament, they are no better than we are.

What has been said so far leads us to the major political problem of our almost incorrigible propensity for strong and dictatorial regimes. Regardless of the political institutions we set up, we make our leaders even more corrupt, inept, selfish, and power-loving, thereby helping them to establish dictatorial regimes. Would anybody in his right senses have thought that Nkrumah, the C.P.P., and their hangers-on would have voluntarily submitted themselves to the ordeal of a genuine and free general election when there was the possibility of a defeat and a revelation of their nefarious deeds? This would have been stupid and wishful thinking. Once leaders deviate from the right cause, they protect themselves! Many Ghanaians, "astute" enough to realise this fact, jumped on the C.P.P. band-wagon and are even now prepared to indiscriminately change wagons so long as the crumbs fall, regardless whether the crumbs later give them stomach ache. In the light of all these, there is a high possibility of new "looting alliances" and new dictatorships. Dictatorships seem to be endemic in our society.

Unfortunately, a whole nation cannot directly partake in its own self-destruction. There simply is not enough to go round; moreover, the self-protection, I referred to, is safest among a trusted inner core of the oligarchy. This inner core invariably is composed of familiar faces—most likely, under our circumstances, a family or an ethnic group. Nkrumah, who started by being almost absolutely free from ethnic feelings finally succumbed and thereby not only nearly generated mass hatred for his ethnic group—popularly referred to as the 'royal tribe'—but also almost resurrected ethnic feelings all over the country.

All these can be read from the two reports. One may, therefore, legitimately ask whether our problems do not relate more to the types of persons we are than to the institutions we frantically and occasionally establish. May I hazard a suggestion? The way to the solution of our problems seems to lie mainly through the field of economics. The well-fed are the relaxed and the relaxed are the democrats but unfortunately unless we are prepared to learn certain important lessons, we

shall never get this economic satisfaction and this democratic spirit. Azu Crabbe and Apaloo have spoken. Let us take this chance to purify "these winds of change"; for, sometimes, they smell foul.

## International Affairs

### GHANA'S EXTERNAL RELATIONS SINCE THE COUP

By

K. A. Karikari

THE FIRST anniversary of the Ghana Coup is a milestone not only for the people of Ghana, but for their neighbours and the outside world. On February 24, 1966, a complete demise of the Nkrumah regime took place. A new image was restored at home which was to reflect itself abroad. It is ten years since independence and it is a convenient period for a foreign policy analyst to examine critically a country's foreign relations. It may appear presumptuous in some quarters for any critical discussion of Ghana's external relations since February 24, 1966. What, therefore, is not an attempt to draw up a balance sheet of Ghana's external relations for the past year, but to rethink about some of our foreign policy decisions since the National Liberation Council (N.L.C.) took over the reins of government.

#### Foreign Policy restated

Ghana's foreign policy, since the coup, has been stated on various occasions by the Chairman of the N.L.C., Lt.-Gen. J. A. Ankrah. Ghana, he had said, would not automatically change her foreign policy but would continue to follow a policy of non-alignment. In a broadcast to the nation on 28 February, 1966, the Chairman said that mere lip-service was paid in the past to the policy of non-alignment by the Nkrumah regime, but the N.L.C. would adhere strictly to a policy of balanced neutrality both in theory and practice. Essentially the same point was made by the Lt.-General in an address to the Diplomatic Corps on the 12 March, 1966 in which he assured them of the National Liberation Council's interest in maintaining good and cordial relations between Ghana and their respective countries.

Also, in a broadcast on March 24, the Chairman dismissed rumours in certain quarters that the change-over of government in Ghana was Western-inspired as not only unfounded but wicked and calculated to destroy the respect of the world for Ghana's liberation. The Chairman reiterated that the aim of our foreign policy will be to restore its proper balance, and to abolish that brand of non-alignment which in practice had all the attributes of alignment. Our policy

of non-alignment and absolute neutrality must now regain its genuine character, guided and inspired by the highest interest of the state. It must reflect itself in all our national policies affecting our interests both at home and abroad. A judicious balance in the search for technical assistance, an impartial and objective examination of economic co-operation and foreign aid, a consistent avoidance of military commitments with the power blocs, a sincere quest for friendship with all countries—these are to be the guiding principles and abiding characteristics of Ghana's foreign policy.

#### Ghana and her neighbours

Africa continues to be the cornerstone of our foreign policy. The struggle for the total liberation of Africa has now been placed in its proper perspective. The N.L.C. has reaffirmed its belief in African Unity and is realistically striving for its attainment. The limits would be set by our resources. Ghana would contribute funds and act only through the Organisation of African Unity to achieve the total liberation of the Continent of Africa. The government of Ghana would not allow her territory to be used as a base for subversive activities against any independent African state. Ghana's policy in regard to freedom fighters and refugees would be guided by the O.A.U. resolutions on political refugees and subversion.

The most obvious diplomatic successes have been the opening of the Ghana-Togo border, the Ghana-Ivory Coast border, and the improved relations with other African countries. Soon after the Coup, the N.L.C. dispatched goodwill missions to many African countries to assure them of the Ghana Government's desire to "open a new leaf" in its relations with them and to explain to them the reason why the N.L.C. took over the reins of government. In all these countries the goodwill missions were well received, and in the various communiques issued it was clear that these countries similarly wanted to maintain genuine and sincere relations and fraternal co-operation with Ghana based on tolerance and non-interference in each other's affairs. To date, however, Tanzania, Zambia, Algeria, and Sierra Leone have not found it possible to receive our Ambassadors or High Commissioners. In the case of Sierra Leone, it may be because she is too near to Guinea and does not want to get herself involved in the Ghana-Guinea confrontation.

In the Ghana-Guinea crisis, which culminated in the detention in Ghana of the 19 Guinean member delegation on its way to the O.A.U.

Conference at Addis Ababa, it has been argued in official circles that the detention enabled Guinean threat to Ghana to receive international attention. Nevertheless, it has been the major diplomatic set-back to Ghana on the African front. The fact that we had to back down, in spite of the stand which the Chairman of the N.L.C. took before he left for the Addis Ababa Conference, demonstrates this fact. If Ghana had not released the 19 Guineans, it was most probable that the Ghanaian delegation to the O.A.U. would not have been seated. Besides, our action did not conform to normal diplomatic practice.

On the African refugee problem, the N.L.C. has finally agreed not to hand over the remaining refugees to their governments. There are several categories of refugees in Ghana—students, freedom fighters, those genuinely seeking asylum, and the

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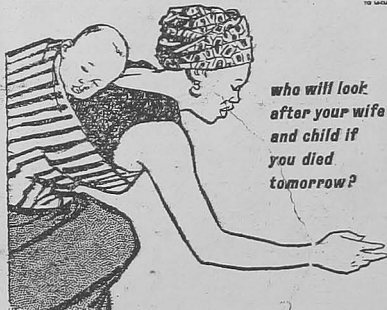
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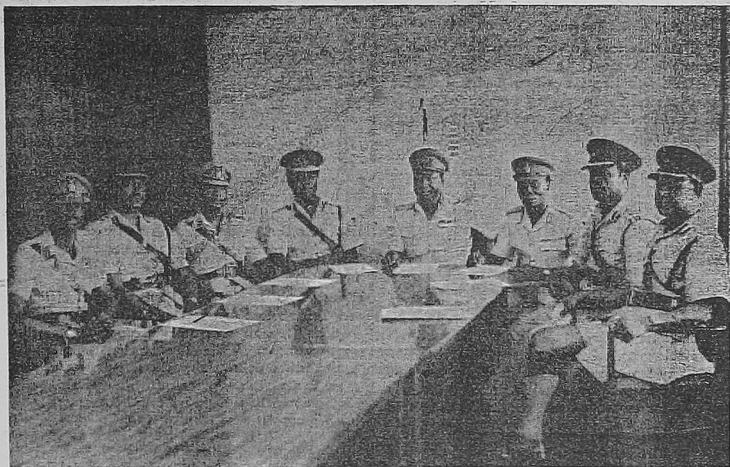
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MEMBERS OF THE NATIONAL LIBERATION COUNCIL

Names (Left to Right): Col. A. A. Afrifa, Mr. B. A. Yakubu, Brigadier Ocran, Mr. J. W. K. Harley (Vice-Chairman), Lt.-General J. A. Ankrah (Chairman), Major-General E. K. Kotoka, Mr. A. K. Deku, and Mr. E. O. Nunoo.

IT IS now one year since the Government of Kwame Nkrumah was overthrown by the Armed Forces and the Police Service. Since then (24/2/66), Ghana has been ruled by a revolutionary council of eight—the National Liberation Council. What do the members of the N.L.C. think of their first year of government? How do they assess the results of their own efforts to lay the foundations for the rebuilding of a new Ghana? What have been some of their problems? And what do they think of the future?

In order to bring to Ghanaians the answers to these questions the Legon Observer arranged in formal meetings with individual members of the N.L.C. (We were, however, not able to see Lt.-General J. A. Ankrah, Chairman of the N.L.C., and Mr. E. O. Nunoo, member, due, no doubt, to poor communication).

These dialogues were completely informal and unrehearsed. All views expressed are, of course, each member's personal opinions.  
(Read our comments in the next issue of the Legon Observer).

#### MR. J. W. K. HARLEY

##### Gains of the Coup

- Q: What are the most important achievements of the past year?
- A: We were motivated to stage the coup because of the denial of personal freedom and by the economic hardship that Ghanaians were suffering. Now that nobody can be arrested arbitrarily and the economic situation is improving, I believe these are the two important gains.

#### Nkrumah's Security Boys and Arbitrary Arrests

- Q: The police were used for the arbitrary arrests?
- A: When I took over in 1964, I stopped my people from making unlawful arrests. Nkrumah then enlarged his own security organization which then did his arrests for him.
- Q: Did you resent your functions being taken away from you?
- A: I was too busy to let that worry me.
- Q: But outside Ghana at least the impression was that it was the official police doing it?
- A: Quite. I often fell out with him on this. He depended on untrained informants who reported people indiscriminately. He would call me and indicate the name of somebody on a piece of paper who he said was guilty of subversion; but he would not reveal his source of information. A lot of people exploit this. If people owed debts they didn't want to pay or merely quarrelled about personal matters, this would cause the detention of others.
- Q: Mr. Asumda seemed to take more than normal interest in the arrests. You knew of the wave of arrests and inhuman acts of this man in the Upper Region?
- A: Yes; indeed he did take more than normal interest in the arrests. He used the P.D.A. to settle personal scores. He caused many arrests of innocent people and housed them in unhealthy conditions. In one case I succeeded in getting the cabinet to investigate the case, and the person was released.
- Q: What do you think about prosecuting such a person for causing such unwarranted misery?

A: That could be done; but there is so much work to do now.

#### P.D.A. Vs. Protective Custody

Q: What is the difference between Preventive Detention and Protective Custody?

A: The P.D.A. would not have been bad if its terms had been observed. The use of Protective Custody enables us to consolidate the coup. Many lives would have been lost if we had not protected the C.P.P. functionaries.

Q: Perhaps this would have had a salutary effect on them?

A: Yes, but the Ghana family system is such that for each person killed, several people are affected, and more bitterness would have been generated than necessary.

#### The Rule of Law and the C.P.P.

Q: Don't you think that the "rule of law", your liberal policy, and the premature releases have all made people think you are weak?

A: I know this is true. But we believed that we could contain every development within the rule of law. But now legal processes are so slow. Also, sometimes when we want to act, we find our hands tied. It is



a pity that the C.P.P. are showing no signs of shame or remorse.

Q: If you had to do it again, would you have used the rule of law again?

A: Yes, but we would also take tougher measures as well.

Q: What assurances can you give us about security?

A: Our Intelligence is excellent. We know everything Nkrumah is doing.

Q: Don't you think then that the N.L.C. is showing panic with all these decrees?

A: No, we just want to reassure our people. But anybody planning subversion is asking for trouble.

#### Public Relations

Q: It seems that your policies are not well understood. Are you satisfied with your public relations?

A: Not at all. And I'm taking steps to correct this. We know for example that people think that the Government has sold the Continental and Ambassador Hotels to an American enterprise. This is not so, and I have asked for a statement to be published to explain the Continental and Ambassador Hotels arrangement to the public. I have also asked the Attorney-

General to write a full explanation of the background of every decree to accompany decrees in future. And I have started a series of monthly press conferences.

Q: We have never been invited to it.

A: Perhaps because my press officer thinks you are part-time journalists (Laughter). You will be invited to future conferences.

#### Africa

Q: Have you achieved much on the African front?

A: Yes, the improvement in relations with our neighbours has been beneficial. Now meat comes to our Bolga Meat Factory regularly; and because of our restored friendship, our security is easier to assure. At the O.A.U., because of our own economic difficulties, we cannot pay more than our dues.

#### Towards Civilian Rule

Q: Are you satisfied with the progress to civilian rule?

A: Commissions are working; as soon as the Constitutional Commission finishes its work, things will begin to go faster. We also have to clear the mess: corruption in the police and public services, etc. If we don't do this, no future government will succeed.

Q: This may be a 10-year project? (Laughter)

A: We hope it won't be that long.

#### Administration

Q: Are you satisfied with your experiment in government by Committees?

A: Some of them are slow, and have been reorganised a number of times.

Q: Don't you think a joint committee of the Political and the Economic will ensure better co-operation?

A: Yes, the Chairmen co-operate informally.

#### Future Politics

Q: What do you see about future politics?

A: I cannot imagine anyone preaching ideological dogmas after this.

Q: On the return of politics, is the N.L.C. going to proscribe certain people from politics, or going to turn the C.P.P. loose on us again?

A: People who have let down the country cannot be allowed to come and ruin the country again. But the matter needs to be considered more fully.

#### Britain

Q: Since the coup Britain has been rather cool towards us?

A: Yes, rather disappointingly.

Q: Has the Kwesi Armah decision affected your attitude towards Britain?

A: In a way, but we don't want to take rash decisions. We will just behave like the British.

#### Personal Future

Q: After this, can you go back to be a non-political policeman? Can you take orders from a Minister?

A: Why not? But I plan to retire and farm after this.

Q: You are too young for that?

A: I really don't think I am a politician.

#### The Legon Observer

Q: What's your attitude to the Legon Observer?

A: I like your approach to issues and problems. I think problems should be discussed responsibly and objectively. You are praised all over the world. You are sincere. Nobody can ask for more than that.



MR. A. K. DEKU

**Reconciliation and the C.P.P.**

**Q:** Don't you think your policy of liberalism has emboldened the C.P.P. to plan subversion?

**A:** Many of the C.P.P. realized things had gone wrong, and wanted a change, but couldn't act. They therefore appreciate the take-over.

**Q:** They wanted only the removal of Nkrumah but not themselves?

**A:** They also wanted the removal of Nkrumah's immediate followers in command and the "ideological" trouble-makers, like Baako, Akwei, and Addison, who used to throw their weight about.

**Press Criticism**

**Q:** What do you think of press criticism?

**A:** It can be useful; but I think there is need for the press to check on things first. Not all comments are in the interest of the public, especially at a time like this. For example, it simply helps Nkrumah in his attempt to discredit the N.L.C. by over-playing the theme of corruption among the police. In a Service of 17,000 it is inevitable that there will be some undesirable. The I.G.P. is doing his best to clean the Service. Such efforts escape the notice of the press. It is only the sensational that attracts them. This can be harmful.

**The Police**

**Q:** Do you think six months of training is sufficient to turn out a good policeman?

**A:** That is what we all had. But the general lowering of educational standards has affected us because our recruits from the middle school today are not as good in education as former recruits of the same standard.

**Educational Reform**

**Q:** As Minister of Education, what are you doing about the fallen educational standards?

**A:** The NLC is concerned about it. The Educational Review Committee was the first to be set up. The Ministry is examining the Education Act 1961 to see whether it has had any harmful effect on educational standards. In the past elementary education was mostly in the hands of the missions. Is it possible that the government take-over of all schools has led to the fallen standards of moral discipline among our children? This too we are examining.

**Q:** The bulk of the people will never go to the University. It follows that the general level of education in the country will depend on the level of education in

the elementary and secondary schools. And yet the Educational Review Committee contained mostly University people.

**A:** The problems of education in the lower levels are being examined. If you solve these, the Universities will benefit.

**Towards Civilian Rule**

**Q:** Is it not in the interest of the N.L.C. to hasten the return of the civilian rule because you might be associated with unpopular measures? You are the only organised force in the society and the final arbiters. As arbiters you must have an image of impartiality and a clean record.

**A:** Nkrumah and his followers were guilty of criminal offences. The coup was necessary because normal arrest was not possible or wise. We have to try these people for their offences, try to reconstruct the economy, and above all, restore democracy before we can retire.

**Q:** How long do you think this will take?

**A:** Two to three years.

**Personal Future**

**Q:** Can you remain a non-political professional after this exercise? Can you in future take orders from civilians.

**A:** Why not? I am not a politician

**Q:** What sort of political parties do you see emerging in future? Would you oppose socialism?

**A:** Socialism can be part of democratic politics. If the Constitution does not proscribe it, I don't see why it should not be talked about. Ghanaians have been fortunate to have had this bitter experience with Nkrumah. They are not likely to be passive in future.

**Rule of Law**

**Q:** If we have the rule of law, don't you think certain decrees passed violate it, eg. 92 and 93?

**A:** No, the rule of law is necessary for the democracy we want to build. But we have a revolution now; if we don't also use tough measures to hasten things, the revolution will fail. Then democracy cannot be established.

**Foreign Policy**

**Q:** Is the N.L.C. not too pro-West?

**A:** No.

**Q:** Has the attitude of Britain been disappointing?

**A:** Indeed. We appreciate that Britain has her own difficulties, so that we really don't expect economic aid from her. But we thought we could expect some sympathy and understanding from them of our own problems. But they have not been helpful at all.

**Q:** Would this affect the NLC's attitude to Britain?

**A:** Not necessarily. But it does mean that we should always realize that we follow an independent foreign policy.

**Q:** How do you reconcile an independent foreign policy with the expulsion of the Russians after the coup?

**A:** We did not expel them. But by their association with Nkrumah, there was public resentment against them.

**Q:** Did their departure affect the economy, e.g. in the fishing industry?

**A:** Yes. Some of their projects cannot be operated after their departure. It shows the basic weakness in their economic aid; after so many years of operation here, no Ghanaians had been trained to man their trawlers.

**Public Relations**

**Q:** Are you satisfied with your public relations?

- A:** No, it is poor both internally and externally.
- Q:** Would you like press conferences?
- A:** Yes, but would also welcome more frequent personal checks.
- Q:** Are you able to handle your substantive job and your Ministries comfortably?
- A:** Yes; I deal with policy matters only.
- Gains of the Coup**
- Q:** What are the gains of the coup?
- A:** The ordinary man has not enjoyed twelve months of freedom such as this for a long time.
- The Legon Observer**
- Q:** Do you like the **Legon Observer**?
- A:** Very much. It is very stimulating.
- Q:** You wouldn't like to see it banned, then?
- A:** I would be the first to resist that.



**COLONEL A. A. AFRIFA**  
**The Coup**

- Q:** Why was a violent overthrow of Nkrumah necessary?
- A:** If there had been another course for effecting a change, the coup would not have been necessary at all. A coup is not a pleasant thing, and we should not have liked to plunge our country into what could have turned into bloodshed. If Nkrumah had allowed the Opposition to continue to operate, they would have beaten him at elections, or at least would have been satisfied at the chance.
- Q:** There is a view that if Nkrumah had been here, you couldn't have succeeded?
- A:** No. We chose his absence because we merely wanted to avoid bloodshed. We did not want to kill him either.
- Q:** How did you march three days without being detected?
- A:** We did it in 24 hours. Our plan was based on surprise.

**Pre-Coup Plan for Administration**

- Q:** Had you formed any idea of how the country was to be governed? Was the N.L.C. idea formed before or after the coup?
- A:** We knew we would form some form of a revolutionary council. Originally we had planned to set up a small high-powered group of civilians. We were aware that as soldiers, we were not cut out to do politics.
- Q:** Is the original idea dead then?—the idea of a small civilian advisory and co-ordinating group.
- A:** The committee we now have comes close to the idea—the Political—except that it is rather large. We could do with a small number in each committee.
- Q:** Do you think it would have been better to set up a civilian care-taker government from the start, and thus kept the military and the police out of politics,

- so that the civilian government and not the military would take the blame for any unpopular measures?
- A:** That would have been one way of doing it, but this had been tried in at least one African country and had failed. So we thought we could stand in briefly, and put things right as quickly as possible. The emphasis was on speed. If we could do this while Ghanaians were given the opportunity to select a better set of people than before to govern them, we thought it was a good idea. The idea you suggest is excellent; but at the time how many honest men were left in Ghana under the old regime?

- Q:** With the emphasis on speed, don't you think then that the method you chose—democracy, rule of law, etc.—is rather retarding the pace of the revolution?
- A:** Yes, but there is also a lesson from this precedent. We are showing Ghanaians that it is not necessary for any future government to become vindictive, harsh, or brutal on the previous one. We had yearned for freedom and liberty for so long that it seemed the best thing to do.

**Liberal Policy and the C.P.P.**

- Q:** Do you now regret that you were so moderate towards the ex-CPP functionaries?
- A:** That thing called the CPP was evil; its ideology and all those who made the C.P.P. what it was were evil. I feel bitter when I talk about it. Sometimes I wonder if the ministers did not escape too lightly. They must thank Mr. Harlley that at least some of them were not killed.
- Q:** Do you really believe people were committed to the ideology? Don't you think people were more attracted by the benefits than by the ideology?
- A:** Of course, there were those who were morally corrupt. I associate some of the intellectuals with moral corruption. Because they wanted free cars (Jaguar, etc.) . . . ; it's not easy to have a University degree or to be a lecturer or professor; if it were all that easy, all of us would be at the University. The rare opportunity, therefore, should not be abused—to abuse a distinguished brain is to commit an unpardonable crime.
- Q:** You agree the CPP are still arrogant?
- A:** You agree they interpret their policy and attitude as weakness?
- A:** Those who made the C.P.P. are showing signs of little education. If they had been properly educated they would feel some shame. But they think money is everything and I feel sorry for them.
- Q:** Are you therefore planning to be tougher?
- A:** Not exactly; we plan to do things properly. Our intelligence system is most efficient now; they are well covered. If they don't know this, like always they'll refuse to know.
- Q:** Don't you think the releases have made your job more difficult?
- A:** My personal opinion is that imprisonment without trial in any form is bad. I loathed the P.D.A., and I was not prepared to regard "Protective Custody" as a new name for it. I thought the best thing was to put these people into protective custody, from which they could be brought, very quickly, into the courts. But the tremendous job we faced made it difficult to bring them to trial so quickly. Keeping them there so long without trial, however, was not the way to treat a Ghanaian. The purpose of the coup would have been defeated.

### Towards Civilian Rule

**Q:** Don't you think it is in the interest of the NLC to have an early return to civilian rule?

**A:** Return to civilian rule is a must. Our function is not to govern; governing is not our trade. Besides we have no mandate to speak for anybody. Our rifles and truncheons have brought us here.

### Personal Future

**Q:** Will you remain in the army?

**A:** Why not?

### Future Politics

**Q:** What political parties do you envisage in the future?

**A:** In my mind's eye, I see Ghana resurrecting thus: democratic political parties arising, with opposition parties in parliament. I see a president and a prime minister. It is probable that we shall have high-quality politicians. What has happened will be a check on the low-grade opportunist politicians. I would like to see the uncommitted especially young Ghanaians coming into politics.

**Q:** The country has been shown a system which has not failed to impress some of us. The idea of a group of people governing, with a chairman . . . [Afrifa: with all members having equal rights?] Exactly. Why can't we have a system like this which will make dictatorship difficult to emerge?

**Q:** In fact why have a President? The name gathers an aura around the person. Why not a Chairman of a Council?

**A:** In fact, from what we have seen, if I had my own way, there would be no need for a Constitution. We know what is right, what is good for us and we should expect our rulers to behave well.

**Q:** But if he doesn't what standards are there to judge him by?

**A:** It should not be difficult to tell.

**Q:** You are impressed by Ashanti Chieftaincy. You know what they do in Africa? Before you have the opportunity to vote him out, he has locked you up under the pretext that you are conspiring with some foreign agent.

**A:** I admit this is idealistic.

### Kwesi Armah

**Q:** You seem to have a love for British Institutions, on the evidence of your book. After the Kwesi Armah decision, have you had cause to change your mind?

**A:** No. Britain is an independent country, like us. I would not do anything that would discredit our values and bring disrespect to Ghana. I should understand Mr. Jenkins and his Government for not wishing to compromise their traditions.

**Q:** Who is bearing the cost of the present trial of Kwesi Armah?

**A:** We have nothing to do with it, but it is natural for the British Government to request witnesses from here.

**Q:** We would oppose any suggestion for Ghana to bear the cost of sending witnesses to Britain.

**A:** The Ghanaian is a very sympathetic person. We would not like to give the impression of wishing to persecute Kwesi Armah. That is why we do not want to pursue Kwesi Armah.

### Rule of Law, etc.

**Q:** One of the objectives of the coup was to try and

create the atmosphere in which the "rule of law" could be achieved. To what extent do you think the Rumours Decree, the institution of the Military Court, and retroactive laws (such as that under which ex-ministers are now being tried in connection with the Leventis Deal) help create this?

**A:** There are legal technicalities in the last point I do not understand. But with regard to the others, we are in a revolution, with a lot to do in a short time;

**Q:** Are you satisfied with your Public Relations?

**A:** No; it is most inefficient. I am not satisfied with the press, except yours. In your case, I only think your standard is too high to appeal to as many people as you should reach. You want more people to read you. I want my father, for example, to be able to read it and discuss it. You can introduce some photographs for a start. And bring in some foreign news. You might write in a lighter language. (Laughter) It is a very good paper; and you are honest.

**Q:** Are you doing anything about your public relations?

**A:** Mr. Harley is working on this.

**Q:** As you know, we are not happy about this idea of military courts. But nevertheless, we agree that more energetic measures within the law must be taken to deal with these CPP people. They shouldn't be allowed to think "these people are weak", etc. Are the NLC satisfied with the legal processes going on? The slowness in dealing with them, such as on the Commissions' recommendations, generate rumours. It is one year since the coup . . .

**A:** What do you recommend?

**Q:** Why don't you send them to court?

**A:** As we could not consult anybody on the political aspects of post-coup administration before the coup, we naturally lost time. If we had set up the military tribunal on the 25th of February, 1966, it would have been perfect. The Annie Jiagge Commission, for example, should have been set up in say, March. Revolutionary methods would have been used to correct the wrongs of the past. But we lost time, and perhaps the decision not to rule as a military government was the first consequent mistake. And now we are in danger of walking without our military poise; perhaps we talk too softly, and don't give our people the impression of leading a revolution. Sometimes, I'm filled with bitter frustration. What can we do? The danger is that if we return to civilian rule prematurely, there will be trouble and nothing would have been achieved. What we are now trying to do is to step up the pace of the revolution—give some meaning to the revolution. We have had a coup. I suggested that the word "coup" was unpleasant. But I don't think we have conducted a revolution yet. What we have achieved is a change, but not a revolution. I nearly died myself. I believed my life was near its end. I was in the hospital; that was where, and why my book was written. I wrote part of it myself—but had to dictate the rest and use the help of some-one they sent to me.

For a week to the coup I couldn't eat. During the coup, I went through great agony, and like my colleagues I wouldn't like to see the objects of the whole exercise frustrated.

**Q:** On the economy, you have said you want Africans to take over? Do you think this is possible, or desi-

table as a policy?

A: What I meant was that in the long run development would depend on the efforts of Ghanaians themselves. Continued and perpetual dependence on external help and foreign enterprise would never assure the progress of our people. Therefore our people should be up and doing. Foreign participation should be supplementary, and we welcome it as such. The Ministry of Trade is doing its best to help Ghanaians now. Mr. Beecham has restored confidence into that Ministry. There are other activities of the Ministry, such as export promotion, which is even more important than import control.

Q: Do you think the economy is improving?

A: Yes, thanks to the National Liberation Council, the cedi is stronger now and will get stronger (Laughter).



**MAJOR-GENERAL KOTOKA**

#### Past and Future

Q: After these 12 months, what next?

A: I should say we are optimistic about solving our problems provided everybody will do his part and work hard. Our two main problems are security and the economy. Security we can handle. But the economy on Ghanaians themselves. The Trade Fair will attract investors; but we ourselves have to show that we mean business.

#### Counter-Coup Plot

Q: How serious was the counter-coup plot?

A: Nothing serious. The planners must have known it could not succeed. I don't know who can overthrow the combined forces of the military and the police.

Q: Were the ex-C.P.P. ministers involved?

A: The ex-C.P.P. were involved, but not necessarily the ministers. Those who are losing what they gained are naturally not happy.

#### Liberation and the C.P.P.

Q: Are you aware that your policy of excessive liberalism, kindness and reconciliation has been misunderstood?

A: Indeed. Probably we have been too extreme in being liberal. People are taking advantage of it and are trying to make our task difficult.

#### Rule of Law and the Revolution

Q: Do you think that if you had to do it again, you would have used the "rule of law"? Would you have been tougher?

A: Yes, I would have taken tougher measures. But let me explain our stand on the rule of law and the revolution. Most people have really misunderstood us about our intentions with regard to the rule of law. The rule of law is our AIM. I have stated this before,

and would like to stress it again. Our final AIM is to establish the rule of law. That is the objective of our revolution. The revolution is being conducted in three stages: the first stage was the overthrow of the C.P.P. government on 24 February 1966. In the second stage, our task is to clear the mess created by Nkrumah and his people. After this, we come to the third stage—the establishment of the rule of law, when a properly constituted democratic government will be set up. People confuse our final aim with the way we are ruling. We are ruling the liberal way because we want peace; but people should remember that it was for the sake of peace that we fought, and are still fighting. We are fighting now to establish the rule of law.

#### Kwesi Armah

Q: Has the Kwesi Armah decision affected your attitude to Britain?

A: To some extent yes. It has cooled the relations between us. But no Englishman I've met here seems to like it.

Q: They would all have done the same thing. Who is paying for the eight witnesses who are to go to Britain?

A: We spent £12,000 on the case before the decision, and cannot afford more, and have told them so. After all, corrupt British firms and nationals are partly to blame for our economic ruin. Stealing is a crime anywhere. They can do what they like with him.

#### Cost of Living

Q: One of the problems of the economy was the high prices. Is the NLC aware that prices haven't gone down, and may even be going up?

A: Some items have risen recently, but in general they are stable.

Q: For imported goods, prices haven't gone down, whether taxes go down or not, importers are determined to keep prices up. We suggest that the government set up a small Economic Intelligence Unit to study the cost price of the goods we import in their home of origin. If we are going to control imports this is essential. Then we can compare the cost price with the price that importers quote for us here, and we can also assess whether the final market price is reasonable or too high.

A: A good idea (To Press Officer: make a note of this).

#### Problems of Administration

Q: Do you have any major problem in administration?

A: The greatest problem is the slow speed at which work is done in the Civil Service. There is no sense of urgency. They don't seem to realize that we are in a revolution. This is agitating our minds a lot.

Q: What do you plan to do about this?

A: This is difficult. The immediate thing that comes to mind is to sack guilty ones. But then whom are you going to put in their places? You may have to sack all of them. Nobody knows any other way of working. They have to reorganise their procedure of work.

Q: Can you effectively combine your substantive post in the Armed Forces and your Ministerial duties?

A: It is difficult to do this effectively because of my many duties. I would like to devote myself to my military duties. I leave most of the work there to the Principal Secretaries; but things don't go as expected. Correspondence and communications are slow. We'll have to do something, or else we'll lose the momentum of the revolution.

**Future Politics**

**Q:** What are your thoughts of the future politics in Ghana. Socialist parties, etc.?

**A:** I am no politician, so that terminologies don't mean much to me. What people want is to be governed properly and honestly. They have their needs. Satisfy them; that is all.

**Q:** If a party became pro-Nkrumah would you take a stand?

**A:** Naturally; I would not have risked my life to fight in order to see the same thing happen again.

**Q:** Even if the people elected them?

**A:** That cannot be. It will mean the people are not thinking.

**Q:** Can you go back to the Army after this?

**A:** It is too early for me to say.

**Gains of the Coup**

**Q:** What do you think you have achieved this year?

**A:** We have made a lot of strides . . . Freedom of speech, etc., even though people are taking freedom to extremes.

**Criticism**

**A:** What is your attitude to criticism?

**A:** Criticism, if it is constructive, is welcome. It helps us. But merely to criticise in order to make our work difficult is not being helpful, and is resented. It is destructive. By constructive criticism I mean that which helps us to see alternative and better solutions to problems. For example, it is no good using the "existence" of the rule of law to condemn decrees 92 and 93. Situations change, and call for their own solutions. The military government does not want to be harsh, but we cannot throw away the revolution.

**Q:** Nkrumah also said he wanted constructive criticism, and meant by it anything that flattered him. Criticism need not be malicious. In our case, we believe that we help in that way to examine weaknesses in a solution. The **Legon Observer** owes its existence to the revolution; and we cannot want the revolution to fail. We do not want people to equate the NLC's acts with Nkrumah's because they are not properly understood.

**A:** How would you have dealt with a situation in which the C.P.P. are re-grouping and alarming the countryside with threats of Nkrumah's return? When some are released from protective custody, instead of being repentant and going about their business quietly, they organise great parties with the whole place full of white cloth, as if they have come back victorious from a war.

**Public Relations**

**Q:** Are you satisfied with your public relations?

**A:** Not at all.

**Q:** Do you agree that periodic press conferences would improve the public understanding of your decisions?

**A:** It's a good idea. If you want to comment or criticise something we've done, try and find out why we did it. We don't mind if you disagree with us, but at least you must see our point of view in order to be fair.

**Q:** Do you think people in the Armed Forces understand civilians?

**A:** I think so. They are Ghanaians. We believe it's the freedom you enjoy too much which is causing the trouble. When the soldier reads unfair comments about him, he is irritated, because he fought to restore our freedom, and saw his friend die in a pool of blood, for freedom. He believes people have forgotten

this already.

**Q:** Would you agree that people may agree about principles but may differ about details?

**A:** Yes, but it is not always possible to give full detailed explanation with decrees.

**Q:** The avenues of information are unsatisfactory.

**A:** You are right.

**Nkrumah**

**Q:** Does Nkrumah constitute a threat?

**A:** To only a limited extent. He cannot come back here and be a president of Ghana again. That is impossible. But he has money outside, and can use it to cause trouble. For example, he organised a group to throw bombs and shoot people at the opening ceremony of the Trade Fair, in order to disrupt it.

**Q:** What are you doing about him?

**A:** He is so well protected. There's £10,000 on his head.

**Q:** Any response?

**Clearing the Mess**

**A:** Yes, plenty (Laughter).

**Q:** How long will it take to clear the mess?

**A:** It depends on how hard we all work. If you all think more of the revolution, we will finish quickly.

**Q:** Let the prosecutions start. People are impatient.

**A:** We know. We have given the Jiage Commission full authority to punish perjury at once in order to speed up her enquiries. Also we shall receive periodic reports, on which we shall act appropriately.

**BRIGADIER OCRAN****Pre-Coup Plan for Interim Government**

**Q:** Did you consider forming an interim civilian government to govern while preparing the country for a properly constituted government?

**A:** Perhaps that was a possible way of doing it. But it would have been hard to find a group of civilians which would have enjoyed the confidence of the population. In the circumstances, the military/police we set up was the best thing, because we are a military government able to carry out the programme of reform quickly, and politically uncommitted—except against the old-style politics.

**Q:** In governing, the N.L.C. is bound to take unpopular measures. Don't you think it is in your interest not to be associated with it?

**A:** Most decisions, like the coup itself, will be popular with some and unpopular with others. Our aim is to do our job as quickly as possible and then step down. It would be premature to step down immediately.

**Q:** Do you think the Armed Forces should be given

should be purely military, and not partly political. For this reason, I don't even think it will be in the interest of Ghana to have military personnel associated with any future civilian government.

#### Personal Future

**Q:** You are now in politics. Can you continue to remain in the army after the military government?

**A:** Politics belongs to politicians. We who are now partly in politics have, whether we like it or not, contaminated ourselves, and after two or three years of this we cannot continue with our military career. I cannot go back to my career and remain politically indifferent. If I disagree too strongly with the political trend, I may be tempted to do it again.

**Q:** Don't you think that your presence can serve as a healthy check on civilian politicians?

**A:** Possibly, but I don't think that is necessarily a good thing.

#### Leniency

**Q:** Aren't you being lenient with the C.P.P.?

**A:** We ourselves preached that two wrongs do not make a right. We thought they would repent. Perhaps we were wrong after all.

#### Problems of Administration

**Q:** What problems have you faced in government?

**A:** The greatest problem is the slow speed in the implementation of policies. The Civil Service is traditionally slow to implement decisions. Civilian public institutions find it hard to discipline themselves. In the Ministries under my control, the line of authority is ill-defined and diffuse. Often they don't know who is responsible for what. This is not so in the Army. The "Gold Coast" civil servants are perhaps more dedicated than the "Ghana" ones.

**Q:** If you are clearing the mess, is this not the nation's opportunity to reorganise these organs of government?

**A:** There is a general revision exercise on now.

#### Consolidation of the Coup

**Q:** You did the coup because of the arbitrary exercise of power and economic mismanagement. To what extent have you redressed the balance?

**A:** After the coup we realized there were other fundamental problems which had to be solved: the illegal acquisition of wealth, the political education of the people, the press, the distortion of the educational system to indoctrinate our people with a false ideology, etc. We are tackling all these. We are finding ways to speed up the work of the A. Jiagge Commission, because even at the rate of a man a day, it will take 3 years to see all of them. About political education, if this is not done seriously, our people can be misled again.

**Q:** What can you say about rumour?

**A:** In Ghana, whatever you do, people will misunderstand you or distort your motives. That was the work of Nkrumah, who taught people to use this for advancement. The decrees 92 and 93 were necessary to combat vicious rumours started by certain people, including certain people in the diplomatic corps, to discredit the Government.

#### Foreign Policy

**Q:** Don't you think you are too pro-West?

**A:** No. In the past we were too pro-East, and our relationship with them was disappointing. For example, the goods they brought us were often poor. Now that we have diversified our sources, they must do better to retain a share of the market.

#### Public Relations

**Q:** Are you satisfied with your public relations? The old organization, which you are using, knows nothing but the suppression of information.

**A:** No. The machinery is very poor. I agree we just took over the organization of the old machinery, which itself is inadequate. We have to improve it.

#### Criticism

**Q:** Do you think civilians are too critical of you?

**A:** It is natural that after their experience with Nkrumah they should be vigilant about any government.

#### O.A.U.

**Q:** What do you think of the O.A.U.

**A:** It is useful as a means of closer relationship among African countries, but it is often too ambitious. They take decisions they will not implement, and pass resolutions they will soon forget. There are too many divisions, such as "militant" groups, etc. Each country should concentrate on developing her territory first. On freedom-fighters, we have in the past been flooded by so-called freedom-fighters. They just squandered our money.

#### Assets

**Q:** Do you think it might have been better to seize properties soon after the 24th?

**A:** We would have got less. Annie Jiagge's team is getting more information.



MR. YAKUBU

Mr. Yakubu's meeting was not taped, as in the case of the others, so that it is not possible to quote him exactly.

He believes that the problem with Ghanaians is that we are lazy, indifferent to work, succumb too easily to bribery and corruption, and do not display a sufficient sense of dedication to the nation. There is a need for a moral code. We have to be selfless, be prepared to work hard, and cultivate loyalty to the nation.

He believes that it is the duty of the Legon Observer to give leadership in the discussion of major national issues, with positive suggestions to problems. Otherwise those who are trained to think through such problems will have failed the nation.

instead of transferring  $CX$  to meet the manufacturer's export price and freight charges, a firm is allowed to transfer  $CX + CY$  to meet the inflated price, quoted by its export agency, the country is robbed of  $CY$  in foreign exchange which represents the inflation hidden in the invoice.

### Foreign Enterprise in Ghana—The Case of Ghana Sanyo

THERE IS no doubt that industrialization in Ghana is impossible without foreign enterprise. Even Kwame Nkrumah realized this; and was most loud in his efforts to attract it, although he proceeded to entice the wrong type of "investor" because he was unable to distinguish between productive investments and unproductive projects. With the return of sanity in Government and a favourable political climate, there is no reason why foreign enterprise of the right type should now not come in. Of course, what constitutes the "right" kind flows from the reason we believe that foreign enterprise is essential, and we should be clear about this.

The most important benefits we derive from foreign enterprise are the capital it brings in and the technical and managerial know-how it imparts to us. Our own (domestic) savings are not enough to finance our industrialization programme, so that the supplementary foreign capital is most essential. And, because they bring in superior technical, managerial, and commercial knowledge, expatriates help to raise the quality of our human resources. Also, by processing or producing goods here which we would otherwise import, we save imports and even gain the opportunity to earn foreign currency through exports. In other words, the third advantage is a net gain in foreign exchange.

It is for these reasons that Ghana, like most developing countries nowadays, offers very attractive terms to private foreign investors—fiscal concessions (e.g. tax holidays, credit facilities, unlimited profit repatriation), and legal, institutional and other arrangements, facilities and privileges. It is also for these reasons that we believe that Ghana Sanyo Electrical Manufacturing Corporation can give Ghana more in return for these privileges than it is at present doing.

Sanyo of Ghana "assembles" fans, TV sets, and radios at Tema. It is a joint public/private enterprise. It enjoys the following attractive inducements:

- (i) a 5-year tax holiday;
- (ii) exemption for 5 years from the payment of import and customs duties

and purchase tax on radio component and spare parts used in its manufactures;

- (iii) exemption for 5 years from payment of export and excise duties on goods produced; and
- (iv) exemption for 5 years from the payments of property taxes and rates.

And yet its "assembly" operations are quite minimal.

All the products are at present imported at an advanced stage of composition before "assembly" here. The assembly of fans, for example, consists in fixing a motor to the remaining part of the fan. The "assembly" of TV sets is no more complex and the manufacture of radio sets consists in putting a highly composed chassis imported in a form already able to receive transmission, into a box, joining it to the speaker and testing the radio for alignment.

Further, for all these products, it uses the same set of labour (14 in all). This it is able to do by producing only one product at a time in one month, e.g. fans for this month, TV sets for next month, and radio sets for the month after that.

What are the implications of all this? *Firstly*, by importing highly composed parts for "assembly" here, very little technical skill is being imparted to Ghanaians; for very little additional work is needed to complete the manufacture of the products. Indeed, very little value is thus added, and if radio sets are going to be imported in a nearly-finished state, they might as well be completed in their home of origin and imported in the normal way, thus attracting the usual taxes. The granting of the above concession under the circumstances is unnecessary. *Secondly*, the schedule of operations described in the last paragraph reduces the opportunity for creating employment for a larger number of Ghanaians.

There is no doubt that Sanyo can correct these disabilities quickly and easily. *First*, it can embark immediately on an intensive training of Ghanaians to enable them to assemble its products from elementary components, i.e. from "scratch". In this way Ghana shall gain the technical skill she doesn't have, and can save further of foreign exchange. Indeed, Mr. Funabashi, the Japanese managing director, gave the impression that Sanyo is capable of manufacturing components for refrigerators, radios, etc., here in Ghana. This would be even better, and Sanyo should go into it.

*Secondly*, Sanyo must convert its all-purpose assembly-line into specific assembly "belts" for the different products. It should also then

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into continuous production operations for each of the products. This way a higher volume of production will be possible, and, just as importantly, more Ghanaians (at least 42, according to the director) can be employed.

In the meantime, "welcome to Ghana, and may your association with us benefit Ghana and Japan *mutually*".

### 365 Days of The Rule of Law

A REVOLUTIONARY change of government as occurred on the 24 February 1966, is usually accompanied by law reform to reflect the political philosophy of the new rulers. High among the aims of the N.L.C. in assuming power was the restoration of individual liberties and the rule of law.

It has become generally accepted that the task of government is to safeguard not to undermine certain fundamental rights and freedoms considered essential to the dignity of man. In the judgment of the NLC and indeed the majority of the Ghanaian public, the CPP administration intolerably deviated from accepted standards. The Preventive Detention Act, the special criminal court, the exit permit, the one-party system, government control of the press, and a host of other acts not always translated into law, typified the loss of freedom and liberty. Privileges for the CPP and its supporters, persecution of the opponents and capricious exercise of power killed the rule of law.

The NLC could not have been welcomed by the people of this country if it sought to replace the tyranny of Nkrumah by one of its own. On the other hand, having seized power it has to consolidate and safeguard it. Herein lies the biggest dilemma facing the NLC and a source of danger for the future. For as long as it remains in power barring peaceful processes of change of government, it will be haunted by fear of subversion—real or imagined—not only from the CPP but from other malcontents. This can drive any government progressively towards totalitarianism and arbitrariness; and a number of acts by the NLC have caused some disquiet. Apart from protective custody which is hardly distinguishable from preventive detention, criticism has been voiced over decrees Nos. 92 and 93. The first, among other things, makes it criminal to publish a statement even if true which may cause disaffection against the NLC among the public, or the army and police services. This offence with some amendments is now one of subversion punishable with a minimum sentence of 25 years imprisonment and a maximum of death by a firing squad. The subversive crime is committed if one publi-

shes a statement which he knows to be false and which is likely to undermine the confidence of the people of Ghana in the permanency of their newly-won freedom irrespective of whether or not that was the intention. Decree 93 on the other hand provides another formula for preventive detention and supplements protective custody.

One unhappy development has been Decree No. 131 which enables the establishment of special military tribunals to try persons accused of subversive crimes one of which has been mentioned above. Another such offence is organizing or inciting a person to go on strike which is likely to cause hardship to the general public. Apart from the harshness of the punishment for crimes such as this, the guarantees of the Criminal Procedure Code in relation to detention and trial of persons are replaced by the rigorous standard of the Armed Forces Act. Furthermore, there is no right of appeal from the judgment of the Court even though such a right lies in courts martial of the military.

An objectionable aspect of the decree establishing the military courts is that it is retroactive, i.e., it takes effect as from the 24 of February 1966. This means that acts which were not subversive before it was passed are now punishable.

Retroactive legislation is an unfortunate practice that one thought would not be carried over to the new order. The latest example of this practice is Decree No. 130 which makes retroactive to January 1962 the law under which the ex-ministers involved in the Leventis deal are being tried. The law itself came into force in June 1962. Since the Leventis deal was completed in April 1962 it would have been impossible to try the ex-ministers under the Act but for the decree. The C.P.P. Ministers can, and should, be dealt with severely within the limits of the existing laws. The surprise is that the Attorney-General who was a victim of oppression should have lent a hand to such a law. The Attorney-General's office should have more imagination. If the Bar becomes increasingly disenchanting with such acts the Attorney-General may become a political liability to the NLC. In such circumstances, the NLC may feel obliged to replace him.

These laws and others such as those concerning defamation by government-owned newspapers offend standards of the rule of law and human liberty. But we should not be misled into denying that there is a world of difference between the NLC and the CPP government. To some extent one is, among other things, free "to think what he will, say what he will and to go where he will on his lawful occasions without let or hindrance from any other persons". In the interest of freedom

of movement the NLC abolished exit permits. Other acts to its credit include the repeal of the Preventive Detention Act, the abolition of the special criminal court and the annulment of the judgment of this court in the case involving Adamafo and others. One cannot also forget the release of hundreds from jail, the restoration of their pension rights, the reorganization of the courts and other acts of law reform. Above all one must acknowledge the leniency and caution of the NLC, and those who have spoken to its members can testify to their sincerity in not wishing to abuse their powers. Nevertheless, the feelings of men are a precarious foundation for liberty and justice.

#### The Ideological Urge to Suicide in Tanzania

NO AFRICAN country can afford to ignore Tanzania's violent throes in her "socialist revolution". That country surprised the world with a sudden announcement of the state take-over of all industry (including the motor trade), the export-import business, the wholesale trade, the production of power and the distribution of fuel, and all means of public transport. This is in line with the socialist creed which the first graduate of the land, President Julius Nyerere, has foisted on his country with as much bother as he would carry a thermometer into a laboratory.

This act is not likely, at least in the immediate future, to affect the operations of the Common Services of the East African countries (including Kenya and Uganda). But it is certain to affect the pattern and volume of private investment considerably in other African countries. Already, Kenya has found it necessary to reassure private foreign investors that she has no intention of expropriating them. Further, it is doubtful that Tanzania can industrialize successfully without the capital and the technical and technological know-how of foreign industrialists; for Tanzania has a poor base of human resources. It is displaying a lack of appreciation of the real problems for her to say that Tanzania will develop by small-scale industry only, and not by large-scale industry, which would require foreign enterprise, and therefore that external resources are not needed.

Tanzania faces, in general, the same kind of problems that other under-developed countries face—how to change the structure of an ex-colonial territory from a weak, primary, export-oriented producer to a strong industrial economy. Many alternative solutions exist, but a foolhardy commitment to an ill-understood political ideology is no substitute for a sound appraisal of one's resources and the search for a realistic plan of

economic development. By her slavish, unimaginative adherence to the Marxist-Mao brand of socialism, Tanzania is likely only to succeed in reducing her economy to stagnation and her people to penury. The examples of Guinea and, until 24/2/66, Ghana, are there for all to see.

As for Nyerere's laughable "Green Guards", the less said about them the better, except that one cannot help wondering how he is going to call his "revolution", and whether he can ignore the likely effect of their activities on the economy, which China now faces with her "cultural revolution". Indeed, why should Nyerere feel compelled to form some "green" guards? Could he not, like Nkrumah, have called his organisation "Nyerere's Youth Brigade", or something equally funny but less unimaginative?

There seems to be a pathological compulsion among so-called militant African leaders to create their own political crises and repeat the economic mistakes of others. Is there a historical necessity to commit suicides before we use our heads?

#### The World and America

THE DECISION of *Ring Magazine*, and its associates, the World Boxing Association and similar bodies, not to appoint Cassius Clay (alias Mohamed Ali) as "Boxer of the year", and the reason for that decision, make one wonder how many similar idiots and bigots rule human activities in this world. *Ring Magazine* proudly announces that "by his membership of the Black Muslim Movement, Clay fails to be a model to the American boy, and therefore cannot be held up as the boxer of the year." Thus, at once they have discriminated against an American by violating the American constitution which holds that "no man shall suffer discrimination on the basis of his colour, or religious belief. . ."

But that is not all. Why should the evaluation of the image and behaviour of the heavyweight champion of the world be so critically dependent on the American boy? Put another way, is the American boy the standard of world youth? What would have happened if the champion had been a native of India, of S. Vietnam, of Egypt, or of South Africa? What would have happened if the champion had been a Bhuddist, a non-American Muslim, or a quack Christian?

What brilliant sportsmanship!

#### Women's Nightmare at Security Check-points

IT HAS become necessary once again, for security reasons, to search vehicles coming into Accra and their passengers for instruments of subversion and sabotage. And, as in 1962, when this was

first done (after Kulungugu), the exercise has taken some interesting turns. On the theory that even explosive grenades can be hidden on *any* part of the body, some policemen and soldiers conduct a meticulous search of the most unlikely hiding places of the body. And it can be a most titillating experience, especially when a soldier or a policeman is searching a woman, or a police-woman is searching a man. But it can also be a nightmare for the (civilian) woman.

Mind you, we are not suggesting that women cannot hide things in their bosoms or in the high-dome wig. Would-be saboteurs and subversionists do not lack for resourcefulness, and it is imperative that our security men take no chances (It may be recalled that Kwame Nkrumah "directed", from Flagstaff House, the apprehension of a bomb-thrower, at Bukom Square. That man, Teiko Tagoe or somebody like that, was said to be hiding a bomb in the under part of his trouser-seat!) However, the number of women-police and soldiers should be increased at the check points so that they can concentrate on the civilian women while the men concentrate on the civilian men. That way there can be no involuntary or suspected lingering of the searcher's fingers on any vital parts. And the whole business can be done expeditiously and thoroughly, without any chance of embarrassment. The checking of body-parts for "normal weight", for example, is best done by members of the same sex.

#### Public Conveniences

IT IS a terrible experience to feel like urinating when you are in town in Accra. Where do you go? The few public conveniences that exist are neither easily within reach nor usable. For many people the story is the same even in their homes and offices. The inevitable result of this is that any bush, hiding place, park or gutter becomes under the cover of darkness or sometimes even in broad daylight a public convenience. Things are so bad that the trucks which remove the "night soil" feel free to litter the streets with some of their load. In such an atmosphere diseases are bound to be rampant and standards of decency difficult to maintain. The ability of men and women to urinate freely wherever they happen to be often occasions depressing exhibitionism. One wonders if there can be obscenity laws in this country and, if so, whether they can be enforced. When we are considering projects such as the Trade Fair we must be mindful of the great shock many foreigners will get when they see us living in conditions not far removed from those of uncontrollable children.

While one appreciates the problems of providing adequate facilities, a great deal of the fault lies in sheer inertia. There is no reason why the Accra City Council could not have built flush toilets all over Accra and employed people to keep them clean. The absence of a central sewage system is no bar to this scheme. Each toilet can have its own septic tank which can be emptied in the same way as those in private homes. The existing ones need to be kept clean and decent and a serious effort towards that end is called for now. Government departments need to do the same to keep their conveniences usable. The story in many such departments is one of sheer neglect. When the situation improves it will be necessary to educate the public to use the facilities available. Laws should then be passed against the use of streets and other open places as conveniences. Persons caught doing so should be severely punished. Will the authorities concerned please act now? If they do not, can the NLC effect a few dismissals?

#### Careless Driving

DRIVING in Accra is becoming increasingly mad. Many drivers have no regard for other road users and cannot be concerned with elementary driving rules. Bad driving habits coupled with faulty vehicles and impatience result in accidents, deaths and destruction of property. The accident rate is shocking and the insurance companies have taken advantage of this to demand outlandish premiums. Many of those with terrible driving habits are "tro-tro" and taxi drivers who, however, like to think of people driving their own vehicles as the bad drivers.

One bad habit drivers must desist from is the failure to pull off the road to discharge passengers even when the shoulder of the road is very wide. Sometimes mad drivers stop in the inside lane of a dual carriage way to discharge passengers. These same drivers are in the habit of starting into the road when a vehicle is overtaking. Sometimes they wave one on without regard to how far into the road they have come. This is highly dangerous, particularly when there is approaching traffic. "Tro-tro" and taxi drivers stop suddenly at the sight of a passenger without any signals whatsoever. Signalling is generally ignored by drivers in this country. Another hazardous thing is the dazzling lights of vehicles at night. Either many vehicle owners do not have their lights properly adjusted or they deliberately refuse to dim them. In places where there are no street lights this is highly dangerous and can lead to accidents. Perhaps the greatest danger is the refusal of trucks or bus drivers to acknowledge

the right of way of others. It is a common sight to see a big truck dart across at an intersection without stopping.

Active steps will have to be taken by the police to check some of these habits. It should be made an offence for vehicles not to have their lights properly adjusted.

Bad driving habits should carry a fine on the spot. Of course there are grave dangers of abuse of such a system but the power can be confined to a certain class of police officers. This would save the courts from being over-burdened with the trial of petty offences. One deterrent employed in many countries is the suspension or withdrawal of driving licences. This is a potent weapon which should be used. Drivers guilty of certain degrees of careless driving should be deprived of their licences for periods the length of which depends upon the gravity of the offence. Those who commit certain types of offences should further be made to take another driving test. This may help eliminate many who have bought their licences. More stringent precautions should be taken at the licensing office to eliminate possible buying of licences. Vehicles of certain age should be tested for road worthiness. This should be strictly enforced. Lastly, all driving schools should be inspected to ensure that learners are being taught all the principles of road courtesy. These principles should be published, and drivers' unions encouraged to educate their members about them.

### Taxi and "Tro-Tro" Fares

IN THE *Legon Observer* of 20 January 1967, we advocated the publication of fares to avoid extortion from taxi drivers. Someone decided to do just that and did it in such a way as to instigate extortion himself. The *Daily Graphic* of February 2, 1967 published taxi and "tro-tro" fares between several areas of Accra allegedly determined jointly by the Ghana Motor Union, the transport sub-committee of the Trade Fair and the Accra-Tema City Council.

Not only were the fares outlandish, they were incomplete and illogical. The public rightly protested and we are pleased to know that the fares were unauthorized. It seems outlandish to charge 75 pesewas from the Continental Hotel to the Trade Fair or 30 pesewas from the Ambassador to the Ministries; and it is difficult to understand why the fare from the Ambassador to the Ministries is 30 pesewas while the fare from the same place to the stadium is 25 pesewas. Somebody obviously decided to make a nuisance of himself.

We feel that the idea of a fare chart showing the fares between any two areas of Accra is a

sound one, and should be implemented in the interests of the public and foreign visitors. It should have been done before the Trade Fair. It would have been nice to present visitors to the Fair with such charts at the airport. If and when this idea is implemented, all Taxi and "Tro-tro" drivers must be obliged to exhibit the charts in their vehicles, otherwise they will fail to serve their purpose. The fares must, of course, be reasonable.

## Letters

### Kwesi Armah's Extradition

SIR—It makes very sad news to Ghanaians to note that the British Home Secretary had refused the extradition of Kwesi Armah to Ghana for trial. This decision definitely beats the imagination of Ghanaians. Why at all did Britain allow this case to proceed thus far?

Just imagine the effort and time Ghana had to put in going through all the legal processes, only to be told at the end that it is impossible to send Kwesi Armah back to Ghana. At the moment Ghana is engaged in rebuilding her economy which was shattered into near ruins by an irresponsible leader and his unscrupulous hirelings. Ghana suffered much harm in the hands of these fraudulent, dishonest and conscienceless people.

We are bent now in "clearing our stables", as one British paper puts it; and we are doing this as best as we could with the facilities at our disposal. Kwesi Armah's case must definitely be seen in this light. Is Britain encouraging and supporting us in this attempt at clearing our stables?

There had been a previous move by Ghana to have Kwesi Armah to face trial in Ghana for another offence. Ghana lost that case; the British Courts decided against us. Was this because the courts suspected then that there were political motives for Ghana's actions? What do we see of this present case? The same courts including the House of Lords have now seen fit to approve the extradition of Kwesi Armah to face trial in Ghana.

Most Britons should be aware of the circumstances surrounding the recall and withdrawal from Britain of Sir Edward Asafu-Adjaye as Ghana's High Commissioner in the hey-days of the discredited regime. Kwesi Armah then took over as the High Commissioner and several people were witnesses to his career as a diplomat.

The old regime dissipated our resources and rode rough-over the country.

Substantial parts, if not all, of these illegally acquired wealth have been deposited in foreign countries and banks. And here we sit in Ghana begging for free gifts—of corn, flour, milk, etc, because we have not got the money to pay for them. If then Ghana tries to have some of these foreign based ill-gotten gains repatriated for the benefit of the tax-payer should Britain frustrate that effect? For what purpose at all has Britain done this?

Then to add insult to injury it is suggested by the same authorities that Armah should be prosecuted and tried in Britain. How could we continue wasting our scanty foreign exchange in an exercise which is proving

to be so fruitless? The Home Secretary's decision is a stab in the back of Ghana and a severe drawback to our aspirations. Most Ghanaians doubt the good intentions of Britain towards us.

To all intents and purposes Britain should have been one of the very few countries in the world willing to hand wanted Ghanaians over to Ghana for due trial for their offences against our country. What a blow! Accra Polytechnic, Accra. T. P. Odoi.

#### Britain and Kwesi Armah

SIR—The refusal of the British Government to extradite Mr. Kwesi Armah for trial in Ghana has once again highlighted the contradictions, duplicity and dual standards which characterise Britain's dealings with her Colonies and Commonwealth countries. Whenever Britain's interest is at stake, she behaves in a way which constitutes a betrayal and a negation of the values which the British people claim they hold sacred.

In the case of Rhodesia, the British Government dilly-dallied with the independence issue, and allowed their "kith and kin" to seize independence. After U.D.I. they shed and are still shedding hypocritical and ineffectual tears. In the Kwesi Armah episode, it is difficult to escape from the suspicion that perhaps Mr. Kwesi Armah "made friends with the mammon of unrighteousness" who are highly-placed people in Britain. For what else could have motivated Britain's refusal to send someone whom British courts have found guilty of stealing (which is not a political offence) to the land of his birth for trial? Where is the much-vaunted British respect for legality and fair play? What about the sanctity and inviolability of British laws, customs and institutions? Have they gone with the wind which Mr. Harold Macmillan calls "the wind of change?"

I suggest the following to be put in British Statute Books. "The Cabinet can condone and connive at stealing, embezzlement or misappropriation of public funds by Commonwealth diplomats, and it can protect them from justice even if they have been duly tried and found guilty by all British Courts including the House of Lords."

As for the British Government's suggestion that Ghana should prosecute Mr. Kwesi Armah in British courts, they can be sure that we will do no such thing. The wisdom of our fathers has taught us that if a hawk carries away your chick, it is foolish to throw an egg at the hawk in order to retrieve the chick.

Bone Secondary School, Accra. J. K. Sebuava

#### Discrimination In Our Own Country

SIR—In your issue of 20 January 1967, your correspondent Mr. J. L. Zwennes sounds a warning that we ignore at our peril.

Subtle devices and excuses are already being employed by expatriate managements to exclude Ghanaians from Public Services. On the night of 8 December 1966, I went with my sister to dine at a new place called "Le Chevalier Restaurant" in Accra. On entering this beautifully appointed place we were met by the Proprietor himself, Mr. Pierre Chevalley, who asked us to wait our turn at the bar until a table should be free.

The diners were all Europeans, and there were two or three other Europeans obviously waiting their turn, and these we joined.

After about 45 minutes we decided that we were being carefully and subtly told that we were trespassing. During that time the previously waiting Europeans were taken to their tables: about six other Europeans who came after us were also led away to tables. It was nice to have had something to drink, but as we had gone for Dinner I decided that we should try somewhere else.

Before doing so I complained to Mr. Chevalley about the discrimination I felt. First he complained he was too busy to stop and listen: he went away, but I stood my ground and waited to make him listen: after sometime he came back and had to listen to my protest—now he tried to argue that I was mistaken, but when it was clear that I was not, he pretended he was too busy and away he went again. I waited still, until he eventually came—all smiles to tell me the table was ready for my sister and I.

Needless to say we did not dine at "Le Chevalier" that night. Instead, we went across town to the "Continental" where we were well looked after.

It is important, indeed vital, that at this early stage we impress on our expatriate friends that the New Era should not be equated to the days of our colonial past.

Effia Nkwanta Hospital,  
Sekondi

Dr. A. A. Akiwumi

#### Official Cars

SIR—Over the past year we have had every opportunity to re-examine ourselves to see how best we could contribute to the creation of a new Ghana, free from all those social evils that plagued the country under Nkrumah's regime. The numerous Commissions of Inquiry have emphasised even more the danger of living without a decent and generally acceptable moral code.

Morally, members of the Commissions are not super-beings; but at least one expects them not to lay themselves open to the charge of irresponsibility. I am thinking particularly of the way they use official cars for private purposes at the uncalculated expense of the taxpayers. Official cars have been seen carrying wives and girl-friends to the shops and markets. There was one case where an outraged chauffeur was heard to complain loudly and bitterly to by-standers after he had been kept waiting for hours (after his normal working hours) outside a market by a privileged girl-friend. There was also the strange instance of a Government Car seen on a Sunday morning to be carrying a wife home from duty at a hospital! Yet the privileged husband has a car of his own.

One could refer to other highly-placed officials who display a similar lack of any sense of responsibility. Has the coup merely replaced one breed of irresponsible officials with another?

Name and address supplied—Ed.

A Citizen.

#### C.P.P. and Blows—A Reply

SIR—I have read with much disgust Kwame Abrokwa's article captioned "C.P.P. and Blows" in the *Legon Observer* (Vol. II, No. 3). Kwame Abrokwa may have been one of the many people who suffered from the atrocities of the C.P.P. If so, I offer him my sincere sympathy. I hold no brief for the C.P.P. but I am strongly against the idea that releasing bottled-up emo-

tions against the C.P.P. in the form of punching is an expression of freedom. This is reminiscent of the early days of our independence when people defended bad conduct in the name of freedom or later with the retort that "We are now in Ghana". Freedom and Ghana became synonymous with evil-doing. During the time of the old regime Ministers turned themselves into policemen arresting people freely while District and Regional Commissioners recommended the detention of people who had annoyed them. Ministers could let loose hoards of gangsters and hooligans on our universities just to find an outlet for their emotions.

But could Mr. Kwame Abrokwa sincerely say that this is the sort of freedom we are struggling for? Why do we have the police and the courts? If everyone is to release his emotions in this way what anarchy there would be! Would all those who had been wronged by Mr. J. E. Hagan be helping the police if there were to give vent to their emotions by letting out telling blows on him? They would rather be making their work difficult. Let us all, Mr. Kwame Abrokwa included, submit our grievances to the authorities who will see that justice is done on our behalf. The law of our country is adequate to take care of those who wronged us.

I would like to remind Mr. Abrokwa and all others who may have the same ideas that "freedom" does not mean "ability to do what you like." This kind of freedom will end in the Hobbesian state of nature in which every man is at war with every man. He should know that "absolute freedom is no freedom". Freedom must have restraint. True freedom is not anarchy, as certain people would wish, but the precise and objective determination of the interests of all.

Legon

Kobla Semordzi

## Book Review

### MYTH AND REALITY ABOUT GHANA

By

B. D. G. Folsom

*Law and Social Change in Ghana* by W. B. Harvey (Princeton University Press, 1966. 80/- in U.K. only)  
*Ghana: End of an Illusion* by Bob Fitch and Mary Oppenheimer (Monthly Review Press, 1966 \$1.50)  
*Kwame Nkrumah* by Peter Jones (Hanish Hamilton, 1965)

UNEASY LIES the head that chooses to write about African politics, for no sooner has the ink on the last dot dried than the political situation that an author seeks to describe or analyze changes. Paradoxically, however, this is not to be regretted, for the constant changes in African politics give the best opportunity for assessing the accuracy and maturity of writings about African politics. The writer that has to revise his views whenever a situation changes cannot, as a rule, be trusted. The test of a mature judgement is its permanence.

The three books under review were all written before the coup and they all seek, from different angles, to explain the politics of Ghana under the discredited regime of the corrupt dictator. Each does so from a particular standpoint. Professor W. B. Harvey, the most qualified of the three to write about Ghana—he was Professor and Dean of the Faculty of Law at the University of Ghana and Director of Legal Education for two years before he was summarily deported for

unexplained reasons in February, 1964—analyzes legal developments in Ghana under the old regime from a "value-free" standpoint, in the sense of being "guided by an effort to treat values only as social facts and not as standards of criticism". Bob Fitch and Mary Oppenheimer analyze, in the words of Leo Hubermann and Paul M. Sweezy in the foreword, "from the standpoint of historical materialism", that is, from the Marxist standpoint. Peter Jones does not announce explicitly his standpoint, but it is nevertheless clear from a reading of his book. One may say his standpoint is that of Carlyle, that of the "greatman theory".

It is hardly surprising, then, that one looks in vain for any thread in Prof. Harvey's book, other than that he deals only with those aspects of law which fall within the constitutional sphere and hence shape the citizen's role in politics. He analyzes the basic constitutional structure of Ghana and the traditional and local authorities. He then traces the legal steps taken to secure "national unification" or "nationhood" by which he means the erection of a centralized (better to say over-centralized) state structure in the country. Three chapters on the legal profession, the structure of the courts and the different levels of law in the country (which he calls the "hierarchy of norms" and is particularly concerned with the integration of customary laws into modern Ghana law) intervene before he tackles the most interesting parts of the book, the two last chapters which dissect the way the law was used to secure political monopoly for the Convention Peoples' Party and the contradictory values that underlay legal evolution in the country during those fifteen priceless years.

The absence of any durable theme in the book should not, however, reduce its importance and interest. Whatever topic he tackles he succeeds in throwing light on its legal side. By what legal instrumentalities did the government reduce chiefs to impotence? How did the government legally strip all subordinate bodies of their independence and erect a modern Leviathan? The answers to these are set down in the author's clear and succinct English. His discussion of the legal profession is illuminating. The function of lawyers in the country is primarily to represent private clients in litigation; they do not specialize and they have not developed the solicitor's side of the profession, undramatic but needing more patient and hard work. It is to be noted in particular that the lawyers' functions do not include (at least in Prof. Harvey's view) helping to uphold the rule of law, about which we have heard much since the coup. No wonder the author was of the view that lawyers played no prominent role in public life and were not likely to do so again in the future and that the Ghana Bar Association appeared to have no significance in public life. It should also be instructive to lawyers to note what freshmen would-be lawyers at Legon thought the public view of their future profession was: lawyers were thought to be people of moderate ability and modest integrity, people who encouraged litigation, were willing to defraud and prevent justice and did not scruple to lie—all out of love for money, which would ensure them ostentatious life.

When Prof. Harvey tackles his last two chapters his positivist stand seems to desert him and words like "democracy", "autocracy" and "authoritarianism" come easily to him. Yet, for that very reason, these are, perhaps, the

most interesting chapters. Here he shows how the traditional order and modern nationhood, nationhood and African unity, individualist and collectivist values and, finally, democracy and autocracy have competed for mastery within the legal order. Here, too, he traces in minute detail the various legal steps taken to erect a dictatorship in the country. In the chapter on "The Legal Tools of Political Monopoly" an important lesson comes out which is worthy of serious attention: that Nkrumah wanted to establish a dictatorship but the opposition seems to have given him the excuses he needed. That is a lesson we all need for the future. The maintenance of democracy depends both on the government and on the opposition. The only serious fault one can find with Prof. Harvey's book, given his basic assumption, is its title. The book should, as he himself suggests, have been called "The Legal Aspects of National Unification", for it is all law and very little social change.

If the "value-free" analysis of Prof. Harvey detracts from the strength and usefulness of his study the "value-loaded" analysis of Bob Fitch and Mary Oppenheimer leads to worse things. The standpoint of historical materialism means that the authors must use Marxist categories, whether they are applicable to Ghanaian conditions or not. Consequently, such Marxist slogans like "peasantry", "organised working class", "national bourgeoisie", "petty bourgeoisie", "landless agricultural labourers and share-croppers" (these later "formed the Gold Coast's real oppressed class and constituted the greatest potential threat to the colonial system") flip through the study with enviable ease. Inevitably this "scientific" bias leads to some weird interpretations of aspects of Ghana politics: the N.L.M. meant in the rural areas what the landlord means to any tenant; in pre-1961 Ghana Prof. Arthur Lewis (described as a "NATO intellectual") was the evil genius because he is supposed to have dreamed up the idea that Ghana cannot industrialize without foreign investors; when the N.L.C. refer to Nkrumah's prestige projects they include factories etc.

Nevertheless this Marxist analysis has its strength. First, like all Marxist analyses, it delves into the socio-economic basis of the late regime. Secondly—and following from the first—these authors are not taken in by the myth of Nkrumah's socialism. Unlike the opportunistic "socialists" who noisily paraded up and down the country proclaiming Nkrumah's socialism these authors did not commit the howler of thinking that to set up state enterprises is to have socialism, nor did they fail to see—before the coup, let it be noted—that Nkrumah was pawing this country to the very imperialists he so loudly condemned—witness the Volta River Scheme. Their freedom from this illusion further enables them to see deeper into some features of the C.P.P. and its policies. They were not deceived about the alleged mass basis of the C.P.P. in its latter days, for they quite correctly saw the twin basis of suppression and corruption resulting in the alienation of that party from the masses. Nor were they deceived by the nature of the Sekondi-Takoradi strike of 1961 (which our erstwhile Marxists and Socialists saw as an attempt by the imperialists to overthrow a Socialist government). They saw the background of the C.P.P. take-over and suppression of independent trade-unionism, imposition of "labour aristocrats" who used the trade union's funds to enrich themselves and the drop by 15 per cent in

the real wages of workers as a result of the 1961 budget, which was introduced without consultation with the workers. No wonder they scornfully refer to the order to the workers to defend a revolution that had never really begun.

All the same we should not be misled by these insights yielded by the Marxist standpoint. The real grievance of Bob Fitch and Mary Oppenheimer is that Nkrumah and his C.P.P. were not socialist enough. If only Nkrumah had not played ball with the imperialists, if only he had not compromised on the Independence Constitution, if only he had truly championed the working classes and the landless peasantry and tenants, if only he had liquidated the well-to-do, if only he had established a "democratic control" of the bureaucracy instead of pursuing Africanization, if only . . . if only, to take the mask off, he had established a real communist dictatorship all would have been well. Now that he has failed the only road left to real socialism is for the workers and peasants to follow Frantz Fanon's advice:

In the oppressed countries of the world, this process of anti-colonial war serves as the functional equivalent of the 19th-century industrial war between proletarians and capitalists. Not violence in itself, but the experience of serving in the militia and in the guerrilla army prepares the peasants and the urban workers for the post-liberation struggles of industrialization and national reconstruction. Peasants, proletarians, and revolutionary intellectuals develop into a homogeneous, discipline force, learning at the same time the technical skills and the inventiveness needed for industrialization. The guerrilla army and the people's war reproduce the conditions of the proletarian army in countries where virtually no industry exists.

If, as the evidence of recent history suggests, this is the road forward for the exploited colonial and neo-colonial peoples of the world, then it will be in the forests and savannahs, where the roads turn into paths and the sun beats down on thatch-roofed shacks, that Ghana's working classes will join together to prepare the future (*Ghana: End of An Illusion*, pp. 129-130).

Apart from the bloodthirstiness of this conclusion, one would be more inclined to follow this couple if they had not betrayed a certain ignorance of Ghanaian society and politics. According to them certain sections of Accra, known as Cantonments and Victoriaborg, are the "colonial" sections of Accra and these were the places where Ministers and High party officials lived; they assume it was Generals who planned the coup and that Army officers are representatives of the most Anglicized section of the Ghanaian population (in so far as Lt-General Ankrah "shows any ethnic particularity, it is Anglo-Saxon", whatever this means); Ghana's Independence Day is 4th March; Lake Bosomtwe is an Ashanti shrine; the yearly budgets of the Gold Coast in the early fifties were prepared in the Colonial Office; the N.P.P. arose during the federalist agitation; Frederick Bourne favoured C.P.P. centralism to N.L.M. federalism; and J. H. Mensah is a Marxist! It is difficult not to admire this garden of juicy plums.

Beside the rich harvest of Bob Fitch and Mary Oppenheimer the efforts of Mr. Peter Jones threaten to

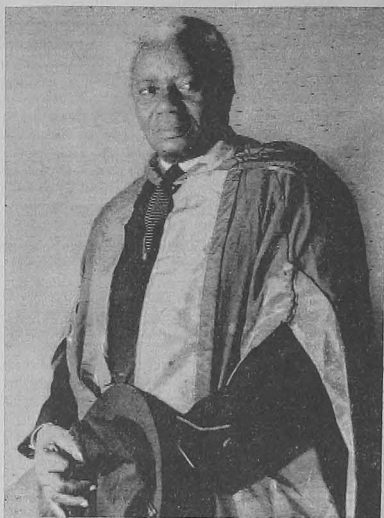
pale into insignificance. His attempt to build the story of Africa and Ghana around Nkrumah also reaps a rich harvest and in the process an otherwise useful text-book is spoiled. What should have been a good elementary schoolboy's introduction to Africa's—and Ghana's—emergence into the modern world is here and there forced into the life-pattern of Nkrumah and the life pattern is undoubtedly a distorted one. It is not true that at the time the book was published, 1965, Nkrumah was a Christian—he was an atheistic materialist in more senses than one; it is a myth that girls frightened him; it is untrue that he is abstemious; it is far from true to say that when at Achimota College he showed "exceptional talents". Perhaps being a foreigner Mr. Jones had no access to the truth of Nkrumah's personal life. He could at least have verified public matters and not relied slavishly on Nkrumah's own statements. It is surely excessive to claim that West African students under Nkrumah's leadership in London began to do this and that; it is wrong to repeat that it was the shooting of the exservicemen at the cross-roads which started the riots of 1948; it is sheer nonsense to claim that the leaders of the U.G.C.C. were thoroughly alarmed by the outbreak of popular violence in 1948; it is clear that the author knows next to nothing about the 1951 Positive Action. Bob Fitch and Mary Oppenheimer will show him what an inglorious affair it all was for the C.P.P. when prosecuted a member of the Central Committee denied knowing what positive action was; a prominent party lawyer claimed that when positive action was declared he was "taken aback"; the treasurer of the C.P.P. denied that he was a member of the C.P.P. and claimed that he had never banked any money on behalf of the C.P.P. As for Nkrumah himself, it's best to quote the direct words:

Only Nkrumah admitted having anything to do with the positive action campaign. Against the charge of promoting an illegal strike, however, Nkrumah defended himself vigorously. He denied having called on anybody to strike; he maintained that he even tried to stop the strike when he heard of it. Furthermore, Nkrumah said that he did not know of any section of the people which had struck because of the C.P.P. To the charge of "coercing" the government, Nkrumah replied that he had just called off the positive action campaign the day he was arrested. (Ghana: End of An Illusion, p. 31).

The parallel between this and the immediate post-coup days when erstwhile staunch Nkrumaists vied with each other and fell over backwards to denounce Nkrumah is too clear for words. Besides, all this is not true: that the first great problem Nkrumah's 1957 government faced was the federalist agitation; that the chiefs had no authority in the local councils set up under the 1951 Ordinance; that the Seven Year Development Plan was the greatest contribution to Ghana's industrialization; that in 1962 the National Assembly made Nkrumah Life-President of Ghana and that in this country political opposition often takes the form of murder!

All of which shows that it is only too easy to write about Africa. A philosopher is reported to have once implored God to save him from his friends; of his enemies he could take care. Africa can only endorse this view when faced by the Bob Fitches, the Mary Oppenheimers and the Peter Joneses of this world.

## In Memoriam



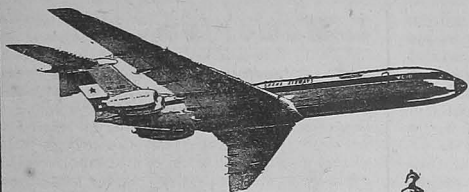
Late DR. J. B. DANQUAH

### TRIBUTE TO THE MEMORY OF DR. J. B. DANQUAH GIVEN AT A CEREMONY HELD IN THE COURT OF APPEALS BUILDING ON SATURDAY 4 FEBRUARY 1967

By

T. A. Mensah (Acting Dean, Law Faculty, Legon)

WE ARE gathered here to pay tribute to the memory of one of the worthiest sons of this country, and one of the noblest and inspiring members of the Legal Profession. It is fitting and proper that we do so: it is nonetheless fitting and proper because we are doing it so belatedly. One of the outstanding qualities of the late Dr. J. B. Danquah was his ability to be charitable to friends and foes alike. I am sure Dr. Danquah, if he were here with us, would not scoff at our tributes today merely because we scoffed him at the crucial hour. He believed so much in what he did, he had so much confidence and faith in himself that he did not find time to recriminate or to complain. He was too proud a man to let his actions be dictated by the transient praises or the momentary denunciations of others. And yet he did not scorn the public. And because he did not scorn the public, because he did not think the public was lean-witted and unthinking, he was prepared, at each opportunity, to tell them the truth as he saw it—unpalatable though it might be. And because he was as honest to himself as he was to others, he did not allow conventional propriety to stand between him and a clear articulation of the truth as he saw it. Any tribute to Dr. Danquah must be in the spirit of his life and example, of his ability to forgive and of his inability to gloss over the truth.



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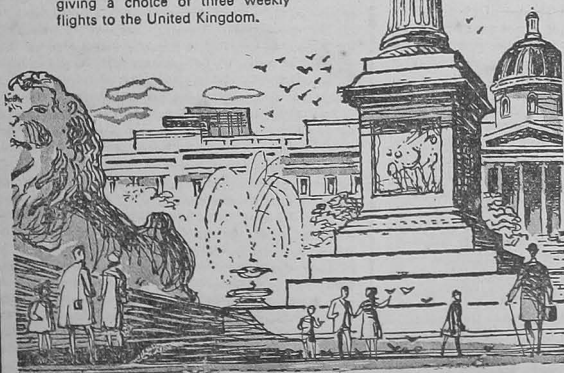
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When we gather here today to do honour to his memory, we cannot be wishing to tell the country how great a man he was. His greatness—as a scholar, as a lawyer, even as a statesman—needs no advertisement. This greatness of mind and soul—and even body—was recognised (though not always acknowledged) by friend and foe alike while he lived, and it is even more recognised today. We do Dr. Danquah honour, not for his sake, nor for the sake of his family—they must by now have drawn whatever comfort they can from other sources. We pay Dr. Danquah tribute today for our own sakes and for the sake of our country.

For, my Lords, Ladies and Gentlemen, the lessons which Dr. Danquah strove all his life to teach by example and precept are as relevant today as they ever were; they are now in danger of being ignored, as they were ignored in his lifetime; and they can now, as then, be ignored only at our peril and at the peril of our country and all that we hold dear.

Dr. Danquah died in circumstances unworthy of a man of so many great parts. He was mourned in a way not befitting a man whose life-work has meant so much to his country. It is sad to remember this. It is even sadder to know that the legal community in Ghana—the community which he served for so long with such dedication and such honour—has had to wait for two full years to pay him this tribute. Yet Danquah, ever charitable, would forgive us all. True, he would not have been deterred from doing what he thought right and proper; but he would recognise—not condescendingly, nor immodestly, but charitably—that it is perhaps too much to look for many J. B. Danquahs in a country like Ghana. But, charitable as he was, Dr. Danquah would feel sorry, frustrated and hurt—he could not, in spite of his very forgiving nature, forgive us—if we were also to let his example fade away in vain; if we did not learn by the great and edifying example he died to set. Our tributes here, our words here—even our tears, My Lords, Ladies and Gentlemen—cannot redeem us before J. B., before posterity, if they are not matched by a determination on our part to so manage our lives and our affairs as to ensure that J. B. Danquah should not have died in vain.

And J. B. Danquah's example is not hard to discover nor difficult to describe. His life radiated it, his eloquent speeches at the bar and to the public proclaimed it. J. B. Danquah taught us first and foremost that a man should look for his ultimate judge in himself, that a man can deserve the respect of others only to the extent that he respected himself. He taught that a man should live by his convictions. He did recognise the possibility that a man may be misguided in his convictions, but he insisted that a man's genuine and honest convictions, even if misguided, are worth any number of borrowed but unshared convictions.

Dr. Danquah gave us the example of courage. We are often told that "Discretion is the better part of valour". Dr. Danquah did not accept this dictum. He recognised that the seam dividing this "better part of valour" and defeatism or opportunism can be so thin as to be almost indistinguishable. He believed that it was the duty of an educated elite, in a situation such as we have in Ghana and Africa, to offer leadership to society and not merely, or even primarily, to extract a living from that society. He believed that the truth was too sacred, too indestructible, to be sacrificed—even in the smallest particular—for convenience or even

for expediency. He recognised that the good things of life can give to man such a stake in the *status quo* as to make it impossible for all but the very stout of heart to sacrifice that *status quo* in the fight for truth. Therefore he worked and toiled, and spurned wealth when he could have amassed it. He lived a simple, almost spartan, existence, in spite of the insinuations and sneers of his detractors and of an ignorant public which did not understand him or his ideals. He was an African who was proud of his African heritage, but who was neither bigotted nor apologetic about it. He was learned in the best traditions of Western thought, and yet he never aspired to be anything more than an educated African.

But above all Dr. Danquah was faithful to the law. At a time when recourse to law was futile—and patently so—Dr. Danquah did not lose faith in the legal machinery and in the legal process. Up to the end of his life, Dr. Danquah insisted on seeking redress, for others and for himself, from the Courts and through the legal process. This fidelity to law, which the so-called realists derided as a "starry-eyed obsession", was typical of the man. He had sworn to serve the law. He had proclaimed his belief that it is desirable and necessary for political conflicts to be resolved by recourse to the law. And he was not going to forsake the law and look for other masters and other instruments merely because the law appeared, in a particular circumstance, to be ineffective. He realized that even one departure from the legal process would be a precedent; and he was convinced that such a precedent was so expensive, so fraught with dangerous consequences, as not to be redeemed by the temporary advantage it might promise. At a time when the legal process had very little to commend it, when expediency—even conscience—could have explained away and excused a momentary departure from the processes of law, Dr. Danquah stood his ground and insisted on using the legal process. He did not succeed in the short run, but which of us can deny that the law and the legal process were the gainers by his stand?

Dr. Danquah's example to this country is many-sided; his example to the legal profession is manifold in its implications. But, to my mind his greatest example is his fidelity and dedication to the law and to the institutions of the law. This is an example we cannot afford to ignore. We live, My Lords, Ladies and Gentlemen: in momentous times, when the law and the legal process—at least as we understand them to be—seem again to be under suspicion. We are witnessing a depressing tendency to by-pass the law and the institutions of law because expediency (perhaps very urgent expediency) so demands. It is at a time like this that we must remember Dr. Danquah, his sacrifice and his example. If we allow fear for our persons or our positions or our reputations to silence us; if we do not articulate clearly and without equivocation our belief in the legal process as we know it and would like it to remain; if we do counsel and assist, if we condone and connive at, if we as much as acquiesce in, the denigration of law and legal institutions, we shall have betrayed the example of Dr. Danquah, we shall have made his sacrifice a futile sacrifice and his death a pointless death. Our tributes here shall have been wasted time and wasted breath.

We of the Legal Community do and must revere the memory of Dr. J. B. Danquah. We revere his memory and are grateful for his greatness of soul and the

nobility of his life. We pay our tribute here today to this great soul and this noble life. But let our tribute be even more eloquent in our deeds. It is to our eternal shame that we did not recognise and acknowledge this great soul while he was with us; and indeed that we did, by our silence, renounce him in his last days. Let it at least be said of us that we did reprove ourselves when we could. We can do this by making his life and his light shine among us. That will be our tribute to him. We cannot give less.

## Sport

### GHANA vs. NIGERIA

By

*Our Soccer Correspondent*

(GHANA 2 NIGERIA 0)

BEFORE THE Lagos match three weeks ago between Ghana and Nigeria, Ghanaians were not their usual cocksure selves about the result. Nevertheless the 2—0 result of the match predictably made us anxious about the second match last week. We were aware that our standard had fallen miserably from its peak in 1963/64, but nevertheless believed that, as African champions, we should not be beaten. Unknown Dahomey had got away with it, but the tradition between us and Nigeria should not be broken. And so, last Sunday, the Stadium was packed with anxious Ghanaians and over-bold Nigerians.

Ghana took the kick, quickly to be dispossessed by the Nigerian left wing, who raced to the left corner and centred the ball to sleek inside, Hamilton. This early raid, however, promised more than it yielded; and soon Ghana was putting the Nigerians on the defensive.

There was little to choose between the teams as the resolute Nigerians surprised Ghana with mature football. In about the 10th minute, however, full-back Sam Acquah carried the ball all the way into the Nigerian "18", passed it to Jones Attuquayefio, and ran forward to prepare to finish off the expected pass. But alas, it was not given full back to score, and the Nigerian defence intercepted the otherwise perfect placement.

Two minutes later, a cross from the left found Odoi, who shot a low solid one with the right. "Goal!", came the chorus, but that was premature: it was blocked, and the ball flew up and low "in a treacherous parabola" (apologies to Ohene-Djan). "G-o-o-a-l!", came the cry again, but again the ball was cleared.

Five minutes later, however, Osei Kofi and Mfum did a Kotoko special. Osei kicked the ball from the right edge of the Nigerian box rising low towards Rigogo, the Nigerian goalie, who appeared ready to collect it comfortably. Suddenly Mfum changed the speed and direction

of the ball mid-air, and Rigogo had no chance. Ghana was one up.

Five minutes later, Odoi got a back-pass from the left again, and this time beat Rigogo completely to put Ghana up with a simple straight right shot.

Thereafter, the pressure on Nigeria was never let up until half time.

The second half was dull. The Nigerians worked harder, but lost their discipline. The Black Stars were either tired or decided—foolishly—to relax, having lost the will to raise the goal aggregate. One Nigerian "goal" was disallowed for a genuine "off-side", which nearly marred the match. Later, Mfum was brought down heavily in the Nigerian box in what surely would have been a goal. But the Togolese referee signalled play to go on. There were near misses on either side—in particular by our forwards. But otherwise the second half was as dull as they come.

And now what does the post-mortem show? On the whole Ghana was only just better than Nigeria, although, from the missed opportunities, it could have been anybody's game. But this does not mean our standard is satisfactory.

Two things have lowered our standard: we have no real coach, even at the national level; and our training is only intermittent and poor. We shall in a later article examine these two factors. But now, what about the individuals in the team?

Naawu in the goal had a holiday, as opposed to Rigogo in the Nigerian goal who was fully tested. Sam Acquah did quite well at the back, though his tendency to always want to place the ball in a comfortable position before kicking was irritating. Ben Kusi occasionally worked hard, but was most of the time chasing the Nigerian forwards.

Addo Odamey was his usual seasoned self and was able to handle elusive Hamilton most of the time. Willie Evans should reduce his risky back-passes to the goal-keeper and lower the height of his clearances. If he also reduces his tendency to clown, his standard should be beyond reproach, so easy does he make defence appear.

Sunday (of Cornestones) by acclamation was the footballer of the day. I shouldn't rank him so high; but for a new-comer to international football, he excelled himself. He was truly industrious.

No one can complain about Odoi on the left, but he was not himself most of the time. He really was not too well, and it is to his credit that he acquitted himself so well.

Ben Acheampong was his usual hard-working self at left inside, until he retired just before

the end of the first-half with a sprain. But his replacement, Abeka Ankrah, was nowhere near his standard, though he was able to kick the ball to the proper man now and then. He can be forgiven for bungling the golden chance of scoring a sure goal. However, Ghana surely has better substitutes?

As for Jones Attuquayefio, I keep wondering why he was included in the team; indeed, why is he ever included in the Black Star team? He is clearly a misfit. He is clumsy, though he may occasionally shoot straight into the goal when you least expect it. He may be good in his club (what club?) but he just isn't first-class, international football material. Every player makes mistakes, but the chances Jones threw away when others had worked hard to place him to score were due not to normal mistakes, but to his inferior grade. And his own passes were faulty beyond forgiveness.

Finally we come to Osei Kofi—the *petit* player everybody acclaims. He was not as brilliant as he was last year when we played against Nigeria, but he was still the genius. He faulted the Nigerian defence every time with positional shifts and body swerves so easy and novel that the Nigerian defence had to stand and watch him, unless they happened to be close enough to kick him down instead of the ball. He gave his usual entertainment with delightful football; he was the one man the entire Nigerian team feared and respected. He threw away one clear goal because of his desire to score the unusual way, and missed a couple of others. But one does not hold such lapses against a genius, and throughout the game, he never disappointed his numerous admirers.

Altogether not a bad team, but certainly not our best. As a team they lacked the precision, coherence, and dependability of the 1963/64 stars—the Black Stars of Aggrey-Fynn, Baba Yara, Mfum and others. But they showed great promise, which the C.O.S. must not ignore.

### THE RECENT COMMONWEALTH FEATHERWEIGHT TITLE FIGHT

By  
*Our Boxing Correspondent*

THE REASONS why Floyd Klutei Robertson lost his Commonwealth Featherweight title to mediocre Johnny O'Brien of Scotland are by now familiar to all those who are interested in the boxing sport. But it may be well to restate the lessons and comment on our own conduct in the affairs surrounding the organisation of the contest.

### Robertson the Boxer

Floyd Robertson is a remarkable boxer by all accounts. In his unsuccessful bid to wrest the world title from Ramos, he actually stole the show and won all the praise, and not from the Ghana press alone. And when he failed to answer the bell for the 13th round, in his fight with O'Brien, he was actually ahead in points of his surprised opponent. But he lost because, as Jacobs put it, "he is lazy". He himself has admitted that he "took to the easy life" after his unsuccessful fight against Saldivar of Mexico. He is lazy: he defended his title only twice in nearly seven years, and took on few other engagements in the ring; and he led a life harmful to a boxer—instead of training in the gym, he lived it up in the night club. He need not have lost his title, or at least not so easily; but nobody can shed 35lbs. of excess weight in a few weeks and remain strong and fit.

### The lost opportunity and the lessons

In the ring itself, perhaps if he had decided to start fast, determined to end it in 5 rounds or else retire, he would have won. After all, in the end, he did retire, and could not retain his title because he retired in the 12th round instead of the 5th. Moreover, though O'Brien was not an idiot or a mere exhibition partner, he was also not such a good boxer; and even in the first few rounds in which he was all over the ring throwing his hands about a lot, he gave opportunities that a well-conditioned and crafty champion could have exploited to send him O'Brien into oblivion. But Floyd is habitually a slow starter. And he was very very ponderous, with his face portraying unhappiness, misery, and absolutely no desire to win.

His lessons are clear. If he wishes to continue with boxing, he should take his profession more seriously. He should get a good manager—on known in international boxing circles, one with contacts, who is able to arrange important fights for him; and then stick to him. He then should train more seriously. Of course he should move up into heavier divisions.

Those others: are they just bad sportsmen or crude nationalists?

Surrounding the contest were circumstances which revealed traits of bad sportsmanship in us, mostly arising from misplaced patriotism. Two groups are particularly involved—the Ghana Boxing Board of Control, and the TV commentators.

The GBBC's conduct of the weigh-in ceremony on 28/1/67 did not do much credit to Ghana, and indeed could have ruined Ghana's trust-

worthiness in international boxing circles. It is now clear that someone connected with the Board told O'Brien to go to the Race Course for the weigh-in when in fact it was to be done in the Stadium. O'Brien went there with a number of other boxers fighting that evening. And yet there was an attempt to use the press to give the impression that O'Brien had come late and was being deliberately difficult.

It must be known that there are conventions governing such ceremonies: both boxers should be present, and with their representatives. Pressmen and nationals of the contestants are not legally acceptable (or judicially recognizable) witnesses; and Mr. E. K. Dadson's statement that he had full confidence in the integrity of the weighing and other officials, though perhaps sincere and well-intentioned, was misguided. It helped somewhat to set up a Commission at once to look into it. But in the end, it was Robertson's loss which made any bitter aftermath unnecessary.

There is evidence to suggest that Floyd hadn't been able to reduce to the required 9st., and that some would be boxing gangster, wrongly styling himself a nationalist, wanted this fact hidden. The Board should rid itself of such liabilities.

The second culprit was the person who was giving the running commentary on the TV. The fellow must think viewers are blind or stupid. His comments were anything but fair; and he should run the fight again in the studio and listen to himself.

Not only did he distort the trend, but he also resorted to inferences that could only be funny, not to say irritating. Listen to him: "the way O'Brien seems relaxed and is dancing about confidently in the ring"—or something to that effect—"suggests that Robertson's punches are cutting home with a lot of weight behind them". -name.

Finally, Floyd has lost the fight. He was foolish the way he approached the contest—having to lose so much weight in so short a time and fighting in his usual slow way. But in refusing to continue after the 12th round, he showed greater wisdom, realism, and even sportsmanship than those who are taunting him with *Miyaa* (or *Nyaa?*), i.e. "I am not going". Let only the foolish and unsympathetic go on doing this. Like Moscow-trained Ajax Bukana, who aspires to be a clown, and practises his vulgar art under C.O.S. patronage in the Accra Stadium, football fans who echo his signals with *Miyaa* should ask themselves whether they are any better than this quack.

## News Summary

5/2/67

### British National Export Council in Ghana

A JOINT mission from the British National Export Council and the Federation of the Commonwealth Chambers of Commerce will visit Ghana in April to study Ghana's export and import requirements and priorities. The mission will also examine Ghana's need for industrial and agricultural development in addition to investment possibilities. This was announced by the British Minister of State for Commonwealth Affairs, Mr. George Thomas when formally opening the British pavilion at the Trade Fair in Accra.

### Nkrumah and Security in Ghana

THE GOVERNMENT has explained why it has found it necessary to tighten security measures in the country of late. An official statement issued in Accra said the Government has received information that on the orders of ousted Kwame Nkrumah, arms and explosives were secretly sent to Accra recently. They were to be used for assassinating members of the N.L.C. and to cause disturbances in the country in general and at the International Trade Fair in particular. The arms and explosives were to be used by some 10 Nigerians who had formerly been in Ghana as freedom fighters but were sent by Nkrumah to Cuba in 1965 to be trained in guerrilla warfare.

### Civil Service and Trade Unions

AN N.L.C. Decree published in Accra says a civil servant will not be eligible to become a member of a Trade Union. The decree, Civil Service (Amendment) Decree 1967, repeals section 24 of the Civil Service Act, 1960.

12/2/67

### Seminars

A SERIES of seminars on the economic development of Ghana has been held at the State House. It was organised by the Government with the aim of informing foreigners attending the Ghana International Trade Fair about prospects for investment in Ghana.

### Mechanized Fufu Preparation

A PROTOTYPE fufu pounding machine invented by a Ghanaian Mechanic, Mr. S. K. Cherbu, a foreman of the Ministry of Works and Housing, is attracting housewives at the Trade Fair. The machine, believed to be the answer to the tedious way of pounding fufu, is on show at the Ministry of Education pavilion. Mr. Cherbu now expects an interested firm of machine manufacturers to help in the mass production of the machine.

### Ghana-Czechoslovakia Trade Agreement

THE GOVERNMENT of Ghana has signed a trade agreement with the Government of Czechoslovakia. Colonel Afrifa signed on behalf of the Government of Ghana and the Deputy Minister of Trade and Industries of Czechoslovakia, Mr. Jan Poula signed on behalf of his Government. Goods to be exchanged include cocoa and cocoa products, timber, coffee, rubber and industrial diamonds from Ghana and machinery, transport equipment, raw materials and miscellaneous goods from Czechoslovakia.



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