

The Legon Observer

Fortnightly Organ of the Legon Society on National Affairs
(Established July 1966; Published Every Other Friday)

Vol. IX No. 5

8-21 March 1974

Price 20p

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Editorial

THE ATTORNEY-GENERAL'S IDEALS

At the opening of the Law Week recently organised by the Ghana Bar Association, Mr. E. N. Moore, the Attorney-General made some very important remarks which were all the more significant because as Commissioner for Justice, Mr. Moore is also a member of government. Pointing to the fact that no society can claim to be civilised unless it has a working legal system, the Attorney-General proceeded to argue that any society which commits itself to the rule of law must also consider itself committed to the repudiation of acts of violence and to the pursuit of the rational process. The Attorney-General said:

Rational methods and procedures in the nature of things involve deliberate and thorough processes, and we must realise that where the rule of law prevails, we cannot expect to solve our problems by rough and ready methods. Such methods offend rationality and therefore tend to defeat the purposes of the law.

Mr. Moore also stated that society cannot claim to embrace the law without also respecting the dignity of the individual: Where law prevails, law abiding citizens can go about their business in the confident expectation that they will not be subjected to any indignities, and that their physical and spiritual integrity will be respected by the society.

These sentiments are undoubtedly noble and it is our hope that the man who uttered them was speaking for all his colleagues in the government. It is because we fully endorse Mr. Moore's ideals that we wish to point out certain disturbing deviations from them. Among the law's virtues as extolled by the Attorney-General is that of equitably regulating the interaction between government and private persons. Nevertheless, members of successive governments of this country have often comported themselves not as fellow citizens with the rest of the populace, but as masters who dispense out of their bounty the liberties which in fact people should be enjoying as of right. We all recall the hilarious rejoinder given to a Prime Minister of this country who said he would not use his powers to detain citizens without trial, but even more fresh in our minds is the current suggestion that citizens have no right to call on their government to do anything, but should presumably "beg and pray". Part of the problem, of course, resides in the fact that in a society such as ours many people are unaware of their rights with regard to govern-



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ment, and in this connection, the Bar Association could help by mounting periodically a series of lectures on these rights.

Mr. Moore's ideal of the commitment to the rational process is even more important to Ghana. In recent weeks several members of government have appealed to Ghanaians to express boldly their criticisms of government in order to help the administrators realise how they can improve their service. The latest of these calls was reported to have been made by Col. Tachie-Menson, Commissioner for Information, in an address to heads of the various mass media in Tamale. The Commissioner appealed to the media to ensure that there is no gap between the people's expectations and government actions and went on to say that unless they did this the media would be betraying the people and deceiving the government. It is however obvious from a glance at our press that the predominant tendency is not towards the making of courageous and forthright comments on government actions. The sad truth is that as a nation we have not yet demonstrated a commitment to the ideal of the rational process; in other words, the journalist or commentator who makes the kind of courageous criticisms which some members of government have been asking for has no reason to believe that official reaction will necessarily take the form of a rational discourse. The feeling is that if some members of government find a comment displeasing they are less likely to write a reply—as would be dictated by Mr. Moore's ideal—and more likely to adopt more "rough and ready" methods. In this situation, journalists will continue to be sycophantic and perhaps government will continue to be deceived.

A commitment to rational processes should also include a reliance on the courts as arbiters of disputes between citizens and government. Hence any imprisonment of a citizen which is not consequent upon conviction by a court or an independent tribunal is a deviation from rationality, but even more important, shows a betrayal of the commitment to human dignity which, according to the Attorney-General, is one of the prerequisites of a civilised and well-regulated society. We should like in this connection to request government to reconsider paragraph 5 of NRCD 235 which provides that a person taken into custody without warrant in connection with certain offences may be held for up to 28 days with the written consent of the Attorney-General; and paragraph 3 of NRCD 236 which empowers a Regional Commissioner to cause the arrest of persons suspected of such crimes as misappropriation of public funds or failure to perform government contracts, and also empowers the

Regional Commissioner to hold such persons in military custody until such a time as he or the NRC may determine. It is our view that these laws are likely to operate against the commitment to human dignity.

More generally, any use of physical force against citizens by government agents which is not strictly necessary for the maintenance of law and order is an affront to human dignity; therefore in our situation where people under suspicion of crime are made sometimes, even on television, to hold their ears and hop like rabbits, or roll on the ground, or crawl on their elbows—in such a situation, human dignity is literally being kicked about like a football and both the law and the society are being severely degraded. It is being urged that such acts of lawlessness have been perpetrated without government sanction. Be that as it may, it is our hope that the Attorney-General and other members of government will work to reduce the gap between the ideal and the reality of the practice of the law in Ghana.

Law and Society

THE LAW WEEK: 24TH FEBRUARY—3RD MARCH—A COMMENT

By
A. K. Fiadjoe

WE ought to have nothing but commendation for the Executive of the Ghana Bar Association in conceiving of and organising the First Law Week this year. The idea behind the Law Week is an excellent one—to focus attention on the law and its problems in contemporary society.

The importance of the Law Week was marked by the fact that it was launched on Radio and Television by the Attorney-General of Ghana, Mr. Edward Nathaniel Moore. Mr. Moore's talk was as it should be. In that talk, our Attorney-General stressed the importance of the law to the orderly growth of society and decried attempts at solving problems through illegal and unauthorised methods. Mr. Moore said, *inter alia*, that any affront to the laws of the country can undermine peace without which there can be no stability. A commitment to the law necessarily involved a repudiation of violence because there can be no peace and stability without the Rule of Law. Mr. Moore further noted that no society could claim to be civilised without a viable legal system.

Another important feature of the celebrations was the series of lectures given by the guest of the Bar Association, Dr. N. B. Graham-Douglas, the Attorney-General of the Federation of Nigeria.

In Accra, Kumasi and Takoradi, he spoke to audiences on the general theme of "Law and Nation Building". A most erudite man, Dr. Graham-Douglas brought learning, wisdom and practical experience to bear on his lectures. Mr. D.K. Afreh, Senior Lecturer in Law at the University of Ghana rounded off this series of lectures with a talk on "Lawyers in Nation Building." He regretted the fact that since independence the organised voice of lawyers has been rather weak in the defence and promotion of the basic values in our society. He said that lawyers as guardians of justice should constantly question laws which offended these concepts of justice, such as preventive detention and preventive custody laws. Lawyers, he said, should insist that the rules and procedures framed for the securing of justice and equality before the law be respected by officials of the State.

Shortcomings

Having made these observations, it seems to the present writer that the Law First Week—like all pioneering efforts—has certain shortcomings which need to be remedied in future Law Week celebrations. The first Law Week did not have the full impact that its organisers envisaged nor did it excite the general public into reflecting on the law and its problems. It seems that one of the biggest problems in this country is the extent to which the Law in the books differs so much from the law in practice. The organisers of the Law Week were in duty bound to advert to this basic national problem. How to get everybody to respect the law is as important as what the law itself provides. For example, the practice of "whom you know" is only an example; the type of petty lawlessness of the Ghanaian "tin god"; the dichotomy between law and practice is too pervasive in our society.

It is the present writer's belief that Law Week should indeed, as this one did, focus attention on the jurisprudence of the law; that the academics should continue to discuss their various learned theses, that the practitioners should continue to search for improvements in the law and practice of the courts, and kind men should continue to organise cocktails to refresh and refurbish the guests and members of the Bar Association. But beyond all this, Law Week must actively involve the general public in the basic problems which face the populace in their contact with the law.

Just consider for a moment the vast field of problem areas that the Law Week could have tackled. For example, the recent trial by jury of Amamoo on a murder charge raised a lot of con-

troversy about the law in the minds of the public as a whole. Some Christians recalled to mind the Biblical injunction "thou shalt not kill", others invoked other reasons for decrying the conclusion reached and some just fumed and raved without any reasonable or considerable basis for doing so. But the truth of the matter is that this trial highlighted a problem about the continuation of the system of jury trial in this country. A discussion of the merits and demerits of the system would have brought considerable credit to the organisers of the Law Week. Then take our courts system as it exists today. The present writer has no doubt that lay people can teach us lawyers a thing or two about how to improve upon our system. A discussion on this would also have been useful. Then again, it would have been a good idea to let the public know something about the procedures for the appointment and promotion of our judges and magistrates. Even among the lawyers, there is sharp division of opinion as to whether the criterion for the appointment and promotion of our judges and magistrates is right. We could learn from non-lawyers in this regard too.

Legal Aid

Then also it must be distressing even to the most casual observer that our courts are overworked, especially at the lower levels. Our magistrate courts are crowded to bursting point. Is there some way of solving this problem other than creating more magistrate courts? How do we strengthen confidence of litigants in our courts so that people do not plead guilty purely as a matter of convenience? In the case of motor offences, what can the Police do to cut down on the load of cases which each day are referred to the motor courts? How can the Police exercise discretion in the matter without being accused of unfairness by some section of the public? We could do a great national service by talking around such practical every day problems.

Then again there are numerous problems posed by the proposed introduction of instant fines on motorists. A ventilation of some of these problems on the ticket of the Law Week would have been a useful and indeed praiseworthy effort. Then also a discussion on legal aid for the poor should have been a primary concern of the organisers of Law Week in so far as the Bar Association—or some branch of it—had allegedly undertaken publicly to provide legal aid to the poor. Since that announcement expectations have been aroused, but nothing concrete has emerged to the knowledge of this writer. It was incumbent on the Bar Association to have raised and discussed this problem,

otherwise how could the lawyers complain about the divergence between the law and practice in others when they themselves are also guilty of the same evil?

Again, it seems to the present writer that Law Week should have highlighted some of the great achievements of the law throughout the year—some important decrees, legislative instruments, executive instruments and their effects on the nation as a whole. In short, publicity of some beneficial aspects of the law would have helped to strengthen public confidence in the law. In this regard, the present writer would have recommended the Law Reform Commission and the Council for Law Reporting for singular mention. The Law Reform Commission has turned out this year very carefully considered papers on the whole of the land tenure system in this country, the offences against the person and property and the maintenance of children. The Council for Law Reporting has brought up our law reports to date in record time. It is important that the nation should know that the law is not always an ass; it is merely the expression of common sense.

One could multiply these examples. But the plea of this piece is that the organisers of future Law Week celebrations should try to mobilise the nation as a whole to reflect on the law and its problems; to exchange ideas on various solutions to problems, and to think on law reform. A great common law judge once said that "justice is not a cloistered virtue, she must be allowed to suffer the scrutiny and respectful, though outspoken,

comments of ordinary men". That plea still holds true today.

The organisers of the Law Week have bequeathed a great idea to the Bar Association. The comments above have been offered in good faith and with the sole aim of improving upon future celebrations.

LAWYERS IN NATION BUILDING*

By Kwame Afre¹

It is generally accepted that a country's development should not concentrate only on the development of brick and mortar or of its economy but should also include the development of social and political systems, laws, customs, and cultures; and that a nation's civilisation is judged as much by its laws and customs as by the splendour of its material achievements.

We may in course of time come to have an abundance of food and wine, splendid public buildings and roads, first class hospitals, an excellent educational system and a wealth of other material things. But our development will be incomplete, will be stunted, unless along with these material developments we establish national institutions, including laws, which recognise and protect the dignity and integrity of each person, which will allow each person to develop his abilities to the highest level he is capable of, and through which each person can give free expression to his legitimate opinions and aspirations and pursue his lawful interests.

Dictatorship and Freedom

Lawyers should play a leading role in the development of these institutions. They are most intimately concerned with the enforcement and observance of law, and as Mr. E. N. Moore, the Attorney-General said when launching the first Law Week, "... the law, as we know it, is a necessary ingredient of organised society. No society can claim

to be civilised without a viable legal system. Whether we operate in the national or international sphere, the progression from anarchy to order is essentially, a function of legal development. If, as we have said, law is the hand-maiden of organised society, then we of the developing world hardly need any reminder that law is a vital instrument of nation building".

But we must be clear in our minds what sort of a nation we want to build. The choice before this country is not between anarchy and order, but between dictatorship and freedom, between the rule of law and rule by caprices and whims

* This is a slightly modified version of a speech delivered during the Legal Week.

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of public officials, between the establishment of an open and just society and an oppressive system of government.

Since independence the energies of governments of this nation have been largely concentrated on the development of our material resources, although without much success. But we have paid little attention to the problem of developing the free and just society which we intended to establish in this country. Indeed successive governments have spent considerable energy, ingenuity and legislative time in preventing the creation of such a society.

In this country there are three main sources of law—our indigenous laws, the received English (or Common law) laws and English-type local laws. Both the common law and the customary law recognise certain basic principles. Among them are the following:

- (1) That men should be governed by laws and not by the arbitrary whims of those who happen to be in power at any particular time. It was for the recognition of this principle that lawyers and politicians like Lord Coke and Cromwell fought against those Kings of England who thought they had a divine right to rule.
- (2) In our customary law, arbitrary rule and despotism have always been recognised as grounds for destoolment of a chief.

That no person is above the law. After the overthrow of the Stuarts it became established that the King was not above the Law. In our society this has been recognised from time immemorial. A chief rules with the concurrence of his elders, who are representatives of the people, and in conformity with the laws and customs of his people. A failure to recognise and observe the laws and the rights of individuals is a ground for destoolment.

- (3) That no person should be deprived of his liberty or other right without the due process of law. The English law position is summed up in the words of Dicey:

"The right to personal liberty as understood in England means in substance a person's right not to be subjected to imprisonment, arrest or other physical coercion in any manner that does not admit of legal justification. That anybody should suffer physical restraint is in England *prima facie* illegal, and can be justified (speaking in general terms) on two grounds only, that is to say, either because the prisoner or person suffering restraint is

accused of some offence and must be brought before the courts to stand his trial, or because he has been duly convicted of some offence and must suffer punishment for it."

This is also the law in Ghana.

Our customary law recognises a similar principle. No person, not even the dreaded witch, was subjected to physical coercion or deprived of his or her life or liberty without trial or without justification. In times of emergency some of these principles may be modified or suspended, but even then only for the period of emergency.

Guardians of Justice

These principles are not some abstract principles framed by some cloistered philosophers. They form part of our culture and civilisation. They constitute an essential part of the ethos of the peoples of this country. They should have been the foundations of our new nation. We are the beneficiaries of these legacies of the common law and customary law. We should cherish them and strive to maintain them. Unfortunately since independence it appears governments have ignored or forgotten them. This may explain why except for three years out of the 17 years that we have been independent we have had laws giving the government absolute powers to detain people without assigning reasons and for such period as the government may wish.

Lawyers are the guardians of justice. As guardians of justice they must constantly question laws which offend our basic concepts of justice — such as preventive detention, preventive custody, or protective custody laws; insist that the rules and procedures framed for the securing of justice and equality before the law are respected by officials of state; and give any assistance that they can to all those who feel aggrieved by the wrongful, arbitrary or high-handed actions of state officials.

In the course of our history, lawyers have taken a prominent part in the fight for recognition of our traditions and laws, and for national independence. Lawyers like J. M. Sarbah, Casely-Hayford, Kobina Sekyi, J. B. Danquah fought in every way that they could for the recognition of the basic freedom of the people of this country. They never remained silent in the face of injustice. I am sorry to say that since independence the organised voice of lawyers has been rather weak in defence and promotion of the basic values I have already mentioned.

When we say that lawyers are the guardians of justice I do not suppose we mean they only

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have the right to express views on the course of justice or that they alone should determine the nature and content of the laws. Lawyers are guardians of justice because they have had more training and experience in the practice of the law; know (or are supposed to know more than most people do) the values the laws are supposed to protect or promote, and the impact of the law on the fortunes of individuals and the nation; and therefore should be the first to protest against any laws or activities of government which offend our basic ideas of justice. Lawyers, unless they are also rulers, do not as a group, of course, make the laws; but they are prominent in the enforcement or observance of the law.

It is only from lawyers that judges are chosen. Only lawyers can represent others in the courts — and for a fee. After the rulers have decided to pass a law, it is lawyers who draft the legislation. The interpretation and enforcement of the law are entrusted to the courts. Lawyers advise individuals, and the state on their legal problems, draft documents affecting the disposal of property, prosecute claims on behalf of individuals, and prosecute or defend those who are accused of crime.

There is hardly any important part of our national life or any activity which is not governed by one law or the other. Most people do not know the law or its detailed provisions. A profession which is devoted to the practice of the law therefore bears an onerous responsibility. This includes pointing out where the law is vague, unfair, and repressive.

The Need For Reform

In the representation of their clients lawyers in this country are as competent and conscientious as lawyers elsewhere. The standard of learning among lawyers is high; they practise the law with the detachment, objectivity and dedication that are expected of them. But this is not enough.

Lawyers should be concerned with the law in its social context. There is the "need to participate more and more actively in the steadily growing role of the public law, which reflects the increasing involvement of governing with the widening spectrum of economic and social life. . . . It is incumbent upon the contemporary lawyer to look beyond the narrow legalistic defence of a specific interest, to the wider social, economic and political implications of the problem. The active and enlightened role of the lawyer in the complex process of social engineering is an indispensable and vital aspect of mankind's increasingly urgent and precarious struggle for

civilised survival." (W. Friedman: *Law in a Changing Society*, pp. 519, 521.)

Many laws in this country, it is well-known, are in need of urgent reform. We know the laws of inheritance. But should we be content with laws which deny a wife any share in the property of an intestate husband or which deprive children of any share of the property of their deceased father. We know the rules of land law. But are we satisfied that all of them are suitable or appropriate in a developing nation like ours. Lawyers should not only send memoranda to the Law Reform Commission but also bring such defects to the attention of the ordinary person.

When we turn to the area of criminal law, we find that there are certain tendencies which if not checked can lead to national atrophy. The laws of sedition, rumour-mongering, censorship and so on, expose those who dare to express their views in public to the danger of severe punishments. On what grounds do we justify a minimum of five years imprisonment for sedition? Or the death sentence for some of the offences of subversion. We have had a good habeas corpus law on the statute book since 1964. But it is virtually dead because governments have had power since independence to detain people without a trial. Should lawyers not enquire from governments the particular reasons for passing such laws.

Our Prisons

Most of our prisons are not fit for human habitation. They are overcrowded. Not only have lawyers who know about the conditions in our prison failed to ask for better conditions, but they seem unconcerned when judges and magistrates and legislators are every day imposing long terms of imprisonment without any apparent regard to the aims of punishment.

Most people in this country do not know the laws or their rights. For instance, I believe very few people know that a law enforcement officer is not entitled to use more than reasonably necessary force in the apprehension of offenders or in the maintenance of law and order and that if he exceeds the force reasonably necessary in the circumstances he commits a civil or criminal offence. Every day, law enforcement officers beat up suspects, harass them and subject them to other indignities. The country looks on in silence because most of us do not know that these things are unlawful.

Law enforcement officers, I think, will refrain from such unlawful behaviour or will be more careful if they knew that people are aware of their rights and will seek action for redress when they

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are victims of official brutality and bullying. It is the duty of lawyers to promote such knowledge of the law.

In order to ensure that everybody who wants legal service can get it, lawyers should in my view advocate for the introduction of legal aid schemes. Many people with genuine grievances such as wrongful ejection, trespass to their person or property, or are victims of fraud or official indifference and disrespect for their rights as individuals do not get any redress because they do not have the means of hiring a lawyer or obtaining legal assistance. Many persons accused of serious offences, apart from murder, have to struggle unaided in the courts. Many of them who are convicted are probably innocent. They are convicted because they did not have legal aid or assistance.

Legal Aid

Legal aid is necessary for the preservation of our judicial system. The interest of justice requires that those who are hauled before the courts on a criminal charge have the means and the tools for their defence. The Courts Act, 1970, makes provision for the establishment of a legal aid scheme. The Chief Justice has called on the government to consider establishing such a scheme. But lawyers have so far not taken any public stand on the matter.

There is one thing which on the face of it may not appear to be of particular concern to lawyers. This is the establishment of institutions of civil order which make for orderly and peaceful change of government. One cornerstone of any civilised and stable society is the establishment of a constitution which not only establishes the rights and obligations of individuals towards each other and the state, but also provides for a peaceful transition from one government to another; and which will continue existing though governments may come and go; the bond which unites the country and serves as an unbreakable chain between generations. Without such a constitution there can be no stability.

Since independence we have not had such a permanent institution. Since independence we have had three constitutions. We have had only one happy experience — from N.L.C. to the P.P. — of one government giving way to another through peaceful means. We have had two coups d'état. The result of such violent changes of government is that many men whose experience would be useful to our young country have been consigned to oblivion and silence. And those who might be willing to serve their nation now

doubt the wisdom of getting involved in the affairs of State.

What suggestions can lawyers offer this country to ensure that such violent changes of government do not occur? I am not here concerned with whether or not the coups of 1966 and 1972 were justified. What concerns me here is whether we cannot establish institutions and procedures which will ensure that bad or unsuccessful governments are removed without the trauma of a coup d'état. We have tried a Westminster model and a presidential system of government. They did not last. Some people may say they did not last because the soldiers decided to take the law into their own hands. But I am not sure whether soldiers would carry out coups d'état if they felt that there were other means of changing a government than through a coup d'état and that citizens of this country were in a position to bring about such a peaceful change.

An enduring constitution may not be easy to frame. The dynamism and durability of a constitution depends not only on the cold words of the documents but also on the sense, tolerance of those who operate it and the respect they show for the aims of the constitution. Governors who ignore the spirit and letter of the constitution they are operating under undermine it. How can we as a nation ensure that those who swear to defend the constitution will respect their oaths of office? These are complex matters. But I think if lawyers always do insist on the respect and spirit of the constitution rulers would be more careful and, hopefully, this would ensure that there would be no violent overthrow of the government or constitution.

Failure of Lawyers?

It is the duty of lawyers to engender in the people respect for the law and the feeling that in lawyers they have protectors of their rights. There are many people who think that in the dark days of our history when people were being thrown into jail without trial we let the country down when we failed to protest; that lawyers let the country down when the Courts gave legal approval to the Preventive Detention Act. Our failure to protest or to suggest alternative means led many people to believe that there is nothing they can do about official arbitrariness.

Lawyers may counter these criticisms by pointing out that lawyers have always been available to and do take up the defence of those who are charged with offences against the state or that a Special Court did in fact acquit Adamafio and others. But should we confine ourselves to defen-

ding cases which are brought to our chambers? What about those cases in which government excludes the jurisdiction of the courts? Did we protest loudly against these laws? Did we not by our silence lead governments to believe they could do anything with our liberties.

There are several other areas where lawyers have so far not shown much interest. Taxation, industrial law, company law, insurance are all areas where lawyers' scrutiny is essential.

In their own interest and in the interest of the nation lawyers should come out of their chambers and contribute, through their suggestions, criticisms and proposals, to the development of the nation. They should be fearless in their defence of the values they have learnt and come to cherish.

Agriculture

GUIDELINES FOR AGRICULTURAL DEVELOPMENT (1)

by

A Special Correspondent

AFTER two years of "Operation Feed Yourself" (OFY), which is essentially a "crash" programme, the announcement that a new five-year agricultural plan is in preparation is timely and welcome. As the planners proceed with their task, the nation as a whole and the planners in particular may benefit from a certain amount of public discussion of the issues and problems to which they must address themselves. The object of this article, the first of a series, is to stimulate public thinking on the lines that should guide the planning of our agriculture. Naturally, no claim to originality is pretended.

The Role of Agriculture

A logical starting point is the role which agriculture is expected to play in the economy, since this will help to define the goals and objectives to be attained over the plan period. Agriculture is expected (a) to supply the growing population (both rural and urban) with more and better food at reasonable prices (b) to supply local industry with raw materials, (c) to provide resources (eg. capital, labour, and foreign currency) for the development of other sectors, and (d) to serve as an effective market for an expanding industrial sector.

Given the size and nature of agriculture in the economy, these are perfectly valid contributions to expect of that sector in the long run. In the short run, however, they are not all equally attain-

able. For example, in the Ghanaian case, it would almost certainly be counter-productive to seek to transfer resources (capital, labour, etc.) out of agriculture to other sectors, given the low level of productivity and the relative stagnation of the sector. It would first be necessary to raise productivity and growth in the sector to a self-sustaining level; and this may require an initial transfer of resources into agriculture. The task of the medium-term planners is to discover the policies and strategies which can move agriculture from a low to a high level of productivity so that it may play its full role in expanding the economy.

The Rate of Growth

In recent years, the rate of growth of agriculture has been unsatisfactory. The domestic market continues to depend heavily on imported agricultural products, in spite of controls. These imports include large amounts of oils and fats, sugar, rice, tobacco, cotton and other fibres, and livestock, all of which can be produced at reasonable cost in the climate and soil conditions prevailing in Ghana. Moreover, food processing has been restricted in its growth because of the lack of raw materials for existing mills and factories. And there is also evidence to suggest that the nutritional status of a substantial proportion of the population is unsatisfactory and perhaps worsening.

The issues concerning agricultural growth may be tackled as follows: **first**, we must assess the demand for various agricultural commodities as a guide to deciding which products should be promoted; **secondly**, agricultural productivity and marketing should be improved, in order to improve the supply of farm products; **thirdly**, there is urgent need to expand the domestic processing of agricultural products which can be substituted for those imported, or which may have an export potential; and **finally**, rural development to improve rural welfare and efficiency should be accorded high priority.

Demand and what to Produce

The demand and market for agricultural products in Ghana will be affected by several sources which have been important in the past. The first is the population growth rate. Ghana's population is expanding at the rate of 3.5% or more per year, and this results in an increase in the demand for food at approximately the same rate. The second source is the real incomes of the people. In the past, the growth of this has enabled consumers (a) to spend more on food and (b) to redirect

their consumption toward processed and preferred foods. Thus maize and rice are gradually replacing cassava and plantain, and animal products are increasing in the diet. In spite of severe inflation, the change in dieting preferences will continue.

A portion of food demand is currently satisfied by imports. To divert this consumption to local production will require a substantial increase in the local output of certain commodities. For example, over half of Ghana's requirements of cattle and rice are still imported. Similarly, large amounts of commercial oils and fats, tobacco, sugar, cotton and bag-making fibres are imported. Finally, the export market provides an open opportunity for expanding the market for local agricultural produce. What it requires is the production of appropriate crops (eg. oil palm, rice) at such levels of productivity that they can be sold at world market prices.

From this brief analysis of the sources of expansion in demand, that is, from an examination of imports, dietary trends and export possibilities, the indication is that emphasis in the planning of agriculture should be placed on the promotion of maize, rice, sorghum, oil palm, some fruits and vegetables (eg. tomatoes, pineapples and onions), tobacco, sugar, rubber, kenaf, cotton poultry and cattle.

The major issue to tackle is that of improving agricultural productivity — that is, the issue of appropriate technology, organisation of production, and so forth. This will be the focus of the next contribution.

Letters

Public Holidays

SIR — The Government must be congratulated for solving that paradox of its own creation in which the nation has lived for a year. For surely, the 13th January Revolution has negated the wisdom of cherishing the 24th February coup which could not prepare us sufficiently for the goals promised by the architects.

It is worthy to note also that the 6th of March has remained unchanged on our national calendar as a day marking the achievement of our independence. But it can be argued that the independence was not then complete, for it did tie us to the apron strings of Britain through the appointment of the Governor-General as the titular head of the nation. It was not, therefore until the 1st of July, 1960, that the nation emerged from its cocoon as a full grown republic.

Consequently, the 1st of July, should also be acknowledged as an important day on our national calendar. For that day marked the final stage of our real independence, since it was on that occasion that a foreign monarch ceased to be the head of our nation.

Therefore, to pay proper respect to historical fact, it is necessary that the 1st of July should be restored to its full significance as an important national day worthy

to be celebrated as a public holiday. The Republic Day, falling in the mid-year, would also, I hope, cancel the anomaly whereby every first Monday of August is celebrated as a bank holiday. This holiday has no bearing on our nation's history but rather is the perpetuation of a British anachronism.

P.O. Box 5547
Accra

Otibo Dwamena

Lessons of the Mid-East War for Africa

SIR — Your correspondent did a fine job in drawing out the lessons of the last Mid-East war as they apply to Africa. (L.O. IX/3) But he contradicted himself hopelessly.

He castigated Nasser, Nkrumah and Amin for proclaiming their belligerent intentions on roof tops. He then went on to give a brilliant exposition of the Military strategy that African nations must adopt against South Africa "in the confrontation which nearly everybody sees as inevitable". I did not think that the columns of the **Legon Observer** were a secret channel through which to give technical, military advice to the OAU Liberation Committee, and African Heads of State.

After all, our Commissioner for Foreign Affairs has been chairman of the Liberation Committee. Following what he said against Nasser, Nkrumah and Amin I thought your correspondent should have gone secretly, under cover of darkness, to present his suggestions to Major Kwame Baah. For added secrecy, he should have typed the script himself making only about ten copies for very restricted distribution.

I do not know whether writing in the **Legon Observer** is not like shouting on the roof tops, especially as your correspondent gave well argued details of what Africa must do with her limited resources to defeat South Africa.

I think the whole problem presents a dilemma.

Akuafu Hall
Legon

E. K. Vorkeh

An Open Letter to The Managing Director of Ghana Airways — Hand-Baggage Surcharge

SIR — On 22nd December, 1973, I left Washington D.C. on a Panam airliner for Accra through London. I arrived in London on Sunday 23rd December, 1973, at about 9.15 a.m. and was scheduled to fly to Accra by Ghana Airways Flight GH702 which was then scheduled to take off at London Heathrow Airport at 11.30 a.m., but which was delayed for more than 1½ hours.

When finally the flight announcement was made and passengers reached the security check point, there were a gentleman, who I learnt later on was a Ghana Airways representative in London, and a Ghana Airways Stewardess who had a weighing machine. All the hand-luggage of the passengers was weighed at the security check point and passengers were asked to pay surcharges ranging from £2 to £20. Unfortunately (or fortunately) no receipts were issued in respect of the moneys collected and I would like to know why this was so and whether the moneys have been accounted for. Secondly, I would like to know whether under the International Civil Aviation Organisation (ICAO) regulations **Transit Passengers** are liable to a charge on their hand-baggage.

By A Reader

Who Deserves Scholarship?

SIR — There are several reasons why scholarships are offered to students in government assisted secondary schools. One such reason is surely the student's own academic performance. Therefore, when a student who has been offered a scholarship purely on his academic performance is informed that because he is a day student and not a boarder the scholarship is withdrawn, this decision must be questioned.

The idea of encouraging more and more day students has been sanctioned by the Government of the National Redemption Council and if both students and guardians are to benefit and at the same time make the policy viable, there is certainly no need for Headmasters of Assisted Secondary schools to withdraw scholarships awarded to students already in the schools on the grounds only that they are day students and not boarders.

The rationale behind the government's day secondary policy is sensible. It aims at reducing (drastically in some cases) the cost of educating a student in a secondary school. If a student happens to live at a reasonable distance from his school, it is cheaper to let him have day schooling.

Considering the rising cost of living in this country, one is inclined to think that Headmasters will support the policy of day schooling by offering scholarships to all deserving students—boarders and non-boarders alike. A school that enrolls day students must offer them all facilities which are generally available to students, and a scholarship is one such facility.

May I therefore appeal to the Headmaster of St. John's Grammar school, Achimota, to restore the scholarships awarded to some students of the school but which have been withdrawn on the grounds that the students are day students.

P.O. Box 69
Legon

Joe Turkson Jnr.

The Tamale Hospital

SIR — The Government has done well to provide the people in the Northern sector with a modern ₦4.5 million hospital. However, the hospital was opened without the Laboratory which is one of the most important wings of a hospital, and this has put the patients in a very difficult position. The Laboratory staff is still in the old hospital. Patients consult doctors at the new hospital and then travel about one and half miles back to the old hospital for laboratory tests and then go back to see the doctor again. This obviously worsens the health of the poor patients.

The question is, who authorised the hospital to be opened without the laboratory? Why is it that the laboratory was not given to the same contractor who constructed the main hospital? Why was the metal furniture ordered from Germany not used to furnish the laboratory but kept in the Store and wooden furniture used instead?

I appeal urgently to the Regional Commissioner to look into the whole business of the laboratory.

P.O. Box 101
Tamale

Brimah Seidu

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Matters Arising

ON PARTY BRIGANDAGE OR THE SPOILS SYSTEM—

A Rejoinder to G. Adali-Mortty

By

P. A. V. Ansah

I HAVE read with considerable uneasiness the last piece of Mr. Adali-Mortty in L.O. IX/4, purporting to be an appeal to your readers, especially his countrymen, to start thinking of how to evolve "an abuse-free form of government" to replace the present system, should the soldiers decide to hand over power. The only positive suggestion your correspondent made was that people who attain top political posts in future must be limited to a term of "four or so years". Apart from this suggestion, Mr. Adali-Mortty's article was a mixture of a series of vague, abstract questions, a general condemnation of all former civilian politicians in this country, wild accusations of bias or discrimination and a thinly-veiled adulation of military regimes.

The fact that Mr. Adali-Mortty openly confesses that he is biased in favour of military governments and asks to be given allowance since he "suffered one or other form of personal persecution or harassment or deprivation in the hands of one or the other past civilian governments", should not have led him into an unmitigated condemnation of the whole system or of all those who operated it. The impression is created that the whole apparatus of the party system is geared towards

facilitating organised thievery and the exclusive appropriation of every good thing in the country by those in power and their supporters. Where is Mr. Adali-Mortty's evidence that under the previous civilian regimes, there was nothing but looting? Politicians have certainly come to a sorry pass in these days, but even the devil must be given his due! The Commissions of Enquiry set up after the fall of Nkrumah found evidence of corruption, but is Adali-Mortty trying to say that not one of the politicians of the time was found to be without blemish? The Commissions set up after the fall of Busia have not all reported, but at least some of the prominent men in that government are known to have had some probity, so what is the justification for this unwarranted blanket condemnation of everybody?

For one reason or the other, appeals for probing the NLC administration have been resisted. There have, however, been misgivings about the manner in which certain matters involving vast sums of money, for example, in the sale of state enterprises, were handled. It is also known that the first Chairman of the NLC resigned in circumstances which cannot be said to reflect total integrity in the handling of national affairs, so what is all this adulation for non-civilian regimes, as if they are operated by angels? The whole Logistics Committee scandal was not being handled by civilian politicians, so why should Adali-Mortty pretend that soldiers in politics are models of perfection while civilians playing the same role are only a band of scoundrels? Even self-confessed prejudiced people writing on national issues should show a minimum of objectivity and a respect for certain incontrovertible facts.

Regional Discrimination?

Mr. Adali-Mortty says elsewhere in his article that under the Party system operated by civilians whole districts, constituencies and regions were discriminated against as a punishment for not voting for the party in power, and that non-supporters were treated as second-rate citizens or outcasts. There is some innuendo in this opinion, and it is time that an end was put to this dangerous propaganda. Unless some people in this country rid themselves of their complexes they will never have enough lucidity to see our real problems in their proper perspective. Ever since Busia fell a subtle propaganda has been going on purporting to show that his government discriminated against a particular region where he had little support. What special amenities did Busia provide for his own home region? And what did Nkrumah do specifically for Nzimas, not to talk of the whole of the Western Region? Col. Victor Coker-Appiah was reported by the *Pioneer* of 22nd January, 1974 as saying that no region appears to have been as neglected as the Brong-Ahafo region. Any unprejudiced person who cares to go outside the regional capitals will realise that the problem in this country is not one of certain regions being favoured in relation to others, but that of the urban dwellers being privileged in comparison with the rural populations and all governments in this country both civilian and military have, without exception, been guilty of this disparity of treatment. There are, on the other hand, regions in this country where economic and social progress has actually been receding within the last fifteen years; I am thinking

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particularly of the Central and Western regions. If people in these regions or in the Northern and Upper Regions are not complaining too stridently, Mr. Adali-Mortty and his prejudiced companions would be doing Ghana a favour by putting a stop to their unjustified complaints.

Mr. Adali-Mortty is entitled to his opinions and prejudices just as I have the right to find them quaint, but I insist that he should not distort facts. Busia's regime may have been disastrous in more ways than one, but did that government in actual fact set aside the Second Republic Constitution as much as Adali-Mortty would have us believe? There were a few lapses, admittedly, and quite serious ones on occasions, but was that Constitution trampled under foot and the people denied their rights as much as our friend is claiming? And can Mr. Adali-Mortty seriously contend that there was less freedom under Busia than under the two military governments? And what type of "personal persecution or harassment or deprivation" did he suffer under the two previous civilian governments against which he is insulated or insured under the two military governments that we have had?

One may now ask: after all his aspersions and insinuations against the civilian experiments which he contemptuously refers to as the "spoils system" and "party brigandage" what does Mr. Adali-Mortty propose as an alternative? He invites people to evolve an "abuse-free form of government" and to fashion what he calls elsewhere in the same article a "more fool-proof model of government". But he himself does not offer any proposals as a possible basis for discussion.

He calls on "scholars, administrators, businessmen, farmers etc." to give thought to the question. If Mr. Adali-Mortty belongs to any of these categories, as I presume he will range himself, why does he want others to do the thinking when he only inarticulately poses abstract questions based on fallacious conclusions and either half-truths or palpable falsehoods, to boot? If he is not ready with any tentative proposals, then he should withhold his fantastic exaggerations and his subtle encouragement to the soldiers to hang on indefinitely.

Since I have no solutions to offer about "localised models of representative government"—whatever that means—I shall not want to pontificate on the matter. The only opinion I would venture to express is that whatever government we live or shall live under, we are bound to encounter the same bitter experiences such as Adali-Mortty has dilated on with exaggeration as long as the governed remain either sycophantic or passive. Despite all the weaknesses in the Second Republic Constitution, if people had had the courage to speak out while things were going wrong, we could have spared ourselves the experience of another military intervention. But as long as people like Mr. Adali-Mortty keep their peace while things are going wrong and only belatedly discover their talents as political sociologists when the harm has already been done, we shall never get any far whether we live under a military government or a no-party civilian government.

Where was Mr. Adali-Mortty when things were going wrong under Nkrumah and Busia? If he did not openly express his feelings under the absurdly oppressive and intolerant regime of Nkrumah, I sympathise

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with him, but Busia's government, for all that can be said against it, showed considerable tolerance by standards which were not only African. The fact that a paper like the *Spokesman* operated successfully under Busia is ample evidence of the degree of tolerance at that time. In that atmosphere, what did our friend say or do when he saw that "nowhere was the service, and everywhere was the plundering"? Or did he make his discoveries only after the plundering had been brought to a precipitate end? Well, then, if he operates only on hindsight, then I shall advise him to stay his judgment on non-civilian political regimes till after he has got the benefit of hindsight. Then he may well discover that under whatever arrangement, people who govern are human beings, no matter what they wear, and that they fall victims to temptations which they can only resist when they realise that they have a vigilant and active population that is watching them and that can tell them the truth to their face while things are going wrong. People always live under the government they deserve, and in a country where people become wise after the event, no amount of constitutional safeguards can replace the duty of the citizens to keep the government on its toes.

I do agree with Mr. Adali-Mortty that we should start thinking of how to correct the mistakes of the past, but I repeat that as long as the people abdicate their right (and duty) to constantly judge and where necessary censure what the rulers are doing, no system, indigenous or imported with suitable adaptation can save them from being cheated. Meanwhile those of us, like Mr. Adali-Mortty and myself, who have no suggestions to offer on the matter would do well to hold our peace.

Reply To Dr. P. A. V. Ansah's Rejoinder

By G. Adali-Mortty

I KNEW in advance that my temperate but not uncontroversial article under the heading: "Change of Government to the Spoils System Again?" would agitate a few people, hopefully, into entering into a more meaningful debate concerning the pattern of a future civilian government for Ghana. The central message of my article was clearly stated in the words:

"And seeing how politicians in previous governments discredited the system of representative party parliamentary government, it is important that serious re-thinking of a fundamental nature must precede the hand-over of government".

Outlining the basis for the claim that it is not enough merely to talk about military hand-over to civilian rule, I provided material evidence, based upon my personal experience under post-independence governments, of factors which made unsuitable the mono-party and the multi-party systems of government as borrowed from the East and the West.

In desirable intellectual honesty, I owned up to my own prejudices in the matter of preference between the less than ideal systems we have lived through in this country. Preference is the word, not adulation, Sir! The diagnostic handling of the issue and its open-ended nature did not please my pen colleague, Dr. Paul Ansah. I did not expect to please everybody, of course. But, Paul has written scores of tracts of similar or worse

diagnostic and open-ended kind in this very magazine, *Legon Observer* both as an Editor and as contributor. He should have been the last to complain about such treatment of public issues. For my part, I did not arrogate to myself all the virtues of seer and reformer. In my view, they also serve who only diagnose evils in public life. It is for others who are more able to take off where I left off. Regrettably, Paul himself stopped short of completeness—the very flaw he had set off gallantly to protest about. Should Paul not have shown the right way by example?

Paul's oft-repeated spleen against pedlars of "What Went Wrong" whom, by implication and innuendo, he assigned to the limbo of cowards, should be reserved for those who qualify. For my part, as a social commentator long before young people like Paul found the use of a pen, I am satisfied that I have played my part in alerting all the governments under which I have lived my adult, literate life about what was going on. I had written and been damned under the colonial regime, under Nkrumah's government, and under Busia's no less. Under the present government, I have continued modestly to do my civic duty in contributing to reviews of government action as well as offering views on coming events and policies. It has never been my intention to write to ridicule or to topple any government. I have preferred humour and temperate language in what I have written, however strongly moved I may be. Herein lies the difference in style between me and some others.

Where was Paul when I was vilified by the party papers of the Progress Party? And, in any case, is "What Went Wrong" altogether useless? Were the reports of the Commissions of Enquiry of any consequence to the future need for rectitude in public conduct? Paul's rather hackneyed tilting at critics, who after all are not unlike himself in his journalistic life, strikes one as being odd, unless his understandable aversions and preferences towards respective governments were allowed for. A reader, writer and academic such as Paul should be the first to show fairness in attributing generalizations to an author especially when such generalisations have not been made by the writer. Where on earth have I ever claimed perfection for "soldiers in politics"; and when did I label all civilians in politics as scoundrels? Where is the fairness, Sir?

Lest the central message of my article which is under review be lost in a debris of words, permit me to renew the call for discourse on where we go to from here, regarding more acceptable models of "self-reliant" civilian governments, to whom the military government will hand over.

NOTES ON CONTRIBUTORS

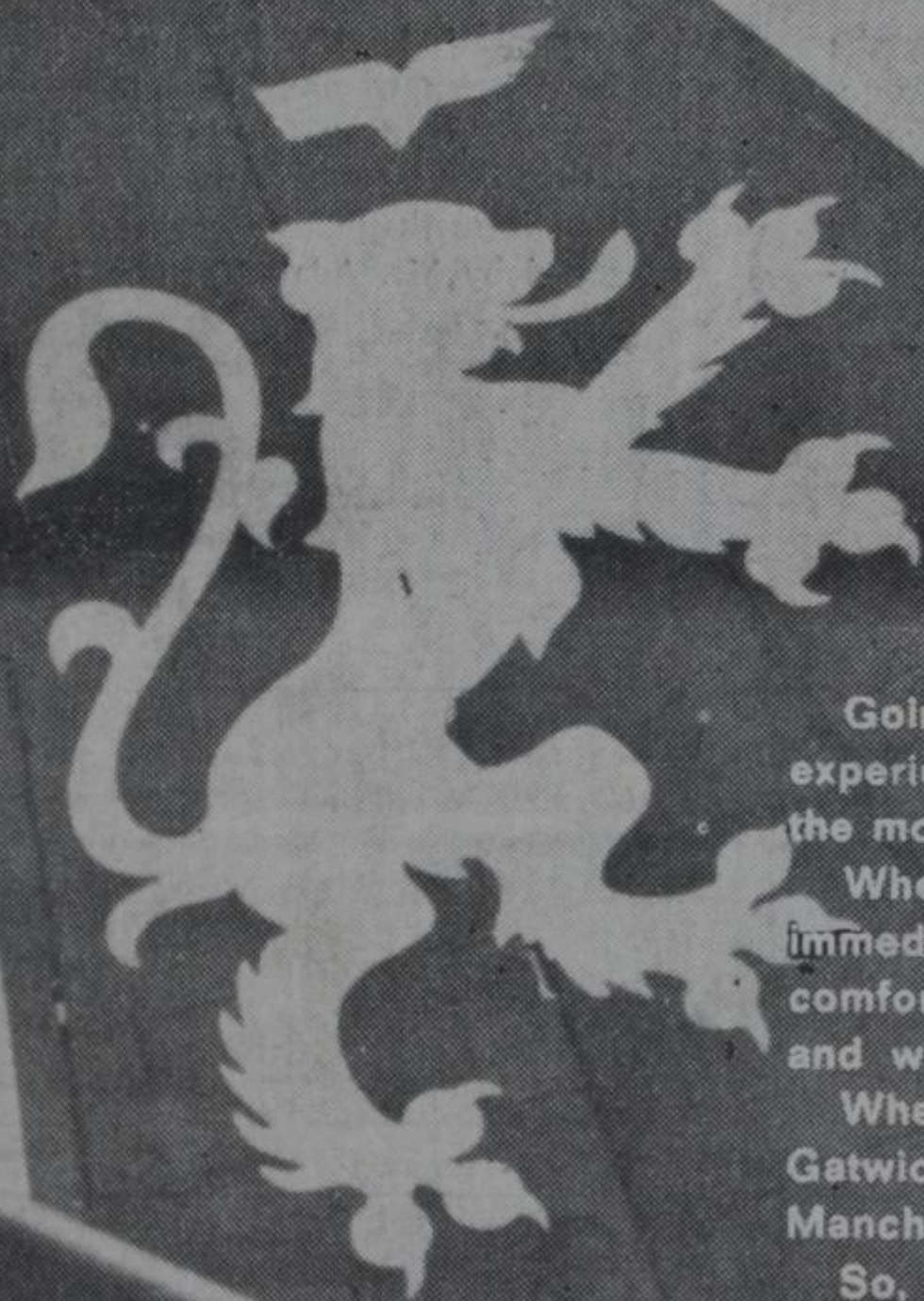
A. K. FIADJOE: Lecturer, Faculty of Law, Legon.

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THE DISTRIBUTION OF SOCIAL FACILITIES

(A Reply to G. Adali-Mortty)

by Kwabena Manu

FOR some time now and especially after the overthrow of the PP regime some commentators have persistently tried to create the impression that certain regions were neglected in terms of development projects for voting the **wrong** way. I think these charges are serious and those who make them should be able to substantiate them.

The latest piece comes from the prolific if sometimes prolix pen of Mr. Adali-Mortty in L.O. IX/4, where he asserts that "constituencies, whole districts, or regions were discriminated against for the impertinence of not voting in favour of the ruling party during general elections".

Without specifying any instances Mr. Adali-Mortty launches into an unsubstantiated attack on the Busia administration, accusing it of persecution. Among the primary areas of conflict between politicians and economists in any society is the problem of regional economic development. Gaps in the distribution of development projects are a source of tension and discontent and if Mr. Adali-Mortty's accusation can be substan-

tiated, this will constitute a clear case for formulating new policies principally to encourage the development of lagging regions and to reduce regional disparities.

It is probably true to say that each region within Ghana will wish to develop as fast as possible, yet we must recognize that, in all likelihood, each one is differently endowed and hence its pattern of development should be different from other regions simply for the sake of national efficiency. But the school of thought to which Mr. Adali-Mortty belongs will seldom accept such facts of life; we have seen in the past few years regional and other pressure groups exercising their very considerable influence to introduce policies they hope will work in their favour, whether or not the same policies are also in the nation's interest.

To distinguish the differences among the regions, data on four major indicators of economic development are presented in the accompanying table. Admittedly, per capita income in each region representing a summary index measuring the standard of living would have been an ideal index to use, but information is notoriously lacking. Also, these figures are for 1970, and the present situation may be rather different, but they do at least indicate that the disparities are not of the nature suggested by Mr. Adali-Mortty.

	POPULATION				ELECTRICITY		WATER		HOSPITALS			EDUCATION					
	No.	%	%	%	Pop Served	Pop Served	Pop Served	Pop Served	No.	Beds	Bed/Pop	Middle Schs.	Secondary Schs.				
					No.	%	No.	%				Number	Per cent	Teacher/Pupil	Number	Enrolment	Per cent
Upper	857,000	10.0	92.8	7.2	18,719	1.1	115,000	13.4	7	679	1:1262	104	4.9	57	4	1,578	3.2
Northern	729,000	8.5	79.6	20.4	87,887	5.0	191,000	26.2	8	493	1:1477	68	2.0	56	2	1,085	2.2
B. Ahafo	763,000	8.9	78.4	21.6	45,666	2.6	215,000	28.2	9	449	1:1698	328	9.5	68	8	2,973	6.0
Volta	947,000	11.1	83.7	16.3	52,984	3.0	289,000	30.4	13	1201	1: 788	471	13.7	49	16	6,358	12.9
Western	768,000	9.0	73.5	26.5	121,107	6.8	315,000	40.9	16	961	1: 799	337	9.8	71	12	5,086	10.3
Eastern	1,263,00	14.8	74.9	25.1	275,726	29.6	371,000	29.4	15	1064	1:1186	707	20.7	49	18	6,667	13.6
Central	893,000	10.4	72.3	27.7	168,390	9.5	261,000	29.2	9	615	1:1451	378	11.1	59	13	6,460	13.1
Ashanti	1,477,000	17.3	73.2	26.8	317,032	17.9	478,000	32.3	23	1582	1: 933	664	19.3	69	19	8,769	17.9
Gt. Accra	849,000	9.9	11.7	88.3	684,706	38.6	729,000	85.9	57	2758	1: 307	305	8.9	47	20	10,206	20.8
	100.0						Nat. Av. 34.7		Nat. Av. 1:870			Nat. Av. 57					

Source: Electricity Corporation of Ghana, 1970.
Central Bureau of Statistics, 1970 Population Census
Ghana Water & Sewerage Corporation, 1970
Ministry of Health, 1970
Ministry of Education — Education Statistics, 1970.

Limited as we are in data collection the four indices we have employed throw light on the distribution of amenities in the nine regions of the country. The facts as presented in the table do not support Mr. Adali-Mortty's contention that the Volta Region (which he obviously had in mind) was neglected in the past as a punitive measure. In fact I have it on good authority that during the PP administration the Volta Region as a matter of fact benefited more from regional development funds than any other region a comparative basis. This perhaps may have been due to the fact that the V.R. had a fairly strong regional planning committee on which sat members of staff of the Ministry of Fin-

ance and Economic Planning. By the fact that he is unable to produce facts to substantiate his allegation, one is unwillingly led to the conclusion that Mr. Adali-Mortty is deliberately promoting tribalism. Any reasonable Ghanaian will condemn discrimination in any form when evidence is adduced but allegations should be based on facts and not mere impressions.

If Mr. Adali-Mortty will tell us the criteria for distributing development funds on which he based his charge and the concrete evidence that the Volta Region was deliberately denied social welfare amenities for voting NAL I can assure him that I will support his fight for an equitable regional distribution of these

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facilities. The objective of achieving an equitable distribution of development projects poses special problems for a country with regions that are as different as the Upper and Brong-Ahafo, Ashanti or Volta. Regional inequities certainly exist in Ghana but Mr. Adali-Mortty is wrong in the reason he assigned for them.

Review

PAN-AFRICANISM FROM WITHIN

by T. R. Makonnen as recorded and edited by Kenneth King (OUP Eastern Africa, 1973, pp.293)

Reviewed by
S. K. B. Asante

THE modern history of Africa is hardly conceivable without an attentive consideration of the role played in its development by the idea of Pan-Africanism, that phenomenon which has since the early decades of the present century assumed a dominant place in African political consciousness and expression. Although many people would think that with the formation of the OAU Pan-Africanism has outlived its usefulness, there is, however, much evidence to suggest that this phenomenon is still a very significant factor in the discussion of the relationship between Africans and the Blacks of the "Diaspora". Such discussions are currently becoming uniquely topical and absorbing, the more so as Afro-

Americans and West Indians are "returning" in great numbers to Africa psychologically and culturally if not physically to identify themselves with the mother continent. It is against this background that we welcome Makonnen's study as a major contribution to the growing literature on this important subject.

Makonnen's volume is not only informative but is also an authoritative, unique and refreshing study of Pan-Africanism. It is authoritative because it is based on the author's own experiences and reminiscences of Pan-Africanism over the years. For George Nathaniel Griffith, better known by his adopted Ethiopian name of T. Ras Makonnen, is a veteran Pan-Africanist, and one of that small but highly articulate and militant group of West Indian and African intellectuals in Britain who were engaged in the struggle of oppressed black people from the 1930s onwards. A Guyanese by birth and a Kenyan by citizenship, Ras Makonnen is one of the only three members of that radical pan-African group still living, the other two being Mzee Jomo Kenyatta and C. L. R. James, the distinguished historian and ardent pan-African revolutionary from Trinidad. Makonnen's account of Pan-Africanism is also unique and refreshing because it deviates entirely from the pattern of stuff usually produced by writers on this subject. We are not bored, as is the case of Padmore's for instance, with a chronological treatment of the various Pan-African Congresses and resolutions. It is quite clear from these memoirs that Pan-Africanism is not only a history of conferences; it also involves what can be called practical pan-Africanism — 'holding a watching brief over the African

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world, and being ready to move whenever some case of colonial or police brutality came to light' (p.xv).

But what makes the book admirable and a much more welcome addition to the Pan-African struggle is its timely appearance. Apart from its provision of variations on this ever more important theme, this study has been published most appropriately at a time when Makonnen's fellow pan-African activist, Dr. James, and others are actively preparing for a Sixth Pan-African Congress to be held in June this year in Dar-es-Salaam. In this connection, Makonnen has given a new lease of life and dimension to the current discussion of the actual role and place of Afro-Americans and West Indians in the politics of African unity.

The book contains seventeen chapters, the first half being memories of the Guyanese-West Indian world, Guyana's experiences of slavery in the past as well as the patterns of slave resistance before the period of emancipation. Makonnen's life in North America where, as a young man, he became increasingly aware of the black man's position in world history is quite illuminating. Another interesting theme is the transfer of the cultural activity of the West Indians to some parts of West Africa. He explains that many West Indian soldiers who were recruited to fight on behalf of the British in the Ashanti wars and others who came across to help in the building of railways in West Africa refused to return home. Instead they established themselves permanently in certain areas of West Africa. Hence in Ghana, for instance, we still have such West Indian names as Moore, Wood, Christian and Abbensetts. But it was in North

America that he made contact with Africans and began to enter the Pan-African movement which later became his fascinating career. Makonnen gives interesting facts and comments on various aspects of Pan-Africanism and on such individuals as Du Bois, Padmore and Garvey. But his account of the celebrated controversy between Washington and Du Bois and his assessment of Marcus Garvey's pan-African activity in America are rather sketchy and superficial.

The second half of the book provides a wealth of valuable information on Makonnen's involvement in the agitation of blacks in Britain on various colonial matters, the reaction to Italy's rape of the then symbolic and the sole surviving independent black kingdom of Ethiopia, and the various pan-African conscious groups, notably the International African Service Bureau and the Pan-African Federation, the body which was responsible for planning the 1945 Pan-African Congress in Manchester. Makonnen's account of the Fifth Pan-African Congress—held in Manchester as a result of his successful business career in this city—is refreshingly lucid and percipient though by no means exhaustive.

Apart from his belief in practical pan-Africanism, Makonnen reveals two other aspects of his brand of pan-Africanism which may be of some interest to the keen observer of the present African political scene. The first is his belief in, and the practicability of, the principle of self-reliance. Like Robert Sobukwe and other radicals who broke away from the African National Congress of South Africa in 1959 to form the

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Pan-Africanist Congress mainly because of the former's alliance with white liberals and other coloured groups, Makonnen holds that the pan-African movement should be entirely directed and controlled primarily by Africans as a strictly black organisation and not by interested parties who have one foot in Africa and another elsewhere. He is, therefore, highly critical of such close pan-African associates as George Padmore, Wallace Johnson and Kwame Nkrumah who at one time or another tolerated Communists, British liberals and Independent Labour Party leaders like Fenner Brockway.

Second, and as an extension of his feeling for the primacy of Africans in any consideration of Africa, is Makonnen's definite anti-Arab, anti-Muslim bias. He keeps on reminding his readers that it was the Arabs who pillaged and also brought tragedy to sub-Saharan Africa. In his opinion, Arabs have never considered themselves as black men. Makonnen is thus a little sceptical about Garvey and other pan-Africanists who point to the great ancient kingdoms and cities of Timbuctoo and Ghana as a legitimate source of black pride. He would, on the other hand, prefer favourable, close relations between Africans and Jews, for the Israelis could be of immense help in the process of nation-building in Africa.

More interesting, perhaps to the Ghanaian readership, are Makonnen's revealing comments on Nkrumah's Ghana, where he stayed for close to ten years (1956-1966) as director of the African Affairs Centre and later as head of the Tourist Corporation. Makonnen has clear memories and refreshing recollections of the "ravages" and havoc of the CPP rule, the effects of which we are still suffering. As an "insider" and close

associate of Nkrumah and the CPP top brass he gives a convincing account of the origins of the "era of the ten percent contracts", the Leventis deal and the misappropriation of state funds in the acquisition of diplomatic premises abroad (for example, £100,000 was paid in Israel for property that was only worth £60,000; in Washington we paid about half a million for something worth £200,000; and in West Germany and Paris it was the same story). The alleged role and machinations of certain individuals such as Ayeh-Kumi who, in his view, "loved money more than dear life" (p.222), Barden who played "juju" on Nkrumah and thus got hold over him (p.260), and Kodwo Addison whose students at the Winneba Ideological Institute were "colonial drop-outs" being trained to subvert the activities of the Opposition are vividly portrayed. Makonnen affirms that the socialism of Nkrumah's Ghana was a complete sham, for 'you can't build socialism without socialists' (p.238). The CPP leaders who were shouting about socialism were more steeped in capitalism than the West. Nkrumah himself was no socialist either; for he later succumbed to the pressure of his Nzima advisers like Ayeh-Kumi to acquire some property (p.256). What in his view is more disturbing is the fact that many Ghanaians despised the idea of going to the Soviet Union to study, and the few who did so "exported their obsession with sex to Russia, and succeeded in seducing a number of Russian women"!

The Civil Service

Makonnen is unusually harsh in his criticism of the top civil servants of the Nkrumah regime. Not only does his emotion get the better of him but he seems to betray much of his own ignorance of the ethical code, purposes and orientations of the Ghana Civil Service. Hence he argues—rather ridiculously—that the civil servants of the regime were especially selected and trained by the British "to detect Reds", and that they were "nurtured to become a shadow Cabinet, to be a check on whatever recklessness Kwame's government might get up to" (p.258). Consequently, he concludes, Nkrumah had to work for his pan-Africanism "without having the human material" (p.259). This observation certainly would appear to be an unwarranted and baseless slur on the integrity, patriotism and industry of the Ghanaian civil servants of that regime. For it is common knowledge that without the sense of dedication, of purpose, and the unflinching support and loyalty of such top civil servants as A.L. Adu, E.K. Okoh, Michael Dei Annan, to mention only a few, Nkrumah's pan-African aspirations and super-structure would have proved a more expensive sham than his socialist pretensions. Throughout one gets the unfortunate impression that Makonnen's unsympathetic criticism of the Ghana Civil Service originates from the inability of some non-Ghanaian Africans like himself to break through the machinery of the civil service in order to carve some "small empires" for themselves, as did Padmore with his creation and headship of the African Affairs Secretariat. There is, on the whole, the almost complete absence of the references needed to authenticate his account on the civil service.

In addition to the very few misprints like Van Laer instead of Van Lare (p.227) and Daequah instead of Danquah (p.262), Makonnen also seems vague and confused when dealing particularly with Ghana's recent



past. For instance, it is historically untenable—and in fact irritating—to argue that it was Kwame Nkrumah who “promoted the idea of a separate national university for Ghana” (p.203), as opposed to a single West African university. Once again, Makonnen’s enthusiasm in claiming credit for his political mentor for every development in Ghana has betrayed his ignorance of the Ghanaian situation. For, in the first place, the minority report of the Walter Elliot Commission on High Education in West Africa which proposed a single university for West Africa was published in June 1945, exactly a month after Nkrumah’s arrival in London from the United States, and Nkrumah was scarcely in touch with the developments at home. Secondly, it is an undisputed fact that it was J.B. Danquah, the stalwart nationalist and ‘doyen of Ghana politics who fought relentlessly with his Gold Coast Youth Conference for a separate university for Ghana. Nkrumah returned to Ghana in December 1947 when the then University College of Gold Coast was almost established. It is interesting to note that Nkrumah never in his writings claimed credit for having promoted the idea of a separate university for Ghana. Also, in spite of his long period of stay in Ghana, Makonnen incorrectly states that J.B. Danquah had his university education in Oxford (p.162) and that William Ofori Atta was at one time Minister of Justice in Nkrumah’s government. (p.209)

Despite these few defects, this book has tremendous value on the basis of sheer information. It contains

much new and illuminating material on the subject and, although, perhaps, these memoirs do not change our conception of Pan-Africanism fundamentally, they certainly add detail and colour. Makonnen’s commendable work is likely to remain for long a significant contribution to the study of Pan-Africanism. It is highly enlightening.

For The Record

Monday, February 25

U.N. Secretary-General Arrives

DR. Kurt Waldheim, Secretary-General of the United Nations, arrived in Accra today on a two-day visit to Ghana. Shortly after his arrival, Dr. Waldheim called on Col. I.K. Acheampong, Head of State, at the Osu Castle where they had discussions on such international issues as the Middle East crisis, the situation in South Africa and Ghana’s contributions to the U.N. Peace Keeping Force in the Middle East. The visit is part of the Secretary-General’s tour of 13 West African countries.

Wednesday, February 27

Ghana, Malta Establish Ties

THE Governments of Ghana and Malta today agreed to establish diplomatic relations at High Commissioner level, the Ministry of Foreign Affairs announced in Accra today.

Thursday, February 28

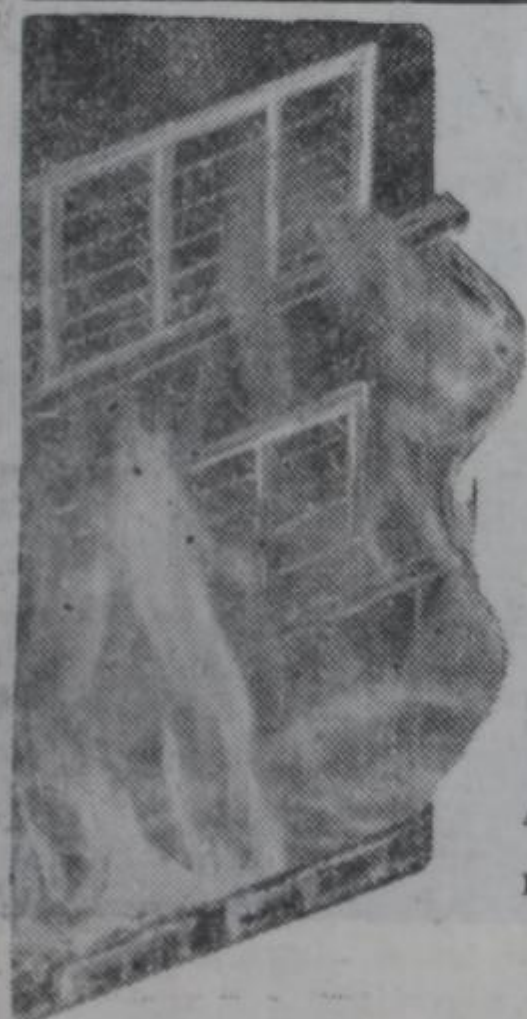
Ghana to spend ₵98 m More on Crude Oil.

GHANA will spend ₵98 million more on the importation of crude oil because of the energy crisis, Col. I.K. Acheampong, Head of State, stated in Accra today. He spoke to executives of the Ghana Manufacturers Association who called on him at the Osu Castle.

Monday, March 4

Teaching Service Decree Published

THE Government today published the Teaching Service Decree which makes the teaching service a part of the Public Services. Membership of the teaching service, according to the decree, comprises all teachers and non-teaching personnel in pre-university educational institutions in the public system, all professional staff in the Ministry of Education and all managers of schools. The decree also states the functions of the service and provides that a Council of 11 will govern the teaching service. The decree (N.R.C.D.247) takes retroactive effect from February 1.



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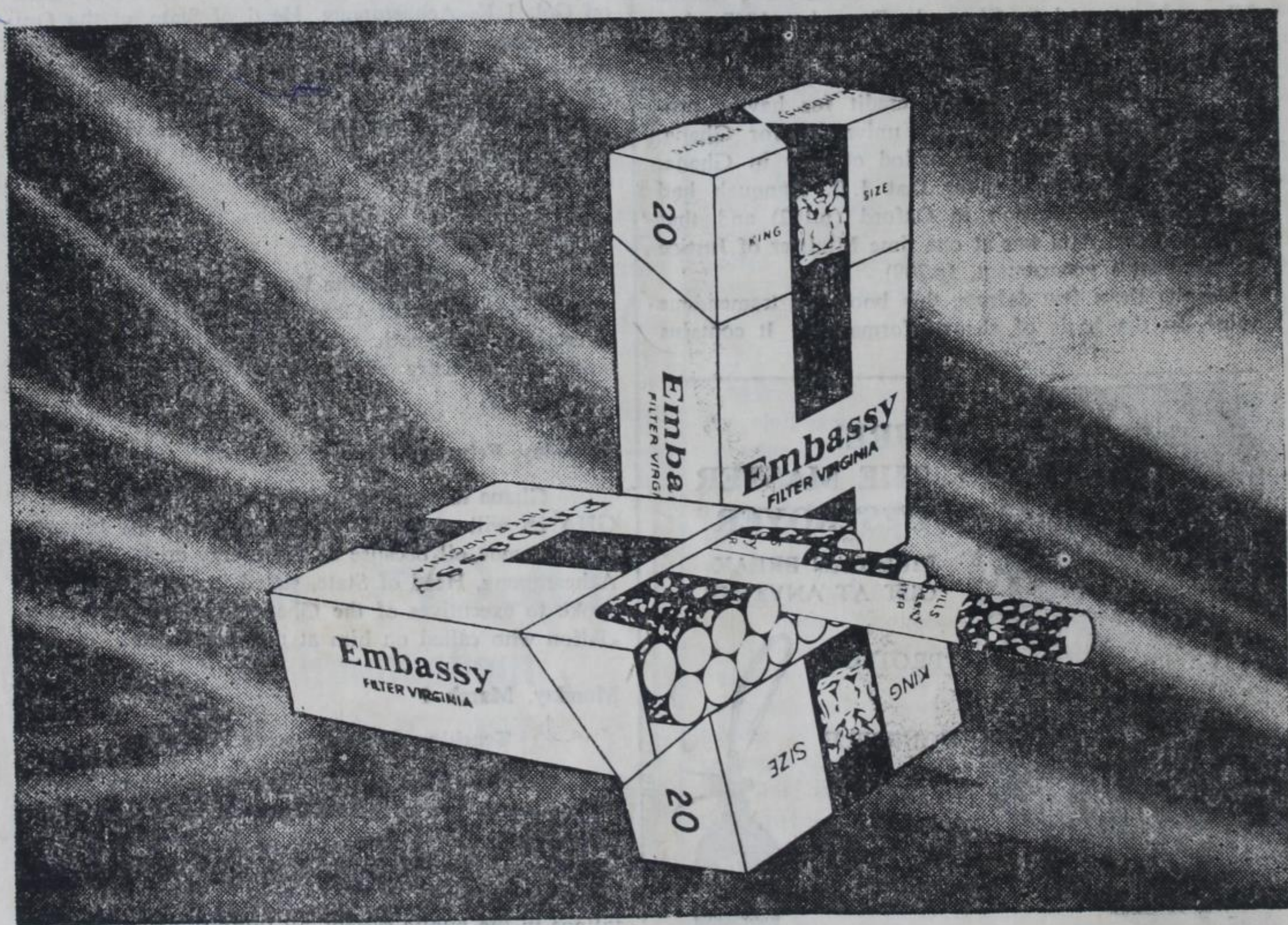
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