

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

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

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

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

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

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

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

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

**4.1.1.0 HUMAN RIGHTS ABUSES DURING THE 1<sup>st</sup> REPUBLIC**

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

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

**4.1.2 REACTIONS TO THE HUMAN RIGHTS ABUSES**

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

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

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

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

**The Police Service**

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

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

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

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

**The Prisons Service**

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

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

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

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

**4.1.2.2 The Judiciary And The Bar**

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

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

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

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

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

**4.1.2.3 The Labour Movement**

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

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

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

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

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

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

**4.1.2.4 Chiefs**

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

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

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

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

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

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

**4.1.2.5 Religious Bodies**

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

**Traditional Religious Groups**

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

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

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

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

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

**VOLUME 1 CHAPTER 4****Islamic Religious Groups**

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

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

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

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

**Christian Religious Bodies**

**4.1.2.5.11** Christianity was brought to Ghana in the 15<sup>th</sup> Century by different European Christian Missionaries.

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

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



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

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

**4.1.2.6 The Media**

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

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

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

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

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

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

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

**4.1.2.7 Professional Bodies (Other Than Legal Profession)**

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

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

**4.1.2.8 Student Movements**

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

**The PDA**

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

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

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

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

**4.1.2.9.0 Youth Movements**

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

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

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

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

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

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

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

**4.2.0 24<sup>th</sup> FEBRUARY, 1966 - 30<sup>th</sup> SEPTEMBER, 1969: NLC**

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

**4.2.1.0 HUMAN RIGHTS VIOLATIONS AND ABUSES UNDER THE NLC**

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

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

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

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

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

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

**4.2.2.0 REACTIONS TO THE NLC**

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

**4.2.2.1 The Judiciary and the Bar**

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

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

**4.2.2.2 The Labour Movement**

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

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

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

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

**4.2.2.3 Chiefs**

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

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

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

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

**4.2.2.4 Religious Bodies**

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

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

**VOLUME 1 CHAPTER 4****4.2.2.5 The Media**

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

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

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

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

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

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

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

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

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

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

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

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

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

**4.2.2.6 Professional Bodies (Other Than Legal Profession)**

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

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



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

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

**4.2.2.7 Student Movements**

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

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

**4.3.0 1<sup>st</sup> OCTOBER, 1969 – 12<sup>th</sup> JANUARY, 1972 : THE 2<sup>ND</sup> REPUBLIC**

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

**4.3.1 HUMAN RIGHTS ABUSES UNDER THE 2<sup>ND</sup> REPUBLIC**

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

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

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

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

**4.3.2 REACTIONS TO THE PP GOVERNMENT**

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

**4.3.2.1 The Judiciary And The Bar**

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

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

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

**4.3.2.2 Labour Movement**

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

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

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

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

**4.3.2.3 Chiefs**

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

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

**4.3.2.4 Religious Bodies****Muslim Religious Body**

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

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

**Christian Religious Body**

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

**VOLUME 1 CHAPTER 4****4.3.2.5.0 The Media**

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

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

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

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

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

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

**4.3.2.8 Student Movements**

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

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

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

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

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

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

**4.3.3 DEVALUATION OF THE CEDI**

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

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

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

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

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

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

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

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

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

**Price Control**

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

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

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

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

**Union Government (Unigov)**

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

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

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

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

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

**VOLUME 1 CHAPTER 4****Currency Exchange**

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

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

**Indiscipline In The Ghana Armed Forces**

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

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

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

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



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

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

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

**The Military Tribunal**

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

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

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

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

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

**4.4.2.2 The Labour Movement**

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

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

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

**4.4.2.3 Chiefs**

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

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

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

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

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

**4.4.2.4 Religious Bodies****The Muslim Religious body**

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

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

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

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

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

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

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

**The Pentecostal Churches**

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

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

**4.4.2.6 The Media**

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

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

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

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

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

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

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

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

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

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

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

**4.4.2.7 Professional Bodies (Other than Legal Profession)**

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

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

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

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

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

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

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

**VOLUME 1 CHAPTER 4****4.4.2.8 Student Movement**

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

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

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

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

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

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

**4.5 4<sup>TH</sup> JUNE, 1979 – 23<sup>RD</sup> SEPTEMBER, 1979: AFRC**

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

**4.5.2.2 Labour Movement**

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

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

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

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<sup>3</sup> *Ghanaian Times*, Thursday, 9<sup>th</sup> August, 1979, back page

**VOLUME 1 CHAPTER 4****4.5.2.3 Media**

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

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

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

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

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

**4.5.2.4 Chiefs**

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

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<sup>4</sup> *Daily Graphic*, Monday, 18<sup>th</sup> June, 1979.

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

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

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

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

**4.5.2.5 Religious Bodies****The Muslim Religious Body**

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

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

**The Christian Churches**

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

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

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

<sup>7</sup> *Ghanaian Times* vol. 6706 Monday 2<sup>nd</sup> July, 1979 p.1.

<sup>8</sup> *Ghanaian Times* vol. 6742 Monday 13<sup>th</sup> August, 1979 p.1.

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

**4.5.2.6 Professional Bodies (Other than Legal Profession)**

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

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

**4.5.2.7 Student Movements**

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

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

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

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

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

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

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

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

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

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

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

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

**4.6.2.2.0 AFRC Convicts And The Courts**

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

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

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

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

**VOLUME 1 CHAPTER 4****4.6.2.3 Labour Movement**

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

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

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

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

**4.6.2.3 Chiefs**

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

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

**4.6.2.4 The Media**



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

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

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

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

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

**4.7.0**                      **31<sup>ST</sup> DECEMBER, 1981 – 6<sup>TH</sup> JANUARY, 1993: PNDC**

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

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

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

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

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

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

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

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

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

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

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

**The Burning Of Tamale Central Market**

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

**The Abduction And Murder Of Four Eminent Citizens**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**The Bar**

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

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

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

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

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

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

**4.7.2.2 Labour Movement**

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

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

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

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

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

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

**4.7.2.3 Chiefs**

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



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

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

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

**4.7.2.4 Religious Bodies****Muslim Religious Group**

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

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

**Christian Religious Groups**

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

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

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

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

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

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

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

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

**4.7.2.5 The Media**

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

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

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

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

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

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

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

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

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

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

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

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

**4.7.2.6 Professional Bodies (Other Than Legal Profession)**

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

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

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

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

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

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

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

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

**4.7.2.7.0 Student Movements**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**4.9.0 ETHNOCENTRISM**

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**4.10.0 CONCLUSION**

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

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

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

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