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NKRUMAH AND CONSTITUTIONAL DEMOCRACY: 1949 - 1966 REVISITED

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PART I

INTRODUCTION

What follows is an exposition of the cluster of attitudes, both in thought and in practice, which Nkrumah in particular and the leadership of the Convention People's Party (CPP) in general adopted towards constitutional democracy in the period 1949 - 1966. It will be shown that during the period as a whole Nkrumah and his closest collaborators were unfavourably disposed towards constitutional democracy and eventually opted for its antithesis, radical democracy.

The academic and practical significance and relevance of the exercise undertaken here cannot be over-emphasized. For one thing, constitutional democracy rather than radical democracy was the ideal to which a not insignificant number of Ghanaians aspired. For another, the British imperial power made the practice, or more accurately the promise of the practice, of constitutional democracy a cardinal condition of the transfer of power.

Equally important, the issue of constitutional democracy has been invested with contemporary relevance and resonance. For, as is well known, in the referendum held on 28 April, 1992, Ghanaians as whole decided to embark on the fourth enterprise of evolving constitutional democracy, with the clear implication that they rejected the kind of arbitrary rule they experienced under the Provisional National Defence Council (PNDC) headed by J.J. Rawlings. Paradoxically, such an enterprise is being presided over by the self-same Rawlings who has declared openly his antipathy to political pluralism which is a very crucial component of constitutional democracy.

As is common knowledge, although Rawlings and Nkrumah broadly share a similar political outlook, they have a few important differences. For example, while Nkrumah accepted the inevitability of party politics but fiercely advocated and practised one-party politics and uncompromisingly rejected multi-party politics especially during 1960 - 1966, Rawlings, on the other hand, has objected to party politics of any kind in favour of no-party politics. In which case one may ask: Will Ghana's fourth attempt at constitutional-democratic governance not suffer a similar fate as the first attempt under Nkrumah during 1957 - 1960 did?

The present writer must confess, then, that it is the uncertain circumstances surrounding our current fourth experiment in constitutional democracy which have partly inspired this retrospective glance at a highly crucial period in our political history. History, it has been said, may offer no positive lessons; what it may offer are negative lessons. In other words, even if we are unable to learn from history what precisely we must do in the present, it may be possible for us to learn from it what we should bear in mind when we act. It is, therefore, hoped that this piece contains a few negative historical lessons which can and should inform and guide our fourth search for constitutional democracy during the Fourth Republic.

The rest of the article is divided into six sections. The first section deals broadly with the constitutional and radical types of democracy. In section two the indigenous and colonial backgrounds of constitutional democracy are examined rather selectively. Sections three, four and five are devoted to the attitudes of Nkrumah and the CPP leadership during 1949 - 1957, 1957 - 1960 and 1960 - 1966 respectively; while the final section contains the conclusion.

I

THE CONSTITUTIONAL AND RADICAL TYPES OF DEMOCRACY¹

These days, particularly in the Western world, democracy is most often used without adjectives; it is simply: democracy. In reality, however, democracy to the Western mind is constitutional or liberal or pluralist democracy - all of which are interchangeable terms. In the African context, on the other hand, if confusion is to be avoided, it is important that we specify the type of democracy we want. For, besides constitutional democracy, there is radical democracy which also has its advocates in Africa and elsewhere. Therefore, for the purposes of this article, the constitutional and radical types of democracy are broadly explained. But, first, a word or two about democracy as such.

Etymologically democracy means "the power of the people". In ancient Greece "the people" (or *demos*) referred to a specific section of the population. Hence, as Aristotle correctly argued, classical democracy was a form of sectional government. In modern times, however, the general tendency is to use "democracy" to embrace the entire population, and not only a section of it.

Thus, democracy without adjectives may be defined broadly as a form of government in which the generality of eligible citizens participate in the governmental process. Such participation may be unmediated or direct as Rousseau, for example, advocated. But in a large and complex society this is very difficult to achieve. So, in modern times, democracy - whether constitutional or radical - is necessarily "representative" in one form or the other. The two types of democracy are now discussed in turn.

Constitutional democracy is obviously a combination of constitutionalism and democracy (in the sense just indicated). The task now is to explain constitutionalism.

By constitutionalism is briefly meant the belief that the powers of government and their exercise must be restricted through certain rules, procedures, and institutional arrangements in order to ensure, protect, and promote individual and group liberty, justice, and political stability. Therefore, the type of government constitutionalism entails is limited government.² In the relevant literature, limited government is also termed moderate or constitutional government; and a state with this kind of government is called a constitutional or free state.

To the advocates of constitutionalism, it is sheer stupidity to protest when absolute power is abused, for the simple reason that, as the historical experience of mankind has amply shown, absolute power exists to be abused by fallible human beings. Accordingly, these advocates believe in only those rules, procedures, and institutional arrangements which effectively discourage its emergence. It is evident, then, that constitutionalism is diametrically opposed to arbitrary government; and it logically entails the fundamental principles of the accountability of the rulers for their policies and actions to the ruled, conciliation, compromise, and self-restraint.

There are two major principles which define the limits of lawful power and authority.

The first is "Constitutional Limitation" whereby those things which are considered unlawful for the government to do are more or less elaborately spelt out in a documentary constitution. The second is "Constitutional Criticism" whereby, instead of limits being set to lawful authority in a documentary constitution, the citizenry reserve the right to criticize or question the decisions or actions of the government and its subordinate officials as being "unconstitutional" or "not in accordance with the spirit of the constitution."³ This principle is unique to the British Constitution. These two principles of limiting governmental powers are not mutually exclusive. In the United States of America (USA), for example, they operate side by side and reinforce each other. In some African countries, including Ghana in 1969, 1979, and 1992, where the principle of "Constitutional Criticism" has very weak foundations, the principle of "Constitutional Limitation" has been deliberately adopted in the expectation that the former may evolve over time.

There are a number of major mechanisms or institutional arrangements for ensuring limited or constitutional government. One such mechanism is a written or documentary constitution which sets out more or less clearly the legal limitations on governmental powers. But the very fact that a constitution is documentary does not necessarily mean that it upholds the idea of limited government. Instead, it is possible for a documentary constitution to be the very embodiment of arbitrariness. Hence in modern times, especially, a documentary constitution can only be considered "constitutional" if it contains, at least in principle, some other crucial devices by which limited government can be ensured in practice. Such devices include reasonable separation of powers, the rule of law, the independence of the judiciary and judicial review, entrenched bill of rights and amendment procedure, free and fair elections as well as popular representation and participation.⁴ Since it is necessary to show the relationship between constitutional or limited government and democracy, a few remarks are made on the last two devices.

In Western constitutional thought and practice, at least from the late eighteenth century onwards, the participation of eligible adult citizens (however restricted in number) in government through representatives came to be recognised as a vital element of constitutionalism. This is underscored, for example, by the famous expression: "no taxation without representation." But representatives need not be chosen on the democratic basis of universal adult suffrage - "one-man, one-vote" (or these days "one-person, one-vote"). This is because constitutional government does not logically imply democracy in the sense indicated earlier on.⁵

At the beginning of the nineteenth century, Britain, for instance, was a "constitutional state" and not a "constitutional-democratic state": for the franchise was not based on the principle of "one-man, one-vote". One reason for this was the fear of the ruling elites that if the franchise was too rapidly enlarged to include every normal adult citizen, then constitutionalism would be endangered. Eventually, the British constitutional state was democratized. And the transition to constitutional or liberal democracy was less painful because constitutionalism had already struck deep roots in the British soil.

Today it is accepted that constitutionalism would be incomplete, if not insecure, without the democratic representation of the citizenry as a whole in the governmental process. Thus, the existence of a body representing the people (variously called parliament, congress, or national assembly), elected on the basis of universal adult suffrage, is also now considered a significant component of constitutional democracy. Such a body is vested with the main legislative power of the state. This power is itself limited to passing only such laws and regulations as are not in conflict with the spirit and letter of the

constitution; for example, the passing of retrospective laws is forbidden.

Also important, such a body is expected to serve as the major forum whereby the voice of the people as a whole can be heard; and its very existence, with the continual opportunities for effective criticism, is a check on the government. But, for this body to perform effectively the kind of functions expected of it, it is important that it is chosen in periodic free and fair elections, with more than one political party competing for the popular votes. Hence the significance of a competitive party system. However, periodic free and fair elections are impossible in the absence of the fundamental civil and political freedoms of the person, thought and expression, association and assembly etc. And periodic free and fair elections are a crucial way of ensuring the accountability of the rulers to the ruled. Although in constitutional democracy election results are determined through majority procedure, there is ample respect for minority views and dissent.

It is also worth noting that a virile, pluralist civil society is a crucial prerequisite of the emergence and thriving of constitutional democracy. Briefly, civil society is a cluster of the diverse intermediary organizations or associations that operate between the primary units of society like individuals, families, clans and tribes on the one hand, and the state, on the other. Civil society not only provides diverse counter-vailing centres of power vis-a-vis state-power, but also affords a number of organized social forces the social and political space to practise democratic self-governance.⁶

It must be tolerably clear by now that the democracy in the system of rule called constitutional democracy is only one, albeit important, element: it does not constitute the whole system. Just as constitutionalism is insecure without democracy, so democracy without constitutionalism is inimical.

And this brings us to **radical democracy**. By a pardonable abridgment of a long story, it may be said that the doctrine of radical democracy crystallized approximately in eighteenth century Europe - specifically in revolutionary France. It was significantly partly based on the political ideas of J-J. Rousseau.⁷

In Rousseau's view it was in unmediated or direct democracy alone that citizens could enjoy freedom and justice. Freedom was obedience to self-imposed laws and decisions; while justice was the equal protection of the rights of every individual. On this reasoning, the legislative power of the state should be vested in a general assembly of **all** normal adult citizens. The laws made by the assembly were the true expressions of the general will. The latter simply meant the selfless, patriotic, and informed desire of every normal adult citizen for the common good,⁸ which, in turn, consisted in freedom and justice for all. The general will was at once sovereign and always right. The task of government, the creature of the general assembly, was merely to execute the laws and decisions of the assembly.

Rousseau was hostile to conflict, dissent, and decisions taken through simple majority procedure. He was emphatic that the assembly's decisions should be as unanimous as possible. In the absence of unanimity the dissenting individuals (who might be a minority) should, in his terrible words, be "forced to be free" - i.e. be compelled to see with the rest what was in the interest of all and, therefore, in the best interest of the minority themselves. And that, for Rousseau, was how direct democracy "solved" for all time the problem of political obligation.

Moreover, he objected in principle to the existence of a diversity of political groupings including political parties. The reason was that such groupings by definition not only artificially generated, sustained, and magnified conflict; they also distorted the general will of their members since each such grouping had its own partial will. On the

other hand, if such groupings should be allowed at all, then there should be as many of them as possible so that none would dominate the rest.⁹ Thus, in spite of himself, Rousseau was forced to realize the inevitability of some kind of political pluralism.

Modern exponents of radical democracy, including the Jacobins in revolutionary France (1789 - 1794), have as a whole accepted all except two of Rousseau's ideas just summarized. They have rejected his unmediated democracy as impractical in anything like a large and complex society; instead, they have accepted the idea of representation. However, although they have embraced Rousseau's principled rejection of a diversity of political groupings, they have steadfastly ruled out as a possible alternative the sort of political pluralism he was constrained to admit.

In the light of the foregoing remarks, the following major characteristics of radical democracy are identified:

- i) It is the rule of "the majority". This majority may itself be a minority like "the proletariat" or "the workers" in some countries during certain periods of their histories; or it may be "the peasantry" or "the common people" or just "the poor." With the emphasis on "the majority" (however specified) radical (or majoritarian) democracy runs the gravest risk of approximating Aristotle's characterization of classical democracy as a form of sectional rule.
- ii) The will of the majority must prevail at all costs and at all times, implying that there should be no room for minority views or dissent.
- iii) It upholds the "sovereignty of the people". According to the French revolutionaries in their August 1789 **Declaration of the Rights of Man and of the Citizen**: "The source of all sovereignty is essentially in the nation; no body, no individual, can exercise authority that does not proceed from it in plain terms." (For "nation" read "the people" which is a more or less bloodless abstraction.)
- iv) Radical democracy acknowledges only a single party (or something approaching it). For, if the sovereign will of the people must be expressed clearly, then there should be only one group of individuals whose patriotism, zeal, sincerity, and ability to discern such as will, are not in doubt. Besides, if the people's will is sovereign, then any opposition to it must be at best suspect and at worst sinister. For, any opposition of whatever description can only frustrate the people's will. In that case, that group or party of the "saintly" or the "virtuous" or the "incorruptible", who alone are purported to be able to discern and express the people's sovereign will, must logically terrorize and suppress all opposition, and concentrate all power (which is unchecked) in their hands on the people's behalf. Obviously, not only is the "people's sovereign will" stolen; but also the "people's power" is by logical extension usurped.
- v) Unlike constitutional or liberal democracy which combines constitutionalism and democracy, radical democracy recognizes no other elements. The democratic element alone constitutes the whole system of rule. So, the issue is not more or less democracy combined with other elements (such as in constitutional democracy) according as the circumstances of a particular society dictate. The radical democrat, then, regards elements like Constitutional Limitation and

radical democrat, then, regards elements like Constitutional Limitation and Criticism, the right to dissent, respect for minority views, the rule of law, a pluralist civil society, a competitive party system etc. - so much emphasized by the constitutional democrat - as obstructive and dangerous. Indeed, he cannot see why any sane person should ever think of putting any obstacles in the way of the people's sovereign will - implying, of course, his own will.

As modern experience has amply shown, radical (or majoritarian) democracy has the built-in tendency to metamorphose into despotic or totalitarian democracy propped up by a terroristic and repressive security apparatus.¹⁰ For instance, in justifying the "reign of terror" which raged from July 1793 to July 1794 during the French Revolution, Robespierre, the revolutionary leader, thundered: "The terror is nothing but justice ... it is less a particular principle than a consequence of the general principle of democracy applied to the pressing needs of the country."¹¹

Alexis de Tocqueville vividly described what he identified as "Democratic Despotism", which he considered a new phenomenon, in his work on the Ancien Regime and the French Revolution as follows:

No gradations in society, no distinctions of classes, no fixed ranks - a people composed of individuals nearly alike and entirely equal - this confused mass being recognized as the only legitimate sovereign but carefully deprived of all the faculties which could enable it either to direct or even to superintend its own government. Above this mass, a single officer, charged to do everything in its name without consulting it. To control this officer, public opinion, deprived of its organs; to arrest him, revolutions, but no laws. In principle a subordinate agent; in fact, a master.¹²

Alexis de Tocqueville's characterization of "Democratic Despotism" certainly has a familiar ring in the twentieth century.

Such, then, in outline are the perspectives on the constitutional and radical types of democracy which form the basis of the exposition that follows. We now turn to the indigenous (i.e. pre-colonial) and colonial backgrounds of constitutional democracy.

II

THE INDIGENOUS AND COLONIAL BACKGROUNDS

The Indigenous Roots

Before the advent of colonial rule, many African communities, including those in what is now the territory of Ghana, had evolved their own systems of rule. And some of the defining characteristics of these systems could be described as constitutional-democratic.

Now, it has been aptly noted that not a few students of Africa - both foreign and African - have tended to think that because a special name for a phenomenon did not exist previously, it follows that the phenomenon was equally non-existent.¹³ It is now generally agreed that many non-literate, pre-colonial African societies were complex in many respects. However, being non-literate, they could not organise in writing their thoughts, feelings and actions into readily accessible concepts, which, in turn, would be used to

construct rigorous intellectual frameworks of a modern kind. But it does not mean that those thoughts, feelings and actions did not exist. Similarly, because no easily accessible special names were given to, say, the defining characteristics of modern constitutional-democratic systems, it hardly follows that some such characteristics were in theory and practice unknown to some of the pre-colonial systems of rule.

Again, it is arguable that even if these features were not as manifest as they are in modern constitutional-democratic systems, that is no good reason for believing that they were not, at the very least, latent or intimated in some of the pre-colonial systems of rule. It may be argued further that even if a great many of these systems of rule turned out in practice to be autocratic, that also is no warrant for asserting that all of them were in principle also meant to operate that way.

These general remarks apply with special relevance to the political systems of pre-colonial Ghana. Although these systems were different in some respects, yet they shared a few crucial features. We shall take the Akan system of rule as a representative example and consider not the whole structure, but some of the basic features relevant for our purposes.

The chief or king was the central figure of the Akan system of rule. He combined in his office the supreme legislative, executive, judicial, military, and religious powers of the state.¹⁴ Thus, in principle, he would appear to be an autocrat; but his powers were not absolute. For there were, also in principle, clearly-defined checks and balances which constituted limitations on his powers.

First, any action he took in the exercise of his powers had to conform strictly to the traditional laws and customs of the state; he was not a legislator in his own right. Secondly, any crucial decisions he took had to reflect not his own wishes but those of his subjects. These wishes had to be ascertained through constant consultation with a council of elders and periodic consultation with the whole community. Indeed, the chief by custom had to act only on the advice, and with the approval, of the council of elders which was itself a representative organ. At a certain stage in the installation of a new chief, these and other injunctions were forcefully brought home to him, with the thinly veiled threat that if he infringed them he would be deposed.¹⁵

The threat of deposition was meant to serve as a constant reminder to the chief that he was ultimately accountable for his actions to his people through their accredited representatives, and that he should not act arbitrarily. The system also provided opportunities for the "commoners" to express their views and criticisms, either through either their lineage heads or an elected leader called the commoners' spokesman.¹⁶

In view of all this, it could be maintained without much risk of error that the Akan system of rule as a whole contained some of the features of constitutional democracy. Needless to say, autocracy did on occasions emerge; but this should be regarded as a violation of the system - an aberration. All that has been said here about the Akan system of rule was, *mutatis mutandis*, also true of the systems of rule evolved by most of the other ethnic groups in pre-colonial Ghana.

The Colonial Roots

The imposition of British colonial rule had the effect of changing, and indeed distorting, the character and structure of the indigenous systems of rule. Before dealing with the relevant changes, it is necessary to indicate, if only briefly, the character of the imposed system of rule.

The British colonial power established institutions like the executive and legislative councils, the civil service, the courts, the police, and the army. For most of the colonial era all of these institutions were under the firm control of the governor. The executive council consisted of members who were appointed, and who could be dismissed, by the governor. In other words, they were responsible to him. The permanent officials were similarly responsible to him, and not to the executive or legislative council. Although there were a few liberal elements within it, the colonial system of rule was as a whole autocratic and paternalistic. Supreme power - executive, legislative, and judicial - rested with the governor. He was himself accountable not to the people he governed, but to the British government through the Secretary of State for the colonies.

The British government, in theory, had formidable powers over their colonies. In colonial Ghana, for example, there were certain bills which could not come into effect without its specific assent. In spite of the existence of the legislative and executive councils, the governor possessed considerable discretionary powers. Under the various colonial constitutions, including those of 1950 and 1954, there was provision for the governor, in the interests of public order or good government - and, of course, with the approval of the Secretary of State for the colonies - to act against the advice of the executive council, to veto bills passed by the legislative council, or to put into effect bills rejected by the latter.

In respect of the judiciary, the chief justice and puisne judges (who comprised the supreme court) and the inferior judicial officers were appointed by the governor with the British government's approval. These judicial officers could be dismissed at the instance of the Secretary of State acting on behalf of the British government; and the Secretary of State himself acted after consulting the governor. Which all meant that the judges enjoyed no constitutional security of tenure as their counterparts in Britain. It was not until 1954 that this was provided.

Another aspect of the administration of justice was the predominance of the political officers - the district, provincial, and chief commissioners. There was, for instance, a protective law to the effect that no action could be brought against any commissioner in respect of any act or order performed in good faith or made by him in the execution or supposed execution of the powers or jurisdiction vested in him. But, it has been shown that even in the early years of colonial rule the judiciary insisted on respect for the rule of law on the part of public officials, the ultimate objective being the protection of the civil liberties of the individual.¹⁷ Little wonder that some people, especially the educated Africans, often emphasized their belief in "British justice" and "fair play"¹⁸, although this did not prevent them from criticizing and opposing the colonial system of rule as a whole.

'The stark point is that British autocracy in colonial Ghana was less harsh than that of, say, the French or the Portuguese in other parts of Africa, or even of the British themselves in East and Central Africa. In view of this, the colonial subjects could, within certain limits¹⁹, form voluntary associations, some of which were clearly political; they could establish newspapers in which government policies and actions were criticized without necessarily always facing severe punitive measures by the government; and they could send delegations or deputations of protest to Britain without considerable difficulty. These constituted what we may call liberal elements in the British autocracy in colonial Ghana; and the significance of this fact was not lost on the Western educated African nationalists, as will be seen presently.

It is convenient at this point to consider one other significant aspect of colonial rule: namely, the colonial policy on the indigenous political institutions. Such a policy was translated into practice through what came to be called the system of indirect rule. By this system the colonial authorities sought to rule the people at the local level through the traditional political institutions. Various native ordinances gave the governor considerable powers of suspending or deposing a chief, or confirming his enstoolment or destoolment by his people. Besides, all his public actions were subject to the close supervision and control of a colonial official - the district commissioner.

Thus, the chiefs became less and less dependent on the will of the people; and there was a progressive breakdown of the traditional processes of consultation between the chiefs and their people. The latter as a whole increasingly came to consider the chief as a servant, a willing tool, of the government; he was, after all, paid by the government which could, whenever it pleased, remove him from, or retain him in, office. The recognition of the chiefs and their councillors as "native authorities" also tended to exclude the commoners and the better educated members of the community from local participation in decision-making.

Under the Guggisberg constitution of 1925 a system of provincial councils of chiefs was established in the "Gold Coast Colony". Later a joint provincial council of chiefs (JPC) emerged. Among other functions, these bodies served as electoral colleges for choosing a limited number of members for the legislative council; in this way the chiefs were given institutional representation on the legislative council.²⁰ In its total effect, then, the system of indirect rule, such as it was, considerably weakened the powers of the chief vis-a-vis the colonial government; while in relation to his people his powers were shored up simultaneously.

And that was precisely the standpoint of a section of the politically conscious Western educated Africans in the inter-war period such as Casely Hayford, Dr. Nanka Bruce, K.A. Korsah, and J.B. Danquah. The latter as a whole were called the "intelligentsia"; but they may be more appropriately termed the "nationalist constitutional progressives." They included lawyers, doctors, religious leaders, teachers, particularly in the growing number of secondary schools and teacher training colleges, literate wealthy merchants or cocoa farmers, and so on. They had been exposed to Western ideas of constitutionalism, democracy, nationalism, etc. Some of them had great reverence for the procedural rules underlying the pre-colonial indigenous political institutions as well as a masterly grasp of Western constitutional ideas and practices. Not surprisingly, the Western educated nationalists as a whole were much inclined to oppose the character and structure of colonial rule in general and indirect rule in particular on constitutional grounds.

First, they wanted free, representative institutions to replace the colonial autocracy. The goal was not impossible to realise. After all, the autocracy contained a few liberal elements including the principle of elective representation with regard to the legislative council which the Guggisberg constitution had introduced on a limited scale. What was needed was the willingness on the part of the colonial authorities to co-operate with the constitutional progressives to nourish the tender roots of constitutionalism. It is significant to note that these nationalists were not concerned with the political dimension of constitutional government only. They were also convinced that such a form of government could and should provide a more suitable framework for the country's economic and social development. As Casely Hayford once put it: "If the Gold Coast were a country with free institutions, we should soon have good wharves and harbours, gas works, and a railway communication all over the country. Prosperous cities would grow up, and

knowledge would spread among all classes of the people, producing a willing and efficient body of workmen for the material development of the vast wealth and resources of the country."²¹

Secondly, they agreed with some colonial officials, especially Guggisberg, on the need to renovate the traditional political institutions to meet the challenges of the times. Nevertheless, they strongly felt that the native authorities and provincial councils, for example, established by the colonial regime had perverted the basic features of the indigenous systems of rule. Their contention was based on their belief that the pre-colonial political systems contained certain basic features that ensured limitation of chiefly power, as already seen. The only right thing to do was to so reform the prevailing traditional political institutions, and indeed the whole colonial autocracy, as to accommodate the principle of limitation of power and an ever-widening representative democracy.

In any case, as Casely Hayford²² argued, the task of renovating and developing the "native state system" along "aboriginal lines and on scientific principles" belonged primarily, not to the colonial authorities, but to the "educated Native if the British Government will trust him to do it." By denying the educated Africans as a whole a greater voice in the legislative council and in the effective administration of the whole country, compared with the chiefs, the colonial government had shown its distrust in the ability of the constitutional progressives to evolve a political system that would be homesprung, democratically representative, and constitutional.²³

And yet, it can be argued, of all the groups in the society the constitutional progressives alone formed the nucleus of what has been termed "the constituent group" of constitutionalism. By this is meant "a considerable number of the more vital and intelligent men who, animated by a desire for freedom, are determined to organise a constitutionalist regime".²⁴ As already indicated, because of the attitudes of the colonial officials as a whole, and especially of the policy of indirect rule, the growth in number of such a group was arrested.

True, in the immediate post-World War II period, the colonial government gave the surviving nationalist constitutional progressives, reinforced by a few new ones, the opportunity to participate effectively in shaping the type of constitutional-democratic system they had all along been advocating. This was the appointment in December 1948 of an all-African Committee on Constitutional Reform on the recommendation of the Watson Commission which enquired into the 1948 disturbances. (Its Chairman was Mr. Justice J.H. Coussey - hence the popular name, the Coussey Committee.)

It would appear that the colonial government responded favourably to the recommendation partly because it may have concluded, after the February 1948 riots, that, for the sake of "good government" in an independent Ghana, there should be a partnership between the chiefs and the constitutionally-minded, older established nationalists.²⁵ But, in the volatile circumstances of the immediate post-war years, the concession would appear to have been rather belated. (See Section III below.)

Be that as it may, the Coussey Committee, within the limits imposed by its terms of reference, made certain recommendations for constitutionalizing and democratizing the colonial political system to some extent. In its Report,²⁶ the Committee stated that, in embarking on a new political order, it had chosen the British model of parliamentary democracy and had sought to blend it with the country's traditional political institutions. It believed with Martin Wight²⁷ that there was no intrinsic disharmony between the two systems.

On the position of chiefs in the new order, the Committee disagreed with the Watson Commission that the star of rule through the chiefs was on the decline. It rather believed that the whole institution of chieftaincy was so closely bound up with the life of the country's communities that its disappearance would be disastrous, politically and socially.²⁸ On the other hand, it rejected the retention of chieftaincy in its old indirect rule form. Since the complexity of modern life demanded more efficiency in local government, the "native authorities" should be replaced by "local authorities." The Committee, however, recommended the retention of the chiefs' councils.

But, in order to blend the old with the new, it proposed that at least one-third of the seats of the new local councils should be reserved for representatives of the chiefly council for the area concerned. This synthesis was designed to encourage the emergence of a system in which a predominantly illiterate population could gradually but steadily learn to participate in, and shoulder the responsibilities of, modern administration without in the process losing the heritage of the past.

To prevent excessive centralization of government, the Committee recommended regional administrations under elected councils. It believed that these councils would provide the needed guidance for the considerable number of new and inexperienced local councils; and they would offer a greater number of people the opportunity to acquire administrative experience. The significance of the recommendation cannot be over-emphasized, as subsequent events amply showed.

On the legislature, the Committee proposed a largely popularly elected body to replace the traditional kind of colonial legislative council of nominated and elected members. There were two proposals for a unicameral legislature and a bicameral legislature respectively.²⁹ Under the latter there would be an upper chamber comprising chiefs and non-chiefs or elder statesmen. The unicameral proposal provided for a legislative assembly with a considerably expanded African membership, one-third of whom would be chiefs or their representatives. Besides, there would be three *ex-officio* members and two members elected by the chambers of mines and commerce.

The proposals on the executive council were equally significant. This council, which had hitherto been an advisory body to the governor, was henceforth to be the major instrument of making policy; and this would mean the introduction of the cabinet system of government. The council would consist of eight Africans chosen from the legislature, three *ex-officio* members, and the governor as its chairman. There was to be collective responsibility of the council to the legislature rather than to the governor. This would mean that if the legislature voted against a major policy of the government, or voted "no-confidence" in it, the latter should resign.

However, the Committee recommended the retention of the governor's reserve powers. Which would mean that he could still assent to bills rejected by the ministers and the legislature if he considered that such bills were in the interest of "public order, good faith or good government."

In respect of the issue of universal adult suffrage, the Committee recommended that every tax/rate-payer, male and female, over twenty-five, should have the right to vote. Only in the municipalities, however, would the vote be direct; in the rural areas it would be indirect.

The reasons for this recommendation are worth quoting *in extenso*: "In taking this step [the Committee noted] we are fully aware of possible dangers as the country embarks on the large-scale experiment of responsible government. We are convinced, however, that it is through experience alone that a people can learn the proper use of their rights as

citizens, and that they must, at the same time, bear the responsibility for the misuse of them. We feel that we can rely on the general good sense of the large majority of our people, who are by no means lacking in political understanding. Nevertheless, we have weighed the risks involved most carefully and by recommending election in two stages, except in the cases of the existing municipalities of Accra, Cape Coast, Sekondi-Takoradi and Kumasi, we have provided a means for the exercise of responsible judgment, in two stages, in the election of members to the Assembly. This process of election should minimize the dangers inherent in the wide and rapid extension of the franchise before the development of that full political sense which is the true bulwark against the charlatan and the demagogue."³⁰

In making the recommendation, the Committee was aware of the "popular cry throughout the country for universal adult suffrage." But it found itself in a situation perhaps not very different from that of the nineteenth century British opponents of the demand for the rapid extension of the franchise, as already indicated. That is, the members of the Coussey Committee were convinced that, in the absence of a deeply-rooted tradition of constitutionalism, the rapid extension of the franchise would entail grave dangers for the evolution of the constitutional-democratic order they envisaged for the country.

In 1950 the Constitution (Order-in-Council) was promulgated and came into force on 1 January 1951. With respect to details, this 1951 Constitution was a watered-down version of the draft Coussey Constitution; but it did not depart radically from the principles underlying the latter. And it was expected to evolve along constitutional-democratic lines.

The Constitution provided, *inter alia*, for an executive council comprising three *ex-officio* and eight African members, and the governor as chairman. The council would be responsible both to the governor and to the unicameral legislature called the legislative assembly. The latter would be composed as follows: a Speaker, three *ex-officio* members, six special members representing commercial and mining interests, and seventy-five Africans (thirty-seven from the Colony as well as nineteen each from Asante and the Northern Territories). Only five of these Africans were to be elected directly; thirty-seven were to be elected indirectly through electoral colleges in the rural areas; while the remaining thirty-three were to be selected by the territorial councils of chiefs.

The general election of February 1951, the first of its kind in the country, was held under the Constitution. Although within limits the Constitution was patterned after the British parliamentary system, it was designed for a pre-party political age.³¹ But because two major political parties contested the election, the Constitution became a veritable weapon of party political use. The two parties were the United Gold Coast Convention (UGCC) and the Convention People's Party (CPP).

The UGCC was inaugurated on 4 August 1947 by some leading members of the nationalist intelligentsia including G.A. "Pa" Grant (chairman) and J.B. Danquah (vice-chairman). Its major aim was to ensure "that by all legitimate and constitutional means the direction and control of government should pass into the hands of the people and chiefs in the shortest possible time." As is common knowledge, at the invitation of the Working Committee of the UGCC, Nkrumah (after an absence of twelve years) returned home in December 1947 to assume the post of general secretary.

As a result of some personal and ideological differences with the rest of the Working Committee, Nkrumah (not without some prodding from some radical youth) broke away and inaugurated his own party, the CPP, on 12 June 1949. Its major aim was that of "fighting relentlessly by all constitutional means for the achievement of full self-

government now for the chiefs and people of the Gold Coast." The first Central Committee with Nkrumah as chairman included Kojo Botsio (Secretary), K.A. Gbedemah, Kofi Baako and Krobo Edusei.

In the general election the CPP won thirty-four of the thirty-eight popularly elected seats. Nkrumah, who stood as a candidate for Accra while in jail for three one-year terms for his part in the 1950 "Positive Action" episode, became the "Leader of Government Business" in 1951 (and prime minister in 1952) at the head of a government formed by the CPP. Besides the significant question of independence and its timing, there was the equally crucial issue of whether the constitutional democracy envisaged by the Coussey Committee could become a reality under Nkrumah and the CPP. At this point, then, it is necessary to outline the character of the political outlook of Nkrumah in particular and the CPP in general.

III

FIRST PHASE : 1949 - 1957

THE POLITICAL OUTLOOK OF NKRUMAH AND THE CPP

The diverse influences that shaped Nkrumah's political thinking and tactics have been amply noted. Of these one may single out as, perhaps, the most decisive Marxism-Leninism and Pan-African nationalism of the George Padmore and 1945 Manchester Pan-African Congress variety.

The considerable influence of Marxism-Leninism on Nkrumah is underlined by, for instance, his earliest work, *Towards Colonial Freedom* (at any rate at the level of ideas and language).³² On his release from prison in February 1951, he declared at his first world press conference: "I am a Marxian Socialist and an undenominational Christian", apparently unaware of the contradiction between the two terms. But he also denied being a "communist" and ever having been one.³³ The denial may have been in response both to the accusation by Sir Gerald Creasy's administration after the 1948 disturbances that Nkrumah was a "communist" and to the Watson Commission's conviction that while abroad he had been "imbued with a communist ideology which only political expediency [had] blurred."³⁴

Not surprisingly, Nkrumah did not, in the pre-independence period, openly and seriously propagate "Marxian Socialism." In fact, for tactical reasons, he ensured that the CPP and the government would not be identified with it, much less with "communism." In respect of the latter, two of the important steps taken may be mentioned. The first was the heavy-handed expulsion of Anthony Woode and Turkson-Ocran from the party in October 1953 for their alleged connection with the communist - controlled World Federation of Trade Unions (WFTU).³⁵ The other was Nkrumah's statement in the legislative assembly in February 1954 that the government would ban communists from such sensitive areas of the public service as the army, police and labour. Interestingly, he characterised communism as another type of imperialism, but added that the ban was a strictly security, and not a political, measure.³⁶ So, even though some of the Marxist-Leninist vocabulary kept cropping up in the party press and publications, and in some contributions of a few party members to legislative assembly debates, there was no serious attempt at formulating a Marxist socialist ideology until well after independence.³⁷

But the Leninist influence, which was most marked in Nkrumah's methods of organisation and propaganda, could not be disguised for long. For in 1953 he confided to Bankole Timothy³⁸ "From Lenin I took ideas for the party's local organisation." As is well known, Leninism sees politics in terms of elites and masses; and it emphasizes the crucial role of a closely-knit and disciplined minority of individuals called the political vanguard partly because it is sceptical of the organisational efficacy of "mass spontaneity." Nkrumah subscribed to this standpoint when he wrote: "Mass movements are well and good but they cannot act with purpose unless they are led and guided by a vanguard political party."³⁹ In 1949 the CPP, in a five-point programme, promised to become "the vigorous conscious political vanguard ..."⁴⁰

Earlier in 1948 after the February riots a document, *The Circle*, was found on Nkrumah which was the constitution of a secret organisation he established while in London. The organisation comprised individuals who were "trained and engaged in political Revolution as a profession" and the aim of which was "to maintain ourselves and 'The Circle' as the Revolutionary Vanguard of the struggle for West African Unity and National Independence." Characterising its enemies in the abstract, it pledged to make it "impossible ... for demagogues, quislings, traitors, cowards and self-seekers to lead astray any section of the masses of the African peoples."⁴¹ Moreover, its members had to swear to the Leader, Nkrumah, an oath of loyalty of a personal and servile kind; and possible disloyalty was discouraged with some disturbing threats.⁴²

It has been aptly noted that the organisation bore striking influences of the secret societies of "Young Italy", the cells of Russian revolutionaries and, most significantly, of the Leninist organisation of communists before 1917.⁴³ Indeed, *The Circle* may be described as more Leninist than Marxist "because it was concerned with the technique of capturing and maintaining power," which was Lenin's singular contribution to Marxism.⁴⁴ The Watson Commission, then, was not imagining things when it concluded that Nkrumah used such a technique to subvert the UGCC leadership.⁴⁵

There were other influences besides the Leninist. For, if the Leninist influence alone had prevailed, the CPP should, in fact, have been a political vanguard right from its establishment. While in the United States of America and Britain Nkrumah was able "to learn the technique of organisation" of as many political parties and movements as possible.⁴⁶ In addition there was a motley population in colonial Ghana with all sorts of ideas and beliefs to be reckoned with. For all these reasons the CPP became "a mixture of things", as Nkrumah further told Bankole Timothy⁴⁷ or a "bewildering unity" of Christianity, paganism, socialist rhetoric and nationalism.⁴⁸

Be all this as it may, it is no straining of the evidence available to suggest that the two key strands in the political outlook of Nkrumah, the nationalist politician, and the CPP in this period - and long after - were nationalism and democracy. Both strands were intimately related and reinforced each other.

For Nkrumah, especially, nationalism was both territorial and Pan-African or West African. But for reasons of political expedience the emphasis was placed on territorial, i.e. Ghanaian, nationalism in this period. And the five-point programme the CPP issued in August 1949 encapsulated the major ingredients of its nationalism.

First and foremost, CPP nationalism meant the attainment of "Self-Government Now!" for the chiefs and people of colonial Ghana through "constitutional means." But the achievement of "self-government", it was realised, did not exhaust the impetus of nationalism. "Self-Government Now!" was not an end in itself; it was a means to further ends like complete national unity as well as social and economic reconstruction along

“welfarist” lines.

It was necessary “to secure ... complete [national] unity” because the “self”, on whose behalf political independence was claimed, was itself polyethnic. And without national unity it would be almost impossible for the party “to work for a proper reconstruction of a better Gold Coast in which the people shall have the right to live and govern themselves as free people”, and on the basis of equality.⁴⁹

As already indicated, for Nkrumah in particular, nationalism and democracy could not be separated without serious distortion of the party’s short- and long-term objectives. As he put it later in 1963: “In our struggle for freedom, parliamentary democracy was as vital an aim as independence. The two were inseparable. It was not our purpose to rid the country of the colonial regime in order to substitute an African tyranny”.⁵⁰ It must be emphasized here, though, that the kind of democracy Nkrumah and the CPP espoused in even the pre-independence period contained some elements of “radical majoritarian democracy.” (See Section I.)

In Nkrumah’s view government derived its power and authority from “the masses” or “the people”, and was dependent on their sovereign will. The success of a national movement ever so much depended on “every man and woman of goodwill” being “allowed to play a part”, the converse being that those of “ill-will” were out on the political limb. “Freedom” meant that “power [must] pass into the hands of the people and ... effectively exercised by them... through the organs of government which are freely elected by them ... and responsible to them.”⁵¹ Hence the CPP’s impatient and persistent demand for unqualified universal adult suffrage vis-a-vis the Coussey Committee’s argument for the gradual extension of the franchise.

Nkrumah and the CPP made another claim which became a refrain in CPP utterances, and was converted later into a policy: “By forming the Convention People’s Party”, Nkrumah wrote in his *Autobiography*, “and so introducing the party political system the foundation stone of parliamentary democracy was laid.”⁵² In fact, he again claimed, the CPP was established as “the democratic instrument of the people’s will and aspirations.”⁵³ For Nkrumah this was necessarily so because only he and his colleagues, who “wished for genuine progress” and for an egalitarian society, had been able to talk and hobnob “with the people and by so doing knew their feelings and grievances” as well as their yearning for “Freedom” and social justice.⁵⁴ Only they, that is to say, had succeeded in establishing a symbiotic relationship with the disadvantaged, poor majority; and they had “excluded no-one [of goodwill]”. On the other side were the “reactionary”, “disgruntled” and “opportunistic” nationalist intelligentsia of the UGCC and the chiefs who sought to exclude “the mass of the people”; no wonder they “failed to make any headway with the ordinary people”.⁵⁵

Such an assessment of a complicated political situation conceals from view a highly significant but simple motivation of Nkrumah and his closest collaborators: namely, to supplant the existing leadership of the nationalist movement, if only because they claimed to offer the people the only acceptable “New Deal.” In this respect, to adapt the pregnant words of a critical admirer of Nkrumah, “they knew exactly what they were doing,” despite “the innumerable twists, turns, accidents, and catastrophes, large and small, inevitable in all politics”.⁵⁶

However, they were somewhat realistic to have seen that the chiefs as a whole still wielded a measure of power and authority to pose a threat to the commoners’ party in the rural areas generally. Accordingly, the CPP was determined to destroy the position of power, authority, prestige and dignity that the chiefs still enjoyed in the society. It was not

for nothing, then, that Nkrumah, in a speech at the Arena during the "Positive Action" episode, declared that "if the chiefs would not co-operate with the people in their struggle for freedom then a day might come when they 'will run away and leave their sandals behind them.'"⁵⁷ To which Nana Sir Tsibu Darku IX, a typical paramount chief, replied in a speech in the Legislative Council on 19 January 1950: "Some ... grasshopper leaders who tell us that they are fighting for Self-government for the chiefs and people of this country now tell us that the 'Chiefs will run and leave their sandals behind'. We all want Self-government, but we do not want Self-government in a State in which all of us shall be slaves."⁵⁸

Be that as it may, their political ambition, reinforced by their perception of the prevalent social and political forces, induced Nkrumah and his colleagues to represent themselves as the only "men of the people", the only "progressives", who had formed a "People's party" in which "the masses" would of necessity play a more forthright and crucial role at even the leadership level. Opposed to them were "the reactionary intellectuals and chiefs" who were cast in the roles of "quislings", "traitors", "political acrobats" and "bribe-takers."⁵⁹ So, given that the nationalist movement represented the majority of the people; and given that the CPP was the sole organised democratic expression of that movement, it followed logically that the CPP represented the majority of the people.

Thus, at its very inception, the CPP not only saw itself as a commoners' party; it also came very close to claiming that there was at the time no rival group, nor was one ever likely to emerge in the future, which could also legitimately lay claim to the allegiance of a sizeable portion of the population. The "radical-democratic" implications⁶⁰ of this self-image of the CPP were to unfold in the post-independence era, especially. Meanwhile, again for tactical considerations, the CPP must give the impression that it was only a dominant party which was willing and able to observe "the rules of the game."

As is common knowledge, the CPP leadership were hyper-critical of the Coussey Report. Nkrumah, for example, asserted that the draft Coussey Constitution was nothing short of a "Trojan gift horse." It was "bogus and fraudulent" for two main related reasons. The African ministers in the executive council would have "portfolios but no power." For real power would still rest with the colonial officials, particularly the three *ex-officio* ministers who would handle the most significant and sensitive aspects of the administration and would not be subject to African control.⁶¹

Then, on 20 November, 1949, the CPP and TUC convened a "Ghana People's Representative Assembly" to "coalesce public opinion against the Coussey Report and to urge the people into effective action." It comprised representatives of the CPP, TUC, the Committee on Youth Organization (CYO), local youth societies, ex-servicemen's union, farmers' associations and the like. The Assembly adopted a resolution demanding "that the people of the Gold Coast be granted immediate self-government, that is, full Dominion status within the Commonwealth of Nations based on the Statute of Westminster."⁶²

It also approved a draft Constitution. This proposed a bicameral legislature of a senate of chiefs and elders as well as a house of assembly of commoners. The senate would comprise thirty-six members, nine to be elected by each of the four regions, and not less than one-third of whom would be non-chiefs elected by the territorial councils. The assembly would consist of seventy-five members to be elected by unqualified universal adult suffrage, with twenty-one as the minimum age of voters.

There would be an executive council of twelve formed by members of the majority party in the assembly, one minister without portfolio from the senate, and only one *ex-officio* minister of defence "approved by the Secretary of State with the advice and consent" of the executive council. (A youth organisation, the "League of Ghana Patriots", added a rider proposing the complete exclusion of *ex-officio* ministers from the executive council.) The governor would retain a power of certification and veto, to be exercised on the advice and consent of the executive council. The senate could not reject, amend or delay a money bill for longer than one month; but it could delay other bills for one year.

One-third of local government councils would be nominated by traditional authorities. Although there would be "no property qualification" for the local government franchise, the payment of local taxes would be a condition for the right to vote. Besides, only a part of the income of "stool lands" would be given to elected councils for the provision of local social services. Finally, the gathering called for a constituent assembly to debate and draft a constitution based on the Coussey Report and the amendments made to it.

Apart from the radical insistence on immediate self-government and universal adult suffrage, these proposals on the structure of central and local government were a relatively moderate and tame affair. Obviously, the harsh criticisms of the Coussey Report by Nkrumah, the CPP and other radical groups made sense largely in terms of their propaganda value.⁶³ For C.L.R. James⁶⁴ "what really made the [Assembly's] constitution remarkable was the place allotted in it to the chiefs and elders", which he believed was in the right direction. But from what has been said earlier on, it must be reasonably clear that, for Nkrumah at least, the sort of political role assigned to "the chiefs and elders" did not derive from genuine political conviction.

It is now appropriate to indicate briefly the character of the CPP's popular base. As is well known, this base was provided mainly by the "commoner young men" of the rural and urban areas. They comprised illiterates and the proverbial "standard VII boys", some of whom were engaged in various occupations, while others were unemployed.⁶⁵ A dominant characteristic of these people as a whole was that they had as commoners derived their experience of power and authority under autocratic colonial rule. As such, they may not have recognised even the faint traces of liberalism within the interstices of colonial rule. Instead, they may have seen and experienced its despotic aspects mainly.

Even though they became the rank and file supporters of the UGCC, they were soon bewitched by Nkrumah's militant demand for "Self-Government Now!" compared to the UGCC's gradualist demand for "Self-government in the shortest possible time." Considering themselves as the "marginalised" of colonial society, they were extremely impatient for the rewards which the attainment of the political kingdom would bring. Thus it was that, with the flag of radical democracy of some sort nailed to the mast of nationalism, Nkrumah and the CPP sought the political kingdom, the "Free - dom", where all other things would be added.

The CPP in Office : the period of Tactical Action

On account of their harsh criticisms of the Coussey Report, one should have expected that Nkrumah and the CPP would have neither contested the 1951 general election nor accepted the offer to form a government thereafter. But they did both, as we have seen. And the "dyarchy" (the partnership between the CPP and the colonial officials) was inaugurated; it lasted six years.

Nkrumah liked to describe the period as one of "tactical action" - as indeed it was. He had to explain the move from "Positive Action" (launched in January 1950 to coerce the British to grant immediate independence) to "tactical action" to allay the misgivings of an influential radical faction in the party.

One reason he gave was that to reject the offer to participate in government would give the opportunity to others to come to power. And these others "in our view, though not possibly in theirs, could not use it to the country's best advantage", with the unmistakable implication that only the commoners' party could and would use power in the country's best interest. The issue was not whether the CPP could and would rule better than other groups. Besides, although Nkrumah and his lieutenants disliked the 1951 constitution, they could achieve their objectives by proceeding according to plan. Finally, their very presence in the legislative assembly and the executive council would enable the party leadership to fight "both from within and [from] outside the Government for Self-Government now."⁶⁶

"Tactical action" was a shrewd move. For, once in the government, the party leadership could deploy their position of privilege and patronage to channel "funds, minds and people" in the party's direction. In office the CPP would become the new paymaster and thus attract support from other strata of society.⁶⁷ Moreover, the colonial power would become convinced that the CPP had become responsible and willing to operate within the framework of parliamentary government.

The CPP leaders quickly settled down to the business of ruling - and this, within only two years of the party's establishment. From 1951 to 1953 everything - for them - was proceeding apace. In his "Motion of Destiny" in 1953 Nkrumah confidently stated: "There is no conflict that I can see between our claims and the professed policy of all parties and governments of the United Kingdom. We have here in our country a stable society. Our economy is healthy, as good as any for a country of our size. In many respects, we are much better off than many sovereign states. And our potentialities are large. Our people are fundamentally homogeneous, nor are we plagued with religious and tribal problems...."⁶⁸

The calmness was deceptive, though. For there were already disturbing stirrings among not a few party members, especially in Asante, for greater regional representation in the legislature. While the party radicals, including E.K.K. Taylor, J.C. de Graft-Johnson, and J.E. Jantuah, demanded the acceleration of the pace towards independence.⁶⁹

Perhaps it was mainly because of this last factor that Nkrumah announced in the legislative assembly in October 1952 that preparations were afoot to review the 1951 Constitution in certain respects. He invited the "chiefs and people" to submit memoranda to the Prime Minister's office. He singled out those aspects of the constitution that needed review; though the public was free to make other suggestions. He emphasized the government's determination not to formulate its constitutional proposals until the fullest opportunity had been allowed for consultation with the public; and until the government had studied the memoranda submitted.⁷⁰

Eventually one hundred and thirty-one organisations submitted memoranda. These, together with views expressed during discussions with some groups, constituted the basis of the government's White Paper on proposals for constitutional reform published in June 1953.⁷¹ It is curious that the government rejected the demand of groups like the Ghana Congress Party (GCP), the successor of the UGCC, the Ghana National Party (GNP), the TUC, and the territorial councils (JPC, Asanteman Council and Northern Territories Council) for a constituent assembly to draw up a constitution for the country; a demand

which the CPP and other groups had made in November 1949.

It is no exaggeration to suggest that the People's Party and its representatives in government aimed at controlling the form, substance, pace and direction of constitutional change. This they could do with the help of some independents in the old legislative assembly, as happened in 1953, and subsequently with their own majority in the newly elected one after June 1954.

In their memoranda the chiefs and the nationalist intelligentsia demanded a second chamber. Among other things, it was argued, a second chamber would check hasty legislation by the lower chamber; and it would enable experienced elder statesmen (including chiefs), insulated from the "rough and tumble" of party politics, to contribute their share to the national welfare where it was needed most.⁷² The reasons are not far to seek.

The nationalist intelligentsia had been roundly trounced in the 1951 general election. The chiefs as a whole were aggrieved because of the considerable erosion of their control over the native authorities as a result of the Local Government Ordinance of 1951. Then, even at this very early stage, a great many of the two groups could see evidence of "hooliganism", violence, leader - worship, increasing corruption in public life, and intolerance of criticism on the part of the CPP and the government - in fine, of "creeping dictatorship".⁷³ With independence not far away, they looked for the devices of putting the government on a short chain. And one such device was the second chamber.

But the CPP leaders were opposed to it. They felt that another chamber, filled with elder statesmen most of whom might turn out to be "reactionary intellectuals" and "feudal elements", should not be allowed to obstruct and frustrate the sovereign will of the people expressed through their elected representatives in the legislature. It will be recalled that in November 1949, the CPP had lent its considerable support to the demand for just such a body. But this, as already intimated, was a tactical move to entice many chiefs into the CPP fold. So that it is not a mistake to conclude that the CPP's rejection in 1953 of a second chamber of "chiefs and elders" was an exercise in selective amnesia. If Nkrumah's Marxist-Leninist beliefs were muted in this period, his belief in "majority rule" was always manifest; a belief which must have been strengthened by the party's victories in the 1951 general, and the 1952 local government council, elections. It was a matter of course, then, that one cardinal change to the existing Constitution would be the requirement that all members of the legislature should be elected on the basis of "one man, one vote."⁷⁴ Therefore, the chiefs, like other citizens, had no right to political office except through popular election.⁷⁵

The change, which was embodied in the 1954 constitution, signified the victory of the commoners over the chiefs whom they regarded as their "traditional enemies." It meant the disappearance of chiefly representation as such from the legislature for good. The commoners' party thus succeeded in neutralising a significant centre of power at the national level. (In 1959 the chiefs would be removed completely from the local councils as well.)

The Federalist Agitation

But in the mid-1950s the nationalist intelligentsia and the chiefs as a whole again joined forces to pose a formidable challenge to the CPP. The story of the federalist agitation has often been told to bear repetition here.⁷⁷ It is enough for the purpose here to say that the National Liberation Movement (NLM) with its platform of a federal form of

government for an independent Ghana was essentially- as already indicated - a fairly reasonable reaction to what the opposition forces regarded as the tendency, during the first term of CPP rule, towards strong rule. Not unexpectedly, the federalist agitation let loose a whole flood of resentment and frustration and anger. And it brought in its wake scenes of intense violence in Asante especially, and in parts of Akyem Abuakwa, involving both the NLM and the CPP.

Several independent observers have offered their own interpretations of the episode. But, everything else apart, the essence of the federalist agitation must be seen for what it was: namely, the necessity of constitutional and substantive limitations on the powers of government to stem the "creeping dictatorship." Or, as David Apter⁷⁸ would put it: "This was not simply a problem of a unitary versus a federal form of constitutionalism.... Rather, it was a question of the safeguards that could be created to preserve the parliamentary system after the protective arm of residual British authority was gone." (As will be seen presently, the federalists and their allies conceived "the parliamentary system" differently from what Apter may have had in mind.)

Thus, besides the demand for a division of powers between the centre and the constituent units, some other crucial devices of constitutionalism were insisted on. These included the rule of law, a bill of rights, separation of powers, judicial independence and review as well as an entrenched amendment procedure. When the federalists lost the battle for strong federalism, they settled for the devolution of fairly strong administrative powers to the regions. However, they knew that the war for the limitation of power, for constitutionalism, within the framework of parliamentary democracy, was yet to be won. Hence their persistent insistence that such devices should be embodied in the independence Constitution.⁷⁹

The NLM-dominated opposition forces advanced several arguments in support of their demand for "Constitutional Limitation." (See Section I.) At the possible risk of some distortion, it may be said that the thrust of these arguments was the conviction that "unlimited power" posed the gravest danger to individual and group liberty. Therefore, in a very significant sense, the wholesale adoption of the British system of parliamentary government without the benefit of its peculiar protective devices - such as was attempted with the Nkrumah Constitution of 1954 - was inimical to the evolution of constitutional democracy in Ghana.

Under the British system, it was accurately pointed out, parliament is legally sovereign or supreme; and it can enact any laws whatsoever. But a government with a parliamentary majority operates within the framework of certain traditions, conventions, customs, precedents and political pluralism. Also, the government itself acts with as much self-restraint as possible. In short, the British system is suffused with the principle of "Constitutional Criticism." (See Section I.) Without the widespread recognition of, and respect for, such a principle, the British type of parliamentary government cannot be described as constitutional-democratic.

In Ghana, on the other hand, the habits of "Constitutional Criticism", it was correctly seen, were yet to develop among the citizenry as a whole. Even more disturbing, there was every reason to believe that the CPP government hardly recognised the need for self-restraint in the manner it used its parliamentary majority to enact certain laws. Indeed, it was added, its very political orientation precluded the CPP's recognising this need. In which case, the future of constitutional democracy was very bleak as long as Nkrumah and the CPP remained in power. Opposition spokesmen cited many actions of the CPP government to support this contention. A couple or so of these are mentioned below.

The opposition maintained that the government made little or no efforts to obtain a measure of consensus on sensitive issues of intense interest to certain minorities; and it did not forbear to act in the absence of such a consensus. Thus, relying on its parliamentary majority, the government passed with indecent haste the Cocoa Duty and Development Fund (Amendment) Bill of 1954 and the State Councils (Amendment) Bill of 1955 in complete disregard of the views of the opposition and a sizeable minority of the population.

Secondly, a crucial requirement of liberal democracy is the holding of periodic free and fair elections whereby the electorate decides who should constitute the government of the day at both the national and local levels. The CPP government completely disregarded this requirement when it again deployed its parliamentary majority to prolong arbitrarily the stipulated life of CPP-controlled local councils, presumably until such time as the electorate would be favourably disposed to re-elect CPP incumbents. This action provided strong ground for the opposition's belief that the CPP leaders were determined to extend, after independence, the constitutional term of the CPP-dominated legislature for five more years. Such a move, according to M.K. Apaloo, would be nothing short of "a danger to [liberal] democracy."⁸⁰

For the opposition all this was, thirdly, an intimation of the CPP's intention to perpetuate itself in power by, among other things, rigging elections (if they would be held at all), and by bringing minatory pressures of all kinds to bear on the opposition with a view to its elimination. Some opposition leaders even claimed to have got wind of a CPP plan to arrest and imprison prominent opposition members after independence. This allegedly partly motivated some CPP members to resign from the party to join the opposition. And J.A. Brimah, who claimed to have been one of them, said in 1956 in the legislative assembly: "We have had a look into the Doomsday Book."⁸¹

One could plausibly accuse the opposition of partisanship and special pleading in its criticisms of Nkrumah and the CPP. For example, to say that in this period the CPP government was totalitarian is to strain the evidence. On the whole, however, opposition leaders correctly detected tendencies in CPP political beliefs and practices which were anything but favourable to the evolution of constitutional democracy in Ghana. Put another way, there were tendencies towards totalitarian control. Therefore, it is suggested here, the opposition appropriately concluded that "Constitutional Limitation" should be consciously adopted as the fundamental, guiding principle of the independence Constitution. With time, the opposition hoped, a tradition of "Constitutional Criticism" might evolve to complement "Constitutional Limitation."

Predictably, Nkrumah and the CPP rejected federalism on the grounds of its expensiveness and comborsomeness as well as of the need for national unity and political stability to provide the peaceful milieu for the rapid and even social and economic development of all the regions. These were respectable, indeed acceptable, grounds. Even so, the CPP's rejection of federalism, and its grudging acceptance of a measure of devolution of administrative powers to the regions, must not be confused with its attitude to the very principle of limitation of power.

Nkrumah and the CPP clearly opted for a unitary, centralised form of parliamentary government based on the sovereign will of the people: i.e. for "as workable and as simple a system of government as we could devise."⁸² Some indication of what this "simple system of government" meant for them has been given already. But the crucial question is whether, at the height of the federalist agitation, the attempt to reach a greater degree of accommodation with the opposition forces involved such a reconsideration by

Nkrumah and his closest associates of their approach to democracy as would incorporate the principle of limitation of power as such.

For a possible answer we now turn to the great speech Nkrumah delivered in the legislative assembly on 12 November 1956 (hereafter cited as the November speech).⁸³ In this speech he outlined the government's revised proposals for the independence Constitution. He dismissed as unnecessary the opposition's proposals on a council of state and bicameralism. He also rejected the opposition's proposed amendment procedure which he criticized as too complicated and, therefore, unworkable, for the government's own which was, indeed, less complicated (of which more in a later section). On the whole the speech was conciliatory in tone and content. And in portions of it he rhapsodized on some of the crucial ingredients of liberal democracy.

First, he touched on the rights of minorities generally. He believed that there should be respect for "the rights of all minorities." And he acknowledged the value of constitutional opposition and a competitive party system. According to Nkrumah, "... the Opposition in the Assembly must have guaranteed opportunities of raising questions ... which seem to them to be in the national interest. The Opposition must have a guaranteed proportion of representation on Standing ... and Select Committees of the Assembly. In matters of great national importance a tradition should be established that the Prime Minister of the day can consult with the Leader of the Opposition in order to secure, if possible, a concerted national policy." However, he stated further, the issue of minority rights did not affect only the parliamentary opposition. The regional minorities were equally important; and so it was the government's duty to ensure that "in the various Regions of Ghana any minority Party" was accorded "fair consideration in the regional machinery of government."

Secondly, a principle which he thought should be incorporated "in all Constitutions and which indeed, in itself, contains the very essence of democracy is that there should be guaranteed free elections." Besides, "if there is any one matter above all else which I would describe as the first essential essence of democracy, it is the existence of [a] machinery to provide for impartial supervision of elections." Accurate registers of voters were very essential for the conduct of elections "in a fair and non-Partisan spirit."

Thirdly, he underscored "the equal importance of the rights of individuals." These included:

- i) "freedom from arbitrary arrest";
- ii) the inviolability of the individual's home and freedom from arbitrary search;
- iii) freedom from arbitrary confiscation of property;
- iv) freedom of speech, thought, conscience - and of association ("the Government believes that any individual should be entitled to join any Trade Union, Political Party or other association of his choice");
- v) freedom of the press "... provision should be made by law that any State Broadcasting system is as free to put the Opposition's point of view as that of the Government"; and

- vi) the independence of the judiciary: "Above all ... the Courts of Law should be absolutely independent of the Executive and should be a bulwark for the defence of the rights of the individuals."

It can be argued plausibly that this panegyric on some of the vital tenets of liberal democracy is sufficient evidence of Nkrumah's acceptance of "Constitutional Criticism" and a measure of "Constitutional Limitation." But wasn't all this word-play, so much rhetoric? It has been aptly remarked that political words are an integral part of political action; in fact, they are political action.⁸⁴ Hence Nkrumah's profession of belief in parliamentary government of the liberal-democratic kind, it is suggested, must be seen in the context of the times and the audience to which the speech was addressed.

The promise of the transfer of power had been given by the British government; but the instrument of independence was yet to be delivered into the outstretched, waiting hands of Nkrumah and the CPP. As Nkrumah⁸⁵ himself counselled his compatriots time and again, nothing should be done to delay further the fulfilment of that promise. On that score alone, he must have been anxious to be manifestly seen to be upholding liberal-democratic principles in order to conciliate the NLM-dominated opposition forces, the colonial office and the British public.⁸⁶ It may be held, then, that the November speech and other such statements were an integral component of the grand affirmative flow of "tactical action."

To buttress this point, we consider, for example, how Nkrumah and his government handled the issue of guaranteed fundamental rights - a vital device of constitutionalism. He explained in the November speech why, on the strength of a dispatch from the Secretary of State for the colonies, it was not feasible to include guaranteed rights in the government's revised constitutional proposals, as the opposition demanded. As Nkrumah had it, the Secretary of State wanted the post-independence Ghana legislature itself to decide issues of a certain kind which included that of the insertion of a bill of rights in the Constitution.

Now, if Geoffrey Bing⁸⁷ is to be believed, the CPP government's draft constitution did contain guaranteed rights. And, he correctly stated, the said CPP government's bill of rights was far wider in scope than the guaranteed rights which were eventually embodied in the independence Constitution.

Granted this, one wonders why the CPP government failed to insert its full-blooded bill of rights in the Constitution after independence, as Nkrumah had promised in the November speech. He had stated: "... for reasons which I shall explain later, it is impossible to include fundamental rights ... in the Independence Order in Council, but it is the Government's intention to include these fundamental rights in the Constitution once Independence has been granted."⁸⁸ This was not done. Instead, within barely four months of the attainment of independence, Nkrumah and his colleagues mounted a systematic attack on the Constitution. Obviously, once the attack had been launched, the insertion of a bill of rights would have amounted to trying to square the circle!

In Nkrumah's *Autobiography*, which was released on independence day, we read: "even a system based on social justice and a democratic constitution may need backing up by emergency measures of a totalitarian kind." This statement was no Freudian slip. It accurately reflected Nkrumah's belief in a very strong unitary, centralised state, armed with considerable powers, within the framework of which alone divisive tendencies, such as were evident in 1954 - 1956, could be dealt with firmly, and social and economic development "jet-propelled."⁸⁹ The rough outline of such a state emerged in 1957 - 1960; while its precise character crystallized in 1960 - 1966. And this takes us to a selective

consideration of the independence Constitution and its subsequent fate.

Notes And References

1) This section draws heavily on F.K. Drah, "Democracy: Radical and Liberal" in K.A. Ninsin and F.K. Drah (eds.), The Search For Democracy in Ghana. Accra: Asempa Publishers, 1987, and F.K. Drah, "Constitutionalism and the Rule of Law: The Bedrock of Constitutional Rule" in K.A. Ninsin and F.K. Drah (eds.), Ghana's Transition to Constitutional Rule. Accra: Ghana Universities Press, 1991.

2) See, for example, C.H. McIlwain Constitutionalism: Ancient and Modern. Ithaca: Cornell University Press, 1947.

3) For further elaboration of the two principles, see J.R. Lucas, The Principles of Politics. London: Oxford University Press, 1966, pp. 34 - 41.

4) Some would include federalism and bicameralism. It is arguable that federalism, for instance, presupposes constitutionalism. See C.J. Friedrich, "Some Reflections on Constitutionalism for Emergent Political Orders" in H.J. Spiro (ed.), Patterns of African Development: Five Comparisons. New Jersey: Prentice Hall Inc., 1967, p. 28.

5) John Plamenatz, On Alien Rule and Self-Government. London: Longmans, 1960, pp. 50-51 and 64.

6) For a brief explanation of "Civil Society", see F.K. Drah, "Civil Society and the Transition to Pluralist Democracy" in K.A. Ninsin and F.K. Drah eds., Political Parties and Democracy in Ghana's Fourth Republic. Accra: Woeli Publishing Services, 1993.

7) The most relevant work in this regard is The Social Contract translated by Maurice Cranston. Penguin Classics, 1968.

8) It is very important to note that, for Rousseau, the general will is an inherent potential of the individual; it cannot, therefore, be manufactured outside the individual as dictators relentlessly try to do.

9) If Rousseau had in mind political parties only, then the implementation of his recommendation would certainly result in anarchy.

10) See, for example, J.L. Talmon, The Origins of Totalitarian Democracy. London: Sphere Books Ltd., 1970.

11) Quoted in B. Crick, In Defence of Politics. Hammondsouth: Penguin, 1964, pp. 60-61; my emphasis. See also A. Cobban, A History of Modern France (Vol. I): 1715 - 1799. Hammondsouth: Penguin, 1962, pp. 213-234.

12) Quoted in B. Crick, op. cit., p.63.

13) Ali A. Mazrui, Towards a Pax Africana: A Study of Ideology and Ambition. London: Weidenfeld and Nicolson, 1967, pp. 3 - 4.

14) K.A. Busia, Africa in Search of Democracy. London: Routledge and Kegan Paul, 1967, p. 23.

15) Kwame Arhin, Traditional Rule In Ghana: Past and Present. Accra: Sedco, 1985, pp. 38-39 and 81 - 84.

16) K.A. Busia, op. cit., pp. 23 - 26.

17) S.O. Gyandoh and J. Griffiths, A Sourcebook of the Constitutional Law of Ghana (Vol. II, Part 2). Publications of the Faculty of Law, University of Ghana, No. 1, 1972, p. x.

18) M. Wight, The Gold Coast Legislative Council. London: Faber and Faber, 1947, p. 173.

19) The colonial government passed a number of laws that restricted freedom of expression and movement. These included the Criminal Code (Amendment) Ordinance (No. 21 of 1934) popularly called the Sedition Ordinance.

20) Even though the Asante Confederacy Council was restored in 1935 as the highest Native Authority for the whole of Asante, the Asante chiefs were not represented, through the Confederacy Council, on the central legislative body until 1946.

21) Gold Coast, Legislative Council Debates, 2 Nov., 1918; my emphasis.

22) J. Casely Hayford, Gold Coast Native Institutions. London, 1903, pp. 253 - 54.

23) Guggisberg, for example, carried this distrust to the extent of impugning the motives of the constitutional progressives when he said that the type of Constitution they advocated was "... a mushroom constitution based on the ballot box and the eloquence of politicians over whom the people have no control except at election time." G. Guggisberg, The Gold Coast: A Review of the Events of 1920 - 1926 and the Prospects of 1927 - 28. Accra, 1927, p. 23.

24) C.J. Friedrich in H.J. Spiro (ed.), op. cit., p. 24.

25) Little wonder that the Committee comprised only representatives of the two groups, to the exclusion of the "commoners."

26) Gold Coast: Report to His Excellency the Governor by the Committee on Constitutional Reform. Colonial No. 248, 1949 (or Coussey Report) par. 27, p. 8.

27) M. Wight, op. cit., p. 34.

28) Coussey Report, in par. 36, p. 9.

29) In the event, the Secretary of State for the colonies accepted the proposal for a unicameral legislature. See Gold Coast: Statement by His Majesty's Government on the Report of the Committee on Constitutional Reform. Colonial No. 250, 1949, par. 18, p. 6.

30) Coussey Report, par. 42, p. 10.

31) D. Austin, "The Ghana Government" in AFRICA SOUTH, Vol. 3, No. 3, April - June 1959, p. 92, and Kwame Nkrumah, Autobiography of Kwame Nkrumah. London: Panaf Books Ltd., 1973, p. 140.

32) See B.D.G. Folson, "The Development of Socialist Ideology in Ghana, 1949 - 1959 Part I" in Ghana Social Science Journal, Vol. I, No. 1, May 1971, pp. 1 and 13 - 14.

33) Bankole Timothy, Kwame Nkrumah: His Rise to Power. London: George Allen and Unwin, 1963, p. 104.

34) Gold Coast: Report of the Commission of Enquiry into Disturbances in the Gold Coast, Colonial No. 231, 1948 (or the Watson Report), pars. 71 - 74.

35) Anthony Woode was President of the Trade Union Congress and a member of the Legislative Assembly; while Turkson-Ocran was the General Secretary of the TUC and Secretary of the Parliamentary Committee of the CPP. See B.D.G. Folson, *ibid.*, pp. 8 - 9.

36) Gold Coast, Legislative Assembly Debates (GC, LAD), 25 Feb. 1954, No. 1, Cols. 980 - 982.

37) This was shortly after his visit to the Soviet Union during 1961 - 62.

38) Timothy, op. cit., p. 68.

39) Kwame Nkrumah, op. cit., p. vii.

40) See George Padmore, The Gold Coast Revolution. London: Dobson, 1953, p. 72, and Kwame Nkrumah, op. cit., p. 83, where a sixth point on West African Unity is added.

- 41) K. Nkrumah, *op. cit.*, p. 50.
- 42) Watson Report, Appendix 11.
- 43) K.R. Minogue, Nationalism. London: B.T. Batsford, 1967, pp. 108 - 9.
- 44) B.D.G. Folson, *ibid.*, p. 14; emphasis added.
- 45) Watson Report, pars. 71 - 74.
- 46) K. Nkrumah, *op. cit.*, pp. 36-37.
- 47) Timothy, *op. cit.*, p. 68.
- 48) Richard Wright, Black Power. London: Dobson, 1954, p. 164.
- 49) GC. LAD, No. 2 10 July, 1953, p. 274, and K. Nkrumah, *op. cit.*, pp. 82 - 83.
- 50) Kwame Nkrumah, Africa Must Unite. London: Panaf Books Ltd., 1974 (first published in 1963), p. 66.
- 51) K. Nkrumah, Autobiography, p. 90.
- 52) K. Nkrumah, *ibid.*, p. 89.
- 53) K. Nkrumah, *ibid.*, p. vii; my emphasis.
- 54) K. Nkrumah, *ibid.*, p. 90.
- 55) K. Nkrumah, Africa Must Unite, p. 54.
- 56) C.L.R. James, Nkrumah and the Ghana Revolution. London: Allison and Busby, 1977, p. 82; emphasis added.
- 57) K. Nkrumah Autobiography ..., p. 99.
- 58) Gold Coast Legislative Council Debates, 19 Jan., 1950, pp. 9 - 10; my emphasis.
- 59) K. Nkrumah, Autobiography, *passim*
- 60) See J.L. Talmon, *op. cit.*, *passim*
- 61) B. Timothy, *op. cit.*, pp. 101 - 5.
- 62) K. Nkrumah, Autobiography ... p. 93.
- 63) Interestingly, J.B. Danquah and seven others, who were among those Nkrumah described as "reactionaries", in a Rider to the Coussey Report agreed with the "League of Ghana Patriots" that there should be no ex-officio members in the Executive Council; they were equally opposed to the Governor's retention of the "Power of Veto." See Coussey Report, pp. 70 - 74.
- 64) C.L.R. James, *op. cit.*, p. 96.
- 65) See D. Austin, Politics in Ghana, 1946 - 1960. London: Oxford University Press, 1964, pp. 13 - 28.
- 66) See "Daily Graphic" Publication: The Gold Coast and the Constitution, 1952, p. 13.
- 67) R. Rathbone, "Ghana" in J. Dunn (ed.), West African States: Failure and Promise. Cambridge: Cambridge University Press, 1978, p. 23.
- 68) GC. LAD, July 1953 No. 2, p. 268.
- 69) D. Austin, Politics in Ghana, pp. 167 - 70.
- 70) GC. LAD, Oct. 1952 No. 3, Cols. 500ff.
- 71) The Government's Proposals for Constitutional Reform, June 1953.
- 72) See, for example, the Memorandum of the Joint Provincial Council on Constitutional Reform, 1953.
- 73) D. Austin, Politics in Ghana, pp. 171 - 194.
- 74) See GC. LAD, 10 July 1953, No. 2, for arguments to this effect by CPP members during the debate on Nkrumah's "Motion of Destiny" on constitutional reform tabled on 10 July, 1953.

- 75) K. Nkrumah, Autobiography... pp. 119 and 221 - 222.
- 76) Under the Gold Coast (Constitution) Order in Council, 1954, S. 13, the Legislative Assembly comprised the Speaker and 104 members elected by universal adult suffrage.
- 77) See, for example, D. Austin, *op. cit.*, ch. vi.
- 78) David E. Apter, "Nkrumah, Charisma, and the Coup" Daedalus, Vol. 97, No. 3 (Summer), 1968, p. 780.
- 79) See, for example, Statement by the National Liberation Movement and its Allies on the Gold Coast Government's Constitutional Proposals for Gold Coast Independence. Kumasi: Abura Printing Works, 1956; K.A. Busia, Judge for Yourself, Kumasi: Abura Printing Works, 1955; J.B. Danquah, "New Slavery in Ghana" Ashanti Pioneer, 11 Sept., 1954; H.K. Akyeampong, The Doyen Speaks: Some of the Historic Speeches by Dr. J.B. Danquah. Accra: West African Graphic Co. Ltd., 1956; GC, LAD, 1956 - 57, Vol. I, No. 1, *passim*, etc.
- 80) GC, LAD, 1955 - 56, No. 4, col. 1261
- 81) GC, LAD, 1956 - 57, First Series, Vol. 2, col. 83.
- 82) K. Nkrumah, Autobiography... p. 230.
- 83) GC, LAD, 1956-57, First Series, Vol 2, cols. 13 - 67.
- 84) W.J.M. Mackenzie, Power, Violence, Decision. Hammondsworth: Penguin, 1975, p. 9.
- 85) See, for example, Daily Graphic, 11 Sept., 1956, and the 12 Nov., 1956 speech.
- 86) B.D.G. Folsom, "The Development of Socialist Ideology in Ghana...", p. 7.
- 87) Geoffrey Bing, Reap the Whirlwind: An Account of Kwame Nkrumah's Ghana 1950 - 1966. London: McGibbon and Kee, 1968, pp. 177ff.