

C P P



CONVENTION PEOPLE'S PARTY

F R E E D O M

FORWARD EVER, BACKWARD NEVER

Convention People's Party

OFFICE OF THE NATIONAL SECRETARIAT

National Headquarters, P.O. Box 104, Kanda, AG. No.25, Hse No. 64,
Mango Tree Ave., Asylum Down, Accra, Ghana

MEMO

SUBJECT: MEMORANDUM ON THE PROPOSED PUBLIC HOLIDAYS (AMENDMENT) BILL, 2018.

FROM: CONVENTION PEOPLE'S PARTY, CPP.

TO: CHAIRMAN OF CONSTITUTIONAL, LEGAL AND PARLIAMENTARY AFFAIRS.

CC: RT. HON. SPEAKER, HON. 1ST DEUPTY, HON. 2ND DEPUTY SPEAKER, HON. MAJORITY LEADER, HON. MINORITY LEADER, THE CLERK.

DATE: TUESDAY, DECEMBER 18, 2018.

1. The Convention People's Party has learnt with grave concern, the proposed Public Holidays (Amendment) Bill, 2018 which is yet to go through the motions to be passed into law.
2. We find the proposed amendments and the intendment thereof inconsistent with historical records abundantly available including Parliamentary Hansard here and the United Kingdom.
3. We are convinced that if we don't correct certain erroneous impressions created in the proposed amendment they would serve as a disincentive and slander to education and scholarship especially at the lower levels of learning as to what the true account of our nation's independence history comprises.
4. It is not correct as the bill purports, to suggest that the "liberation of our country from imperialism and colonialism" began on August 4, 1897 with the formation of the Aborigines Rights Protection Society, ARPS or August 4, 1947 formation of the United Gold Coast Convention, UGCC.
5. There is a preponderance of archival records which demonstrate that August 4 cannot in any way qualify for the founding day of Ghana neither does it remotely or directly found our March 6 founding day.
6. Long before August 4, the struggle against colonialism and imperialism began the very day the first Portuguese stepped foot on our shores in 1471 at Elmina where Nana Kwamina Ansah, Chief of Elmina is reported to have told them that we could not peacefully coexist.
7. Anton Wilhem Amo (PhD), born around 1703 and died around 1759 secluded to a Fort Sebastian in Shama for fear that he would spread messages of dissent among the indigenes.
8. Jacobus Elisa Johannes Capitein (PhD), born 1717 and died in 1747, is recorded to have begun teaching his native Cape Coasters on his return or deportation from Holland about their right to the chagrin of the colonial officers.

9. In February 1865, 15 years after the infamous bond of 1844, King Aggrey of Cape Coast, after his coronation as King of Oguaa wrote to the Governor that “in the eye of the law, Cape Coast is not British territory”.
10. It is on record that King Aggrey was the first King in the 19th century to really challenge the legitimacy of British authority and jurisdiction. He organized systematic protests against the British administration of the Gold Coast which inevitably earned him the arrest and exile to Sierra Leone for trial. It was the general resentment of British jurisdiction on the coast which strengthened Aggrey's resolve.
11. The local British position was further weakened by the recommendation of a British parliamentary committee in 1865 that the British should withdraw from the Gold Coast. Aggrey knew of that recommendation, because he had sent two commissioners, Joseph Martin and D.L. Carr, to testify before the committee in London.
12. In 1868 inspired by the actions of King Aggrey, King Ghartey of Winneba formed the Fante Confederacy.
13. Coupled with the activities of the Fante Confederacy, King Aggrey sick and frail was brought back to the Gold Coast still in defiance to die in 1869.
14. It was only after the Fante Confederacy had collapsed in 1874 that ARPS was formed in 1897. 23 clear years in between. It is a fact that the ARPS took inspiration from the works of those who had come before them.
15. The suggestion of August 4 as our founding day or the day on which struggles against colonialism or imperialism began is palpably false and untenable.
16. It is trite knowledge that Ghana came into being as a nation on March 6, 1957 which was consolidated on July 1, 1960 ending any direct or indirect external control of Ghana.
17. March 6 as Independence Day is therefore nothing without July 1 as Republic Day. It is therefore not right to attempt to reduce the importance of July 1 to a mere commemorative day. The two dates and events combine to give meaning of who we are today – Independent Sovereign nation.
18. The poor capture of July 1 in the memorandum accompanying as merely “opening the door for subsequent Republics” does not show a full appreciation of the significance of that day.
19. July 1 gave birth to the Republic of Ghana totally free from any vestiges of colonial control. The Republican Status attained was the final stage of our political independence.
20. July 1 further brought into being the 1st Republican Constitution to govern the Republic created from which the 2nd, 3rd, and 4th Republican Constitutions drew inspiration and **authority**.
21. July 1 also established the Office of the President of the Republic of Ghana and Commander-In-Chief of the Ghana Armed Forces. That has not changed despite changes in regimes including the Military interventions.
22. July 1 additionally created the 1st Republican Parliament from which the 2nd, 3rd and the 4th Republican Parliament of January 7, 1993 took a cue and inspiration.
23. It is inconceivable to want to celebrate January 7 as Constitution Day when in fact we still operate under laws not repealed in the July 1, first Republican **Constitution**.
24. Ghana was declared independent on March 6, 1957 after two key legislative enactments in the UK and Gold Coast Parliaments.
25. The GHANA INDEPENDENCE BILL in Order for Second Reading, Deb 11 December 1956 read. — [Queen's Consent, on behalf of the Crown, signified.] at 3.39 p.m. by

The Under-Secretary of State for Commonwealth Relations (Lord John Hope): ***"I beg to move, That the Bill be now read a Second time.***

26. ***This is a historic day. The result of the passage of this Bill through Parliament, should it be passed, will be that we shall hail the first of the British dependent territories in tropical Africa to attain full self-government as a sovereign and independent nation.***
27. ***The introduction of the Bill marks the last stage in a process which started over a century ago. Up to the early part of the nineteenth century, English trade with the Gold Coast was conducted by a series of companies chartered by the King or set up by Acts of Parliament. From 1806 until 1900 there occurred the Ashanti wars, and it was during this period that the government of the settlements in the Gold Coast was vested in various ways in the Crown. After the last Ashanti war Britain assumed full responsibility for the government of the Gold Coast and its hinterland, and, in 1901, Orders in Council were made regularising the situation and bringing together into one unit the Colony, Ashanti and the Northern Territories.***
28. ***The first step towards self-government may be said to have been taken in 1925. In that year a new Constitution was made which reconstituted the Legislative Council so as to include elected members. At that stage, however, the Council retained an ex officio majority and its authority was limited to the Colony. In 1946, a further advance was made when a second constitutional change introduced a non-official majority for the first time in an African colonial legislature. Representation was broadened to include Ashanti and subsequently Southern Togoland. In 1951, the third and most fundamental constitutional change was made when a large degree of internal self-government was granted."***
29. Source: hansard.millbanksystems.com/commons/1956/dec/11/ghana-independence-bill
30. The Bill cited above was passed into Law on February 7, 1957 in the UK House of Commons as the Ghana Independence Act, 1957.
31. Leading to that in February, 1948, ex-service men from the Second World War marched in protest of failed promises made to them by the colonial government. Captain (later Superintendent) Imray, shot at and killed three, namely; Sgt. Adjetej, Cpl. Attipoe and Pte. Odartey Lamptey, instantly in cold blood. A Kanjaga man by name Issa Kanjaga is reported to have defied Imray's initial command a couple of times which is what infuriated him to shoot himself.
32. In January, 1948 there was a boycott of British goods under the leadership of Nii Kwabena Bonne, Chief of Osu Alata. Later the foreign owned shops were raided and robbed by locals under the guise of the boycott.
33. The Watson Commission was setup to look into the matters of 1948. The Watson Commission reported that the 1946 constitution was inappropriate from the start, because it did not address the concerns of the natives of the Gold Coast. It also recommended that the Gold Coast be allowed to draft its own constitution. A 40-member committee was set up to draft a constitution, with six representatives of the UGCC. The governor excluded "radicals" such as Kwame Nkrumah, among others, from the constitutional drafting committee for fear of drafting a constitution that would demand absolute independence for the colony.
34. June 12, 1949 CPP had been formed rejecting the Watson Committee's report and recommendations as well as the draft constitution. [Rev. Gaddiel Robert Acquah, a methodist priest, was instrumental in that draft work.]

35. The Coussey Committee was brought in by the United Kingdom government. Its report led to the 1951 constitution which created the Executive Council with an African majority, and created an 84-member Legislative Assembly, 38 of whom were to be elected by the people, 37 representing territorial (or provincial) councils, six appointed to represent commercial interests and three *ex officio* members appointed by the Governor. Those representing commercial interests and appointed by the Governor were all white.
36. The CPP again rejected the Coussey Committee report stating that it was unrepresentative of the interests and concerns of the people – a date for independence and self-government or a programme leading to that. They described it as “bogus and fraudulent!”
37. Positive Action was declared between January 8, 1950 leading to non-violent strikes and boycotts across the territories to demand a revisit of the Coussey Committee’s work and press for self-government. The TUC initiated Positive Action on January 6 in Sekondi under Pobey Biney’s leadership.
38. Following that the Joint Council of Chiefs invited Nkrumah to Dodowa to discuss calling off the Positive Action which had spread throughout the territories.
39. Kojo Botsio, General Secretary of the CPP was arrested on January 17 and detained by the police. The editors of the Morning Telegraph, Evening News, and Daily Mail were all detained for the role the papers played in sustaining the success of the campaign of Positive Action.
40. Eventually Nkrumah himself was imprisoned along his colleagues. Danquah had told Nkrumah at the Dodowa meeting that; “it is my opinion that those who go against constitutional authority must expect to pay for it with their neck”.
41. The CPP grudgingly contested in the 1951 elections and won majority of 34 out of the 38. UGCC won 2 seats for which abysmal performance it disbanded with their few members left joining the Dr. Busia’s Ghana Congress Party which had the symbol of an Elephant.
42. The voting age was brought down from 25years to 21 through the advocacy of Kwesi Plange, first CPP member to the Legislative Council in June 1950. He convinced the chiefs using the democratic principle ‘no taxation without representation’ and that if the youth were not allowed to participate in the voting they would resist any attempt at getting them to pay the tribal levy.
43. Amendments were made to the Coussey Constitution of 1951 to establish the Office of Prime Minister in 1952. Thus Nkrumah as the leader of the CPP with majority in Parliament became the first Prime Minister.
44. July 10, 1953 Nkrumah tabled the “Motion of Destiny” to demand self-government within the Commonwealth. Danquah proposed a failed amendment to that motion and asked for a Unilateral Independence Declaration as Ian Smith would in 1965 do in Southern Rhodesia.
45. There was an amendment to increase the 1954 Assembly to 104 and all members elected to represent CONSTITUENCIES.
46. In 1954, again the CPP by their message swept the votes as represented in the table below:

Party	Votes	Percentage %	Number of Seats
Convention People’s Party, CPP	391,817	55.4	72
Northern People’s Party, NPP	68,709	9.7	15

Ghana Congress Party, GCP	32,168	5.0	1
Togoland Congress Party, TCP	25,214	3.5	3
Muslim Association Party, MAP	21,172	2.9	1
Anlo Youth Association, AYA	11,159	1.5	1
Independents	156,401	22.0	11
Total	706,740	100	104
Registered Voters/Turnout	1,225,603		

Source: https://en.wikipedia.org/wiki/Gold_Coast_legislative_election,_1954

47. In 1956, below shows how the parties fared after the elections:

Party	Votes	Percentage %	Number of Seats
Convention People's Party, CPP	398,141	57.1	72
National Liberation Movement, NLM	145,657	20.9	11
Northern People's Party, NPP	72,440	10.4	15
Togoland Congress Party, TCP	20,352	2.9	2
Muslim Association Party, MAP	11,111	1.6	1
Federation of Youth	10,745	1.5	1
Independents	38,811	5.6	2
Total	697,257	100	104
Registered Voters/Turnout	1,392,874		

Source: https://en.wikipedia.org/wiki/Gold_Coast_legislative_election,_1956

48. There was a plebiscite to decide on the Trans Volta Togoland in which elections the CPP campaigned for today's Volta region to be part of the yet be independent Ghana in 1956. The question as to whether we wanted a Unitary or Federalist State was also settled in the same year.

49. According to the Under-Secretary of State for the Commonwealth Relations Lord John Hope on December 11, 1956:

50. *"The National Liberation Movement, the Northern People's Party, and the Asanteman Council have recently sent formal resolutions to my right hon. Friend the Colonial Secretary asking for separate independence to be awarded to Ashanti and the Northern Territories and for the appointment of a Partition Commission to divide up the assets and liabilities of the Gold Coast. The Bill which we are discussing today is in itself evidence of the intention of Her Majesty's Government to proceed with the grant of independence to the country as a whole."*

51. *"The House will wish to know that a formal reply has now been sent to these resolutions in the following terms: Her Majesty's Government do not consider that the partition of the Gold Coast is in the interests of the Gold Coast as a whole or of any of its component parts, and cannot abandon their established policy which is directed towards the grant of independence to the Gold Coast as a whole. Her Majesty's Government are now proceeding with the preparation of the necessary constitutional instruments, having regard to the circumstances of the Gold Coast, and the efforts which were made to reach agreement locally. The grant of independence to the Gold Coast is an act of goodwill which Her Majesty's Government trust will be received by the people of the Gold Coast in a spirit of responsibility which will command the respect of the world. It is our view that the*

partition of the Gold Coast would not be in the interests of the country as a whole, or indeed of any of the component parts which during the past half-century have grown steadily and strongly into a single nation."

52. *"Hon. Members will be aware that the different parts of the country are interdependent both politically and economically. Indeed, the North and the South are complementary to one another. To sever would be to cripple. The partition of the country at this stage in its history, moreover, would not only inhibit further development and progress, but would mean a serious falling back in the standards of life which the country has done so much to achieve during the past few years."*
53. *"A General Election was held in the Gold Coast on 12th July and 17th July, 1956. It was observed by six Members of Parliament drawn from both sides of the House of Commons. As a result of the Election, Dr. Nkrumah's party, the Convention Peoples' Party, was returned to power with only a slightly reduced majority, and it now holds 72 of the 104 seats in the Legislative Assembly, and it won 57 per cent of the votes cast throughout the country."*
54. *"The new Legislative Assembly was opened on 31st July, and on 3rd August the Government introduced their expected motion calling for independence within the Commonwealth. **The Opposition Members had absented themselves from the debate and the motion was passed by 72 votes to none.** The motion was conveyed to my right hon. Friend by the Governor in a despatch dated 23rd August. On 18th September my right hon. Friend published his reply, which informed the Governor that Her Majesty's Government in the United Kingdom would, at the first available opportunity, introduce into the United Kingdom Parliament a Bill to accord independence to the Gold Coast, and that, subject to Parliamentary approval, the Government intended that independence should come about on 6th March, 1957."*
55. Ghana was created from a union or fusion of the Colony; Ashanti Territory; Northern Territory and the Trans Volta Togoland which were all under British Rule. Nkrumah and the CPP created that, NOT the colonial government.
56. Kwame Nkrumah became the first President after beating JB Danquah in the first presidential elections in Ghana.
57. September 21 remain the most appropriate day to celebrate the founding of Ghana. It is directly linked to the man who capped all the efforts at independence dating back to 1471 – the birthday of Osagyefo Dr. Kwame Nkrumah.
58. Indeed the earliest Ghanaian currency bore the inscription: KWAME NKRUMAH. CIVITATIS GHANEENSIS CONDITUR. It means Kwame Nkrumah, Founder of the nation Ghana. That followed Parliamentary debates and your records should tell.
59. In celebrating September 21 as Founder's Day it has never been about one man as some have argued.
60. In the words of Nkrumah, it about "the feeling of triumph to which the whole nation is entitled, but tempered for me personally by a sense of humility that it has fallen on me, merely one man amongst so many, to try and give voice to the aspirations of the country as a whole."
61. He continued in that final motion for independence; "I look back and I am conscious of the hard struggles our people, of the sufferings and sacrifices, and of the loyalty and abiding faith in our cause, which have brought us to this day."
62. May 25, 1963 is equally directly linked to March 6 and July 1. It affirms our collective resolve to the total liberation of Africa. It is not for nothing that our founding President said at the dawn on independence that "our independence is meaningless unless is linked to the total liberation of Africa." Have events on the

continent in relation to the world not proved this great man a prophet in his own right?

63. Parliament must be cautioned that should this bill pass, generations to come would learn from the surfeit archival records of the dangerous show of abuse of power by an incumbent that assumed it could elevate their defeated forebears in the early contest over how we should be governed beyond what they really were. And Parliament would be complicit.
64. The high numbers of the governing Party's Members of Parliament may allow them an easy passage of the bill but they would not have an easy celebration outside Parliament. This debate would be fought in our homes, farms, schools and workplaces.
65. The most dangerous part of this proposed bill is not the issue of holidays but the disingenuous tinkering of the settled history of Ghana.

James Kwabena Bomfeh Jnr
Acting General Secretary