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INDEPENDENCE GOVERNMENT OF GHANA: 1951-1966)

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## **DEDICATION**

TO THE MEMORY OF MY DEAREST SISTER, MERCY, WHOSE MORAL AND SPIRITUAL SUPPORTS HAVE BEEN MY VERY SOURCES OF STRENGTH AND INSPIRATION FROM MY CHILDHOOD. MERCY, YOUR SUDDEN AND SAD DEATH DID NOT BREAK ME, BUT RE-ESTABLISHED ME IN MY PRESENT LIFE TO ALWAYS SEE BEYOND THE HORIZON OF THE ORDINARY AND TO ALWAYS PUT MY SHOULDERS FIRMLY TO THE WHEEL IN ALL CIRCUMSTANCES.

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# **Introduction, Research Objectives and Methods.**

## **i. Parameters and historiographical context**

Nearly half a century into the post-independence history of Sub-Saharan Africa, the continent continues to wallow in poverty, underdevelopment and misery. Many wonder why the vast natural resources the continent is endowed with have not been tapped to turn the fortunes of the respective countries around.

Furthermore, in spite of the fact that many well educated political leaders emerged from the potentially good human resource base of Africa—Nasser, Nkrumah, Nyerere, Balewa, Senghor and more recently, Mandela whose terms of offices held so much hope for the ordinary African, nothing concrete seems to have been achieved to address Africa's problems. The economies of the majority of African states are on the verge of disintegration, a situation that crucially accounts for weakening of the nation state and central governments across the continent. Out of this situation, also emerge criminal elements and political patrons whose objectives are, among other interests, to exploit the structures of the state for their career advancements and ambitious pursuits.

In some notable states as Uganda under Amin, Togo under Eyadema and Zimbabwe, the state is both the engine and object of political privatisation and as such managed by the respective political patrons as private empires or backyards. The question of the general good of the citizenry is a secondary consideration so long as the action involved benefits the political actor, cronies and clients. All these factors leave the nation-state in Africa in fragile and porous condition easily exploitable by conflicting interests.

Political corruption is thus widespread in many African countries demonstrating itself through rent seeking, nepotism, and blatant abuse of power, embezzlement, clientelism and above all, extortion. All these, in no small measure, have contributed to Africa's woes; for it is believed that corruption is a major impediment to growth and development<sup>1</sup>. Indeed, it has been cited as the underlying reason for all the military Coup d'etats that disrupted the many civilian political administrations in Africa, during the second half of the twentieth century<sup>2</sup>. Thus, the negative results of political corruption leave so much to be desired. It breeds abuse, nepotism, bribery, extortion, fraud, as well as the alienation

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<sup>1</sup> Gupta, S, Davoodi, H and Tiongson E, 'Corruption and the Provision of Healthcare and Education Services', in Arvin K. Jain (Eds), *The Political Economy of Corruption* (Routledge, London and Newyork, 2001) P57

<sup>2</sup> Dogbey, Y. G 'Towards a Strategic Vision for a Continent in Distress', in Adesida, O and Oteh, A (Eds), *African Voices-African Visions* ( Elanders Gotab, Stockholm, 2001) P37



and exclusion of the vast majority of the population. It also fundamentally undermines democratic values and good governance<sup>3</sup>. Political corruption seriously subverts the rule of law and impacts negatively on sound public administration. Against this background, political corruption is a great challenge to the young African student of politics; and my prime objective and motivation for a humble and modest searchlight into one of Africa's post-independence governments on the subject of political corruption, is buttressed on this premise. Secondly, it is immediately moving to realize that in Africa although the negative effects of political corruption are devastating and condemned everywhere on the continent, corruption is the model rather than the exception. Why this anomaly?

The Convention People's Party (CPP) government of Dr. Kwame Nkrumah (1951-66) was the first post-independence government that led Ghana to attain her independence in March 1957. It was the first such government in sub-Saharan Africa to emerge from the colonial dictates of Great Britain. Within the African context Ghana was therefore a pace setter government; an example in the colonial struggles for countries still struggling for political

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<sup>3</sup> Ghana Integrity Initiative Quarterly Newsletter (GII Alert), a local Chapter of Transparency International, Issue Number 7-September 2005 ISSN: 0855-742X; Article on Political Corruption, Financial Mismanagement and Good Governance.

independence. After Dr. Nkrumah's overthrow in 1966 political corruption was cited as one of the major reasons for the military intervention<sup>4</sup>. This was to lead the succeeding government to appoint various commissions and committees to embark on an official enquiry into the alleged corruption of the erstwhile regime. The outcome of these commissions that totalled up to forty subsequently established that the CPP government was corrupt in its entirety. These findings were to lead Le Vine in 1975<sup>5</sup> in his classical work on Ghanaian political corruption to conclude that a culture of political corruption was endemic in Ghana. While this position is not entirely inaccurate, it is in my opinion conceptually erroneous. Interestingly, therefore, after nearly four decades of the overthrow of the first post-independence African government in sub-Saharan Africa, I believe it is good time to dispassionately set the records straight as regards political corruption in the CPP government and draw lessons from it.

There were two sides to the political corruption that emerged in the Nkrumah era. Both sides however had a common characteristic. That is, at any point in time when corrupt acts were perpetrated by individuals, groups or institutions they were aimed at serving some

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<sup>4</sup> Andrews, W. G., Ra'anan, U., (eds) *The Politics of the coup d'etat* (Nostrand Reinhold Company, New York, USA, 1969) pp 89-90

<sup>5</sup> Le Vine, V. T. *Political Corruption: The Ghana Case* (Hoover Institution Press, Stanford, 1975).

interest or the other. In this way corruption in the Nkrumah era, be it the act of government representatives, private individuals or even criminal elements and their political patrons was always normally the result of purposeful and rational undertaking. Owing to the diversity of interests and cultures within the new polity, resulting from the scrambling and partition of Africa, and the extremely difficult practice of governing Africans through European institutions, governments of the emerging states of Africa whose responsibility it was to impose cohesion and champion the course of nationhood had a sturdy and challenging task. Control on the state by the government as well as the entrenchment of her legitimacy was under the constant challenge of factors that ranged from religion, ideology, ethnicity and economy. All these considerations sought to undermine the legitimacy of the new governments<sup>6</sup> and the conflicts they generated as a matter of course created conditions favourable for the growth and development of corruption<sup>7</sup>. The new governments almost

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<sup>6</sup> Arnold, G., *Africa: A Modern History* (Atlantic Books, London, 2005)P821

<sup>7</sup> Andrews, and Ra'anana, op.cit pp 95-96

invariably had to, as a matter of necessity, bend the rules or develop extra-legal institutions capable of dealing with such threats and thereby maintain the authorities of the respective federal governments.<sup>8</sup> In this state of affairs, many first post-independence governments in Africa developed corrupt institutions as adaptive strategies in an apt response to various political challenges. Therefore, some governments, like Nkrumah's became dictatorial and undemocratic as the use of force and undemocratic principles became vital components of such administrations. Corruption in this sense became a major political tool for administering the nation state in Africa.

The other side to the political corruption that emerged in the first post-independence governments is synonymous to what prevails throughout the "third world" today. Public officials used their offices to enhance their social and economic status. Thus, nepotism, bribery, embezzlement of public funds, extortion, rent seeking and laundering were commonplace activities. However, while these

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<sup>8</sup> This feature of governance is common practice in polities where incipient political opposition is widespread. The brutal nature of the practice of apartheid in South Africa and Mugabe's iron hand rule in Zimbabwe from the 1980s are examples of other regimes in Africa apart from the Ghanaian situation in the 1960s where governments have adopted extra-legal measures as evil necessities. Nothing more illustrates the importance of such practices and measures to governments and politicians of developing nations than a statement made by Robert Mugabe to the Zimbabwean Parliament in 1982. '...Some of the measures we shall take are measures which will be extra-legal....An eye for an eye and an ear may not be adequate in our circumstances. We might very well demand two ears for one ear and two eyes for one eye. See M. Meredith, *Power and Plunder in Zimbabwe* (Public Affairs Ltd, Oxford, 2002 )p65

activities help enhance the economic status of public officials of the new African states, some used their corruptly acquired resources to invest in businesses within the state<sup>9</sup>. Others also saw this kind of venture as a risk and decided to hold their fortunes in foreign or third party accounts in the hope that they would be covered against any future misfortune of the regime<sup>10</sup>. Not only did corruption help enhance the economic fortunes of public officials, but also the very existence of corruption within the nation-state opened up windows of opportunities for the disadvantaged or the marginalized institutions and private individuals<sup>11</sup>. Through bribery and other forms of extra-legal payments to public officials, these excluded groups were able to influence structural decisions to serve their interests. Such contradictory roles corruption plays in the human world makes it difficult and complex to formulate unambiguous concepts about the phenomenon. It is problem-creating as well as problem-solving. Hence, although widely condemned it is seen in this light as a weapon for enhancing economic and political objectives.

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<sup>9</sup> Le Vine, V T, *Political Corruption: The Ghana Case* (Hoover Institution Press, Stanford, California, USA) P64

<sup>10</sup> Mbaku, J. M., *Institutions and Development in Africa* (Africa World Inc., Eritrea) P73

<sup>11</sup> Elliott, K A, *Corruption and the Global Economy* (Institute For International Economics, Washington, DC, June 1997)Pp34-39

Currently, in spite of the numerous works on political corruption, not only do we not know what it definitely is, but also, attempts to discover its scope have equally proved illusive. What is the difference between crime and corruption for instance? Is corruption itself a criminal behaviour? How faint or big is the line between corruption and fraud, extortion, embezzlement, bribery and grafting? We attempt to resolve these issues in this thesis. Second, this thesis will revisit the inconclusive debate over the socio-economic and political consequences of corruption. Whereas the moralist school of thought maintains that corruption is inimical to development, the functionalist school holds that a modicum of corruption can facilitate development. However, these debates have been too generally put such that we do not know what kind of corrupt act is inimical to development and what amount of it is needed and in what context to facilitate development. These unresolved problems about the concept of corruption will be given a new outlook in this thesis. Thirdly, making particular reference to Africa we shall also examine the reason why in spite of the destructive effect of corruption on the continent, many, including the state, institutions, groups and individuals find anchor in corrupt practices.

Since the key players of my subject are Africans we have assumed that the contextual politico-economic, social and cultural ideologies that shaped and determined their actions were chiefly African. As such, some of the arguments introduced in this work depart from the mainstream or Western view of corruption. For example, when I refer to corruption in public domain, I not only direct attention to public officials but also the private citizen whose involvement, participation and patronage are vital to the chain and process of completion of the game; for in Africa every citizen is directly responsible to the state in the same manner the public official is. The difference between the official and the private citizen lies in the differences in responsibilities. However, both are obliged to the state and both play complementary political roles in realizing the interest of the state in Africa. Secondly, we shall depart from the view that corruption is a moral problem as we undertake extensive examination of the motives and factors that influence the players in the game.

Thus, apart from the all-embracing attempts to resolve current conceptual issues and disputes, the framework of my arguments is chiefly African though not exclusively. The first two chapters have been dedicated to these purposes. Chapter one reviews current perspectives on the concept as well as various yardsticks for the

measurement of what constitute corruption and what does not. In doing this I chart a path and open up the framework or direction, which the subsequent chapters follow. Chapter two takes up the argument from chapter one and deepens the concept by identifying current problems with conventional definitions and mainstream ideologies. I then develop my concept and contextual framework much more fully. Here I argue with supportive cases that corruption is a rational behaviour. I conclude the chapter by exploring the functional relationships between African culture, its problems, challenges, and the corruption that prevails on the continent. This is where I identify the essential working principle of the thesis. I deduce that the economic experience of Africa, the cultural values of the indigenous population and the dishonest and clogged bureaucracy of post-independence governments, all combined to make corruption a problem-solving strategy to the African and hence, an *acceptable* and widespread activity.

Chapters three, four and five focus the subject proper with extensive attention on Ghana, in particular her first African government of the postcolonial regimes. Chapter three explores the recent political and cultural history of the former British colony and identifies the cracks and interstices within the polity, which in recent decades have arisen from the political and cultural



experience of the Ghanaian peoples and hence, have provided fertile and breeding grounds for the rise and spread of modern corruption in the nascent nation-state. Among other factors, which also derive their basis from it, I identify power struggle as a major cause of corruption in the CPP government.

Chapter four then reflects vividly on the functional significance of corruption to the CPP government, its public officials and the Ghanaian populist. Here, I suggest that corruption is a deviation from the normal course of actions. But while bearing this in mind my argument leads to the conclusion that rational motivations underpins every corrupt action. Contextually therefore, corrupt institutions and individuals would not normally be the victims of moral depravity in the manner the moralist school has proposed. Where corruption is a means to solving socio-economic and political problems or a means to enhancing socio-economic and political status corruption becomes potent economic and political weapon to both state and individual. Chapter four is dedicated to probing this line of defence.

In chapter five, the focus shifts to exploring the functional relationship between corruption and development. Still I look at this in the context of the corruption of the CPP regime vis-à-vis the cultural, political and economic environment it operated, while

drawing historical comparisons from some European countries. As regards the Ghanaian situation, I conceptualize corruption as a venture, which possesses the capacity to benefit or deprive society. We conclude the chapter by suggesting that corruption impacted both positively and negatively on the economic, social and political circumstances of Ghana under the Convention People's Party's rule. Chapter six sums up the significance of the findings of the thesis as I recapitulate the working principle of the thesis, suggesting useful ways for bringing the phenomenon under control. It is suggested that national governments, societies and all anti-corruption agencies and individuals consider these essential recommendations.

## **ii. Literature review**

The prevalence of the phenomenon of corruption in Africa has invited several commentators, researchers and writers to bring various views to bear on the subject. These political scientists, historians and sociologists often westerners, have in the main failed in their bid to produce a comprehensive and accurate analysis on the subject. Their main flaws have been their inability to conceptualize the phenomenon in the context of African values as well as their inability to deal with European prejudices and

notions about the phenomenon. On Ghana in particular, not many attempts have been made to produce a comprehensive evaluation of Ghanaian corruption. However, the few known so far suffer from the same analytical weakness. The most comprehensive work on Ghanaian political corruption that also deals extensively with the case of the CPP government is that published by Le Vine in 1975<sup>12</sup>. The main defence of the author is twofold and a third which we shall deal with along side. First, he claims that political corruption is an exchange activity. Thus, according to him:

...political corruption in its simplest form, involves at least two people, at least one of them acting in an official or quasi-official capacity, in an exchange in which a political good is passed in at least one direction and at least one of the parties knows that the disposition of the political good is unscheduled, illegal and unsanctioned<sup>13</sup>.

Second, he argues and identifies a link between the corruption of the CPP era and Ghanaian cultural norms. To him the basic determinants of political culture, namely a historical or a cultural orientation, attitudes and values that informed the corrupt behaviour of society were very much the products of the Ghanaian society. To Le Vine therefore a *culture of political corruption* was endemic in Ghana<sup>14</sup>. I believe that historical orientations, attitudinal

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<sup>12</sup> Le Vine op.cit

<sup>13</sup> Ibid, P 6

<sup>14</sup> Ibid, P8

problems and cultural values played a crucial role to growth of corruption. Nevertheless, I believe Le Vine's introduction of the culture of political corruption is inappropriate at least to the Ghanaian situation. I will revisit this point.

The problem with the author's first theoretical defence is that it is too limiting and does not help to explain and understand corrupt acts that do not manifest transactionary characteristics, for example, when the act in question is corrupt but there is only one perpetrator and the act does not involve exchange of goods, resources or services. David Blunkett for example, at a time when he was the British Home Office Secretary used his influence to facilitate the visa application of his nanny in a deal that was by all intents and purpose corrupt but which was not proven to have any exchange dimension. Although, some of the corrupt acts under the regime in question involved transactions between patrons and clients in different capacities and Le Vine's proposition can be helpful to analyze, there were also corrupt manifestations through extortion, embezzlement subversion of the political process and other political actions that did not take transactionary forms but which may duly be defined as corrupt.

Secondly, Le Vine's claim that by the end of the 1960s the CPP government and the Ghanaian society had developed a culture of

political corruption as already indicated, is conceptually erroneous and viewed against Ghanaian cultural norms and perception, inconsistent with current understanding of the meaning of *culture*. Culture is the common term used for describing the way of life of a people. It is, as Gyekye has observed, a public phenomenon as well as a product consciously and purposively developed by a people or a society in support of their value systems<sup>15</sup>. As such most or all members of that society participate in and share that cultural product and it is accepted by the generality of the society in question. In an attempt to observe that corruption was widespread in the Ghanaian society in the 1960s, Le Vine misconstrued this to be a feature of Ghanaian culture. The truth is that Ghanaians accepted the idea that corruption was problem-solving and indulgently pursued this line of action but it was always known to be a deviation from Ghanaian norm<sup>16</sup>. That during the CPP era and thereafter various committees were commissioned to investigate allegations of corruption and if proven, punish the perpetrators is evident that corruption was not part of Ghanaian cultural practices. A people do not undertake such far-reaching measures that have the capacity to undermine their cultural

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<sup>15</sup> Gyekye, K *Political Corruption: A Philosophical Inquiry into a Moral Problem* (Sankofa Publishing Co. Ltd, Accra, 1997)P12

<sup>16</sup> As we shall frequently point out, the indigenous Ghanaian norm is built around the spirit of communalism, the principle of fair play, sharing and the avoidance of greed.

behaviour. Ghetto life is widespread in Jamaica, gang life and its related activities are rampant in New York and neighbouring states and in Great Britain, anti-Social behaviour among the youth is a constant nightmare of society. These are all problems of society in which politicians, legislators and all citizens of good will are constantly and purposefully endeavouring to solve. If this is the case, then it is inappropriate by any standard of judgement to qualify 'ghetto' life in Jamaica, gang culture in America and Anti-social behaviour in Britain as products of these cultural systems.

Le Vine's final and third error in his attempt to conceptualize Ghanaian political corruption stems from his suggestion that the definition of a corrupt behaviour must prove that the conduct is unscheduled, illegal and unsanctioned<sup>17</sup>. I shall revisit this point in my next discussion as Scott (1972) advances the same argument.

Another prominent work on Ghanaian corruption on the political activities of the CPP government is presented in Scott's<sup>18</sup> admirable Comparative analysis of political corruption in which the author advances that the Convention People's Party of Dr. Nkrumah exemplified a political machine<sup>19</sup>. Again this observation is accurate and the background information rich. However the

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<sup>17</sup> Refer to page 13

<sup>18</sup> Scott, J. C., *Comparative Political Corruption* (Prentice-Hall Inc., New Jersey 1972).

<sup>19</sup> Ibid p 124

author fails to explore the values and the contexts that gave rise to the political machine of the CPP. Like Le Vine, Scott is of the School of Thought that champion the view that all corrupt acts are illegal. The author further complicates the problem by advancing that 'corruption frequently involves a failure to enforce laws or invoke sanctions that are applicable to a given situation...'<sup>20</sup>

The use of legal norms as criteria for defining corruption as will be shown in the next chapter raises serious conceptual and contextual problems. Nonetheless, Scott's particular proposition like the one above does not help issues at all. In many "third world" and developing states, the law itself is the spearhead of organised corruption. What then will be Scott's answer to the official or individual who refuses to enforce the law? There are parallels to the Ghanaian situation in which the CPP government deliberately corrupted the Ghana Constitution and the political process to suit its plans and objectives for economic developments and the political stabilization of independent Ghana. I will attempt to show why and how. Scott and his line of thinkers imply that the legalization of corruption by criminal governments solves the problem of corruption in society. I argue that this view is erroneous.

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<sup>20</sup> Ibid p5.

Another work on Ghanaian political corruption is that based on Gyekye's<sup>21</sup> philosophical enquiry published in 1997. Here, the author's main defence is that corruption is a moral problem. Gyekye postulates that corruption ensues from the moral weakness of the individual and the institutions of state. Once again, an observation like this may hold some legitimate grounds by using specific standards or criteria of measurement. However, in terms of consistency and coherence it can be too limiting as in when those under the microscope are not moral but rational or legitimate socio-economic agents. For example, if the CPP regime were a theocracy then Gyekye's theory would serve a useful framework for analysis. On the contrary, the personalities who were the key players were political and economic agents whose actions were dictated by these principles. It is against this background that the conceptualization of corruption as a moral deficiency would be evaluated in this thesis.

### **iii. Methodology and sources**

A combination of both historical and thematic approach is used in this thesis. Crucially, the reign of the Convention People's Party in Ghana during the second half of the Twentieth Century is a theme

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<sup>21</sup> Gyekye, op.cit.



of history maintaining significant connecting links with political and economic developments of the world immediately before that reign and beyond. Therefore, this historical trend is brought to bear on the subject even though the concept of corruption or political corruption is treated as a political theme. In doing this I explore the recent political history of the world, its impact on political and economic developments in Ghana and how these general events impacted on, or gave rise to political corruption in the first post independent African government in Ghana.

A range of sources is used but chiefly my most important information has been drawn from the reports of various Committees and Commissions of enquiry. In all, over thirty of such reports were consulted. Bearing in mind that these are political documents and subject to flaws, misrepresentations, misinterpretations and above all, prejudices and exaggerations, facts and evidence were carefully selected. Where necessary these have been checked and crosschecked with other independent sources for clarification. I proceeded on this enquiry with the assumption that contextually and historically the reports of the above-mentioned committees and commissions represented the views and opinions of one side of the political divide. This is evident by the constitution of the members of such commissions

and the historical context in which such reports and investigations were carried out.

After the overthrow of the CPP government, the Convention and its entire associates were banned by the new administration. CPP politicians were not allowed to function politically in any official capacity nor were they and their associates allowed to champion the course of the Convention. In this context, although the commissions reported brilliantly on their subjects, it is in my opinion not impossible that the findings of their reports would not be fraught with prejudices and misgivings. Bearing this problem in mind it was my aim to not allow these conditions to distort the outcome of my investigation. Fortunately for me I located five prominent associates of the regime who were still alive and active in their private lives as well as various political capacities: Erica Powell (a British and personal secretary of president Nkrumah), Amoa Awuah (former minister), Prof. Nii Noi Dowuona (member of the erstwhile political party and current General Secretary), Mr. John Tettegah (former General Secretary of the Ghana Trade Union Congress and ambassador plenipotentiary under the erstwhile CPP regime) and Nana Ampong Ofori (A divisional chief of the Akyem Bosome Traditional Council). It was a disappointment to the analysis of this research that Erica Powell

declined to be interviewed on grounds of old age and ill health. Nonetheless, the opinions and views expressed by the other four during my interview sessions with them benefited the research a great deal. I was able, as a result, to compare, contrast and evaluate much more professionally the issues, which are raised in the reports and committees of enquiry into the corruption of the Nkrumah era. Thus, this work has been constructed with evidence from both CPP and opposition circles.

I came to understand during the process of formulating my theories and designing my methodology, that a research work of this nature and especially, one that involves an attempt to dissect both the concept and the phenomenon of African corruption and its significance on society, must include an effort to understand the principles that inform the choices of the perpetrators. As such, my interviews were designed to invite respondents to respond to some of the allegations levelled against the CPP government and other public institutions. In all the cases, the views of the respondents were honest and as the excerpts show in the main work, their response benefited this research a great deal.

I must point out that these interviews were held at different times and places with respondents responding to the same set of questions. Various and varied answers were given to the same

questions. However, I discovered that respondents reacted to issues with the same mindset. That is, they tended to explain the activities of the CPP government and other public institutions in terms of *means* and *end* analysis<sup>22</sup>. Again, they willingly admitted to the ills that were perpetrated but hardly ever condemned them. They were all unequivocal in justifying the positions and actions of the government and giving causal explanations. For example, it was the vehement belief of Amoah Awuah, a position he reiterated several times during the interview, that any other government would have done the worse considering the socio-political milieu in which the first post-independence government of Ghana operated. Another technique I employed in the search for an answer to the questions I formulated is the social science technique known as *participant observation*. I did not only want to understand from the perspectives of the perpetrators, I wanted also to have an empirical experience, an idea that I thought, more than anything else, would bring me closest to the truth about Ghanaian ways of life. I bribed enforcers of the law and offered tips in many service-receiving points with the objective to jump queues. One didactic case involved a reputable travelling agency in Accra. As part of an attempt to understand the socio-economic significance of bribery in

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<sup>22</sup> *Means* and *end* analysis frequently involves an attempt to credit or discredit actions and behaviours based on their results.

the Ghanaian society, I decided to change the date of my return to the U.K. I went to the travelling agent in question to effect the change. On the first day I made my enquiry, I was told they could offer me this service albeit, to come the next day and speak to a member of staff. I followed up the next day and the day after but both to no avail. On the fourth visit, I enclosed a specified amount of money in an envelope and asked to speak to the manager after which I handed the envelope and left the office to make my way home. I was hardly three hundred metres away from the vicinity when I got a phone call. It was the manager asking me to pick up my ticket. I walked straight to the manager's office and to my surprise, my travelling documents were ready and this manager was full of appreciation for my 'gift'. I also spoke to a cross section of the Ghanaian Public in Accra and Koforidua and none of these individuals claimed ignorance of the existence of such practices. They all claimed that these practices are common and that people offer gifts and bribes to grease their paths in pursuit of economic, social and political objectives.

In addition to undertaking *participant observation* and independently observing society, I also administered some questionnaires. My aim in this exercise was to get the response of individuals I thought were enlightened and knowledgeable enough

on the subject of corruption. Of all seventy-one respondents made up of a Political Science class in the University of Ghana, Legon, none was against the view that corruption was an anti-social behaviour. Nonetheless all with the exception of one indicated that they would employ corruption if need be to achieve set goals and objectives; a situation that does not only speak volumes of the significance of corruption but also point up the fact that in a society like Ghana those who abstain from corrupt activities may well be the losers.

The results that I obtained from my interviewees, my own participation and independent observations as well as the responses to my questionnaires were very useful in formulating my theories and conceptualising the phenomenon of corruption in the Ghanaian society. I did not only gain an insight into how society is organized but I also discovered the dynamics of social and economic relations. These techniques gave me a deeper understanding into Kwame Nkrumah's Ghana, as it is the central focus of this research. It should not present any problem to the reader that I used current sociological and historical data to examine socio-economic and political events of the past. The reader must bear in mind that it is only fifty years since Ghana attained her independence from colonial rule and only forty years

since the military junta ousted Nkrumah's government. The point I make here is that the ideas and philosophies that run through society and the wheels upon which these ideas are driven have not undergone any significant change from those of the nineteen fifties and sixties. In other words, the social, cultural, economic and political values upon which the two societies functioned are much the same.

I have also explored the newspapers and reports of parliamentary debates, parliamentary briefings by the president as well as observations and comments of independent observers during the CPP era. These sources have also been helpful in determining the historical and historiographical context of the theme of this research. Not too many works on Ghanaian political corruption have been done. However, Le Vines 'Ghana Case' stands out in this regard and has been duly evaluated in this work. The few commentaries and references to the corruption of the CPP government in major political and history books form an extensive array of the secondary sources used for our evaluations. Prime among these is Scott's *comparative political corruption* in which he advances that the CPP exemplified a political machine. This view is accurate. However, such proposal has not to any extensive limit influence the core arguments made in this work. The present

research aim has been an attempt to investigate corruption in a single regime in Africa, in particular in Ghana. As a result, the findings obtained may not necessarily serve as apt answers to the questions on the various cases of political corruption throughout the continent. Secondly, although our subject has been studied across society the real focus has been the CPP government machinery and public officials. Detailed attention has not been paid to say, judicial corruption, military corruption or even the corruptions of other regimes in Ghana, although all are worthy subjects of academic enquiry. I focused essentially on the CPP government because it was the first of its kind to emerge in Sub-Saharan Africa and the first African government to come face-to-face with the complexities of socio-political and economic problems of an African society as independence from colonial rule left it.

Generally speaking, a subject as complex as corruption with all its socio-economic, philosophical and political ramifications, vis-à-vis its implications on developments in these fields would be extremely difficult, almost impossible to offer exhaustive analyses of the phenomenon. It is my fervent belief however that the present document would serve as a worthy reference material to future



researchers who embark on other areas of the subject and other regimes in Africa as suggested by this thesis.

## Chapter one

### Conceptual and Contextual Definitions

#### 1.1 Introduction

Corruption is as complex a subject as it is mutable. Like all social and political phenomena, it defies exact and comprehensive definitions. One writer notes of the phenomenon rather correctly, 'the arguments about corruption are scattered throughout the western political tradition but a coherent theory of corruption has never been fully articulated.'<sup>1</sup> Several factors account for this. First, the boundaries of corruption are unusually broad, much less the scope. Moreover, the dividing lines between corrupt and non-corrupt activities can be so thin that the facts may be blurred with inconsistencies and contradictions. Even where corruption is explicit and empirically identifiable, it is often difficult to distinguish between corruption and other forms of political failures and abuses such as fraud, extortion, embezzlement and bribery.

Again, corruption ranges from legitimate to criminal, moral to immoral and economic to political behaviour. Thus, the phenomenon is multifaceted. The result is that perspectives on the

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<sup>1</sup> Heidenheimer, A. H., Johnston, M. (eds) *Political Corruption: Concepts and Contexts*, third edition (Transaction Publishers, New Brunswick, London, 2001) P. 5

phenomenon have been various and varied.<sup>2</sup> Whereas the current literature defies any easy classification into schools of thought, generally, however, there is the functionalist school as against the moralist school of thought.<sup>3</sup> The problem with these conceptual classifications is that moralists' analyses often have prejudices and assumptions that tend to blame corruption for an uneven share of society's problems. Revisionists on the other hand rely too much on anecdotal evidence, hypothetical cases and speculative linkages between corruption and socio-economic and political outcomes. Consequently, although the literature has produced many useful studies of corruption, generally, the overall findings have been inconclusive and sometimes contradictory.<sup>4</sup>

In this chapter; first, I locate and re-evaluate some of the conventional conceptions of corruption. Second, by placing these concepts in an African context I develop and introduce a third classification that enables us to relatively unambiguously define corruption. Third, by relying on our theoretical orientation we make

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<sup>2</sup> Ayee, J. R. A., 'Political and Social Consequences of Corruption', Paper presented at the Ghana Academy of Arts and Sciences (GAAS)/Friedrich Ebert Stiftung (FES) Forum on 'Corruption and development in Africa' held at the British Council Hall, Accra on 18 June 2002

<sup>3</sup>The functionalist School of thought have as their main argument the view that corruption has the capacity to benefit society. They often suggest that it can speed up cumbersome procedures, buy political access for the excluded and also produce de facto policies more effective than those emerging from legitimate channels. See (Leff, 1964; Bayley, 1966; Nye, 1967; Huntington, 1986). On the other hand the thrust of the argument of the moralist school is often grounded on the view that corruption is harmful to societies and governments. They suggest that corruption impede development and erode the legitimacy honest elites and institutions. See (Johnston, 2001; Alatas, 1991; Gyekye, 1997.)

<sup>4</sup> Williams R., *Political Corruption in Africa* (Gower Publishing Company Ltd, Hampshire, 1987)

extensive assessment and comparison of African corruption and other global incidents.

## **1.2 Some Problems with Conventional Concepts of Corruption**

### ***1.2.1 Corruption and the public office factor***

The widest conception of corruption has been an attempt by scholars to perceive the subject as a public office phenomenon.

Gardiner for example observes;

‘A government official, who takes unauthorized funds from the treasury, is committing “embezzlement” or “corruption.” Private citizens or corporations, however which intentionally use deception to take excessive or unauthorised government benefits or contracts from the treasury, are committing fraud’<sup>5</sup>

The above proposition by this author aims among other things to separate the roles of persons who occupy public offices and those who do not. Indeed, in compelling circumstances, the term ‘political’ has often been introduced to demonstrate such differences. Implicit here, in Gardiner’s position and this school of thought is not only that all acts of workplace crime committed by public officials are instances of corruption, but also that *only* public officials are capable of corruption. In this thesis a different view is taken, one, which, among other factors, avoids two particular problems with Gardiner’s conceptualisation.

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<sup>5</sup> Gardiner, J., ‘Defining Corruption’ in Heidenheimer, A. J and Johnston, M. (eds) *Political Corruption: Concepts & Contexts*, Third Edition, (Transaction Publishers New Brunswick (USA) and London (U.K.), 2001 p28

The first of these is the problem Gardiner faces but fails to solve of demonstrating in no ambiguous terms what corruption palpably is. He argues wrongly that different sets of rules underlie the corrupt activities of public office holders and those of private citizens. Nonetheless we cannot, proceed on this basis of assumption if we are to have any hope of arriving at any successful conclusions on our subject. The second problem stems from Gardiner's attempt to distinguish, or compare political corruption with other forms of crime such as bribery, abuse, fraud, or even simple theft. In fact, he claims that particular instances of these improprieties differ from official corruption and abuse of office primarily because someone who is not a public office holder commits them.<sup>6</sup> It follows from Gardiner's argument that any analytic distinctions, which can be made between corrupt and non-corrupt activities, derive not from the nature of the acts themselves but from the status and position of the actor. According to his principle, any illegitimate dealings involving a public official becomes defined as corrupt once the act is perpetrated within the framework of an official capacity.

Before we explore further let us point out two apparent weaknesses inherent in this postulate. First, the idea of 'objective',

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<sup>6</sup>ibid. p. 29

'aim' and 'intention' underling the perpetrator's action is often not adequately dealt with in these such analyses. An official may pilfer from the public treasury in moment of aberration, indecision or even the loss of mental capacity. Under such circumstances when the perpetrator has no clear idea of the consequences of his actions or their implications we must be careful to conclude that corruption has occurred. Second, an apt definition of corruption must be such as be able to distinguish corruption from abuse. If an official takes from the public treasury it is necessary to establish that this has been done to earn a competitive advantage in a manner in which the official deliberately seeks to exploit his position. Otherwise, a criminal act may have been perpetrated but not a corrupt act.

It is clear that Gardiner's ideology does not pass a logically coherent test, and at the very least following it will lead us into definitional problems later on. Bribery, theft, fraud, embezzlement and graft, all like political corruption, are but different branches of the same tree, corruption. All are interconnected and one may be the cause or the result of the other. Any conceptualisation therefore, which espouses the idea that these behaviours bear no relation to political corruption or corruption generally is misleading. Although some instances of such activities may not necessarily

amount to corruption and vice versa, it is noteworthy that crime and corruption are two overlapping concepts. For example a public official who is charged with the responsibility to administer the Treasury can be said to have committed corruption, if he uses his influence and without authorization to take an amount of money from that treasury to pursue an interest.<sup>7</sup> Note that in our ordinary language while this action by a public official is tantamount to theft, the act also signifies that a corrupt behaviour has been committed. We cannot therefore say that because he is a public official and not a private citizen he commits corruption but not theft. In the same vein a private citizen who corrupts a system's police officer by offering him a bribe to pervert the course of justice does not only act criminally, but is also guilty of corrupt behaviour.

The dividing line between corruption and such acts as bribery, theft, fraud, graft and indeed crime in general is so thin that the investigator must necessarily exercise great care when classifying and categorising them. Almost invariably, these criminal activities result in corruption and vice versa.

Public office centred definition restricts the phenomenon to a certain class of society. It assumes that only public officials or bureaucrats can be corrupt. However, this notion is operationally

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<sup>7</sup> *ibid.* p. 28

erroneous. Apart from holding that all work place abuses and criminal acts by public officials are corrupt, it also assumes that corruption can be at once eradicated from human society once public offices are abolished. However, both propositions are incorrect. Again, a conceptualisation like Gardiner's makes it difficult to study the corruption of societies, which maintain no distinction between the private belongings of rulers and public possessions.<sup>8</sup>

The only distinction here is that public officials normally do have access to public goods and resources to facilitate their corrupt objectives, and to conclude that a politically corrupt act has taken place, it must be proven that access to state goods or resources were relied upon to facilitate such objectives. In such instance the official in question may be guilty of official or public or political corruption not essentially because he commits the act, but more importantly because he exploits his position to take advantage of public goods and resources to pursue an interest<sup>9</sup>. The same observation can be made about a private citizen who exploits his

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<sup>8</sup> Medard, J. F., 'Corruption in the Neo-Patrimonial States of Sub-Saharan Africa' in A. J. Heidenheimer, M. Johnston (eds) *Political Corruption: Concepts and Contexts*, third edition (Transaction Books, New Brunswick and London, 2001) P. 379.

<sup>9</sup> Della Porta, D., Vannucci, A., *Corrupt Exchanges: Actors Resources and the Mechanisms of Political Corruption* (Aldine De Gruyter, New York, 1999) P 16



special connection with the bureaucracy or the government to gain advantage over others in a competition.

From this viewpoint, to define corruption Scott's apt observation would be instructive. 'Corruption', he writes 'we would all agree, involves a deviation from certain standards of behaviour.'<sup>10</sup> What constitutes such deviation and to what degree will be dealt with later in this chapter. However, pursuing this line we can offer a preliminary – and very provisional – two-limbed definition of 'corruption'. First, it is a mental condition, as when we say 'X is corrupt' meaning that X's outlook, thoughts and intentions are illegitimate or ill intentioned. Secondly, in relation to X's actions, which constitute a practical manifestation of these outlook, thoughts and intentions, if we refer to X as corrupt we also mean his conduct is in some way not consistent with normal social standards.

The point is that the literature that defines corruption only in terms of abuse of office is narrow and at the same time ineffective in demonstrating anything like the full range of what corruption really is. In this thesis, as we explain later in this chapter, we take a somewhat broader view of corruption. While we acknowledge that distinguishing corruption from non-corruption is frequently

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<sup>10</sup> Scott, J. C., *Comparative Political Corruption* (New Jersey; Prentice-Hall, Inc, 1972), 3b

forensically difficult, we believe that definitions which rest on the status of the corrupt actor rather than the nature of the act make it more difficult than it needs to be. Corruption, we believe, involves a breach of trust, but we think it wrong to assume that only politicians and officials are capable of such a breach. Hence, to associate corruption with abusing office is unnecessarily limiting.

State and society comprise a multiplicity of interlocking interdependencies, all of which, in essence, depend for their existence on interpersonal trust. Citizens as well as officials have a trust relationship with the state, and in that sense defrauding the income tax or customs authorities is as much a corrupt act when conducted by a private citizen as when a politician or bureaucrat is implicated. The qualifier 'public official' suggests only that the individual, in addition to his basic obligations to the state plays some other peculiar roles in society. Nevertheless, these, as well as those obligations expected of ordinary citizens constitute political roles within the state; So that breaches of these contractual relationships that may involve any kind of exploitation of public resources be it material or special connection result in political corruption. This is, perhaps, a somewhat *African* interpretation of corruption, and one whose apparent *naïveté* or consensuality might surprise the commentator from an advanced

western nation, but we hope the reader will bear with us while we develop our theme. This is, after all, a study of African corruption, and to understand it in a fully rounded way, even, perhaps, rescuing it from any risk of interpretive colonialism, it may be helpful to bear indigenous considerations in mind: after all, such considerations were the ones which the various actors in the drama themselves have in mind. Whether, however, this is in fact so goes, unfortunately, beyond the scope and methodology of the present work.

### ***1.2.2 Corruption, political abuse and political failure***

From what has been said so far of corruption, two general themes can be developed. First, we know that political corruption involves the exploitation of public resources. Second, before we can identify such behaviour as corrupt, it must be seen to have aimed at gaining some form of levelheaded advantage over others. The latter point is crucial because that is the watershed between corruption and political abuse. Abuse may result when the individual who has access to public resources puts it to inappropriate use and thereby causes lose and unnecessary waste of resources to the state.<sup>11</sup> Most of the political Scandals in Africa

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<sup>11</sup> Large, A., and Bowers R. *Fraud and Abuse in Government Benefit Progress* (Government Printing Office, Washington D. C., 1979) P. 15

in the once 'kleptocratic states'<sup>12</sup> of Zaire under Mobutu and Uganda under Amin were of the example of political abuse. These states were uniquely oriented towards unreasonable plunder and predation and these politicians and their hangers-on criminalized the state as they relied in most cases on violence and criminalized political elements to champion their political objectives for their political survival.<sup>13</sup> Their activities ranged from privatising the state to holding a chunk of the countries' currency reserves in their private homes and questionable Swiss banks<sup>14</sup>. These criminal activities, which thrive essentially on political power abuse, strictly speaking cannot be identified as corruption. They instead constitute political abuse.

The difference between political corruption and political abuse lies therefore in these operational differences. Corruption is a reasoned behaviour, which puts the interest of the state and that of the perpetrator into conflict. Indeed, we agree with Kotkin and Sajo whose view it is, that corruption is the decisive technique in theft and fraud.<sup>15</sup> Abuse may however be the cause of extreme

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<sup>12</sup> kleptocracy is defined in this context as a political system run by criminals and rogues whose activities are unconstrained by anything other than a threat to their interest. See for example Rose Ackerman, Susan, *Corruption and Government: Causes, Consequences and Reform* (Cambridge University Press, Cambridge, 1999) P. 114.

<sup>13</sup> Medard op.cit Pp. 379-397

<sup>14</sup> Ibid Pp379-386

<sup>15</sup> Sajo, A., Kotkin, S, *Political Corruption in Transition: A Sceptic's Handbook* (Central European University Press, Budapest, 2002) P 18

corruption or illicit behaviour<sup>16</sup> that may even be damaging to the interest of the perpetrator. For example if an official does secretly and without authorisation take an amount of money from the public treasury to support his collapsing private business with or without the intention to pay back, he commits corruption. On the other hand, if the official takes to the excessive use of power and decides to run or keep the public treasury in his house other than the legally constituted place, whether or not he aims to benefit personally, he abuses the power invested in him or the position he occupies.

Political failure is in a different category all together. It is the result of administrative incompetence and includes among other factors, mismanagement, administrative inefficiency, error, lack of accurate judgement and intentionally or unintentionally causing waste of resources to the state without a motive to derive any advantage directly or indirectly. There is the tendency for scholars to confuse political failure and political corruption especially so when the characteristics of their effects are invariably alike. If out of political imprudence or lack of accurate judgement an official awards government's contract to an inefficient contractor who gets the work done shoddily or even fails to do the work at all, such an

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<sup>16</sup> Gibbons, K. M., 'Variations in Attitudes toward Corruption in Canada', in Heidenheimer A. J. et al (eds) *Political Corruption: A Handbook* (Transaction Publishers, New Brunswick, 1989) Pp. 763-788.

official causes financial or resource loss to the state and thereby fails in executing his political responsibility. Note however that this action in itself does not constitute political corruption although the state loses essentially from the action of the politician in question. On the other hand, an official who embezzles or misappropriates government's resources to pursue private ends commits corruption and generate cost to the state. Thus political corruption and political failure may both lead to vital resource loss and waste to the state. However failure may not necessarily constitute corruption. In Ghana for instance, as we make extensive reference to this later in chapter four, at the time of political independence from British rule in 1957, the Ghanaian foreign reserves totalled over £200m with a foreign debt total of only £20m.<sup>17</sup> By 1966 when the first African government was overthrown, these reserves had been run down and the external debt risen from £20m to £400m.<sup>18</sup> This development as Green notes was the result of 'utterly implausible ventures, ineffective or irrational implementation of policies, unselective and untested large-scale mechanized

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<sup>17</sup> Boahen, A. A., *Ghana: Evolution and Change in the Nineteenth and Twentieth Centuries* (Sankofa Educational Publishers, Accra, 1975) P. 192.

<sup>18</sup> *ibid.* P. 216.

techniques, inadequate public sector management, misuse of funds and incompetence in high places.’<sup>19</sup>

There is the strong tendency by the student of politics to rely extensively on hypothetical and speculative linkages in order to associate such occurrences in African politics, which are in fact political failures with, and to regard them as political corruption. Le Vine for example refers to the Ghanaian economic experience of 1957-65 in which vital state resources were wasted by sheer economic and political incompetence as the result of corruption.<sup>20</sup> While we do not dispute that political corruption can acquire these characteristics as in the case of Mobutu’s Zaire or Amin’s Uganda, we think the speculative linkage that Le Vine draws between corruption in the erstwhile Nkrumah regime and waste of resources do not hold much water. It is correct however to see the causes of waste of resources in political failure.<sup>21</sup>

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<sup>19</sup> Green, R. H., ‘Reflections on Economic Strategy, Structure, Implementation and Necessity: Ghana and Ivory Coast’ in Forster P. and Aristide R. Z., (eds), *Ghana and the Ivory Coast: Perspectives on Modernization* (University Press, Chicago, 1971 Pp. 251-260).

<sup>20</sup> Le Vine, V. T., *Political Corruption: The Ghana Case* (Hoover Institution Press, Stanford, 1975) Pp. 101-103.

<sup>21</sup> Bob, F., Oppenheimer M., *Ghana: End of an Illusion* (Monthly Review Press, NY and London, 1966) Pp. 91-93

### **1.2.3 Political Corruption, Morality and Rationality**

All states, whether benevolent or repressive, control the distribution of valuable benefits and the imposition of onerous costs. The distribution of these benefits and costs is generally under the control of public officials who possess discretionary power. Private individuals and firms who want favourable treatment may be willing to pay to obtain it.<sup>22</sup>

The above quotation sums up the universal rationale behind all corrupt actors. Therefore, it corroborates our earlier position that corruption is a reasoned behaviour. Corrupt behaviour is normally backed by political and economic motives that invariably involve the maximisation of profits and the minimization of costs.<sup>23</sup> Hence, corruption would mean a response to various political and economic challenges, which result in a clash of interest between the corrupt perpetrator(s) and the state or some other higher institution. The levels of political and economic problems or challenges are various and varied and are the reason why corrupt responses to these have various levels in society—individual, group, structural, national, international et cetera.

In Africa for example the levels or extents of corruption are influenced by the socio-economic and political structure. It is the class interest that determines class needs and hence individual or

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<sup>22</sup> Rose-Ackerman, S. *Corruption and Government: Causes, Consequences and Reform* (University Press, Cambridge, 1999) P. 9.

<sup>23</sup> Tutu, K. A. 'Economic Process and Corruption' in *Accountability in National Life-Proceedings of the Ghana Academy of Arts and Sciences* Vol., XXVIII 1990 (GAAS, Accra, 1994) Pp 86-89.



corporate approach to solving and satisfying these needs. Therefore, when we postulate that corruption is an outstanding characteristic of African public life the implication is that corruption has been used widely in solving problems in Africa. However, having argued that corruption constitutes a deviant behaviour it implies also that there are factors that in respect of the political and economic norms on the continent contribute to making corruption a viable alternative socio-economic and political behaviour.

The first of these factors is the general poverty of the continent<sup>24</sup> coupled with the general unresponsiveness and insensitivity of national governments to the needs of society. Almost all post-independence African governments have been guilty of this political failure in varying degrees having replaced their traditional responsibilities with the pursuance of parochial interests. On the economic level, lacking a vibrant middle and an economic class, economic accumulation and wealth creation came necessarily, directly and indirectly, through the state.<sup>25</sup> The result is that often the political elites and their hangers-on have preyed on and diverted state goods and resources to serve these interests leaving the masses in poverty and misery. In this way the survival

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<sup>24</sup> Bayart, J. F., *The state in Africa: the Politics of the Belly* (Longman, London, 1989) Pp.20-32.

<sup>25</sup> Medard, op.cit P.379.

of the individual whether in the civil service or private life becomes a matter of manipulation. Invariably most have had to rely on payoffs, extortion and bribery to obtain favours and even what constitute the legitimate right of the citizen.<sup>26</sup>

Because legitimate channels for making ends meet are fraught with difficulties and impossibilities one has to deviate from what is socially acceptable in order to make ends meet. Therefore, various acts of corruption by way of extortion, bribery and payoffs become to the individual a shortcut and cost effective means for solving problems. Indeed, according to Medard<sup>27</sup> corruption in Africa has simply become a necessity for survival. Another commentator on the Nigerian situation makes a particularly instructive observation that applies to the generality of Africa and explains why corruption is a viable venture on the continent.

‘The question one may ask is: “what typically happens to people who engage in corruption in Nigeria? “The answer is, hardly anything at all. People clearly see individuals, not only including, but especially the military whose only source of income is supposedly the salary, living up to several times above their means. Yet few, if any of these people are ever questioned, let alone tried for these apparent practices. Once in a while when a top official is retired rumours go on for some time that the retirement was due to embezzlement, but it remains at the level of rumours. The official announcement indicates something like “retired in the public interest,” but

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<sup>26</sup> Tutu op.cit Pp88-90

<sup>27</sup> Medard op.cit p. 382

these people are often allowed to keep their questionably acquired wealth.'<sup>28</sup>

Apart from corruption being an effective means of solution finding in Africa, Gire's observation also indicates that the African environment is a safe haven for the corrupt actor so that the losers are those who are not corrupt. This factor continues to inspire both those in private and public life to plunder the resources of the state and to treat them as recklessly as possible since such acts constitute a problem-solving strategy. What makes the situation even worse and of the inability of national governments to punish corruption is not so much the damage they cause to the state, but more importantly, the cracks in the politics of African states that irresponsible opposition and power struggle give rise to. In African democracy, the issue of number is very crucially important, not so much as to the number of registered voters who are eligible to vote but the number and size of registered party members who are eligible to vote. The idea is for political parties and national governments to command loyalty from their supporters and once they have it do everything in their power to maintain such loyalties. One of the ways to do this is to condone the *sin* and corruption of

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<sup>28</sup> (Goggle)[www.rrojasdatabank.org/corrupt.htm](http://www.rrojasdatabank.org/corrupt.htm). 15/02/2004

party and government faithfuls. Doing otherwise could be damaging to the party in question.

Another aspect of corruption in Africa relates to the weak-state factor. Most of the states in Africa are only emerging from years of colonial rule and exploitation, which also constituted a period of interruptive developments in the growth of indigenous political and economic institutions. Having been denied by colonialism the political, scientific, economic and social formative processes that Europe and the West underwent prior to the Enlightenment the post-colonial state in Africa is weak and lacking tested governmental institutions to which all political actors are subject. It has therefore been possible for criminal elements within the nascent state to privatise the state in Africa (Bayart, Ellis and Hibou 1999)<sup>29</sup> Emperor Bokassa of Central African Republic, Abacha of Nigeria, Amin of Uganda and Mobutu of Zaire could succeed in managing the states of Africa in the manner they did their private backyard with little opposition because of the weak state factor. During the peak of the corrupt and abusive political activities of Marcias Ngema of Equatorial Guinea, to a journalist who asked why he had stored all the country's bank notes in his house in his village his reaction is apt enough in helping us

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<sup>29</sup>Bayart J. F., Ellis S., Hibou B., *The Criminalization of the State in Africa* (Editions Complexe, Bruxelles, 1997) P 99

understand the weak state factor in the development of political corruption in postcolonial Africa. His answer was 'I am the chief of my country, everything belongs to me.'<sup>30</sup> Nothing more exemplifies the attitudes of postcolonial African political leaders than Ngema's response. The state and institutions of state were so weak that even one man could afford to possess and manage it on his own fashion and not on the fashion of the national constitution.

But the weak state factor not only caused Africa's political leaders to develop reckless attitude towards state administration, but also to the larger citizenry it failed to command their trust by weakening their emotional attachment to and patriotic feelings for the state.<sup>31</sup>

Years and centuries of colonial exploitation, suppression and intimidation did not fail to leave the impression on the minds of Africans that western style governments did not represent their interests.<sup>32</sup> Governments were perceived as rent seeking and having objectives that had no bearing on the welfare and daily lives of the African peoples. In consequence, the strong sense of patriotic values ideological and emotional bond needed in the citizen to espouse the interest of the state rather than the citizen's

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<sup>30</sup> Medard op.cit P. 384.

<sup>31</sup> Gyekye, K., *Political Corruption: A Philosophical Inquiry into a Moral Problem* (Sankofa Publishing Co. Ltd, Accra, 1997) Pp. 5-7

<sup>32</sup> Williams, R., *Political Corruption in Africa* (Gower Publishing Company Limited, Hampshire, 1987) P. 36.

diminished considerably. Instead, you had a people who perceived the colonial system of government as an alien institution. With this feeling Africans developed the idea that it was possible to damage the interest of the state without being affected. This situation is brilliantly represented in Achebe's novel, 'No Longer at Ease'.<sup>33</sup> Obi was **asked** by his compatriots on his return from studies abroad: 'Have they given you a job?' The narrator immediately responded with an insight; 'In Nigeria the government was 'they'.' Surely, in Africa the pronoun 'they' is frequently used as a description for the government or the 'establishment.' This perception is significant for it does not only encourage political and administrative indolence but also corruption, abuse and irresponsibility in the way public issues are managed.

There are also cultural factors affecting the perception and widespread occurrence of corruption in Africa. For example it is the speculation of a great many that a society characterized by individualist philosophy and obsessed by the pursuit of individual interest will be more corrupt than one based on a more communal ethos.<sup>34</sup> Any such speculation would be false however when African societies are compared with Western ones. Since most of the cultures in African societies emphasize a more communitarian

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<sup>33</sup> Achebe, C., *No Longer at Ease* (Fawcett Premier, New York, 1969) P. 38.

<sup>34</sup> Gyekye op.cit Pp. 8/9

ethos than is common in the west, one would imagine that the scale of corruption in western societies outweighed that of African societies. But the evidence from the Transparency International Perceptions<sup>35</sup> of Corruption Indices over the last decade tells a very different story. Here, most of the countries in the 'very corrupt' category are African and *Third World* with only negligible number of western countries in the same category.<sup>36</sup> The explanation to this anomaly lies in the differences between the cultural institutions, beliefs and practices of these two societies as well as differences in the levels of social, political and economic challenges, and since corruption thrives on supportive values it is important to examine how these factors impact on the scale of corruption in these different societies.

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<sup>35</sup> (Transparency International) <http://www.icgg.org/corruption.cpi.html>. 26/11/2003.

<sup>36</sup> Tables A, B, C, D, E, F and G are reproduced from the Transparency international website from the link above. They reflect the organisation's Corruption Perception rankings worldwide based on empirical studies of the political and business environments in various countries. On each table are two sets of country rankings from 2000-2004. To the left of each table are the rankings of countries with the cleanest sheet and to the right are the highly corrupt countries from the highest to the lowest in each case. Vividly represented here is the relationship between corruption and development. In all five cases (2000-2004) corruption is more prevalent in the Third Worlds than in the developed economies.

Table A: Corruption Perception Index (2000 rankings by the TI)

Rank	Country	CPI Score*	Rank	Country	CPI Sc.
1	Finland	10.0	1	Nigeria	1.2
2	Denmark	9.8	2	Yugoslavia	1.3
3	New Zealand	9.4	3	Ukraine	1.5
4	Sweden	9.4	4	Azerbaijan	1.5
5	Canada	9.2	5	Indonesia	1.7
6	Iceland	9.1	6	Angola	1.7
7	Norway	9.1	7	Cameroun	2.0
8	Singapore	9.1	8	Russia	2.1
9	Netherlands	8.9	9	Kenya	2.1
10	United Kingdom	8.7	10	Mozambique	2.2

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\* Corruption Perception Index Score (CPI) according to the Transparency International Organization is the perception of the degree of corruption as seen by business people, academics and risk analysts and ranges between 10 (highly clean) and zero (highly corrupt). In each case of the distribution there is an inverse relationship between the CPI Score and the perception of corruption in that country.



Table B: Corruption Perception Index (2001 rankings by TI).

Rank	Country	CPI Score	Rank	Country	CPI Sc.
1	Finland	9.9	1	Bangladesh	0.4
2	Denmark	9.5	2	Nigeria	1.0
3	New Zealand	9.4	3	Uganda	1.9
4	Iceland	9.2	4	Indonesia	1.9
5	Singapore	9.2	5	Kenya	2.0
6	Sweden	9.0	6	Cameroun	2.0
7	Canada	8.9	7	Bolivia	2.0
8	Netherlands	8.8	8	Azerbaijan	2.0
9	Luxembourg	8.7	9	Ukraine	2.1
10	Norway	8.6	10	Tanzania	2.2

Table C: Corruption Perception Index (2002 rankings by the TI).

Rank	Country	CPI Score	Rank	Country	CPI Sc.
1	Finland	9.7	1	Bangladesh	1.2
2	Denmark	9.5	2	Nigeria	1.6
3	New Zealand	9.5	3	Paraguay	1.7
4	Iceland	9.4	4	Madagascar	1.7
5	Singapore	9.3	5	Angola	1.7
6	Sweden	9.3	6	Kenya	1.9
7	Canada	9.0	7	Indonesia	1.9
8	Luxembourg	9.0	8	Azerbaijan	2.0
9	Netherlands	9.0	9	Uganda	2.1
10	United Kingdom	8.7	10	Moldova	2.1

Table D: Corruption Perception Index (2003 rankings by TI).

Rank	Country	CPI Score	Rank	Country	CPI Sc.
1	Finland	9.7	1	Bangladesh	1.3
2	Iceland	9.6	2	Nigeria	1.4
3	Denmark	9.5	3	Haiti	1.5
4	New Zealand	9.5	4	Paraguay	1.6
5	Singapore	9.4	5	Myanmar	1.6
6	Sweden	9.3	6	Tajikistan	1.8
7	Netherlands	8.9	7	Georgia	1.8
8	Australia	8.8	8	Cameroun	1.8
9	Norway	8.8	9	Azerbaijan	1.9
10	Switzerland	8.8	10	Angola	1.9

Table E: Corruption Perception Index (2004 rankings by the TI).

Rank	Country	CPI Score	Rank	Country	CPI Sc.
1	Finland	9.7	1	Haiti	1.5
2	New Zealand	9.6	2	Bangladesh	1.5
3	Denmark	9.5	3	Nigeria	1.6
4	Iceland	9.5	4	Myanmar	1.7
5	Singapore	9.3	5	Chad	1.7
6	Sweden	9.2	6	Paraguay	1.9
7	Switzerland	9.1	7	Azerbaijan	1.9
8	Norway	8.9	8	Turkmenistan	2.0
9	Australia	8.8	9	Tajikistan	2.0
10	Netherlands	8.7	10	Indonesia	2.0

Table F: corruption Perception Index (2005 rankings by the TI)

Rank	Country	CPI Score	Rank	Country	CPI Score
1	Iceland	9.7	1	Chad	1.7
2	Finland/Newzeland	9.6	2	Bangladesh	1.7
3	Denmark	9.5	3	Turkmenistan	1.8
4	Singapore	9.4	4	Myanmar	1.8
5	Sweden	9.2	5	Haiti	1.8
6	Switzerland	9.1	6	Nigeria	1.9
7	Norway	8.9	7	Equatorial Guinea	1.9
8	Australia	8.8	8	Cote d'Ivoire	1.9
9	Austria	8.7	9	Angola	2.0
10	Netherland	8.6	10	Tajikistan	2.1

Table G: Corruption Perception Index (2006 rankings by the TI)

Rank	Country	CPI Score	Rank	Country	SPI Sc.
1	Finland	9.6	1	Haiti	1.8
2	Iceland	9.6	2	Myanmar	1.9
3	Newzeland	9.6	3	Iraq	1.9
4	Denmark	9.5	4	Guinea	2.0
5	Singapore	9.4	5	Sudan	2.0
6	Sweden	9.2	6	Congo RDC	2.0
7	Switzerland	9.1	7	Chad	2.0
8	Norway	8.8	8	Bangladesh	2.0
9	Australia	8.7	9	Uzbekistan	2.1
10	Netherlands	8.7	10	Equatorial Guinea	2.1

Therefore, it goes that corruption is endemic in the underdeveloped world than the developed economies. What accounts for this phenomenon? It has been pointed out that significant in determining this trend of events among other factors is the differences in the socio-cultural, economic and political

institutions. The first of these cultural practices or beliefs is the perception of corruption itself. In Africa, corruption is not a repugnant phenomenon. It is perceived a delicate tool to be handled with care. Its illegitimacy<sup>37</sup> is known but it is revered because of its ability to solve problems.<sup>38</sup> Thus, it is praised no matter who is involved if it is employed to solve society's problems. On the other hand, it receives society's disapproval when it has a disastrous outcome. Hence, corruption is judged not by the fact of it being evil but by its intentions, objectives and its achievement whenever it is employed. For this reasons and the fact that corruption constitutes a means for seeking quicker solutions to problems where this cannot be achieved legitimately many societies perceive corruption as part of efforts to make ends meet.<sup>39</sup> In this connection, one will expect as often happen an angry reaction to corruption from those to whom a particular case of corruption does not bring benefit. For example, the beneficiaries of nepotism in a given regime will consider it simply a form of problem-solving not an evil phenomenon. On the other hand those who challenge corruption are usually the opponents of that political

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<sup>37</sup> Even Le Vine who advances the argument for a culture of political corruption agrees that Ghanaians have evinced much concern about corruption and that there is a perceived limit to public tolerance of the phenomenon.. Refer to Le Vine 1975, P 99.

<sup>38</sup> Assimeng, M. *Social Structure of Ghana: A study in Persistence and Change* (Ghana Publishing Corporation, Tema, 1999) P. 251.

<sup>39</sup> *ibid.* (Pp. 251-252)

regime for whom the appointments of close friends and relatives do not bring benefits at the moment and permit them to consider themselves victims of corruption.

This situation differs markedly from that which prevails in the West, where perception of the phenomenon is negative and the mere mention of it denotes the existence of evil dealings. Unlike Africa, it is disgraceful to be caught in corruption no matter one's intentions and objectives for being corrupt. In the Western world, the norm is the reverse of what prevails in Africa. Public officials have a responsibility to reflect the Weberian ideals of an impartial bureaucracy<sup>40</sup> by carrying out public duties as their office specifies and beyond this, a duty to themselves and their family as ordinary citizens. They are fully accountable to their people and the law is explicit on any malfeasance of a public official in the performance of his duty. In addition to potentially losing the right to hold office, a corrupt official may have his properties confiscated or serve a prison sentence as well as find himself subject to a wide range of social sanctions.<sup>41</sup> Thus, the fear of these consequences makes it possible for a good part of the population to abstain.

Another cultural element serving as a supportive value to the widespread occurrence of corruption in Africa is attributed to the

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<sup>40</sup>Harris, R., *Political Corruption: In and Beyond the Nation State* (London, Rutledge, 2003) P 52

<sup>41</sup> *Ibid* 98



social network in African societies. These societies are based on communal ethos and confer reciprocal rights and responsibilities on individual members of society.<sup>42</sup> This cultural norm puts the African bureaucrat in a delicate position such that becoming corrupt is inevitable. Invariably, the postcolonial African bureaucrat owed his position and incomes to the level of his education, but more importantly, he owed his education to the support of his extended family, local community and other benefactors of society. Consequently, in keeping with traditional norm and culture, a great weight of responsibility and obligation was required of the beneficiary of communal help. On this basis Oquaye observes, and his observation is apt respecting the African situation. The official becomes

‘...the panacea to all the family’s maladies and needs; he is tasked and taxed till all their needs are satisfied, he is bled till he is no more a man; he is pressed for favours till he has exploited and abused every privilege at his disposal, leading steadily to his fall and disgrace.’<sup>43</sup>

However, the responsibilities and obligations placed on the African bureaucrat is just a part of the entire story. Such social networks and relationships as imposed by the communal values of African societies not only cause the African bureaucrat to exploit public

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<sup>42</sup> Williams op.cit P45

<sup>43</sup> Oquaye, M. *Politics in Ghana 1972-1979* (Tornado Publications, Accra, 1980) P. 212.

resources to satisfy his social responsibilities but also it made it easier for bribery and influence to function effectively within the social and political circles. The cultural norm that made it possible for the individual to rely on communal support also left him susceptible to bribery and undue influence from members of the public. In respect of this regulation, the acceptance of support, gifts or even bribes to put it more bluntly meant abiding by norms of society. On the other hand, refusal amounted to gross violations of community expectations, responsibilities as well as obligations.

It is this cultural background and perspective, which shapes and lend support to the setting of the African political actor. He is in bond with tradition and entangled in its mores and values. This explains also, why in Africa, corruption encompasses the government administration and the political levels, grand and petty corruption as well as corruption for survival and for enrichment.<sup>44</sup>

The widespread occurrence of corruption in Africa can only be perceived and comprehended in the light of the cultural norm that perceives corruption as problem solving and a means for survival and career advancement not only for the individual but also for institutions and governments. In this cultural milieu, corruption provides an answer to the problem solver in a safe and supportive

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<sup>44</sup> Medard op.cit P. 382.

environment. We have already noted that in Africa attempts to pursue legitimate course of actions in achieving one's set objectives are fraught with difficulties and impossibilities. For this reason we can understand why corruption in the African context is at least a rational demonstration of a reasoned behaviour.

But sometimes corruption involves more than a reasoned behaviour. It may result in dishonesty, abuse of trust and political decisions that seriously injures the public good.<sup>45</sup> For example, at the peak of Mobutuism in Zaire, he and his ruling elites had so mismanaged and ruined the country's economy through abuse and corruption that outside this class lied millions of Zairians in economic desperation as he and his cliques blatantly engaged in smuggling and currency forgery to enrich themselves at the expense of the country.<sup>46</sup> The corrupt regime of Amin Dada also expelled the Asian businessmen who constituted the backbone of Uganda's economy for no apparent reason than to share the spoils with his corrupt political cronies and clients.<sup>47</sup> It this characteristic aspects of corruption and their implication on social and economic growth and development, which underpin the moralists' view that

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<sup>45</sup> Alatas, S. H., *Corruption: Its Nature, Causes and Functions* (S. Abdul Majeed & Co., Kuala Lumpur, 1991) Pp. 1, 2.

<sup>46</sup> Gould, D., *Bureaucratic Corruption and Underdevelopment in the Third World: The Case of Zaire*, (Pergamon Press, UK, 1980) Pp. 123-129.

<sup>47</sup> Medard op.cit P.392.

corruption is a demonstration of the moral depravity of the citizen.<sup>48</sup> Indeed, if corruption involves such issues as theft, fraud, embezzlement and extortion then moral factors may at least be partly responsible for the perpetrator's actions. Nonetheless, although, it is not my purpose here to dissect at length the concept of morality and its implication on socio-economic and political developments Johnston's position on morality is instructive and I quote him;

...what are our standards of (morality)\* good and bad? Is it the law, popular judgements or by the consequence of the action? Surely, none of this constitutes a flawless guide. Surely the breaking of the laws is not an infallible guide, for unjust states can enact bad laws. Popular judgements will not normally answer this question either. We might also ask, good and bad compared to what, considering realistic alternatives corruption not just ideal situations. At times, we will find that corruption may bring about more desirable results more quickly and even more efficiently than would be found otherwise.<sup>49</sup> /

First, the concept of morality is vague and the standard of measurement uncertain. Different social, economic and political systems, and a different historical experience may account for this.<sup>50</sup> So that what is immoral and therefore corrupt in another culture or time period may not be corrupt in the other. Second, to

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<sup>48</sup> Gyekye op.cit Pp. 44-46

\* My emphasis.

<sup>49</sup> Ward, P., (ed) Corruption, Development and Inequality (Routledge, London, 1989) p16

<sup>50</sup> Colin, L., What is The Problem About Corruption? In Heidenheimer A. J., Johnston M. (eds) Political Corruption: Concepts and Contexts (Transaction Books, New Brunswick, London, 2001) P. 61.

assert that corruption implies immorality because it injures public good is to imply also, that when that corrupt act results in the public good, it can no longer be termed corrupt. For example if the corrupt official uses his ill-gotten wealth to develop his constituency or even sets up an Educational Foundation for the youth. Thirdly, corruption goes beyond simple theft, embezzlement and extortion. It also fails to answer the question of good and bad in the manner expressed by Johnston, for it also involves legitimate socio-economic and political behaviours. In Kampala, Uganda, in 1963 the city council decided to award a petrol station site to a majority-party member of the council, who offered the lowest price of £4,000. The highest offer was £11,000. It was discovered that the successful purchaser resold the plot to an oil company at a profit of £8,000.<sup>51</sup> Obviously, neither the public official's nor the Ugandan government's action can be said to be immoral, although they constituted corrupt behaviours. In other words the award of a government's contract to an individual who the government thinks most qualified cannot be considered an immoral behaviour even though there may have been elements of biased considerations at play. Again, if there is anything corrupt about the official's behaviour, it is his position as a public official

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<sup>51</sup> *ibid.* 61

and as a member of the ruling party which puts him ahead of his compatriots and which he duly exploits in his favour as against others, which makes him corrupt. It is neither his actual purchase of the plot of land or his subsequent resale of it. However, these actions as well as his exploitation of his position cannot be considered immoral as such. They constitute rational demonstration typical of the business environment. Also, regarding the action of the Ugandan government we may argue that it was a rational action of a government intending to disfavour political opponents.

A similar situation also took place in Ghana in 2002.<sup>52</sup> The Ghanaian government intended to equip the police service with more logistics. This decision nonetheless enjoyed least support from the Ghanaian parliament. Sensing this, and bent on carrying ahead its plans the government of Ghana avoided taking the issue to the House of Commons for deliberation. It instead exercised its executive powers to import the logistics from neighbouring Nigeria. Once again, we cannot speak of morality or immorality in respect of the Ghanaian government's action. The trust of parliament may have been abused but the government's action was legitimate. No one will disagree that a decision to equip the country's police force

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<sup>52</sup> (Ghanaweb) [www.ghanaweb.com/GhanaHomePage/NewsArchive/artikel.php?ID=22031](http://www.ghanaweb.com/GhanaHomePage/NewsArchive/artikel.php?ID=22031).  
18/07/2003

to enable it perform its duty efficiently was in the public interest. Similarly, the exercise of executive powers by the Ghanaian government, which is constitutional and designed to serve the public interest, would surely not constitute an immoral behaviour, although the trust of parliament may have been broken. Thus, deducing from our earlier and preliminary definition of corruption we may speak of corruption in respect of the Ghanaian government's actions only as far as the government did reason that avoiding parliament was in its interest and acted accordingly by exploiting its position. We cannot however conclude that the government's action constituted an immoral behaviour. In other words, the extent to which corruption involves moral scruples is in a very limited sense.

The two examples shown above and the intents demonstrated are typical of most corrupt acts. First, corruption almost always involves a clash of interest and an attempt by one party to put his interest before the other. Second, corruption also involves rational decision-making in an attempt to avoid failure and meet one's objectives. Combining these two elements and characteristics of corruption, we can now conveniently define political corruption as; *a problem solving strategy that may involve the abuse of trust and the exploitation of public goods and resources.*

Our position on the definition of corruption helps us to avoid a number of problems usually associated with attempts to define corruption. First, although we believe corruption is motivated by its anticipated result, we have avoided the view that this motivation is always informed by a desire for private gain. Rather, we take the position that corruption is only a procedure or a method of getting one's objectives achieved. Hence, although it is possible at structural levels as usually happens to find individuals or public officials involved in rent-seeking<sup>53</sup>, corruption as a phenomenon can also be built into the political system and injected into social and economic institutions. When corruption develops to this stage such as happened in the Nkrumah regime in the 1960's government's machinery itself operates corruptly not only as an instrument for rent seeking but also as a means for pursuing national agenda<sup>54</sup>. Also, in developing countries with nascent democracy, where the constitution is blurred or silent on many structural procedures, and where parliament is heavily relied upon to take decisions of national significance. The problem that confronts national governments in this arrangement is that parliamentary opposition is in most part subjective. The experience

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<sup>53</sup> A phrase used generally by economists and political scientists to denote personal utility maximisation in the public service. See also (Rose-Ackerman, 1999: 2, 14, 42-44.)

<sup>54</sup> Mbaku, J. M., *Institutions and Development in Africa* (Africa World Press, Inc, Trenton, 2004)Pp 137-140.



we have of democracy in developing countries shows that the ultimate aim of opposition groups in government is to destabilize the incumbent in order to advance their party's chances of winning. In such highly politicised societies, most of the proposals put forward by the executive are wilfully opposed. In these instances, it is common to see governments take arbitrary decisions, thereby betraying the trust of parliament when they pursue their national agenda. Second, whereas we have admitted that corruption may undermine the trust of society, we have avoided the argument by Alatas<sup>55</sup> and Gyekye<sup>56</sup> that corruption is inherently an evil phenomenon. These writers have a case only when you consider man in absolute terms as a moral being. Nonetheless, man is a problem solver in a challenging world, a rational thinker and an explorer of opportunities. Moreover, man's ultimate aim is to take decisions and pursue agenda that ultimately result in his comfort. Anything short of this he avoids. Hence, corruption becomes a rational response to social, economic and political challenges.

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<sup>55</sup> Alatas, S. H., *Corruption: Its Nature, Causes and Functions* (S. Abdul Majeed & Co, Kuala Lumpur, 1991) P. 5.

<sup>56</sup> Gyekye op.cit Pp. 22-25.

### **1.2.4 Corruption and the Concept of Rationality**

It is not my purpose in this thesis to pursue at length the numerous recent and contemporary accounts of rational choice theory. It is necessary though, for my purpose to pause briefly on the work of a classical commentator whose perceptions are of particular relevance to my argument: Jeremy Bentham. Bentham's concept of rationality or rational choice is espoused in his Utilitarian Theory<sup>57</sup>. Utilitarianism<sup>58</sup> is the doctrine that the rightness or wrongness of an action entirely depends on the value of its consequences. The basis of this theory is the Principle of Utility, and utility is that property in any object or action producing benefit, advantage, pleasure, good or happiness or preventing the happening of pain, evil or unhappiness.<sup>59</sup>

Having pointed out that corruption is a deviant behaviour and having also argued that corruption is a problem-solving strategy, we can draw from Bentham's advance to make a case that corruption is an economic and political tool inspired by rational choice. Therefore, if corruption is driven by that essential object of utility it would be correct to state that people are corrupt not

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<sup>57</sup> (The internet Encyclopaedia of Philosophy) [www.utm.edu/research/iep/b/bentham.htm](http://www.utm.edu/research/iep/b/bentham.htm). 26/11/2003

<sup>58</sup> The Theory of Utility is equally brilliantly espoused by J. S. Mill. See The BLTC Research Website at [www.utilitarianism.com/mill1.htm](http://www.utilitarianism.com/mill1.htm). Accessed on 26/11/2003

<sup>59</sup> *ibid*

essentially because they are immoral but because they are rational in their outlook. It is important to note also that in Africa as elsewhere corruption is perceived a deviant behaviour. However, governments, institutions, groups and individuals do gravitate towards it because the system of bureaucratisation in that region has been a failure since independence from colonial rule. This hampers the smooth and legitimate progress of the citizen and other political actors and of their attempts to make ends meet within the framework of accepted norms. Thus, corruption, which according to our position exemplifies a deviation, is usually employed as an attempt to avoid pain, mischief, evil and unhappiness and to attain benefit, advantage, pleasure, good and happiness. Huntington is more emphatic on this;

‘...the only thing worse than a society with a rigid, overcentralized, dishonest bureaucracy is one with a rigid, overcentralized, honest bureaucracy’<sup>60</sup>

The implication is that if the political system in Africa and elsewhere where corruption is rampant was functional under regularised norms and people were able to achieve their objectives legitimately through legitimate institutions, deviant behaviour or corruption would as it were be expensive undertakings and the

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<sup>60</sup> Huntington, S. P., ‘Modernization and Corruption’ in Heidenheimer A. J. and Johnston M. (eds) *Political corruption: Concepts and Contexts* (Transaction Publishers, New Brunswick & London, 2001) P. 261.

rational economic agent or political actor will not employ it, for it will bring pain, evil, displeasure and mischief. This is the situation in which the public official in Contemporary English society finds himself.<sup>61</sup> Unlike Africa corruption is problem creating because it is an expensive undertaking, for he may lose everything, including his personal possessions if ever found dabbling in politically corrupt activities.

### ***1.2.5 Comparative Corruption: Africa and England***

Our case is that in Africa corruption is a rational behaviour because it is problem-solving and it is an alternative to formal or legitimate methods. It is a means for survival, career and status advancement as well as enrichment. For our theoretical defence we have drawn on Bentham's utilitarian theory. However, the utilitarian theory is not applicable exclusively to Africans and we assume that in other parts of the world where corruption is rife the same principle determines the actions of the corrupt perpetrators. For our evaluation, we compare Africa with Seventeenth Century England.

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<sup>61</sup>Harris op.cit Pp97-100

Seventeenth Century England is chosen as our referent point because like Africa England in that period was a developing nation beset as Africa in the Twentieth and Twenty-first Centuries, with immeasurable economic, political and social problems. One area in which English people in the Seventeenth Century brought corruption to bear on their lives in order to drive society and create progress was politics. In Seventeenth Century England electoral and parliamentary politics was not as significant as the administrative role of the monarchy. To sustain this institution politics was commercialised while the state continued to be administered as a proprietary state. So that, state administrators were the personal retainers of the king; crown lands were the king's lands and state revenue was the personal purse of the monarch.<sup>62</sup> To exercise this power, appointment into public offices depended largely on the favours and wishes of the monarch.<sup>63</sup> Invariably those appointed were the friends and blood relations of the king or those who maintained strong ties and association with the monarchy.

The commercialisation of Seventeenth Century English politics took various forms; outright sale of public offices, bribery to obtain favours in the process of acquisition, leasing and the use of

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<sup>62</sup> Scott, J. C. *Comparative Political Corruption* (Prentice Hall, New Jersey, 1972) P. 38.

<sup>63</sup> Harris op.cit,Pp103-104

political offices as profit maximising units.<sup>64</sup> As a commercial commodity therefore, public offices could be resold, traded, mortgaged, given as a dowry, or simply held for the income they produced.<sup>65</sup> In his comparative analysis of corruption Scott advances that these phenomenal political behaviours constituted what he termed proto-corruption.<sup>66</sup> That is, they were corrupt only in the eyes of present-day standards. Scott arrives at this erroneous conclusion because of the definitional problems his criteria for measuring corruption raises for him. His reliance on legal norms<sup>67</sup> in defining corruption misleads him into thinking that once the legal context of Seventeenth Century England held these deviant behaviours to be legitimate means they were not corrupt. Implicit in this line of thinking is the idea that once the state legalizes bribery, embezzlement, and fraud and such related acts they cease to be corrupt, or once society accepts these behaviours as normal practices in the manner they were in Seventeenth Century English society, then, they no longer can be recognize as corruption. Since these deductions are not valid arguments it

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<sup>64</sup> Swart, K. W., 'The Sale of Public Offices' in Heidenheimer J. A. & Johnston M. (eds) *Political Corruption: Concepts and Contexts*, third edition (Transaction Books, N.B. and London, 2001) Pp. 95-105.

<sup>65</sup> Ibid 95

<sup>66</sup> Scott op.cit P. 37.

<sup>67</sup> ibid. pp. 4/5.

follows that the commercialisation of politics in the Seventeenth Century and its essential practices in England were corrupt.

It should be understood that the commercialisation of politics or the corruption of the political process in England, in spite of its legitimacy was corrupt in its entirety. As in twentieth century Africa the process and practice came to appease and replace what would have continued decades and centuries traditions of wars and bloodshed that characterised English politics in an attempt to obtain or maintain political power.<sup>68</sup> As in Twentieth Century Africa therefore, Seventeenth Century political corruption in England was problem solving to the individual and his aspirations, institutions, the state itself and other bodies within the polity.

First, the process of commercialisation of politics helped to sustain and maintain the political institution (monarchy), which was fashionable in English society in the Seventeenth Century.<sup>69</sup> As politics did not consist of a mass movement nor did it embrace the participation of the masses of society nor was it based on class and ideology, the sale of public offices was a means not just for opening up politics for the politically oriented and ambitious who were denied participation by the proprietary regimes of the

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<sup>68</sup> Wraith, R., Edgar Simpkins, *Corruption in Developing Countries* (George Allen & Unwin Ltd, London, 1963) P. 60.

<sup>69</sup> Rosenberg, H., *Bureaucracy, Aristocracy and Autocracy: The Prussian Experience, 1660-1815* (Beacon Press Inc., Boston, 1958) Pp. 75-105.

monarchy, but more importantly the opening up of political access to wealthy individuals of society to invest their wealth in politics.<sup>70</sup> Thus for the crown the sale of political offices was a means for raising revenue for the monarchy as well as broadening its legitimacy base. Also, as politics did not constitute a paid job, bribery and the other means of trading politics through profit maximisation were a means of rewarding politicians for their contribution to building society.<sup>71</sup> In consequence, throughout the Seventeenth Century in England commercialisation of politics contributed to the stability of the monarchical regimes by making room for ambitious political elements in society who would have chosen violence as an option in masterminding their political role in society.

The commercialisation of politics through the sale of public offices also served security purposes for the monarchy and the state. The immediate political threats to the authority of the monarchy were to be found in the personal-clientele followings and the networks of the financial classes who symbolized important power figures in England. Hence the commercialisation of politics made it possible for the crown to buy potential dissidents and secure potential

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<sup>70</sup> Scott op.cit P. 47.

<sup>71</sup> Swart op.cit P. 96



friends by granting them offices, the spoils of which could help maintain and reward their clientele.<sup>72</sup>

The difference between political corruption in post-independence Africa and Seventeenth Century England is neither in the mode of operation nor in the function and significance of corruption to society but in the differences between the legal contexts. Whereas political corruption was legal in C17th England it is absolutely an illegal phenomenon in Post-colonial Africa, although largely condoned and accepted as an extra-legal means of satisfying socio-economic and political problems in society. To both the Twentieth Century African political actor and the Seventeenth Century English monarch and bourgeoisie corruption therefore epitomizes a means for survival, career and status enhancement as well as economic, social and political enrichment. The African public official who accepts bribes and inducements in order to perform his statutory duty or the government, which corrupts state institutions by appointing ill-qualified but party members and associates to head such institutions in order to protect its interest does so with the same objective as the monarch who appoints trusted relatives and friends to public offices or who embark on a policy of large-scale concession by selling public offices in order to

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<sup>72</sup> Scott op.cit40.

buy the interests of potential groups of political dissidents. Both acts are rational and problem solving but prey on political goods and resources.

### **1.3 Conclusions**

*'Corruption, we would all agree, involves a deviation from certain standards of behaviour'*<sup>73</sup>

What constitutes this deviation has been the central focus of this chapter. First, we point out that the boundaries of corruption are necessarily broad and elusive. Hence, attempts to distinguish corruption from non-corrupt acts, whether by reference to the law or public office regulations are unnecessarily limiting. The definition of corruption must be broad enough to encompass all segments of the phenomenon such that it not only captures the essence of corruption but also serves as a necessary guide to the investigator in determining what is or what is not corruption. In this regard we also argue that corruption is a conscious behaviour: a deviation or an extension from normal or legitimate rules involving the exploitation of opportunities, in a manner that betrays trust and exploits public resources. This consideration does not exclude any individual or group. Hence, both public officials as well as private

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<sup>73</sup> Scott op.cit P. 3.

individuals may be liable to corrupt practices. The public office centred definition of corruption has been criticised and rejected in particular because its proponents assume that only public officials have a responsibility to the state. Contrarily, every citizen is in bond with the state. He is the state's investment and occupies a position of trust. This makes him as responsible as the holder of public office. For this reason, Gardiner's perception of corruption is rejected, first, because it emphasises public officials alone to the exclusion of private individuals. Secondly, it is inconsistent and limiting in evaluating and analysing the full range of corruption.

Another important theme that has emerged from this discussion is the rationality of corruption. Corruption, we have argued, involves a rational choice; a means and end analysis. It also involves making a deliberate and informed choice based on a given situation where the problem confronting the individual cannot be dealt with by recourse to legitimate channels, or where this is imagined to be more costly and time consuming. On this basis corruption becomes a quicker and convenient method for dealing with socio-economic and political problems, which may otherwise be difficult to deal with legitimately. This is the dominant directive motive behind corruption. Indeed we have pointed out that corruption is problem solving while rejecting the view of Alatas and

Gyekye that corruption is a moral problem. Were corruption a matter involving only the abuse and misuse of public office as some writers have argued, such a view might be correct. However, the conceptual framework of corruption as discussed is broader and encompasses sometimes even legitimate behaviours which public office centred definition cannot possibly capture. Consequently, where people employ corruption as a means to solving socio-economic and political problems, the direct motive should be sought by recourse to the values and *mores* of the society in question. This point will run through the remaining chapters.

## Chapter Two

### Outlining Different Approaches To Political Corruption

From our argument so far, it would seem as it were, that corruption, is an intriguing socio-economic and political concept. Its boundaries are unusually broad with many complex ramifications and implications on political and economic developments. The result is that scholars of the subject have brought many, often contradictory and erroneous views to bear. Thus, our aim in this chapter is to dissect these different approaches by which corruption has been studied, identify their specific problems and then offer a more holistic alternative, which will relatively reduce the margins of error the existing approaches create.

Corruption has often been defined within the framework of five criteria. Three of them, public office centred definition; public interest definition and market definitions are the most frequently cited by scholars. In the last thirty years or so two works; Heidenheimer's *Political corruption* (1970),<sup>1</sup> and its successor volumes edited by Heidenheimer, Johnston and Levine (1989 and

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<sup>1</sup> ) Heidenheimer, A. J. *Political Corruption: Readings in Comparative Analysis* (Reinhart and Winston, New York, 1970)

1993 respectively)<sup>2</sup> and the latest of these volumes edited by Heidenheimer and Johnston (2001),<sup>3</sup> have especially focused these definitions and have since created the framework within which corruption has been analyzed and studied. The others are definitions based on public opinion and legal norms. Each of these criteria is especially useful to studying the concept in that they all answer certain important theoretical questions as well as raises certain fundamental issues about the phenomenon. Nonetheless none is flawless with respect to analyzing the full range of what corruption really is.

## **2.1 Public Office Centred Definitions**

The finest definition, which relates most essentially to, or captures the public office centred concept is the definition offered by Nye.

Nye defines corruption as:

...behaviour, which deviates from the formal duties of a public role (elective or appointive) because of private-regarding ( personal, close family, private clique ) wealth or status gains: or violates rules against the exercise of certain types of private-regarding influence.<sup>4</sup>

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<sup>2</sup> ) Heidenheimer, A. J., Johnston, M, Le Vine V. T., (eds) *Political Corruption: A handbook* (Transaction Publishers, New Brunswick, 1989 & 1993 respectively)

<sup>3</sup> Heidenheimer, A. J., Johmston, M. (eds) *Political corruption: Concepts and Contexts third edition* (Transaction Publishers, New Brunswick, 2001)

<sup>4</sup> Nye, J.S. Corruption and Political Development: A Cost-Benefit Analysis, *American Political Review*, LXI, No. 2 P. 416.

In the widest context of this definition, 'corruption includes improper and selfish exercise of power and influence attached to a public office.'<sup>5</sup> Thus, Nye and the other proponents who focus the definition of corruption, as a public office phenomenon imply the view that an act is palpably corrupt only when the perpetrator is a public office holder. Rose-Ackerman for example holds that corruption is the misuse of public power for private gain.<sup>6</sup> In this respect any public official who abuses the norms of his office in respect of his private interest acts corruptly. Here, abuse of office might be interpreted by Nye and his line of thinkers to mean a deviation from the formal duties of public role or violation as it were against the exercise of certain types of private-regarding influence. The definitions often cited by the proponents of the public office norms contain two elements of this idea. The first regards their emphasis on formal duties or public role.<sup>7</sup> For example, Nye will regard as corrupt the politician who exploits public resources to serve his interest.<sup>8</sup> But can we say a public official is corrupt if he

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<sup>5</sup> Bayley, D. H., 'The Effects of Corruption in a Developing Nation', in *Western Political Quarterly* (Vol.XIX No4 Dec. 1996) Pp. 719-732

<sup>6</sup> Rose Ackerman, S., *Corruption and Government: Causes, Consequences, and Reform* (University Press, Cambridge, 1999) P. 91

<sup>7</sup> See Jeremy Pope for example on

[http://www.transparency.or/publications/sourcebook/content\\_overview](http://www.transparency.or/publications/sourcebook/content_overview) under the section (Anatomy of Corruption).

<sup>8</sup> Nye, J. S., (2001) 'Corruption and Political Development: A Cost-Benefit Analysis', in Heidenheimer et al., (eds.) *Political Corruption: Concepts and Contexts* third edition, (Transaction Publishers, New Brunswick, 2001) P. 284.

exploits public goods and resources to serve the interest of the public? One of the basic rules underpinning democracy is that officials are elected to serve the interest of the public. Wherefore the re-election of public officials depends in part on how effectively and efficiently they meet the demands of the public. In this instance, a politician is at the same time serving his interest by taking advantage of public goods and resources to serve the interest as it were of those who elected him. This behaviour, the redistribution or exchange of public goods for political support exemplifies what Medard<sup>9</sup> describes as social exchange corruption. In the 1950s when the machine activities of Nkrumah's Convention Peoples Party was at its peak, one of the electoral winning methods was the provision of social and economic amenities for the pro-CPP regions<sup>10</sup> and for the anti-CPP regions the use of these factors as enticements.<sup>11</sup> This motive underpinned the rapid industrialization and construction programmes of the regime throughout the country of which the real motive was to maintain itself in power in a persistent move to win the trust of the Ghanaian public. Now setting aside the possibility that some corrupt

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<sup>9</sup> Medard, J. F., 2001 'Corruption in the Neo-Patrimonial States of Sub-Saharan Africa', in Heidenheimer et al., (eds.) *Political Corruption: Concepts and Contexts* third edition, (Transaction Publishers, New Brunswick, 2001) P. 387.

<sup>10</sup> Fitch, B., Oppenheimer, M., *Ghana: The End of an Illusion* (Monthly Review Press, New York, 1966) P. 106.

<sup>11</sup> Austin, D., *Politics in Ghana: 1946-1960* (Oxford University Press, London, 1964) P. 314.



politicians will, and normally do extort from the public to enrich themselves and other interest groups, it is pertinent here to reconsider the view that all cases of corrupt behaviour that involves the politician or governments in the exploitation of public resources, either in part or in whole benefits the perpetrator interest and ham that of the public. Accepting Nye's definition wholesale will mean accepting the view that once the behaviour in question, in spite of the ill-conceived motive, benefits the public and not the private interest of the perpetrator, we can no longer perceive that behaviour corrupt. In which case the machine politics of the CPP in which political goods and resources were traded for electoral votes cannot be seen as corrupt. This will imply that all corrupt acts are inimical to development. But since this is not the case, we conclude that Nye's criterion cannot be accepted as the best approach.

Again, the use of official duty norms as the standard of measurement assumes two erroneous impressions. First, that every deviation from formal duties of a public role because of private regarding interest is corrupt needs reconsideration. In some cultures accepting gifts from the public constitutes a formal

duty. (Cartey and Kilson (eds.) 1966<sup>12</sup> and Nukuya, 1992<sup>13</sup>) Can we then say that an official who refuses a gift from his domestic rival or political opponent acts corruptly? The answer is of course no. But of course the official deviates from a formal duty because of private regarding interest. It is possible the official is taking a personal vengeance on his rivals. Second, that school of thought assumes that in all public offices the norms are the same, so that corruption may be understood by measuring it against the same sets of standards or criteria. However, official norms differ from institutions to institutions and countries to countries.<sup>14</sup> What might be corrupt in one institution or country might not meet the criteria or the standards of another. In the face of these ambiguities we cannot accept Nye, Bayley and Ackerman's use of public office norms or even that school of thought as the best approach; for it is not consistent.

## ***2.2 Public Interest Definitions of Corruption***

There are also writers who have sought to define corruption in consideration of public interest. Such proponents like Friedrich believe that corruption can best be defined by looking at its effects

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<sup>12</sup> Cartey, W., Kilson, M., (eds.), *The Africa Reader*; (Random House, New York, 1966) P. 35

<sup>13</sup> Nukuya, G. K., *Tradition and Change in Ghana: An Introduction to Sociology* (Ghana Universities Press, Accra, 1992) P. 242.

<sup>14</sup> Williams, R., *Political Corruption in Africa* (Gower Pub. Ltd. Hampshire, 1987) P. 18

rather than its causes. Writing about corruption, here is what Friedrich had to say:

‘It is a deviant behavior associated with a particular motivation, namely that of private gain at public expense<sup>15</sup>.’

The public interest centred definition of corruption is the doctrine that any deviant behaviour such as motivated by a desire for private gain, which harms the public interest, is corrupt. A number of problems are also associated with this kind of definition. A definition such as this does not add much to our current knowledge (i.e. the public office centred definition.) In his attempt to explore the public interest centred definition further, Alatas conceives of power or the public office as the trust of the people. Thus, he defines corruption as ‘the abuse of trust (*the public interest*)<sup>16</sup> in the interest of private gain.’<sup>17</sup> The major failing with this definition is that some governments, for example military takeovers may not necessarily represent the trust of the people and for that matter some public offices would not be created purposely to serve the public interest. Does this mean we cannot speak of corruption under such regimes? Second, Nye’s public office account in which

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<sup>15</sup> Friedreich, C. J. Corruption Concepts in Historical Perspective in Heidenheimer A. J. and Johnston M. (eds) *Political Corruption: Concepts and Contexts, third edition* (Transaction Books, New Brunswick) P. 15

<sup>16</sup> Emphasis mine

<sup>17</sup> Alatas, S. H., *Corruption: Its nature, causes and functions* (Abdul Majeed & Co., Kuala Lumpur, 1991)P. 26

corruption deviates from the formal duties of public role because of private regarding interest implicitly recognizes the public interest element. Therefore, a discussion of the public interest centred definition can be subsumed under Nye's criterion. Let us take a step further notwithstanding to assess the content of this definition. The first question we might ask is, whose interest is most representative of the 'public' seeing that the public constitutes diverse and conflicting interests<sup>18</sup> of both individuals and groups? Is it the interests of the elites, bureaucrats or parliament? Is it politicians or powerful interest groups or individuals? Can it be everyone or just adults, or just registered voters, or rural or urban dwellers? Since interests differ from persons to persons and groups to groups we conclude that the public interest centred definition does not offer a better alternative in our search for a definite character of corruption or at least an unambiguous model for studying it. Even granted that the public interest was located, will it be logical to accept that any act that meets Friedrich's criterion (i.e. a deviant behaviour ... undertaken at public expense.) is corrupt? Will it also be correct to accept the view that once the act favours public interest it can no longer be regarded as corrupt even though it may possess some essential characteristics of

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<sup>18</sup> Williams, *op. cit.* 18.

corruption? We have pointed out the problems that arise from defining public interest. But even more difficult questions arise from defining what hams the public interest. For example from the 1950s when the United States Congress decided to battle pervasive decay in its central cities,<sup>19</sup> This led to the creation of the Urban Renewal Programme which was charged with the responsibility to condemn lands in affected areas. These lands previously occupied by poor people and ethnic minorities and migrants, were then cleared and sold to developers.

These lands were developed and luxurious housing, which obviously only the rich and the executives could afford, put up. As it turned out to be the renewal programme systematically served the interests of America's middle and upper classes at the expense of the poor and racial minorities<sup>20</sup>. Now, using the public interest centred definition as the standard of measurement this situation is capable of creating two contradictory effects. In the first place it is difficult to claim that the decision of congress was a deviant behaviour because the process was legal. It was indeed intended to deal with the country's economic and social problems. Moreover, the programme's net effect may have been very good.

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<sup>19</sup> Gardiner, J., 'Defining Corruption' in Heidenheimer A. J., Johnston M (eds.), *Political Corruption: Concepts and Contexts*, third edition(Transaction, London, 2001) P. 31

<sup>20</sup> Domhoff, G W. *Who Rules America Now* (Prentice-Hall Inc., USA, 1983) Pp 173-184

Note however, that, in spite of this a good part of the population's interest (i.e., the economically disadvantaged) was sacrificed. There is therefore confusion here as to what the national interest is. Obviously, the interest of the represented as this case demonstrates may sometimes differ starkly from those of their representatives. In this case an act can be both corrupt and non-corrupt depending on what one defines as the public interest. In respect of this Gardiner remarks, and his observations are apt:

‘...people who are suspicious of programs in which poor people suffer and rich people become richer will argue that a program like urban renewal epitomizes the ‘corruption’ of the American political process.’<sup>21</sup>

On the other hand if one thought that the national interest resided in the decision of the American Congress or the wishes and interest of the elites and the rich the one will hardly be suspicious of corruption in this. The problem though is not that corruption did not take place among the American officials. Only that our yardstick creates problems for us. When the lands were sold most of the purchasers were congressional representatives and public officials. Now, considering that the aim then of the American government was as we have noted, dealing with social and

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<sup>21</sup> Gardner, op.cit P. 31

economic problems we may conclude that the government aimed to pursue the interest of the public and therefore an official who supports the policy of the government acts accordingly. In this scenario, we cannot accept the implementers of the law aimed to harm public interest and therefore committed corruption. However, imagine the official who supports and vigorously pursues a legislative bid based on his foreknowledge of its outcome. If the motive of such official is driven by some interest other than the original motive, such an official commits corruption although the act itself may not have had any negative effect on public interest. Therefore, the public interest centred definition is as vague as the use of public office norms. The problem is the inconsistencies they raise.

### ***2.3 Public Opinion centred definition of corruption***

The next criterion we deal with is the public opinion centred definition. In reality, this is more of a way of determining corruption than defining it. With this criterion, an account of corruption should depend on public opinion. In other words, we can term an act corrupt only when the public says so. This criterion also points to some unresolved difficulties. In the first place, it cannot be analyzed independently of either the public office definition or the

public interest definition since peoples' opinions are fashioned by their interests. For the public to come to an agreed conclusion as to what corruption is, every member of the public must possess an equal knowledge of what norms of society are used as the standard of measurement. The problem is that in most societies, public opinions are informed by various and distinct variables; legal norms, levels of education, local culture individual and group prejudices and ethnic orientation all play a part. Now, where there are significant differences or variations among these determinants public opinion becomes difficult to access. The result is that in societies where local culture, public norms and all these factors conflict public opinion becomes divided or at best difficult to determine. Nonetheless, for us to accept public opinion as a reliable standard of measurement, public interest must be such that it is one and the same thing across that society so as to be able to determine what constitute a deviation or be that as it may an injury to this interest. From our discussion of the first and second criteria neither options is not impossible and therefore the use of public judgment as a determinant of corruption in all cases of what might appropriately constitute such behaviour cannot always remain consistent. Again, even granted that public opinion and interest were one and the same, as human factors these are



subject to changes from time to time and place to place.<sup>22</sup> Since what is corruption is dependent on these variable factors it follows that what might be corrupt in the opinion of the public will always differ from time to time or place to place. This explains why in spite of the systematic effort by scholars to study the phenomenon, the concept itself continues to remain illusive and mutable.

In his attempts to minimize the flaws in respect of the use of public opinion in measuring corruption, one of the pioneers of modern corruption studies, Heidenheimer<sup>23</sup> advises us to focus our attentions on differences between black, grey and white corruption. By these evaluations, black corruption indicates that in that setting that particular action is one which a majority agreement of both elite and mass opinion would condemn and would want to see punished as a matter of rule. Grey corruption indicates that some elements, usually the elites, may want to see the action punished, and others not, and the majority may well be ambivalent. White corruption signifies that the majority of both elite and mass opinion probably would not vigorously support and attempt to punish a form of corruption that they regard as acceptable. This is a brilliant attempt to understand public perception of corruption based on its

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<sup>22</sup> Erskine, H (1973) 'The Polls: Corruption in Government' *Public Opinion Quarterly* 37. Winter, (Oxford University Press, UK, 1973-1974)P 628-642.

<sup>23</sup> Heidenheimer, A. J., *Political Corruption: Readings in Comparative Analysis* (Transaction Publishers, New Brunswick, 1970) Pp 18-28

impact on class interest and society. However, in so much as these gradations can help us determine the limit and extent of public tolerance for various corrupt acts it is of little help to us in determining what corruption is or is not. This, coupled with the fact there are many publics within the public and their response amenable to attitudinal changes, restrains a great deal the use of 'Public Opinion'. And so far as the current test still relies on conflicting interests and opinions for result, the problem of what corruption actually is remains unanswered.

#### ***2.4 Legal definitions of political corruption***

The inconsistencies and the inherent problems associated with the use of the above criteria have led some writers like Scott to employ legal norms to studying corruption. To Scott therefore, corruption can only be studied and understood only by reference to the law. He believes that ... 'relying heavily on legal norms in defining corruption, while it too has shortcomings, seems the most satisfactory alternative<sup>24</sup> .' According to this line of thought corruption occurs when a public official breaks formal rules or acts in a manner, which is inconsistent with the law in order to satisfy

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<sup>24</sup> Scott, J. C. *Comparative Political Corruption* (New Jersey, Prentice-Hall, Inc., 1972) P. 4

his self-interest<sup>25</sup>. Neild is more emphatic and defines corruption as 'The breaking, for the sake of financial or political gain, of the rule of conduct in public affairs prevailing in a society in the period under consideration' (Neild 2001: 1) Legalistic definitions as Scott himself points out are not an entirely perfect model for the analysis of corruption. Like all the other models discussed some useful questions may be answered, yet an entirely rounded definition and understanding of corruption is not entirely possible. The first problem with the use of legal norms emerges from making cross-society or cross-national comparisons.<sup>26</sup> Laws themselves are the products of a people's cultures, values, philosophies, mores and historical experiences, which are constantly changing.<sup>27</sup> As such the absence of a universal law against which, acts that we may call corrupt can be measured in other to produce the same effect anywhere in the world and at any time where such act occurs greatly limits the use of legal norms. Differences in the laws of different societies and nations will result in defining a particular act as corrupt that which the other may not regard as corrupt.<sup>28</sup> Again, as we shall show in the next chapter many acts that we define as

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<sup>25</sup> *ibid.* p.5.

<sup>26</sup> *ibid.* pp. 6-9.

<sup>27</sup> Clark, M., (ed), *Corruption: Causes, Consequences and Control* (Frances Pinter, London, 1983) P. 186

<sup>28</sup> Williams, *op.cit* P. 18

corrupt may not exactly be inconsistent with the law. The politically powerful and corrupt governments can manipulate the legislative and legal processes to legitimize their corrupt activities.<sup>29</sup>

Another limitation with respect to legalistic definitions arises from the fact that no legal document anywhere in the world is so comprehensive as to elicit every aspect of human behaviour. As we have noted every law relates to the cultural and historical circumstances of the citizens of that land. Yet no law covers or observes every act, behaviour or even the historical experiences of such citizens of which every human action may involve. For this reason, many acts that we may call corrupt may not find bearings in the law. And the fact that the law may be silent on a particular act or behaviour should not rule out the possibility of corruption in such act or behaviour. It is possible to find traces of corruption in acts that the law itself does not suggest. It is even possible for corrupt rulers to pass laws to legalize their corrupt activities in the manner we have pointed to earlier.

Another difficulty associated with legalistic definitions is that it creates problems for us in making historical comparisons. Legal norms are dynamic as a result of the dynamics of culture in general and historical developments in particular. Cultural and

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<sup>29</sup> *ibid.* 17

legal norms may therefore change due to changes in these factors. For example if we wanted to carry out a historical comparative study of corruption in France and England a legal perspective to this study would pose difficulties. In seventeenth-century English and other European societies the law recognized the sale of public offices. In the twenty-first century, however the sale of state offices is illegal. The same behaviour, only the legal context has changed. Consequently, whereas in seventeenth-century the sale of public office in these countries would not be considered as corrupt, the same behaviour in the twenty-first century would.<sup>30</sup> The use of legal norms therefore points to certain unresolved difficulties in respect of carrying out a historical comparison. We need a model that given any circumstance or situation, historical or contemporary, can withstand a logically consistent examination anywhere in the world and in any time-period to demonstrate what corruption really is.

As we can see none of the definitions and models we have employed is exactly flawless. They all employ the strait-laced or moralist view of corruption; the view that corruption is all evil and all destructive to human development. The reason a major part of

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<sup>30</sup>Genaux, M., 'Early Modern Corruption in English and French Fields of Vision' in Heidenhermer A. J., Johnston M., (eds.) *Political Corruption: Concepts and Contexts, third edition* (Transaction Publishers, N. B. 2001)Pp107-117

the literature on corruption seems to agree on this point is not hard to find. Most often in their assessment, scholars have over relied on the effects of corruption rather than its underlying principle or motivation or even the perspective of the perpetrators themselves. The causes and impact of corruption may differ from time to time and place-to-place yet the rationale underpinning corrupt activities remains everywhere the same. As Harris aptly points out corruption is an extension of normal behaviour<sup>31</sup>. This is in agreement with the view also of Scott<sup>32</sup> that corruption involves a deviation from certain standards of behaviour. Two points can be noted from these observations. First, that corruption is an extension of normal behaviour indicates that corruption itself is an intentional and deliberate behaviour. Our day-to-day experiences teach us that not all goals and aims are capable of achieving under normal human conditions. Thus, at times one has to bend the rules or act extra-legally in an attempt to achieve one's objectives. In situations like this, moral, legal or even cultural norms may not be adhered to if they will not facilitate the process. This behaviour then becomes an extension of norms of society. In other words such actions would not have been undertaken if the normal or due

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<sup>31</sup> Harris, R. *Political Corruption: In and Beyond the Nation State* (Rutledge, London, 2003) P. 4

<sup>32</sup>Scott, op.cit p. 3

process were thought to be more beneficial.<sup>33</sup> Second, the idea that corruption is an extension of normal behaviour or a deviation from certain standards of behaviour points to two features we can associate with corruption. Societal norms and standards of behaviour are relative in terms of how different people perceive them. Hence under given circumstances, one will consider as the norm what the other considers a deviation. This being the case corruption should not be studied or investigated wholly as a moral phenomenon because it operates under both moral and amoral conditions. Whatever shape or form however that a given corrupt act may take the underpinning principle remains the same. It always occurs as a rational behaviour where the actor always aims to maximize profit or be at the benefiting end. It is our argument therefore that the true nature of corruption can be discovered only when we treat corruption as a rational defence. We can then understand the principle by which corrupt actors or corruption operates.

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<sup>33</sup> This point was extensively discussed in chapter one to explain why corruption is more prevalent in underdeveloped economies than developed ones. (Refer to pages 34-57) We stressed the point that corruption thrives more in rigid systems with multiple bottlenecks and related this phenomenon to the political, social and the economic environments of the Third Worlds.

## ***2.5 Market-oriented definitions of corruption***

Our discussions thus far have focused on the problems encountered in employing public office; public interest; public opinion and legal definitions to explain corruption. But does it mean that because none of these criteria is flawless an in-depth meaning of corruption cannot be grasped? Corruption is corruption irrespective of the divergent opinions usually expressed or even the confusions that arise from attempts to define the subject from various standpoints. 'The fundamental weakness of the recent literature on corruption finds explanation in the use of vague criteria and inappropriate perspectives, which, may distort, exaggerate or otherwise over-simplify the conceptualization of the phenomenon<sup>34</sup>.' To treat corruption as a rational defence therefore our most reliable model will be market definitions. Largely, definitions couched in the use of this criterion overcome many if not all of the difficulties encountered in trying to define corruption. While I do not entirely agree with all market-centred definitions I believe the model itself is reliable and capable of explaining corruption thoroughly. For example, consider the argument by Van Klaveren,

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<sup>34</sup> Heidenheimer, et al, op.cit. 6.



corruption means that a civil servant abuses his authority in order to obtain an extra income from the public...thus we will conceive of corruption in terms of a civil servant who regards his office as a business, the income of which he will... seek to maximize. The office then becomes a maximizing unit.<sup>35</sup>

The problem with this definition or argument relates the first part of the definition where corruption is conceived as an abuse of authority. Although the definition captures the essence of corruption, Klaveren's assertion that corruption characterizes an abuse blurs the fact that some legitimate actions could epitomize corruption. The case of the Keating Five<sup>36</sup> explains this. In 1992 a case, which became known as the Keating Five, was the subject of far-reaching investigation by the Senate Ethics Committee in America. This involved five senators, Denis DeConcini (Dem., Arizona), Alan Cranston (Dem., California), John Glenn (Dem., Ohio), Donald Riegle (Dem., Michigan) and John McCain (Rep., Arizona)<sup>37</sup>. In a matter in which the Ethics Committee reported of extensive irregularity and corruption, these senators were only obeying the dictates of politics where politicians trade campaign support for a willingness to help contributors with their problems.

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<sup>35</sup> Klaveren, J. V., 'Corruption as a historical Phenomenon' in Heidenheimer A. J. and Johnston M., (eds), *Political Corruption: Concept and Contexts*, third edition, (Transaction Publishers, New Brunswick, 2001) Pp. 83-90.

<sup>36</sup> Mark, P., 'Conceptualizing Political Corruption' in Heidenheimer A. J. & Michael Johnston, (eds), *Political Corruption: Concepts and Contexts*, third edition (Transaction Publishers, (New Brunswick, USA) P. 43

<sup>37</sup> Wikipedia, [http://en.wikipedia.org/wiki/keating\\_five](http://en.wikipedia.org/wiki/keating_five)

Charles Keating who was in 1988 investigated for his role in the collapse of a savings and loan company in California was discovered to have on many occasions rendered services ranging from kind to cash to each of these senators to benefit them politically. To reciprocate this goodwill, the senators at different times either individually or conspiratorially vigorously and openly represented Keating's interest in the House of Commons.<sup>38</sup> The senators lobbied and brought pressure on the officials entrusted with the responsibility to investigate Charles Keating. The outcome of this investigation is not a subject for concern now, nonetheless to say also that these senators abused their authority is to deny the fact that lobbying and the other actions, which the senators undertook, were legitimate in democratic dispensations. The point is, it is not every case of corruption that may typify an abuse. Some may, however others may fall in line with democratic or political principles. Therefore to conceive of corruption always as an abuse is to introduce inconsistencies in our definition. Another definition given by Leff to exemplify the market-centred definition is quoted below. According to him:

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<sup>38</sup> Anechiarico F., Jacobs J. B., 'Corruption Control in New York and its Discontents' in Heidenheimer J. A., Johnston M. (eds), *Political Corruption: Concepts and Contexts*, third edition (Transaction, N. B., 2001) Pp691-693.

“Corruption is an extralegal institution used by individuals or groups to gain influence over the actions of the bureaucracy. As such the existence of corruption per se indicates only that these groups participate in the decision making process to a greater extent than would otherwise be the case<sup>39</sup>.”

Here, Leff conceives of corruption as an instrument that the underprivileged or the politically excluded could employ to influence the actions of those in authority. The essence of Leff's definition is to consider corruption not essentially as a moral phenomenon but as a political and economic tool. As such corruption may be considered as part of the economic and political processes where individuals and groups struggle for competitive advantages and where people are guided more by realistic rather than moralistic considerations. The corrupt actors in many developing and Third World nations cannot be said therefore to be acting immorally. What usually happens exemplifies the behaviour and activities of Jews in Nazi Germany. During the days of Nazi Germany when Jews underwent molestations harassment and tortures, it was the avowed aim of every Jew to escape this experience in the concentration camps. To this end, those Jews who could afford it resorted to bribing the German officials. Under these circumstances no one can accuse the Jew briber of moral

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<sup>39</sup> Leff, N. H., 'Economic Development Through Bureaucratic Corruption' in Heidenheimer J A, Johnston M (eds) *Political Corruption: Concepts and Contexts*, third edition (Transaction Publishers, New Brunswick, 2001) P. 307

decadence or as Rose-Ackerman<sup>40</sup> puts it, “one does not condemn a Jew in Nazi Germany for bribing his way out of a concentration camp.” Their actions could only be described as a rational response to the then prevailing conditions. That is how corruption manifests itself. It operates under given conditions where attempts to achieve one’s objectives under the same set of conditions are imagined impossible

## ***2.6 The advantages of market-oriented definitions of corruption***

Having established the nature of corruption and the principle by which corrupt actors operate it is worthwhile to examine the advantages that market-centred definitions enjoy over the other criteria so far discussed and why for a thorough definition and understanding of corruption we must rely extensively on market-centred definitions. From our argument before, it follows that corruption is a rational behaviour. When we say an act is rational, all that we mean is that under given conditions that action is the most logical, most sensible and most appropriate viewed from the perpetrator’s angle. It should be noted however that a given act might be rational but not necessary right or wrong. For example if one was hungry, the rational thing to do would be to find food to

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<sup>40</sup> ) Rose-Ackerman, S., *Corruption: A Study in Political Economy* (Academic Press, New York, 1978) P. 9

eat. However, if one lacks the means stealing a chocolate bar from one's neighbour to quench the hunger and hence avoid death becomes a rational option. Whether this behaviour is right or wrong is beside the point at the moment. This being the case corruption cannot be adequately studied from a moral or legal perspectives for right and wrong themselves are very complex subjects to deal with and unless where the law or moral norms are explicit relying on these norms can pose irresolvable difficulties. So far, we have shown that all the other definitions apart from market-centred definitions draw extensively from moral and legal norms. But since these norms themselves are mutable both vertically and horizontally it follows that a fully rounded definition of corruption has not been and cannot be given so long as we do rely on these criteria. We rely on market definitions because we consider all human beings as rational agents whose objectives are to attain the highest level of satisfaction and minimize cost as much as possible.<sup>41</sup> Again, as Rose-Ackerman points out,

'Economics is a powerful tool for the analysis of corruption. Cultural differences and morality provide nuance and subtlety, but an economic approach is fundamental to understanding where corrupt incentives are the greatest and have the biggest impact.'<sup>42</sup>

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<sup>41</sup> Tutu, K. A., (1990) 'Economic Process and Corruption', in *Accountability in National Life, Proceedings of the Ghana Academy of Arts and Sciences*, Volume xxviii, 1990. P.87

<sup>42</sup> Rose-Ackerman, op.cit P. xi

Hence corruption becomes one of the many ways in which these objectives can be realized. Like every endeavour, corruption is a risk and while this is capable of benefiting the perpetrator or society in general, side effects, which might have negative consequences, are inevitable. The point is that if we study corruption only from moral perspectives in the manner we have shown above knowledge of phenomenon will always be mixed with inconsistencies. Market-centred definitions or rational choice theory enables us however to study the phenomenon independently of whether that particular act is a moral or immoral behaviour, whether it is an abuse or not and whether it is a legal activity or not.

Another reason why we rely on rational choice definitions is the simple reason that corruption itself is a rational behaviour and only by understanding its underpinning principle can we thoroughly and unambiguously explain it. In any part of the globe where corruption is rife, this has been necessitated by economic, geographic, political, social or even the religious circumstances of such environment. As corruption is an extension of normal behaviour it follows that these circumstances do not normally encourage customary behaviour such that continuing to work within the

confines of moral and legal norms becomes costly, unprofitable or unbeneficial. Since human beings are rational agents whose objectives involve maximization of profit and reduction or avoidance of cost,<sup>43</sup> some political and economic agents without thinking morally act rationally to employ corruption, a short-cut and in some cases a very cost effective way of getting one's objectives achieved.<sup>44</sup> In Africa generally and in Ghana especially where democracy is a nascent phenomenon interstices and loopholes created by these conditions enable corrupt politicians and rent-seekers to hop from one political regime to the other to serve their interests. The political situation is such that to cling to power members of the political parties and their associates must be financially or otherwise interdependently supportive to one another. Hence the government is careful of whom it gives contracts or jobs. The rationale is that if those with financial capabilities were in the opponents' camp they will organize better to topple the incumbent government. Not only that, in African democracies where winning an election depends invariably on how much votes political parties can *buy*, creating a politically free economy in which political opponents compete favourably can be devastating to incumbent

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<sup>43</sup> *ibid* P. 9.

<sup>44</sup> Tutu, K. A., (1990) 'Economic Process and Corruption', in *Accountability in National Life*, Proceedings of Ghana Academy of Arts and Sciences, Volume xxviii, 1990. Pp 89-92

governments whose intention it always is, to cling to power. Hence as it normally happens government contracts appointments and jobs are awarded to only party members or associates or individuals and institutions friendly to the government to whom the interest of the government or the political party in power is supposedly paramount.<sup>45</sup>

The trend in the political history of Ghana is that often when regimes have been toppled rent-seeking politicians have shifted camps and have traded their allegiances for political and economic benefits. In 1966 for example when the first African government was ousted, Kofi Bako and Michael Dei-Anang immediately dissociated themselves from Nkrumah's Convention Peoples Party not on any principled grounds but in order to seek favour with the new regime<sup>46</sup>. Also in 2001 when the New Patriotic Party eventually defeated the longest serving government of the National Democratic Congress, Nana Kwasi Agyeman who was mayor of Kumasi under the former regime traded his allegiance to the N.D.C. for recognition and support in the new government. This is the way some rent-seeking politicians on the continent do the trick to continue to achieve their objectives. To such politicians remaining

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<sup>45</sup> See for example the activities of the Nkrumah government through the CPC, Fitch and Oppenheimer (1966) Pp. 47-52., NADECO, Le Vine (1975) Pp. 74-77 and the evidence gathered by the Apaloo Commission on Award of contracts, Pp. 30-50.

<sup>46</sup> Smertin Y., *Kwame Nkrumah* (Progress Publishers, Moscow, 1987) P



principled and loyal to one's beliefs is not realistic in the political environment that prevails on the continent. One must dance in line with the political wave. This is a rational behaviour for doing otherwise would be costly to the rational agent whose aim is to maximize profit. To ask the question of whether the actions of these politicians or businessmen are moral or immoral is out of the point. Opinions on this will always differ. But considering the conditions of the political environment and the fact that the rational agent seeks to maximize profit and reduce pain, it is the method that gives an answer to the individual's problems that matters and not the question of whether such methods are moral or not. This is the principle by which corrupt actors operate and if we must study the phenomenon and understand the mode of its operation, our most appropriate method should be rational choice theory. Apart from having, the capacity to deal with prejudices, rational choice theory also enables us to understand the perspectives of the perpetrators.

Yet another reason for relying extensively on market definitions or rational choice is the universality of its nature. People's opinion may differ both vertically and horizontally because of differences in interests, level of knowledge, personal and group prejudices and idiosyncrasies, belief systems, social and political associations as

well as differences in cultural norms. The legal context and implication of the law may also vary because of differences in the pre-occupations of every generation, as well as ethnic and national diversities.<sup>47</sup> As such, these criteria fail to help us in our search for a definite character of corruption such that all corrupt acts irrespective of the period, place, legal context or implication and the socio-economic or political norms in operation can be identified. In this respect, using rational choice is our best alternative. This criterion enables us to examine the act within the context of its occurrence and the conditions that make this possible. If corruption was a rational behaviour, yet extensions of normal rules of behaviour, involving the maximization of profit or gain or the attainment of the highest level of satisfaction, then corrupt acts may be identified by uncovering the motive and the principle which underlie these behaviours and whether they undermine certain norms of society. Cultural norms, opinions and interests may change from time to time and place to place but the principles and motivations, which underpin corrupt actions, do not themselves change. As such carrying out cross-society and historical comparisons and analyses of the phenomenon can be done with relative ease.

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<sup>47</sup> Clarke, M., (ed), *Corruption: Causes, Consequences and Control*, (Frances Pinter, London, 1983) P. 186.

Yet another reason why market definitions have an edge over the other criteria in analyses of corruption stems from the fact that they enable us to establish boundaries or distinguish between corruption and other forms of political failure. Abuse of office for example may be caused by negligence, misapplication of the rules because of inadequate knowledge<sup>48</sup> or even a wilful act of insubordination. For example, a public official who runs a public institution as his private property in a manner that undermines public office norms but without any intentions to derive benefits directly or indirectly can be said to be abusing his authority. Abuse though this behaviour might be called, it is possible this was the result of inadequate knowledge of public office norms or willingly failing to observe these norms if they were known. We think corruption is a deliberate act and is intended always at the satisfaction of a particular need or want. This is the case even if that corrupt act is institutionalized or occurs at individual levels. Hence, whereas only individuals with sound minds may be liable to committing corruption. Political abuse such as occurs in the “third world” and especially Africa are often the handy-work of mad and sometimes alcohol-stupefied officials. In this regard we will refer to Amin of Uganda and Mobutu of Zaire who at the peak their

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<sup>48</sup> Gardiner, J. ‘Defining Corruption’ in Heidenheimer A J., Johnston M (eds) *Political corruption: Concepts & Contexts*, Third edition (Transaction Publishers, New Brunswick, USA, 2001) P. 27.

abusive political activities resorted to plundering states cash reserves and hiding them in their bedrooms and kitchens as people who had gone beyond carrying out corrupt activities and gotten to a stage in their career where they now could be described as mad people. They were misappropriating public funds and abusing political authority in such manner that their activities could not be rationalized. The issue under discussion should not be confused. For example, we consider the action of an official in charge of state finance who uses part of this without authorizations to settle the hospital bills of a dying relative to save his life as corrupt but rational. On the other hand, an official who deliberately misuses public goods and resources only for the love of it but without any intention of benefiting directly or indirectly from such act cannot be accused of having committed corruption. Political abuse, generally speaking can be an offshoot or a symptom of corruption, but for abuse or any related act to qualify as corruption, there necessarily must be that element of rationality where the perpetrator intends to benefit by the execution of such act.

The nature of corruption as explained thus far raises two important questions that must be looked at closely again. First, can corruption be said to be a criminal behaviour? Second, can it be

considered an immoral behaviour? Criminality is a legal phenomenon and as defined by Concise Oxford Thesaurus<sup>49</sup>, refers to an action or behaviour, which is inconsistent with the law. In other words if the law stipulates that murder is illegal, he is a criminal he who trespasses the law. It follows from this argument that crime is dependent on the law and without the specifications of the law there can be nothing called crime or at least an appropriate standard of measurement by which we could distinguish criminal from non-criminal activity. Corruption on the other hand is a phenomenon that occurs, or can be identifiable irrespective of the law. Some corrupt activities may result in criminal behaviour but criminality in itself does not underlie all corrupt behaviours. For example, a legislator who vigorously supports and pursues the implementation of a bill who does so against the tenets of objectivity but because his pre-knowledge of its outcome satisfies his interest acts corruptly but not criminally. The action of such legislator is by law consistent. He follows legal procedures. He may have even lobbied to win the votes of other parliamentarians. Yet these actions are themselves not illegal. Hence, the legislator cannot be said to have committed crime or engaged in any criminal behaviour, unless it is evidenced, he went

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<sup>49</sup> Waite M., (ed) *Concise Oxford Thesaurus*, third edition (Oxford University Press, England) p187

out of his way to offer bribes to other legislators to vote along his line or acted in an unlawful way to deny fellow legislators who hold opposing views on the subject from voting. From our forgone argument however, especially, when we consider the motivation or the rationale underpinning his action, the legislator, although cannot be held by the law to have committed crime, clearly commits corruption. The difference here is the method used and it depends on how this is applied. It follows from this analogy that in respect of the law corruption has a dual character. It can result in either legal or illegal behaviour depending on how the act was executed. For this reason there is need to distinguish between criminal and non-criminal corruption.

The second question of the morality of corruption is an issue that will be revisited in the next chapter. However, we analyze this briefly too. Two schools of thought on this subject run through the literature on corruption. They are the moralist and the functionalist schools.<sup>50</sup> Both schools have different perspectives for judging the issues involved in corruption. Whereas the former approaches the subject with an assessment of its net effect on human development, the latter looks at some of the practical issues

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<sup>50</sup> Ayee, J. R. A., 'Political and Social Consequences of Corruption'. Paper presented at the Ghana Academy of Arts and Sciences (GAAS)/Friedrich Ebert Stiftung (FES) Forum on 'Corruption and Development in Africa' held at the British Council Hall, Accra on June 2002.p.1

involved against the background or the socio-economic context where corrupt activities emerge. The moralist school consists mainly of critics of this outlook who have long argued that corruption is harmful to societies and governments, impedes development and erodes the legitimacy of honest and institutions.<sup>51</sup> Alatas<sup>52</sup>, a strong aficionado of this school of thought categorically states in his book; 'it is the thesis of this book that all forms of corruption, except the defensive type, are inimical to development and social well-being'. Hence, on the basis of the harmfulness of corruption as exemplified by their illustrations the moralists conclude corruption is a moral problem or an immoral behaviour. There is no doubt that some corrupt activities may result in unethical behaviours because moral corruption itself is a constant feature of political corruption. For example a public official who maintains several illegitimate relationships outside his marital home will have his private resources overstretched due in part to excessive pressure on these resources. As it normally does happen the official begins to use his office as a profit-maximization unit by undertaking the unethical act of using state goods and resources to support his unofficial responsibilities. If he possesses

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<sup>51</sup> ibid 1

<sup>52</sup> Alatas, S. H, *Corruption: Its Nature, Causes and Functions* (Kuala Lumpur, Abdul Majeed & Co., 1991) p. 7

government vehicles required of him to use in performing official duties an unethical public official will be seen at private functions with his mistresses using these government resources. Such an official is acting immorally for the reason that he is unable to distinguish between public and private duties and therefore acts inappropriately. However, note that we do not read immorality into the actions of the state official because such are harmful to society but because his actions are improper, inappropriate and unethical. To say that these actions are harmful to society and therefore constitute immorality is to accept the view that any action by a public official that harms public interest irrespective of the intentions is morally wrong. Can we say the same of a public official who in the execution of duties inadvertently causes financial loss to the state?

Returning now to the public official who deliberately uses public resources for his private activities, although the acts themselves may be inappropriate it is possible that during the functions the official is able to win a contract or promote investment drive for the government. Under this condition the action of the official becomes unethical but at the same time beneficial to the state. The implication of this from the moralist argument is the conclusion that the action of the official was not morally wrong on the basis that it



benefits society. But does this conclusion truly reflect true nature of things as happened? Judging corruption therefore by its effect rather than the method of execution or the underpinning principle can be somewhat problematic and at the same time misleading. Corruption is capable of producing positive as well as negative effects on society and to conclude that only when the act is harmful can we say corruption has taken place is rather misleading. Even some legal and well-meaning actions can lead to financial lost to the state, impede development and consequently harm the interest of society. Corruption can therefore be moral as well as immoral phenomenon. This depends on the moral perspective of who is doing the judgment.

Revisionists or functionalists on the other hand, while not denying that corruption can be harmful, argue that corruption is capable of producing positive effects on both socio-economic and political developments. This view of corruption is apt as it helps make our understanding of corruption richer. The argument that corruption is a rational behaviour also reflects this idea but while arguing along this line it is our contention that a rational act may result in moral or immoral behaviour and lost or benefit or even right or wrong.

## ***2.7 Conclusion***

Two major themes have been introduced in this chapter and will run through this study as we develop them. First, corruption is a rational behaviour and only by employing market definitions can we thoroughly investigate and understand its palpable nature and essence. Secondly, corruption is an extension of normal behaviour but this behaviour has a dual character. It may be legitimate or illegitimate, criminal or non-criminal, moral or non-moral. More importantly however, our focus on this chapter has been directed at reviewing and reconstructing the various perspectives on corruption. We have evaluated the various bases for defining corruption, and as shown, these are various and diverse with each having special and distinct focal parameters. But essentially, we have shown that none of the criteria often used in defining and conceptualizing corruption is exactly flawless. This explains why the literature on corruption has never produced a fully rounded definition of corruption. It explains also, the reason for the many conceptual disputes on the phenomenon. But while noting that each of these criteria has its own problems and shortcomings, we are compelled to rely extensively on market definitions or rational choice theory for the reason that it gives the broadest parameters

within which the essence or the full range of corruption can be captured.

Another subject that received attention in this discussion is the question of the criminality of corruption. In this respect we have pointed out that corruption as a socio-economic and political phenomenon involves a deviation from certain standards of behaviour. This, we explained to be an extension of normal behaviour. Essentially, however, corruption is not only a deviation or an extension of normal behaviour but also, a method of solving problems in which this may, depending on how it is executed be consistent or inconsistent with the law. Corruption is therefore capable of producing criminal as well as non-criminal effects. In defining criminal behaviour, we noted that the only yardstick for measurement is the law. Hence only when one acts in a manner that is irregular with the law can one be held to have acted criminally. A given behaviour can therefore be consistent with the law and yet be corrupt. Our argument is that the law is not an appropriate yardstick for measuring corruption. Unjust states or rulers can legalize their corrupt activities but this cannot deny the corruptness of such regimes if the proper yardstick were used. The examples of Nkrumah, as will re-emerge later in this study

demonstrate a situation where corrupt activities of a given regime become legalized. As such whiles these activities cannot be held to be criminal acts they do not escape being described as corrupt. Again, crime is the act but corruption refers strictly to the intention. It is at all times the condition of the mind manifested in some behaviour or activity and one must be of sound mind and necessarily cognizant with the rules to commit corruption. These conditions are important but not necessary factors in determining what constitute criminality. Crime is crime irrespective of whether the perpetrator knows the rules or not. We do not rule out however, the fact that at times crime and corruption may congregate in high-level corruption.<sup>53</sup>

The final idea that emerged out of this discussion is the relationship between morality and corruption. We believe that the moralist perspective on corruption is too limiting and far too shortsighted. The perception of corruption as the result of moral decadence and that this is harmful at all times to societies and governments has been re-evaluated. We believe that corruption can be streamlined to produce positive effects on societies and governments. This subject will re-emerge in the next chapter.

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<sup>53</sup> Rose-Ackerman, S. *Corruption and Government: Causes, Consequences, and Reform* ( Cambridge University Press, London, 1999 ) P. 114-118.

## Chapter Three

### History, Politics and the Emergence of Political Corruption in Ghana: The Role of Kwame Nkrumah.

#### **3.1 Introduction.**

In 1972 James Scott, an American political scientist advanced that the Convention Peoples Party, the nationalist organization that led the Gold Coast to attain independence from British colonial domination exemplified a political machine.<sup>1</sup> Following this observation, Victor Le Vine, also an American intellectual and authority in corruption studies provoked enthusiasm and caused sensation among the academic community when in 1975, relying heavily on the various commissions and committees of enquiry of alleged corruption in government's businesses and administration, postulated that by time the CPP government was toppled in 1966, Ghana had attained a culture of political corruption.<sup>2</sup> Since the publications of these pioneering works on Ghanaian political corruption, several questions have been raised of which the most important borders on whether there are any connections between the political history of the former British-West African colony and

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<sup>1</sup> Scott, J. C., *Comparative Political Corruption* (New Jersey; Prentice Hall Inc, 1972) P.124.

<sup>2</sup> Le Vine V. T., *Political Corruption: The Ghana Case* ( Stanford, California, Hoover Institution Press) P. 12.

the political corruption that developed in independent Ghana or whether political corruption was an entirely new phenomenon. This chapter focuses on these questions and attempts to provide an answer.

It is believed that every event in history has connecting links and implications and behind these connecting links and their implications are often reasons, which trigger them. Political corruption in Ghana did not just emerge out of the blue moon. Its beginnings are rooted in the socio-political, cultural and economic historical circumstances of the Ghanaian peoples. Like most African countries Ghana has witnessed three eras in its historical development.<sup>3</sup> The eras of pre-colonial Africa, Africa under colonial rule and post-colonial Africa can be distinguished. Hence, although this study focuses especially the immediate years after Ghana's independence, our enquiry goes beyond the period spanning the rein of the CPP to assess the impact the mores and values of traditional Ghanaian society maintained on political and economic developments after independence.

On sixth March 1957, Ghana became the first African country south of the Sahara to gain independence from British colonial rule.

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<sup>3</sup> Nukunya, G. K. *Tradition And Change In Ghana: An Introduction to Sociology* (Ghana Universities Press, Accra, 1992) See notes on introduction.

From this period, the administration of this country witnessed a transition from the imperialist rule of the British to self-determination and steered by indigenous political leaders who had spearheaded the independence struggle. The most notable and significant of these nationalists was Dr. Kwame Nkrumah. Nkrumah thus became the leader and later president of the first African government and it is for these reasons that he is a crucial subject matter in this enquiry and the fact that it is the period that span his reign that is the subject of our critic in this study.

On the 24<sup>th</sup> day of February 1966, Ghana witnessed its first coup, which was masterminded by the collaborative and the conspiratorial efforts of the Ghana police and military. Among a host of reasons given to support the actions of these elements was widespread political corruption.<sup>4</sup> Enough evidence was gathered to substantiate these allegations after the release of the reports of over forty Commissions of Enquiry appointed by succeeding governments to investigate the allegations of bribery, corruption and irregularities of all forms among public officials and government institutions in the now deposed regime. One of such commissions was that chaired by Justice Apaloo and named after him. This was inaugurated as a special commission by the

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<sup>4</sup> Oquaye, M., *Politics in Ghana: 1972-1979* (Tornado Publications, Christianborg, Accra, 1980)P. 2

National Liberation Council (NLC) to investigate the properties and activities of Dr. Nkrumah. The conclusion of this commission is most instructive.

‘...in view of the findings we have made as to how he acquired the bulk of his property which he controlled as a trustee of the people of this country and his proved duplicity in many matters, we find it impossible to resist the observation that Kwame Nkrumah thoroughly unfitted himself for the high office of the president of Ghana.’<sup>5</sup>

An observation such as the one above is instructive for the enquiring mind into the politics of the CPP. However, also implicit in the conclusion is the suggestion that most of these allegations have not been proven. Nonetheless, this evidence since its publication has remained a subject of intense debate among historians. It is significant to note however that the debates over the alleged corruption of the Nkrumah regime relate not to whether or not the regime was corrupt, for it was. The subject of dispute and of controversy has been determining the magnitude and scale of corruption in public institutions and among public officials on the practice and impact on society and development. Hence, whereas in 1966 the Apaloo Commission published that at the time of the coup, Nkrumah had enriched himself through illegal and

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<sup>5</sup> Apaloo Commission of enquiry, 1966, P. 66



inappropriate dealings to the tune of 2,322,009 pounds in both cash and physical properties, in 1971 this figure was counteracted and disproved by Ikoku<sup>6</sup> to stand at only 363,000 pounds. Commenting on these disputes Le Vine who had advanced the 'culture of political corruption theory' on Ghana was rather critical of the view of Ikoku and defended the Commission's view by pointing out that the former himself was closely associated with Nkrumah's regime, hence, his vehement defence of the regime.<sup>7</sup>

All these and the fact that by the time the coup occurred ample evidence of alleged malpractices which included as Le Vine has observed, fraud, falsification of records, stealing, dishonesty, giving and receiving of presents and gifts, uses of public goods and resources without authority for private ends, among many others were rife among public officials, justify the claim that the regime was corrupt at least to some degree.

Political corruption nonetheless as we argued in the preceding chapters is a product of a given socio-political, cultural and economic milieu.<sup>8</sup> Hence, wherever this occurs it might be argued, there are certain local and possibly external factors, which dictate

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<sup>6</sup> Ikoku, S. G. ( Pseud. Julius Sago). *Le Ghana de Kwame Nkrumah*. Paris: Francois Maspero, 1971, P 111

<sup>7</sup> Le Vine, op cit, 135.

<sup>8</sup> Refer especially to 31-44 of chapter one

and make the act sustainable. To understand the corruption of the 1960s as exemplified by the first African government it is necessary therefore to analyze the events preceding, during and immediately after Ghana's independence in 1957.

## **3.2 Ghana: A historical outline**

### **3.2.1 The formation of the UGCC**

In August 1947, a nationalist political organization, the United Gold Coast Convention (UGCC) was formed.<sup>9</sup> Its leader was Dr. J. B. Danquah, a prominent lawyer and intellectual in the Gold Coast. Prior to this eventful year Danquah's activities on the political scene had been styled on the tradition of pre-war Ghanaian nationalism.<sup>10</sup> During the inter-war years a number of Gold Coast<sup>11</sup> politicians (some of whom served on the Colony's Legislative Council) appeared as leaders of various nationalist groups. Among such leaders were political figures such as J. E. Casely-Hayford, S. R. B. Atoh-Ahumah, Horton Africanus and John Mensah Sarbah (jnr). These political leaders did not call for independence from colonial rule or self-government per se<sup>12</sup>. Their avowed aim was

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<sup>9</sup> Austin D., *Politics in Ghana: 1946-1960* (Oxford University Press, London, 1964) P 7

<sup>10</sup> Nationalism of this kind was the agitation of the African Ghanaian for reforms within the colonial system that would affect in a positive way his social, economic and political circumstances. This stands in contrast with post-war nationalism, which was more radical and demanded full-self government. For further details see *ibid.* Pp1-18

<sup>11</sup> This was the colonial name for present day Ghana.

<sup>12</sup> Meredith, M., *The State Of Africa* (Simon & Schuster UK Ltd, London, 2005)Pp18-19

seek for reforms within the colonial regime.<sup>13</sup> They hoped for example as educated Africans to enjoy equal opportunities as their European counterparts. Thus the policies of the colonial regime, which were in abhorrence to these ideals, were often angrily cautiously or violently kicked against by these elements.<sup>14</sup> It was Danquah who in going beyond the perspectives of the earlier Gold Coast elites together with other nationalist elements founded the United Gold Coast Convention and called for the attainment of self-government in the shortest possible time.<sup>15</sup> This breakaway from tradition was the immediate result of the constitutional reform programme that in effect led to the institution of the Burns Constitution in 1946<sup>16</sup>. Sir Alan Burns's governorship of the Gold Coast span the immediate years before, during and after the Second World War. The outburst of the war and its aftermath did a

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<sup>13</sup> Full-self government was seen by the earlier intellectual nationalists of the Gold Coast as a remote possibility. Perhaps nothing justifies this assertion more than J. E. Casely Hayford's 1929 Address to the National Congress of British West Africa in Lagos. 'In these days when there is a natural tendency among the races of man to come together in their natural groups, it would be insincere for us to pretend that African nationhood does not interest us. If the principle that brought the National Congress into being is sound, the corollary must hold good that we are concerned in the pursuit of an African Nationality which will tend to focus world opinion upon African interest generally. But as a Congress we can only have liberty with constitutional methods, remembering our fundamental policy which is to maintain strictly inviolate the connection of the British West African dependencies with the British Empire and the fundamental Principle that taxation goes with representation.' Quoted from Magnus Sampson, *West African Leadership* (1949), P. 88.

<sup>14</sup> Nkrumah, K., *Ghana, The Autobiography of Kwame Nkrumah* (Thomas Nelson and Sons Ltd, London 1957) Pp. 68-69

<sup>15</sup> Davidson, B., *A View of the Life and Times of Kwame Nkrumah* (Allen Lane, London, 1973) P 67

<sup>16</sup> The Burns Constitution went into force in April 1946 establishing a Legislative Council which served as a consultative body to advise the Governor. It was the first time in the political history of the colony when Africans formally obtained the majority on the Council.

great deal to fan the quest by Africans for self-rule in the Gold Coast. Indeed, in the words of Smertin;

‘An analysis of social, economic and political conditions in the Gold Coast reveals that at the end of the 1940s the bulk of the population believed that independence alone could alter their situation.’<sup>17</sup>

The first of these developments was the discrimination of the colonial government against the colonial subjects in all fields of endeavour.<sup>18</sup> This situation existed way before the outbreak of the Second World War but its impact was particularly felt during the 1940s when the colonial authorities refused wealthy Africans the right to enter the lucrative import and export trade, under the licensing system, while granting the expatriate firms a virtual monopoly of the trade.<sup>19</sup> This situation discontented African commercial elites and aroused in them intense hatred and feelings of antipathy for the colonial regime. Consequently, they not only desired to experience changes in these obnoxious policies and practice but the idea that their situation will be bettered when colonialism was finally toppled began to sink deeper than ever before in their minds. Not only were Africans discriminated against economically but also politically. The activities of the colonial

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<sup>17</sup> Smertin, Yuri, *Kwame Nkrumah* (Moscow, Progress Publishers, 1987) P. 66.

<sup>18</sup> Boahen A. A. *Ghana: Evolution and Change in the Nineteenth and Twentieth Centuries* (Sankofa Educational Publishers, 2000) P. 126

<sup>19</sup> *ibid.* 157.

regime from the end of the First World War had polarized politicians of the Gold Coast. The relative benevolence of the colonial regime on the Gold Coast in providing good educational structures and policies<sup>20</sup> had led to the emergence of relatively significant number of educated elites in the Gold Coast.<sup>21</sup> However, these African intellectuals one of whom was Dr. J. B. Danquah often had their hopes of practicing their profession dashed and most of them remained disappointed throughout their existence. In the Gold Coast, this tepid attitude of the elitist class was exemplified by A. G. Grant's statement to the Watson Commission.<sup>22</sup>

'We were not being treated right, we were not getting the licenses for the import of goods, also we were not pleased with the way our Leg. Co.<sup>23</sup> handled matters, because we had not the right people there. At one time we had the Aborigines Rights Protection Society who were taking care of the country. Later on they were pushed out and there were Provincial Council of Chiefs. The chiefs go to the Council and approve loans without submitting them to the merchants and tradesmen in the country. Thereby we keep loosing<sup>24</sup>

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<sup>20</sup> Austin op.cit.

<sup>21</sup> By 1948 Ghana's elementary education enrolment consisting of Infant Junior, Senior Primary totalled 286,688, secondary school enrolment totalled 6,490 and Teacher Training was 455. See *ibid.* This was unusual for an African colony.

<sup>22</sup> This Commission was inaugurated by the Colonial Authorities in 1948 to look into the general disturbances of that year triggered by the Gold Coast's African's discontent of general economic, social and political conditions.

<sup>23</sup> The abbreviated form for Legislative Council.

<sup>24</sup> Watson Commission Report and Minutes of Evidence submitted to the Commission.

First, the colonial government was disenchanted by their often outspoken criticisms of its policies and their expressed anti-colonial sentiments preferring rather to work with the traditional politicians- the chiefs and their elders who often took pro-British stands. The reason behind the attitudes of the chiefs and their elders is not hard to find. Before the British completed their domination of the colony in 1874 the chiefs and their elders were the wielders of political authority and with it the privileges that accompanied political office in the traditional political setting of pre-colonial Africa.<sup>25</sup> In the 1920s, Guggisberg who was governor of the colony introduced the indirect rule, a system of governance in which the colonial authorities administered their protectorates through the institution of chieftaincy. In this system the chiefs continued to exercise political authority over their subjects and enjoyed minor privileges,<sup>26</sup> which they were satisfied with. Therefore, to the chiefs political reforms were out of the question, for the current political arrangements duly served their needs. The second explanation for the intense antipathy of the Gold Coast intellectuals for the colonial regime was their disappointment for not getting recognition within the colonial administration. Indeed,

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<sup>25</sup> Nukunya, *op.cit* Pp. 67-85.

<sup>26</sup> These privileges at times included tax exemption, cash rewards, petty favours and political protection.

following the 1948 riot the intelligentsia<sup>27</sup> were forced by that development to dispatch telegrams to the British government proclaiming their readiness 'to take over interim government'<sup>28</sup> It would be recalled that before the Second World War Gold Coast educated and well-to-do African middle class made up of eloquent teachers, ministers of the gospel, publicist, businessmen and lawyers were appointed on the basis of their ability, to serve on the Legislative Council. This however was a rubber-stamped kind of concessions to the *ambitious* African politician. In reality, they did not have say at all in the colonial administration. Their importance as members of the Council related to the advisory role they played. Often they raised many pertinent issues about how the colonies should be run, and for effect appealed vehemently to the moral conscience of the colonial authorities, but these hardly carried any weight on issues of colonial administration. This behaviour of the colonial authorities intensified the frustration of African elites and also encouraged nationalistic sentiments.<sup>29</sup>

Moreover, simmering discontent among the African masses resulting from the impact of the war was increasingly on the rise.

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<sup>27</sup> This was the name given locally to the class of Gold Coast elites or the Politicians. The group composed of famous lawyers, businessmen, property owners as well as the well-to-do in the Gold Coast Society.

<sup>28</sup> Boahen op.cit P. 1163

<sup>29</sup> ibid Pp.59-61.

The post-war period saw an acute shortage of consumer goods with attendant sharp increases in prices, while wage earners became worse off as a result of inflation.<sup>30</sup> Coupled with these unpleasant circumstances was the experience of the ex-servicemen.<sup>31</sup> After the war, the colonial authorities failed to pay the pension and other entitlements, which they had promised Africans who were enlisted in the war on the side of the British. Frustrated and devastated by the socio-economic and political impacts of the war the ex-servicemen rose against the colonial government, for it was a pay back time.<sup>32</sup>

Therefore, the political landscape of the Gold Coast throughout the 1940s was a charged one. It was as Le Vine has observed '...a fertile field for the growth of nationalist sentiments.'<sup>33</sup> The immediate result of the socio-economic and political developments of the 1940s was the occurrence in the period of boycotts of imported goods that led at first to sporadic protests ending ultimately in February 1948 of widespread rioting in several major towns. By these acts of civil disobedience the signal was certain and unequivocal to the colonial authorities. Hence, the Burns Constitution of 1946 was in not departing from the tradition of the

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<sup>30</sup> Ibid. p152

<sup>31</sup> Smertin, op.cit P. 69.

<sup>32</sup> Ibid. P.70

<sup>33</sup> Le Vine, op cit. xv



past introduced by the authorities to making political concessions to Gold Coast politicians who the authorities thought were the masterminds of the chaos and the political unrests in the Gold Coast. It would be recalled that in the 1920s and thereafter the system of administering the colony had given little recognition to the colony's intelligentsia. It was the chiefs vis-à-vis the educated elites who continued to enjoy some political authority. Thus, when the Burns Constitution was promulgated, although Africans enjoyed majority on the Legislative Council, the intelligentsia and bourgeoisie were disappointed again when the chiefs and tribal leaders gained more places on the Council.<sup>34</sup> They formed altogether about two-thirds of the places allotted to Africans. Consequently, whereas the provisions of the Burn's Constitution went down well with the chiefs and tribal leaders it disfavoured the intelligentsia and the bourgeoisie and they decided now to brush aside the former. It was for these reasons and the fact that they needed a forum to champion their grievances that the intelligentsia together with the bourgeoisie founded the UGCC in 1947.

An analysis of the socio-political and economic situation in the Gold Coast reveals that by the time UGCC was formed a rift of significant measure had been created between, and had polarized

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<sup>34</sup> Austin op.cit P. 52

the chiefs and the tribal leaders on one hand and the intelligentsia and the African bourgeoisie on another. The differences between these factions resulted from fear, suspicion and mutual mistrust. Whereas the traditional rulers feared that the elites in politics would pose a threat to their political authority and the positions they held in the administration of the colony and thereby lose the accompanying privileges they enjoyed, the elites whose European education had changed their entire outlook thought the traditional rulers unskilled and ignorant in administrative affairs. They also held that the contact of chiefs and government was unconstitutional and the position of the chiefs on the Legislative Council was anomalous.<sup>35</sup> They regarded themselves the best qualified to man the affairs of the Gold Coast. It was obvious thus, that a cold war of the kind, which emerged, was inevitable between the two camps.

The UGCC was therefore formed as an organization to bring together the conservative elements of the urban and rural elites to champion their interests, albeit on the platform of the current national problem. They were made up of mainly rich merchants and lawyers whose opinion it was that the masses were not yet ready for political independence and so did nothing in furtherance

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<sup>35</sup> UGCC, Working Committee, Minute Book, entry for 20, September, 1947.

of their political education nor created any forum whatsoever to interact with the masses.<sup>36</sup> They wanted, as outlined in their constitution, to ensure that by all legitimate and constitutional means the control and direction of government passed onto the people and their chiefs within the shortest possible time. Two ambiguities here, resulting from the aims and purposes for forming the UGCC in no time created and further deepened the frustration, and eventually led to the failure of the intelligentsia and the bourgeoisie to lead Ghana to gain independence from colonial rule or even succeed in their ambition of seeking political and social reforms under the colonial system. First, the word, 'people' as used in this context can imply one of two things. It can either refer to the people (the masses) and their traditional rulers or the elites themselves. But as noted before, the traditional rulers and the intelligentsia distrusted each other vehemently and from their previous political experience, the intelligentsia would not wish further political powers in their possession. Since the intelligentsia also thought the masses politically immature, they were obviously not 'the people' as referred to in this context. Evidently 'the people' as used in the declaration was only used in order to appeal to the moral consciences of the colonial authorities. In practice, the

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<sup>36</sup> Smertin op.cit P 67.

intelligentsia formed the UGCC as a desperate attempt to reinforce the long-standing demands upon the colonial government to introduce reforms and new political concessions, which would benefit only the colony's privilege groups. Hence, although the UGCC was a political organization, it was its social essence that ruled the minds of its members and adherents. The following statements expressed the feelings and ideologies on colonialism of African elites in the Gold Coast and members of the UGCC.

We have had our connection with the British for so long and it is so beneficial to us, that I do not think you can get anybody in this country to say that we should exchange British rule for any other rule in the world today---Dr. Nanka Bruce, 1934.<sup>37</sup>

'The educated African continues to retain his belief in British justice and fair play; he has not in general become a cynic or an embittered nationalist. It is common form, but worth noticing, how the strongest African critique of government will round off their attacks by a declaration of loyalty to the Empire. In the reverential loyalty to the crown; in the paternalism of the government's attitude; in the widespread acquiescence in the existing political system; in the high mindedness of all Africa public utterances, infused with the spirit of what used to be called in England the non-conformist conscience; in the unquestioning and sometimes pathetic optimism of the public outlook, the unshaken belief in the old simple creed of progress which saturates the press; the records of the Gold Coast give the impression of a country psychologically two generations behind the United Kingdom---Martin Wight, 1946.<sup>38</sup>

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<sup>37</sup> This quotation is taken from Omari Peter, *The Anatomy of African Dictatorship* (Sankofa Educational Publishers, Accra, 2000) P. 21

<sup>38</sup> *ibid.* Pp. 21/22.

We still need you on the Gold Coast... Your experiment there is not yet complete. Sometimes I wonder why you seem in such a hurry to wash your hands off us--- Dr. K.A. Busia, 1956.<sup>39</sup>

Analysis of these statements made at different times by the Gold Coast intelligentsia points to the idea that they were not yet, at least ready to take up the mantle of leadership and administration of this country. Their only apology of the present arrangement was the lack of recognition they suffered within the colonial system. If they were successful in influencing the colonial authorities to democratize socio-economic and political life in the Gold Coast now and create better conditions for the African elite, then independence for the people could wait to take place in the shortest possible time through *legitimate and constitutional means*. This ideology was the second major flaw of the organization, which soon initiated a prolonged period of power struggle with the Convention Peoples Party. In the first place 'shortest possible time' meant any time to the masses and the ex-service elements whose avowed aim it was to experience justice by any means now. Also, although at the time African subjects of the British did not have any example within West Africa to inspire them, the examples of South Africa, India, Ceylon, Burma and other former colonies who were also engaged in colonial struggle rang

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<sup>39</sup> Quoted in: Oginga Odinga, *Not Yet Uhuru* (Heinemann, London, 1967) P. XV.

constantly in their minds;<sup>40</sup> the idea that nowhere in the world have former colonies attained independence on a silver platter.<sup>41</sup> They knew it had to be fought for and they were prepared for this only if a leader of a character and qualities distinct from the intelligentsia would emerge and offer them the direction they most needed.

### ***3.2.2 The Rise of Kwame Nkrumah.***

The formation of the UGCC in the August of 1947 immediately led to the need for a full-time General Secretary who would be responsible for the organization of the Convention's activities. The upper echelons of the UGCC made up of six prominent figures, namely; George Grant, J.B. Danquah, William Ofori-Atta, Obetsebi Lamptey, Akufo-Addo and Ako Adjei were either rich merchants or lawyers, or belonged to the royal families of one of the traditional Akan states on the Gold Coast, and all were fairly successful in their respective fields. On the whole, these men had very busy schedules because of their profession and none of them was eager to offer full-time services to the nascent organization, preferring rather to pursue their profession with keen and work part-time for the Convention. In looking for a competent person to

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<sup>40</sup> Austin op.cit P. 4.

<sup>41</sup> Ibid.

fill the position of a General Secretary, the personality who caught the attention of the leaders of the UGCC was Kwame Nkrumah.

Nkrumah left the shores of the Gold Coast in 1935 for America via the United Kingdom.<sup>42</sup> This was after several years of teaching experience in Nkroful, his hometown and Achimota School. His mission in America was purely educational. He pursued this goal so well that between 1939 and 1942, he had attained first degrees in economics and sociology, theology and a master's degree in philosophy from Lincoln and Pennsylvania Universities.<sup>43</sup> In American universities, Nkrumah identified himself with several political and social groupings. He also formed the habit of attending political and social rallies where great and inspiring leaders spoke<sup>44</sup>. Through these acts of devotion, he became a master in the art of public speaking. He even won a gold medal at a university speech contest at Lincoln for his oratorical abilities.<sup>45</sup>

The American years of Nkrumah's life did a great deal to shape his political philosophy and career thereafter. In his childhood and student days on the Gold Coast, he had been a witness to the phenomenal discrimination of the European authorities against the

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<sup>42</sup> Nkrumah K, *Ghana: The Autobiography of Kwame Nkrumah* (Thomas Nelson and Sons Ltd, London, 1957) Pp. 24-28.

<sup>43</sup> Bankole T. *Kwame Nkrumah: His Rise To Power* (George Allen & Unwin Ltd, London, 1963) P. 27

<sup>44</sup> Davidson, B., *A View of the Life and times of Kwame Nkrumah* (Allen Lane, London, 1973) Pp 30-39

<sup>45</sup> Smertin, Y. *Kwame Nkrumah* (Progress Publishers Moscow, 1987) P. 29.

African. But of all the horrible things he saw nothing displeased him as what he saw of the educated African; how that they strove at all times to maintain their distance from the masses. Nkrumah himself, from an undistinguished family, learnt from the beginning to identify with the very humble in society---those who stood at the centre of the two extreme classes of European and African intelligentsia. Since these groups stood for their interests, the question of who stands for the interests also of the masses began to sink deeper in his heart. Thus in America he began to search for answers to the colonial question and how the ills of colonialism could be addressed. Then he resorted to reading liberal and revolutionary books. He read such statesmen and revolutionary writers as Mazzini, Descartes, Marx, Lenin, Engels, Hegel, Freud and many others.<sup>46</sup> But of all these writings the work as he later observe in his autobiography that did a great deal to shape his revolutionary ideologies, was Philosophy and Opinions of Marcus Garvey published in 1923.<sup>47</sup> The young African intellectual also found time to study the structure of the various political parties in the USA.<sup>48</sup> He realized that upon returning to his native land, the Gold Coast, he would need to construct a political organization

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<sup>46</sup> Nkrumah, op.cit Pp.32, 45.

<sup>47</sup> ibid P. 42.

<sup>48</sup> Smertin, op.cit P. 38



capable of waging the struggle for national liberation. He studied the Republicans, Democrats, Communists, Trotskyites and Socialists in order to know which of these would most appropriately work to perfection in an independent African nation when colonialism was finally toppled.<sup>49</sup> 'He also studied how political campaigns are run, how election mechanisms function and how parties work with various population groups.'<sup>50</sup> Nkrumah did not only study the political process in America, but also got himself involved in the organization of a number of political activities. He was a key figure, in fact the initiator of the formation of African Students' Association of America and Canada whose president he became in 1942 and remained in that position until the end of the Second World War.<sup>51</sup> The main aim of this association at the time was the championing of Pan-African ideas. Initially, the concern of the association was directed solely at fighting the inequality in the international system of which the African was the victim. It was Nkrumah who advanced the argument to the association that unless the Pan-African movement was linked to the pursuance of territorial freedom and liberation of the whole of the African continent, there would be no hope of freedom and equality for the

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<sup>49</sup> *ibid.*

<sup>50</sup> *ibid.*

<sup>51</sup> *ibid.*

African and the peoples of African descent in any part of the world.<sup>52</sup> The effect of Nkrumah's view on the African Students' Association of America and Canada was the formation of a monthly newspaper, *The African interpreter* which was to be the medium with a dual purpose of reviving the spirit of African nationalism and sending a direct message to the colonial authorities of the need to hand Africa over to Africans.<sup>53</sup> Apart from the many sensitive and revealing articles published in the *African Interpreter*, the association organized several rallies in Harlem, America for the political education of African students and workers in the United States. In 1946, Nkrumah published his first theoretical work on the colonial question. In this article, which he titled *Towards Colonial Freedom*, he tried to fuse his thoughts on the nature of colonial administration from the standpoint of all he had gleaned during his years of study.<sup>54</sup> 'The aim of all colonial governments in Africa and else where,' he writes, 'has been the struggle for raw materials; and not only this, but the colonies have become the dumping ground, and colonial peoples the false recipients, of manufactured goods of the industrialists and capitalists of Great Britain, France, Belgium and other colonial

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<sup>52</sup> Nkrumah, op.cit Pp.45-47

<sup>53</sup> *ibid.* p. 43.

<sup>54</sup> *Ibid.* 45

powers.<sup>55</sup> At this point Nkrumah was influenced a great deal by the works of Lenin; for, as Smertin observes, he was convinced that the most comprehensive and accurate study of the subject of imperialism and its colonial policies had been munificently analysed in Lenin's *'Imperialism, the highest stage of capitalism.'*<sup>56</sup> He cites Lenin in his definition of imperialism and exploits it in his investigation into the prospects of independent struggles. 'Colonial powers', he writes, 'cannot afford to expropriate themselves. And then to imagine that these colonial powers will hand freedom and independence to their colonies on a silver platter without compulsion is the height of folly.'<sup>57</sup> He concludes on a strong note and in a direct and unambiguous category to the powers; 'thus the goal of the national liberation movement is the realization of complete and unconditional independence, and the building of a society of peoples in which the free development of each is the condition for the free development of all. Peoples of the colonies, unite! The workingmen of all countries are behind you.'<sup>58</sup>

Nkrumah remained in America until the end of the Second World War and partly as the result of the need to further his education

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<sup>55</sup> Nkrumah Kwame, *Towards Colonial Freedom: Africa in the Struggle Against World Imperialism*, (Heinemann, London, 1962) P. XV.

<sup>56</sup> Smertin, op.cit P 42.

<sup>57</sup> Nkrumah, 1962, op.cit Pp. XVI-XVII.

<sup>58</sup> *ibid.*

and pursue his political career, relocated to the United Kingdom in 1945. Here Nkrumah enrolled in the University College, London with the aim of completing his doctoral thesis in philosophy having already passed the examinations at Pennsylvania University in America, and thereafter study law. He hoped that the acquisition of this knowledge would help a great deal in his political career. However events in the post world war slowed his work down considerably. Nkrumah had this to say in his Autobiography;

By this time I had ceased my law studies primarily because I had no money and also because I had become so deeply engrossed in socio-political activities that I had no time to do any serious study. My thesis, too, seemed destined to be an unfinished work, but at the time such matters seemed trivial compared with the need for arousing African nationalism, for only by prompt and concerted action could we ever hope to achieve even a small part of the programme we had set ourselves.<sup>59</sup>

In his assessment of Nkrumah on his capacity for discussing philosophical problems, Davidson cites the opinion of Sir Alfred Ayer, Nkrumah's supervisor and a leading neo-positivist: 'I can't honestly say...that I thought Nkrumah a first-class philosopher'.<sup>60</sup> I like talking to him but he did not seem to me to have an analytical mind. He wanted the answers too quickly.' Perhaps the professor was right. But his judgment of Nkrumah only reflects what the

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<sup>59</sup>Nkrumah, 1957 op.cit P. 60.

<sup>60</sup>Davidson, 1973, op.cit P. 47.

preoccupations of the young African were. The order of the world as the war left it, coupled with the colonial question did not create the impression that the study of 'pure philosophy' was the solution. Events at the time required political action and it was through this that the young Pan-Africanist directed his abilities as seen in his own words in the quotation above.

Having realized that it was his political career that would form his future, Nkrumah decided to pursue this with keen leaving only marginal time for his intellectual work. He was probably marking time to seize an opportunity to return to his native land, the Gold Coast where his relatively immense experience in the politics of freedom fighting could be experimented. Since this opportunity had not come he continued to engage in locating and meeting likeminded Africans and blacks as well as organizing forums and rallies for the discussion and dissemination of revolutionary ideas. The most important personality he met at this time was the famous West Indian politician and political writer, George Padmore whose ideas and writings had a great deal of influence on Nkrumah.<sup>61</sup> It was the idea of Padmore that democratic socialism was the means to the aim of development in Africa. He emphasized the essential importance of African culture and the need for creating social and

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<sup>61</sup> James, C. L. R., *Nkrumah and the Ghana Revolution* (Allison and Busby, London, 1977) Pp. 9, 74.

political structures in an independent Africa based on elements of this culture.<sup>62</sup> Another important personality that Nkrumah met was William Du Bois, a leading Pan-Africanist. Nkrumah, Padmore and Du Bois were the primary architects of the organization and convening of the Fifth Pan-African Congress held in Manchester in October 1945<sup>63</sup> of which Nkrumah was the organizing secretary and Du Bois, the chairman.<sup>64</sup> The Fifth Pan-African Congress marked an important shift in the demands of the previous congresses. Whereas the previous congresses consisted mainly of intellectuals of African descent whose concerns had bordered on racial discrimination, the constituent delegates of the Fifth Pan-African Congress included African trade unionists, students, politicians, journalists and workers. The Congress opened on October 15, 1945 and in the third and fourth sessions, which dealt with economic and social problems of West African colonies and the question of colonialism, Nkrumah who was the keynote speaker proposed a number of relevant issues on the perspectives which were unanimously endorsed by the delegates.

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<sup>62</sup> Smertin, *op.cit* P. 49

<sup>63</sup> *ibid.* P.

<sup>64</sup> *ibid.* P. 51

First, the delegates contended that since the advent of the British, French, Belgian and other European nations in Africa, the continent had regressed in development terms because of the systematic exploitation by the alien imperialist powers.<sup>65</sup> According to them, the claims by European nations, of 'partnership', 'trusteeship', 'guardianship', and the 'mandate system', did not serve the political wishes of the peoples of Africa. Second, the delegates took note of, and rejected what they called 'the pretentious constitutional reforms in West African territories.' To them such reforms were nothing but spurious attempts on the part of alien imperialist powers to continue the political enslavement of the people.<sup>66</sup>

As the congress drew to its end several important declarations were adopted of, which Nkrumah was also the main architect. These included the demand for decolonisation in Africa, adoption of non-violence in the anti-colonial struggle and the adoption in the future, of socialist ideals in governing independent Africa.<sup>67</sup> All these ideals were later to form the basis of the political philosophy of Nkrumah—scientific socialism, anti-colonialism, positive action, non-alignment, anti-imperialism and non-violence. The Fifth Pan-

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<sup>65</sup> Armah, K., *Ghana: Nkrumah's Legacy* (Rex Collings, London, 1974) P 81

<sup>66</sup> Ibid 81-82

<sup>67</sup> Smertin, op.cit P 51

African Congress and its aftermath thus demonstrated the growing political maturity of Nkrumah. The young Pan-African and nationalist acquired in this congress a renewed and a determined zeal in proportions never seen before anywhere in the black world in the struggle against colonialism and imperialism. It is not surprising therefore, that after the congress Nkrumah threw himself into the frenzy of organizing other political unions, whose activities he intended would reflect the declarations as well as the implementation of the goals and purposes of the recent congress.<sup>68</sup> The Circle, whose motto was Service, Sacrifice, and suffering, was one of the several ideological schools spearheaded and founded through the energy of Kwame Nkrumah after the Manchester congress.<sup>69</sup> Members of this organization obliged themselves as the revolutionary vanguards of the struggle for West African unity and national independence. As a proof of their dedication members of this group were required to fast from sunrise to sunset on the 21<sup>st</sup> day of every month.<sup>70</sup>

In 1947, about two years since he came to the United Kingdom, at the height of the preparation to organize the first ever Pan-Africanists Conference on African soil, Lagos, Nigeria, Nkrumah

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<sup>68</sup> Nkrumah, *op. cit.* P 55

<sup>69</sup> Davidson, *op.cit* P50

<sup>70</sup> Nkrumah, K., *Revolutionary Path*, (International Publishers, New York, 1973) Pp. 47-48.



received a letter from Ghana. It was an old friend in America, Ako Adjei inviting him to take up the position of the General Secretary of the United Gold Coast Convention. Nkrumah would have decided otherwise, however, upon consultation with his Pan-Africanist colleagues and in lieu of the fact that his presence in the Gold Coast would help experiment and demonstrate his immense political experience, decided to accept and honour the invitation.<sup>71</sup> His hesitation was due in part to the ideological and philosophical difference between himself and his prospective employers. While the members of the UGCC elites continued to fashion their political demands on pre-Second World War Ghanaian nationalism<sup>72</sup> Nkrumah's exposure to democratic and revolutionary ideals, coupled with his active involvement in Black Nationalist and Pan-African movements had changed his entire outlook from moderate and conservative to radical. In 1947 Nkrumah packed bags and baggage and headed for the Gold Coast. When he arrived he was thirty-nine years and had been away for twelve years. In his new position the democratic and revolutionary fervour his presence in the West had exposed him to, proved useful for the future.

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<sup>71</sup>Nkrumah op. cit Pp. 62/63

<sup>72</sup> During the inter-war years Ghanaian nationalism was championed by Western educated elites and some bourgeoisies. However the objective was for political, social and economic reforms within the colonial system. Independence from colonial rule was a remote objective.

First, the differences in political ideology created a rift between Nkrumah and the UGCC leadership from the very day he took up his appointment, they fell out, and this led eventually to his resignation from the Convention. Second, a combination of Nkrumah's radicalism and declaration of 'positive action', both inspired by the Fifth Pan-African Congress was responsible for the series of events that resulted ultimately in the formation of Nkrumah's Convention Peoples Party, (CPP) in 1949. The CPP headed by Nkrumah led the Ghana revolution to achieve independence in 1957.

The reason for the breakaway from the UGCC camp and the subsequent establishment of the CPP by Nkrumah is not hard to find. It would be recalled that the formation of the UGCC was the immediate result of the Burn's constitution of 1946.<sup>73</sup> And that its most immediate objective was the attainment of reforms within the framework of that constitution, which would benefit the African intelligentsia of the colony. The UGCC therefore had a reformist orientation and possessed reactionary propensity as against the progressive nature of Nkrumah and his CPP. Upon his arrival in the Gold Coast Nkrumah soon realized that self-rule or self government and not just reforms was the ultimate political goal that

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<sup>73</sup> See pgs. 4-8

the West African colony needed to usher it into its future. Thus he always told his audience; 'Seek ye first the political kingdom and all else shall be granted unto you.'<sup>74</sup> He would paraphrase the gospel. Again, unlike the rest of the leadership of the UGCC, Nkrumah believed in the inclusion of the masses in politics. The elite politicians believed that the masses were immature or even inexperienced to participate in politics. Nkrumah perhaps realized what an explosive force of the masses made up of the youth, unemployed and the politically frustrated in society represented, but the intelligentsia thought of them as dangerous.<sup>75</sup> He therefore vigorously appealed to this class and set up several schools for their political education. Then he undertook to brush aside the dictum of the UGCC—'Independence in the shortest possible time', replacing this with 'Self-government now.' Therefore, the demands of Nkrumah and his teeming following did not escape being so easily noticed by the colonial authorities. It is little wonder then, that although the UGCC leadership including Nkrumah knew nothing about the 1948 riot they were naturally accused as the instigators of that political unrest. They were subsequently arrested and detained by the colonial authorities. The immediate result of all this was the appointment of a commission—The Watson

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<sup>74</sup>James, C. L. R., *Nkrumah and the Ghana Revolution* (Allison & Busby Ltd, 1982) P. 117

<sup>75</sup> Nkrumah, *op. cit* p. 87

Commission to investigate the causes of the riots. Among other causes the Commission identified dissatisfaction with the Burns Constitution as the most sensitive and immediately recommended to the colonial government that a committee made up of Africans be drawn up to draw 'a more democratic constitution.' The Coussey Constitutional Committee, which came in effect and included all the leadership of the UGCC but Kwame Nkrumah, published its draft constitution in 1949 and to the bewilderment of Nkrumah and his followers the contents did not differ much from the old Burns Constitution. Meanwhile, the raging and growing popularity of Nkrumah coupled with his radicalism had deepened the rift between him and the UGCC leadership who had long thought of his dismissal. He was indeed relieved of his post of the General Secretary and offered the less important and immobile position of a treasurer.<sup>76</sup> But Nkrumah declined this offer and considering the widespread disapproval by the masses of the Coussey Constitution, their telling economic dissatisfaction and grievances and their readiness for a political action, resigned from the Conservative UGCC, formed the Convention Peoples Party in June, 1949 and following this, launched the campaign of positive action, the aim of which was to compel the British to grant self-

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<sup>76</sup> *ibid.* Pp. 91-102

government to the West African colony.<sup>77</sup> The declaration of positive action naturally received mass support and this threw the masses into wild strikes--boycott of British, Lebanese and Syrian goods, rallies and demonstrations reaching its climax on January 11, 1950 when cars and trains stopped, ultimately paralyzing the economy of the colony.<sup>78</sup>

The British responded harshly and dealt ruthlessly with the organizers of these rebellions. Nkrumah himself was arrested and charged with inciting the revolt and sentenced to terms of imprisonment.<sup>79</sup> Meanwhile the Coussey Constitution had been approved and its first ever Legislative Assembly elections slated to take place on 8, February 1951. The UGCC contested the election against the CPP with the leader of the CPP, Nkrumah still in detention and lost to the CPP.<sup>80</sup> With the success of the CPP in this election, its leader Mr. Nkrumah was released from prison by the colonial authorities to form a government. By this development Nkrumah became leader of government businesses and remained in this position until 1957 when the CPP spearheaded Ghana to attain full independence and self- government.

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<sup>77</sup> Bankole, op.cit Pp. 85-97.

<sup>78</sup> *ibid*

<sup>79</sup> Davidson, op.cit P 76

<sup>80</sup> Boahen, op.cit P. 166

### ***3.2.3 Power struggle and the emergence of political corruption in Ghana.***

An analysis of the political situation in Ghana up to the time of political independence in 1957 gives an insight into what became the preoccupation of Gold Coast politicians and nationalists—power struggle. It was this situation that created the cracks in the politics of independent Ghana and made room for corrupt government institutions, corrupt politicians, bureaucrats and corrupt private individuals to carry out their corrupt engagements and activities. In the 1920s when the British first introduced indirect rule to the colony, the traditional rulers, the chiefs and their elders were co-opted by the British, who eventually became their allies<sup>81</sup>. Their political opponents consisting of the learned people of the Gold Coast and commercial elites formed the UGCC at the close of the 1940s to intensify their agitations and the demands for social and political reforms within the colonial system. The nascent UGCC while still limping to entrench itself as a forceful nationalist organization received its most devastated blow when the engine of the organization, Nkrumah, who would spearhead the Convention to attain a popular status fell out with the conservative elements of

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<sup>81</sup> Davidson, op.cit P57

the UGCC on ideological grounds<sup>82</sup>. The Gold Coast intelligentsia and elite politicians, mostly successful professionals were conformists, conservative, unadventurous and cautious; perhaps careful, considering the volatile nature of the political landscape not to provoke any violence or political unrest, for if this happened it was they and their businesses and professions which would be on the losing end. For this reason they strove consistently to distant themselves from the youth, the unemployed and the masses, the implication of whose explosive force never did escape their imagination. They were so sensitive to the ills of this class of people that they thought them politically immature<sup>83</sup>. It was this class of people; 'the veranda boys' made up of a fairly good number of the educated, semi-educated and illiterate Gold Coasters of middle and lower class origin who later led by Nkrumah formed the fourth political force in the Gold Coast, apart from the colonial authorities, the traditional rulers and the conservative elites of the UGCC.

With the CPP in power, the British gone in 1957, the traditional rulers naturally faded out and the significance of the once pivotal role they played in the administration of the colony under the

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<sup>82</sup> Ibid pp 60-67.

<sup>83</sup> Ibid p 58

umbrella of 'the chiefs' eroded away. Henceforth, politics in Ghana became a straight fight between the Convention Peoples Party who now wielded power and the United Gold Coast Convention who now formed the mass of the opposition.<sup>84</sup> The rift between the two camps continued to widen even after independence and the opposition began to resort to terrorist activities to destabilize the government. Part of these activities was the mastermind of the assassination of Nkrumah.<sup>85</sup>

As a pacesetter government in the whole of Sub-Saharan Africa with an intense political opposition whose avowed aim it was to frustrate and eventually unseat the CPP government given the opportunity, the first pre-occupation of the government was how to take effective measures to entrench the power it now wielded. If the government had failed to learn anything of the ill-will and sabotages of the opposition before 1957, the recent and several overt attempts to assassinate Nkrumah<sup>86</sup> confirmed these fears, and they intended to make it a policy to weaken the opposition both economically and politically. According to Davidson, 'this anti-democratic attitude of the 'political class' was to work much evil in

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<sup>84</sup> Ziorklui, E. D., *Ghana: Nkrumah To Rawlings* (Em-Zed Publishers, Accra, 1988) P. 10.

<sup>85</sup> Austin, op.cit P. 48.

<sup>86</sup> The attempts at Nkrumah's life included among others the bomb incident at Nkrumah's residence in Accra New Town in 1953, the 1962 Kulungugu bomb incident, followed by a series of bomb outrages in Accra, the 1964 Flagstaff House shooting incident in which Ametepé aimed at and missed Nkrumah by a few inches killing his body guard. See Samuel Obeng, selected speeches, Kwame Nkrumah, vol. 4. Pgs 99/100.



the years that followed. If the CPP did eventually develop dictatorial ways, the degeneration went hand-in-hand with the irresponsibility of an opposition which refused to play the parliamentary game...<sup>87</sup> This situation was both the setting and the motivation that would shape both official and unofficial domestic policies of the new government.

The intense political rivalry and feeling of mutual mistrust between the CPP government and their opponents, the UGCC opened up avenue for the growth and development of corruption in the Ghanaian political system. As the political leaders were divided into camps on ideological lines so were their followers. It was this development, which soon created a pattern of access and exclusion within the Ghanaian political domain. As part of efforts to entrench its dominance the CPP must now begin to trade the scarce politico-social and economic goods and resources of the state for the continual support of electorates and members of the CPP and at the same time use these factors which included jobs, appointments, contracts, agricultural and commercial loans, infrastructure and social amenities such as new roads, and new schools as the platform for their political bargaining with elements of the opposition. Scott is correct therefore, in spite of his omission

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<sup>87</sup> Davidson, *op.cit* P 100

of a number of the lists above in remarking that; 'The distribution of public jobs was a staple of CPP Power.'<sup>88</sup>

If the incumbent government did not ensure these distributive inequalities and the opposition succeeded in commanding the economic wealth of the nation it was feared this would jeopardize the CPP in terms of their organizational abilities. In those days, western democracy and political pluralism were new phenomena to African political systems. Hence, the only way to convince and solicit the votes of the 'uninformed'<sup>89</sup> African voter was not by mere rhetorics or extensive and comprehensive party manifestos. These surely had no relevance unless it could be demonstrated there and then. What proved effective and productive was the exchange of some material goods or cash or favour for the votes the politician required. To the African voter the occupation of a public office implied that one has the opportunity to improve his economic, political and social status<sup>90</sup> and if one must be supported to get there such must be ready to trade some of the benefits of public office for the support required.<sup>91</sup>

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<sup>88</sup> Scott, J. C., *Comparative Political Corruption* (Prentice-Hall, New Jersey, 1972) P. 127.

<sup>89</sup> This should not be misinterpreted to mean that the majority of Africans were living under ignorance. The truth is that democracy was to Africans, foreign, 'the government' was a colonial dictate and they owed no obligation to it to freely and willing give their vote to any prospective public official.

<sup>90</sup> Owusu, M., *Uses and Abuses of Political Power: A Case Study of Continuity and Change in the Politics of Ghana* (University Press, Chicago, 1970) P. 323.

<sup>91</sup> Waterlow, C., *Tribe, State and Community* (Methuen & Co Ltd, London, 1967) P84

The CPP government thus hoped to do two things to establish its dominance. First, undertake effective measures to maintain the support of its cohorts and secondly, weaken the economic base and organizational abilities of its opponents. And these were to be carried out systematically. This meant that the government would have to be selective in the giving of jobs, appointments to public offices and award of government contracts and in this only the CPP faithfuls were to be given access. It also meant that legislative instruments and their implementation would be informed by these ideologies. The CPP government effectively pursued this policy until it was toppled in 1966. The result was that a fraction of the Ghanaian population such as those who disagreed with the CPP on practical and ideological lines were effectively and legitimately excluded or cut out from possessing any kind of influence or even gain any form of direct benefits from the policies and decisions of the government.<sup>92</sup> This began the growth and development of corruption in the immediate postcolonial political system of Ghana. The excluded, other than employing legitimate and appropriate means to influence the decisions of government did so by resorting to quiet illegitimate means such as bribery and

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<sup>92</sup> Scott, J.C., Corruption, Machine Politics and Political Change in Heidenheimer, A J and Michael J. (eds) *Political Corruption: Concepts and Contexts*, third edition (Transaction Publishers, New Jersey, 2002)P 222

other unorthodox methods of making demands<sup>93</sup>. The political domain of Ghana following independence in 1957 was such that the use of violence and pressure groups to press home demands had any chance of producing positive results. The CPP government was aware of the political dangers of pressure and interest groups in the hands of the opposition and had given no entertainment to this. The government had ensured that CPP and government functionaries and activists were the most influential elements in all the professional associations and commanded the upper echelons of most of these political actors, which had unquestionable loyalty to the government.<sup>94</sup> For the minority and the excluded therefore, the only real opportunity to press home their demands or take part in political decision-making was resorting to bribery of public officials to influence their decisions or the direct purchase of favours. This explains why bribery became an important political weapon in the administration of the opposition and other regionally excluded areas such as Ashanti and the Tiv<sup>95</sup>. For those with resources the bribing of administrators and politicians to acquire necessary permits and

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<sup>93</sup> Apart from corruption, other alternatives to any excluded groups in making political demands are violence—coups, strikes, riots, political opposition—Reform movements, revolutionary movements, Pressure groups—Trade unions and associations, youth movements, workers brigades and associations. See also Scott, 1972, p. 87.

<sup>94</sup> Bretton, H. L., *The Rise and Fall of Kwame Nkrumah: A Study of Personal Rule In Africa* (Pall Mall Press, London, 1966) Pp. 65-82

<sup>95</sup> Scott, 1972 op.cit Pp. 30-33.

licenses and to win government contracts became common place as a matter of necessity, and in places like Ashanti and the Tiv, which were excluded by the regime, yet disadvantaged for their lack of resources to influence the regime became hot beds of opposition activities and insipient revolts spearheaded by the National Liberation Movement ending ultimately in the coup that toppled the Nkrumah regime in 1966.<sup>96</sup>

In 1963 for example, the Timber Producers of Ghana felt that the creation of the Timber Marketing Board, the body, which was given the sole responsibility of purchasing all timber produced in the country for export, was detrimental to their existence and desired that the board be dissolved.<sup>97</sup> The producers who knew the influential potency of bribery in government decided shrewdly to adopt that method. The producers came together and contributed various sums amounting to £15,000. Of this amount, £2,000, according to the source went to Krobo Edusei, the then Minister of Agriculture, £6,000 to the CPP coffers and the remaining amount of £7,000 allegedly paid to the Ghanaian president.<sup>98</sup> This single act of the timber producers of Ghana eventually led to the

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<sup>96</sup> Andrew , W.A., Ra'anah U., (eds) *The Politics of the coup d'etat* (Van Nostrand Reinhold Company, New York, 1969) Pp94-98

<sup>97</sup> *Report of the Jagge Commission appointed under the Commissions of Enquiry Act, 1964 (Act 250) and NLC (Investigation and forfeiture of Assets) Decree 1966 (NLCD 72) to enquire into Assets of Specified Persons—Evidence by Krobo Edusei.*

<sup>98</sup> *Ibid.* p.108. The Commission could not however prove or find any evidence in support of the alleged payment to the president.

dissolution of the Cocoa Marketing Board, which according to the timber producers was the major impediment in the realization of their expected profits. Also in 1962 a West German company, H. Stulcken & Sohn offered 100,000 D.M. to the Convention Peoples Party in order to be considered for a contract in the Tema municipality that regarded the construction of part of the Tema harbour.<sup>99</sup> As this company lost the contract to a more friendly and pro-CPP and Ghana government company who had also bided for the contract and made due payment, Parkinson Howard Group, the government of Ghana shamefully and embarrassedly paid back the money to the German company on demand. The point I intend to stress here is, the act of bribe taking and receiving must have been so well-structured, and instituted to be able to put foreign companies in such economic competition to the extent that the government was itself a stake holder.

Another way in which the political arrangement of the time helped to propagate corruption in the Ghanaian political system stemmed directly from the activities of the opposition. After several unsuccessful attempts to have Nkrumah assassinated and in spite of their crushing defeats in the 1951 and 1954 elections the opposition continued to demonstrate their ill-will and frustration

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<sup>99</sup> Report of the Apaloo Commission, 1966 Pp. 41-46.

mainly through sabotage.<sup>100</sup> In September 1954 the National Liberation Movement (NLM), a regional organization of the Akan but dominated by the Ashanti was formed to press home the demands of cocoa farmers in the Gold Coast.<sup>101</sup> In no time, however dissidents of the CPP and some former leaders of the now defunct UGCC became the spokesmen and leaders of the NLM and used it as a platform to champion their political agitations.<sup>102</sup> Notable among the leaders of the NLM were Bafuor Osei Akoto (the principal spokesman—‘linguist’ for the Asantehene, paramount chief of the Aante), Dr. Kofi A Busia (a former professor of Sociology, University of Ghana and MP from Wenchi, Dr. Danquah, William Ofori-Attta and several influential Ashanti ex-CPP activists including J. E. Appiah, R. R. Amponsah and Victor Owusu. Among other campaigns the NLM made a major appeal to the colonial government. In 1955 when talks of an independence constitution had begun between the CPP and the British authority, the NLM voiced the demand that the new Ghana be a federal state rather than unitary. This was an obvious attempt by the frustrated opposition to delay or even forestall the granting of independence by the British for which if it took place would serve their

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<sup>100</sup> Austin, op.cit P. 47.

<sup>101</sup> Davidson, op.cit Pp146-150

<sup>102</sup> *ibid.* Pp147-148.

disadvantage. Indeed, Dr. K. A. Busia, one of the pillars of the opposition is on record to have warned the British that the granting of independence to Ghana, with the CPP in power would spell disaster for the former British West African Colony.<sup>103</sup> In an election held in 1956 to mark the decider, the NLM lost once again to the CPP but by this time, the intentions of the opposition were obvious to the CPP. The Government of the CPP had learnt their lessons and henceforth would embark on vigorous campaign to deal with the ill-will activities of their political opponents. This explains why the regime of Nkrumah was characterized by a number of Acts of Parliament such as the Preventive Detention Act (PDA), Alien Compliance Order (ACO) and various decrees, all of which were detrimental to the growth of democracy in the newly independent country but were intended to monitor and crush opposition activities for the creation of political stability for a nation just then emerging from the dictates of colonial rule.<sup>104</sup>

The next question to address is how this political situation contributed to the growth of political corruption in the erstwhile regime. As the CPP government embarked on a vigorous campaign in its efforts to deal with the threat of the Ghana-

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<sup>103</sup> Ibid P 151

<sup>104</sup> Andrews, W.G., Ra'anana U. op.citPp98-100



opposition the situation quickly deteriorated into two political consequences. First, very little room was given by the government to checks, proper supervision and inspection of the activities of public officials. Second, both public officials and private citizens were blessed with sufficient room for the advancement of self-interest and corrupt transactions. The first situation was the result of efforts by the government to focus so much on opposition activities to monitor them and institute measures to check what in the opinion of the CPP government would have catastrophic effects on the young independent nation. In a newly independent African nation, a pace setter and in fact the only one of its kind in the whole of Sub-Saharan Africa, the CPP government was careful not to let any political event that would jeopardize or question the credibility of the ability of an independent African nation to govern itself occur. This concern carried so much weight that in 1961 Nkrumah was compelled to make the following statements.

...Ghana, which has lost so much time serving colonial masters, cannot afford to be tied down to archaic snail-pace methods of work which obstruct expeditious progress. We have lost so much time that we need to do in ten years what has taken others a hundred years to accomplish.<sup>105</sup>

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<sup>105</sup> Obeng, S., *Selected Speeches of Nkrumah, Vol. 2.* (Afram Publications, Accra, 1997) p.62.

It was also politically unwise at the time when the CPP faced intense opposition to purge itself of its corrupt officials. Nii Noi Dowuna, a professor of University of Ghana who is also at present the General Secretary of the CPP admits that there existed corrupt and unscrupulous public officials in Kwame Nkrumah's CPP driven government. Observe his response in these excerpts from my interview session with him.<sup>106</sup>

Question: Would you say that Nkrumah's regime was corrupt? By this I mean whether entrusted officials exploited public resources in a manner in which this behaviour led to abuse of trust?

Prof.: If corruption means taking advantage of one's official position to advance one's interest, then no regime and no official anywhere in the world is not guilty of this behaviour.

Question: If my status as an official entitles me to certain fringe benefits as defined by law or regulation, I act accordingly if I take due advantage and I do not commit corruption, but if I take that which is not due me without or with authorization in certain contexts, I commit corruption. What is your take on this respecting public officials in Nkrumah's regime?

Prof.: It is true the regime produced a few unscrupulous officials who carried the idea of improving their social and economic status too far and quite beyond the ordinary. But this does not make the regime itself corrupt.

Question: Can you name any of such officials?

Prof.: The list is generous in the reports of the Committees of Enquiry. You must be careful however because some of their findings cannot be relied upon for accuracy.

Apart from Professor Dowuna's frank admittance, the fact that Nkrumah himself spoke vehemently about political corruption in

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<sup>106</sup> Professor Nii Noi Dowuna: Lecturer, University of Ghana, interviewed at his office, University of Ghana on 23-05-04

what has come to be known in Ghanaian political history as the 'Dawn Broadcast'<sup>107</sup> during the regimes dying days during which he observed and openly criticized the upsurge of political corruption within the rank and file of the party and government, forcing two senior party members, Gbedemah and Botsio to resign on account of misappropriation, indicates that the government was aware of the existence of political corruption amidst it. But measures to punish this would cost the party the unity, solidarity and numbers it needed at the time, expose the party and the government to the ridicule of the opposition and justify the racial view that the African is not capable of managing his own affairs. Here the matter that immediately comes to mind is the allegations of irregularities and fictitious reports concerning the Akainyah Commission<sup>108</sup>, which investigated the import license rackets in 1964. Chapter Three, which was supposed to discuss matters of bribery and corruption, was omitted from the published report.<sup>109</sup> This appears deliberate government policy to save the faces of certain individuals and the government from public ridicule and embarrassment. The 1965 Abraham Report on Trade Malpractices was similarly tampered and censored by the government before its

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<sup>107</sup> *ibid.* 58.

<sup>108</sup> Le Vine, V. T. *Political Corruption: The Ghana Case* (Hoover Institution, California, 1975) P. 25.

<sup>109</sup> See the Report of the Commission of Enquiry into Alleged Irregularities and Malpractices in Connection with the Issue of Import Licenses. 1964 (Akainyah Commission)

publication.<sup>110</sup> Obviously, the government was out and out in pursue of its interest. Thus, lack of critical supervision, inspection and the objective reluctance of the CPP government to punish party and government officials for judicious reasons were partly responsible for the growth of corruption in the first post-independence African government in Ghana.

Not only did the political and historical circumstances of the Ghanaian peoples contribute to the corruption of public officials in the erstwhile regime, but also, they created a forum for the government machinery itself to function as a corrupt institution. In his conceptualization of political corruption, Philip<sup>111</sup> notes as one of the indicators of corruption an official act that violates the trust of the public, harms the public interest and exploits the office for clear private gain. Scott however, cautions us 'not to conceive the meaning of private too narrowly; for it may include sometimes, ethnic or tribal associations or political parties'.<sup>112</sup> In this regard, the Nkrumah government, by embarking upon deliberate policies to stifle opposition activities in order to promote the interest of the Convention Peoples Party, inadvertently contributed to the decay

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<sup>110</sup> Bretton, op.cit P. 214

<sup>111</sup> Philip, M. Conceptualizing Political Corruption in Heidenheimer, A J and Michael, M (eds); *Political Corruption: Concepts and Contexts*, third edition, ( Transaction Publishers, New Brunswick 2001) p. 41.

<sup>112</sup> Scott, 1972 op.cit, P. 4.

of democracy in the newly independent nation-state.<sup>113</sup> The government neglected the rot within the CPP and among government officials, dealing rather leniently with economic mismanagements and corrupt transactions within these circles. In 1956 for instance when the Jibowu Commission found A. Y. K. Djin, the managing director of the Cocoa Purchasing Company and the Finance Committee Chairman of the CPP guilty of Bribery, extortion and dishonesty, all geared at secretly enriching himself, the government followed the examples of Botsio and Gbedemah and merely relieved him of his position in the CPC, but not from the party.<sup>114</sup> He was also not tried or prosecuted to prove or even disprove these allegations, which included taking undue advantage of his position as managing director to reduce freight charges made by the company for transporting goods of his own firm, managing his personal business while still a full-time managing director and making use of CPC staff to sell wares of his private firm.<sup>115</sup> This attitude clearly demonstrated the reluctance of the government to punish its corrupt officials. The reason for this attitude of the government is not had to find. The obsession of government at the time was security and the entrenchment of its

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<sup>113</sup> Waterlow, *op.cit* P 89

<sup>114</sup> Report of Commission of Enquiry into the Affairs of the Cocoa Purchasing Company, Ltd. 1956.

<sup>115</sup> Omari, *op.cit* P 42

political authority. It therefore preferred to punish those who posed security threats to the government rather than corrupt public officials. For example in 1965 alone dozens of persons from the opposition and supposed internal detractors within the CPP including prominent CPP activists as Tawiah Adamafio, Ako Adjei and H. H. Cofie Crabbe were sentenced to death by hanging when they were held on suspicion to overthrow the government. The Preventive Detention Act and the declaration in 1964 of one party state were all enacted in keeping with one aim—to stifle the opposition and this was expertly executed through corruption of the political process.

What is more? Power struggle between the incumbent government and the opposition and its resultant effect on society, first, of the inclusion of a fraction of the population and secondly, of the exclusion of the rest in the sharing of the national cake meant that for those excluded legitimately or illegitimately, informal methods would be relied on to break through the bottlenecked CPP Government. It was therefore the attempt by the excluded to break through the clique of the CPP government, its friends and associates that quickly developed into the upsurge of patron-client relationships. In this scenario, there was the public official who was

responsible for the dispensation of public goods and resources such as employments, contracts, appointments, scholarships, social amenities, grants and loans and so on. He was the patron and it was around him that the corrupt relationship built up. Without him the business chain was incomplete. Between the public official and the disadvantaged who must influence government decision in order to improve his economic and social status was the party official or associate who had direct links with the government official. In Nkrumah's regime the 'veranda boys' were so called because they could be seen gaudily hanging about on the verandas and porches outside the offices and homes of the 'big men'--the government officials<sup>116</sup> They were those to be met and 'seen' first of all by the visitors who came to seek favours from the 'big men'. They were those who received the lubricants from the visitors and ensured that their paths to the government official were greased. The greasing took the form of transfer of the lubricants to the patron. These lubricants came in the form of gifts; foods stuffs, sexual offers, commissions of various kind or cash and were advanced purposely to benefit the public officials who were also often obliged to pay a percentage to either CPP or

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<sup>116</sup>Le Vine, op.cit P. 10.

government coffers.<sup>117</sup> The official in turn was obliged to meet the demands of his attendants by reciprocating the gesture. Invariably the public official traded public goods and resources for what ended in his private ends. This practice was widespread in the era of the CPP. However, it was unscheduled and unsanctioned, for it was not an official practice or one that was expected of all party and government officials to engage in. And those officials who executed these corrupt transactions did not do this openly but secretly because the ends were private. This was the view held by John Tettegah,<sup>118</sup> a minister of state of the erstwhile regime. The view of Tettegah can be held to be credible only as far as the patron-client relationship was concerned. For this reason, the extreme advance by Le Vine of the existence of a culture of political corruption is avoided in this study. Whereas we take the position that activities of politicians of the time created a fertile ground for the existence and growth of corruption, it was not the case as Le Vine argues that corruption was the norm in Ghanaian public life. His argument is flawed by the fact that he himself recognized that many a time when there was so much accusation of corruption against some public official in the erstwhile regime it did not take the government a long time to establish a committee

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<sup>117</sup> Le Vine, *op.cit* P 53

<sup>118</sup> Interviewed on 24-05-04 at his residence in Accra at 15.00 hours.



of enquiry to investigate it.<sup>119</sup> What this implies in reality is that corruption of public officials existed but this was not accepted as the norm. In 1953 for instance, J. A. Braimah, a minister of state was forced to resign from office. The reason was that allegations of bribery and corruption were brought against him. He was subsequently distinctively charged with accepting £2,000 for his election expenses from an Armenian contractor.<sup>120</sup> The evidence against Braimah as published by an investigating commission headed by Sir Arku Korsah was so alarming that he was never reinstated to his ministerial post. Braimah's case must have indeed been very serious to lead to his dismissal. However, the very fact that he was not sentenced comes a long way to support our argument.

However, if we may question the opinion of Tettegah and accept the view that political corruption in the erstwhile CPP government was an organized activity, then we might be looking closely into alternative methods of making demands upon the government which was also available and productive to which the excluded relied upon for making demands on the government. Apart from the secret transactions of the patron-client relationships there

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<sup>119</sup> Le Vine, op.cit P. XI.

<sup>120</sup> Report of the Commission of Enquiry into Mr. Braimah's Resignation and Allegations Arising Therefrom. 1954. (Korsah Commission)

existed several semi-formal methods which nevertheless had the sanction of the CPP and the government. These were openly pardoned and practised. These took the forms of heavy payments to the party's coffers, compulsorily becoming an activist of the Convention Peoples Party, or, for the businessmen and contractors, agreeing to advance a 5 or 10% commission to the CPP from whatever businesses or contracts one gained from the government.<sup>121</sup> The politically disadvantaged also employed these methods in Nkrumah's Ghana. Perhaps this method of transaction was allowed to take place in the open and was sanctioned because the CPP and not individual party or government officials was the beneficiary. At a time when the CPP was experiencing growth both vertically and horizontally its financial standing must be commensurate with the size of the party to ensure healthy organizational activities. Thus, these channels became the sources of revenue to the CPP.

Another way in which power struggle in Ghanaian politics and its consequent effect on internal supervision of the CPP, of party and government officials, helped to contribute to the spread of corruption in the first post-independent African government in

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<sup>121</sup> Report of the Commission of Enquiry into NADECO Ltd. 1966 (Azu Crabbe Commission) P7 paragraph 32.

Ghana was the contribution to the emergence at the time of what has become a canker even in contemporary Ghanaian public service—nepotism. Before the advent of colonialism, the political system in Africa was such that the royal family out of which emerged the monarchy had an inalienable right to the use of the resources of the nation provided such resources were put to good use and were not misused.<sup>122</sup> A member of the royal family for instance could be given a room in the palace or any public apartment to live in without necessarily paying a penny for it or could be given a piece of land to farm free of charge or even provided with public labour to work for him. The royal member also had the right to lease all or part of his possessions so long as they remained under his administration.<sup>123</sup> The monarchist wielded so much power, influence and authority within his jurisdiction and was treated with importance in those days because it was the African conception that the monarchy represented the soul of the nation. In fact the conception was that the nation and the monarchy were one and the same<sup>124</sup>. Therefore, members of the royal family had absolute right to use the nation's resources provided they were

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<sup>122</sup> Danquah, J. B., *Akan Laws and Customs* (Frank Cass, London, 1928) P. 115.

<sup>123</sup> Busia, K. A., *The Position of the Chief in Modern Political System of Ashanti* (Oxford University Press, 1951) P. 50.

<sup>124</sup> Nana Ampong Ofosu-Twafohene (Twafo chief) of Akyeme Bosome Traditional Area. Interviewed on 09-03-4 at his residence in Akyeme Soadro

used in a manner that did not cost the nation. However, colonialism, independence and the introduction of Western-style public administration into the country diminished the significance of the once pivotal role the monarchy system had played in African politics. People elected or appointed to public offices were appointed or elected on the basis of their abilities or qualifications and not by virtue of their being members of any lineage or royal family. Significantly, it had been difficult now to make a distinction between the rules that governed the new political system and the previous one.<sup>125</sup> A public official was perceived in the same sense the royals in the monarchy system were. He was understood as one with an inalienable right to public resources and it was in his outright discretion to decide who got what and denied what. The idea was that the public official made the state and it was for him that the state existed. Thus, whoever brought charges against the public official brought disrepute to the dignity of the state. And if the charges were found to be false the consequences were serious.<sup>126</sup> Even under parliamentary system, this notion was held. This development was the immediate result of lack of internal control and check within the ranks of the CPP and the government

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<sup>125</sup> Le Vine, op.cit Pp. 82/83.

<sup>126</sup> Nana Ampong Ofosu: Twafohene (or the chief of the Twafu division) Akim Bosome Traditional Area. Interviewed on 09-03-04 at his residence in Akyem Swedru.

and the ignorance of the public, emerging as a result, from their experience of the new political order and ideology of the monarchy system in pre-colonial Africa. At a time when the government was engaged in intense struggle with the opposing political forces the protracted struggle did not leave enough time and room to spearhead the political education of the masses. Had this been done, and the principles of probity and accountability injected into the Ghanaian fabric the masses would have served as watchdogs of their political leaders even when for politically judicious reasons the government did not want to wash its dirty clothing in public. Surely, the public who should act as vanguards in the fight against political corruption contributed to its growth out of their ignorance of what the new political system stood for. The level of illiteracy and general ignorance into the operation of the new political system became partly responsible in deepening the cracks that already existed in post-independence Ghana and it was masses' attempt at rising above the difficulties created by corrupt public officials that led ultimately to the spread of corruption among the various social and economic classes in the country.

These defects in the political system of the newly independent African nation left sufficient room for powerful interest groups to

hide and pursue their interests at the expense of the nation-state. The most notable of these interest groups were the CPP and its associates, Old Student Associations and ethnic or tribal associations. Any of the members of these groups who entered into public life and became a bureaucrat, was at once perceived in the royal family sense (as one having absolute authority over the public goods and resources he commanded). Consequently, the strong affinity between such individual and the group he belonged put an obligation on him to be of special service to any member of the group who demanded his service. This behaviour was to introduce the phrase 'who you know' into the vocabulary of the Ghanaian peoples. It was a common saying, which implied you must know somebody from the government to enjoy anything of it. This began the appointments of friends, relatives, old school boys and tribal or ethnic associates to public offices without their necessarily possessing the required qualifications. The Committee of Enquiry, which investigated the Erstwhile Football Pools Authority unveiled several instances of corruption in which Asihene and Owona-Agyeman, two prominent members of the administrative echelons of the Authority persistently engaged in irregular, unauthorized and nepotistic recruitment practices. For no other reason than their obligation to their kinfolds as specified by

tradition, Owona-Agyeman placed his father-in-law, a half brother and four other relatives illegally on the Authority's regular payroll and some key positions. Asihene was also guilty of similar nepotistic corruption by putting his two brothers, three cousins and an unspecified number of his relatives on the Authority's payroll and key positions.<sup>127</sup>

### **3.3 Conclusions**

Three major themes have emerged from this chapter and will be re-introduced and developed more fully in the next chapter. First, the political corruption that undoubtedly took hold of the first post-independence government in Ghana cannot be studied without reference to the political and historical developments preceding the independence of the former British colony.<sup>128</sup> It was these developments and its aftermath, which culminated ultimately into power struggle and the creation of two powerful political fashions backed by distinct political ideologies, which created the crevices for corrupt politicians and their clients to hide and carry out their corrupt transactions. The Convention Peoples Party, (the CPP) in the heat of the struggle for power with the United Gold Coast

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<sup>127</sup> Report of the Committee of Enquiry on the Erstwhile Football Pools Authority. 1971. (Osei-Hwere Committee) Pp.107-142.

<sup>128</sup> Nukunya, G. K., *Tradition and Change in Ghana: An Introduction to Sociology* (Ghana Universities Press, Accra, 1992) P. 3.

Convention, (the UGCC) outmanoeuvred their opponents and led Ghana through its independence in 1957. Albeit at the time of independence the line had been drawn very clearly and the mistrust, mutual suspicion and differences, which had built up over the years between the two camps were carried through the future. Le Vine observes and he is apt that, 'The conditions that precipitated the formation of the NLM in 1954 had not changed appreciably by 1957, and the ruling regime of the new state of Ghana inherited a residue of ill-will and suspicion in the centre and north that was to plague it for the rest of its political life.'<sup>129</sup> It was this factor, which divided the country into 'the included' and 'the excluded'. The CPP and its associates who formed the new government became the dominant forces, controlling the resources and wealth of the nation.<sup>130</sup> Therefore, the opposition and its associates, the excluded had to resort to informal methods to make their demands. It was in this that corruption became not only necessary, but also, a very productive tool for problem solving for the underprivileged within the Ghanaian political system.

The final point, which emerged from this chapter and which has been central too to our discussions in the earlier chapters is the

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<sup>129</sup> Le Vine, op.cit P. XXI.

<sup>130</sup> Scott op.cit P. 30.



idea that corruption is a rational choice. It has been argued before that an act may be rational but may not necessarily be right. We imply therefore, that while many of the actions of the CPP and the first post-independence government in Ghana were rational and aimed at promoting the interest of the CPP and entrenching the political authority of the government, the moral basis or methods of executing these ideas may be questionable. However, considering the socio-economic, philosophical and political context in which such actions were usually taken and considering alternatives to these actions in achieving one's goals and objectives, we cannot but conclude that from the position of the corrupt individual, the public official, the government machinery and even the corrupt companies, that corruption was problem-solving and hence a rational behaviour.



## **Chapter Four**

### **The Anatomy of Political Corruption: The Case of the First Post-Independence African government in Ghana.**

What we have done in the last chapter is show the supportive values to Ghanaian political corruption in the first post-independence African government. What we do now is an examination of the structure, composition and function of corruption in the Ghanaian political system. In this chapter therefore, we attempt to investigate the organization and significance of corruption as exemplified in Ghana, but with a special focus on the regime of first African government.

It can be asserted with definitive conviction, given the weightiness of evidence produced by the various committees and commissions of enquiry into the affairs of the erstwhile regime, that the guild of politicians to whom the British handed power and the administration of independent Ghana, undertook this task with considerable corruption. It must be emphasized however; that whatever happened in the period that spanned the reign of the Convention People's Party was the result of the political, economic

and social effect of the Ghanaian society. In this respect, the view by Le Vine that corruption in the period under discussion was uniquely a public office phenomenon<sup>1</sup> is rejected. Whereas political institutions of the period may have dictated the pace, magnitude and direction of corruption in Ghana, the event itself was the result of a combination of factors; namely, the history and culture of the Ghanaian peoples, colonialism and its impact on the new nation-state and the economization of the political process in Africa. It was the interplay of these factors that eventually produced a politically corrupt society. We analyze these interrelated factors briefly to show their significance and how they helped contribute to the growth of political corruption in Ghana.

#### **4.1 The Significance of History and Culture**

Aspects of the political history of Ghana from the end of the First World War to the year of political independence in 1957 has been narrated in the last chapter. Only two more points need to be emphasized here. The inter-war years as shown were dedicated to proto-nationalism and elitist politics.<sup>2</sup> It was not until the end of the

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<sup>1</sup> Le Vine V. T., *Political Corruption: The Ghana Case* (California, Hoover Institution Press, 1975) P.

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<sup>2</sup> Omari, P. T. Kwame Nkrumah, *The Anatomy of political Corruption* (Sankofa Educational Publishers, Accra, 2000) Pp. 16-23.

Second World War that politics became a mass phenomenon. This transition became pivotal in African nationalism and eventually resulted ultimately in political independence from British rule.

Before the colonization of the continent of Africa it was the tribes or ethnic units that made up the unit states or nations of Africa.<sup>3</sup> The system of government known to Ghanaians then was the monarchy or as it has come to be known currently, chieftaincy.<sup>4</sup>

The sizes of these nations and their relatively small population ensured and facilitated harmonious co-existence between the citizenry and the political echelons.<sup>5</sup> With colonialism however, came the forceful and arbitrary partition of the continent. The result was that nations that formally existed as independent units came under one and the same umbrella to form the nation-states. The immediate effect of that development on society was the division of the population into primary and secondary groups.<sup>6</sup> People sharing the same geographical boundaries, blood or ancestry or belonging to the same tribes made up the primary group. The secondary group composed of all the different groups from the other nations but who, as part of the new arrangement now together with the

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<sup>3</sup> Boahen, A. A., *Ghana: Evolution And Change in The Nineteenth and Twentieth Centuries* (Sankofa Educational Publishers, 2000) P. 7

<sup>4</sup> Assimeng, M., *Social structure of Ghana* (Ghana Publishing Corporation, Tema, 1999) P. 180.

<sup>5</sup> Nana Ampong Oforu, Twafohene of Akyem Bosome Traditional Area. Interviewed at his residence on 08-03-04.

<sup>6</sup> These categorizations are mine. I have coined them for the purpose of this illustration.

primary group formed the nation-state. This colonial imposition (i.e. the nation-state) tended to hold only as long as the boundaries were concerned. The colonial peoples themselves saw and considered themselves as distinct peoples and while the various tribes continued to see their uniqueness amongst their cultural and ancestral bonds, they tended at the same time to be suspicious, hostile and distrustful to peoples of other tribes and cultures.<sup>7</sup> This mutual suspicion, hostility and distrustfulness were born out of the fear of political dominance especially after independence from relatively bigger and stronger ethnic groups. In this, it was the smaller and weaker nations and ethnics who usually became the victims of insecurity.<sup>8</sup> To forestall the political dominance of any one tribal or ethnic group in Ghana some of the earlier political associations tended to be organized along these lines to champion various courses. In Ghana, some of the earliest ethnic and tribal political associations or parties included the National Liberation Movement (NLM) of the Ashanti of Southern Ghana, Northern Peoples Party (NPP) of northern Ghana and the Togoland Congress (TC) of Trans-Volta. In keeping with this ideology the expression “brother” gained a welcome into Ghanaian vocabulary and gained a connotation, which was dissimilar to the actual

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<sup>7</sup> Nukunya, G. K., *Tradition and Change in Ghana* (Ghana Universities Press, Accra, 1992) P. 223-236.

<sup>8</sup> Ibid. 234

meaning. It was not only used to describe the relationship existing between blood relations, but also, more importantly that existing between peoples who shared the same geography, ancestry, culture or tribe origins, or one who is well known and accepted such as an old class or schoolmate, a business partner or even a friend.<sup>9</sup> If you were not a brother you were by implication a distant member of society and you were treated at that level with the strictest of receptions.<sup>10</sup> This behaviour soon gained an extension into the politics of the nation-states of Africa and was responsible for the tribal factor in African politics. Hence, with people of the same tribe or the primary group the genial or informal relationship continued to play a factor even when some of its members had attained positions of national responsibility. The following account by the Jiaggye Commission of Enquiry on Krobo Edusei demonstrates how the tribal or primary group factor crippled African political leaders in post-independence governments.

...Mr. Krobo Edusei claimed that in 1963, Mr. A.G. Leventis paid him a total sum of £46,000. He claimed further that the amount was what he saved with A. G. Leventis from payments he had made over the years...Mr. Krobo Edusei failed to substantiate his allegation that he made other payments totaling £42,000. into his No.2 account with Leventis. *Mr. Edusei claimed that he trusted Mr. Leventis,*

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<sup>9</sup> Le Vine, op.cit P 44.

<sup>10</sup> As Le Vine ibid P. 48) correctly observes on Ghana... 'trust is given to specific persons or groups with familiar, non-threatening attributes.' Hence, brother is the apt adjective for describing the one who merits a trust relationship.

*that Mr. Leventis was like a member of his family and that it was not necessary to obtain receipts or pay money in the presence of witnesses. He said that each time he paid money it was to Mr. Leventis and he was always alone in his office. He claimed that Mr. Leventis called a junior employee and gave him the money to be paid to the cashier. No receipts were brought back and that he did not know the name of any of the junior employees who paid in the money.<sup>11</sup>*

In this account in which Edusei, the former Ghanaian minister was alleged to have received a bribe sum of money from a client Mr. Leventis, the defense of the accused is instructive and we analyze this briefly. The account in question will no doubt embarrass an enlightened western commentator and indeed be very hard to accept as true. However, it is a major feature of the value systems in Ghana. One needs only to be accepted as a friend or a relative in order to win the trust and confidence of a client irrespective of the capacity of the actors. Edusei thus describes how he had paid several sums to Mr. Leventis, a business client without keeping any receipts or records because he considers him a family member. The idea is that the more informal the relationship the stronger the trust and mutual benefit thought to derive from that relationship. It was this ideology that led to the building of political blocs along tribal and ethnic lines and the diversion of national goods and resources by African political leaders for satisfying the

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<sup>11</sup> Report of the Jiagge Commission (Investigation and forfeiture of Assets, Vol. P. 105.



interest of their 'tribesmen'. It was unrealistic for African political leaders to accept and implement the policy of championing the development and the interest of a nation, which now involved the development of territories, which they themselves considered foreign. It was rather plausible to invest in that to which one had a stake.

In the immediate years before and after independence only the Convention People's Party successfully built a trans-tribe, trans-religion and trans-class political organization.<sup>12</sup> Nonetheless, as Fitch and Oppenheimer<sup>13</sup> have observed 'the membership of the CPP did not compose of politically conscious followers.' People were naturally attracted to the party for a number of reasons. The first was the charm of its founder and leader, Kwame Nkrumah.<sup>14</sup> As Omari has aptly observed; 'Nkrumah knew his audience, and talked to them in the language they appreciated; and they accepted him as one of them.'<sup>15</sup> Nkrumah's success at this was the result that he was able to deal shrewdly with the simmering tribal or ethnic sentiments of a good part of the Ghanaian

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<sup>12</sup> Austin, D., Tordoff, W., Voting in an African Town; Reprinted from *Political Studies*, Vol.VIII, No. 2, June 1960, P.135.

<sup>13</sup> Fitch B., Oppenheimer M, *Ghana: End of an Illusion* (Monthly Review Press, New York and London 1966) P. 107.

<sup>14</sup> Andrew, W.G., Ra'anana U., (eds) *The Politics of the Coup d'etat* (Van Nostrand Reinhold Co., London, 1969) P 93.

<sup>15</sup> Omari, op.cit P. 35.

population. As a pan-Africanist he had shrewdly pursued the African goal with such enthusiasm and purpose that every tribe had accepted him as one of them. Recounting the success of the Convention Peoples Party, Nkrumah writes in his *Autobiography*,

‘We had succeeded because we had talked the people and by so doing knew their grievances. And we had excluded no-one. For if a national movement is to succeed, every man and woman of goodwill must be allowed to play a part.’<sup>16</sup>

The second reason for Nkrumah’s success was the promise of economic independence and total liberation from the oppression of colonial rule. Here again Nkrumah’s message was penetrating because every tribe had a stake in the de-colonization of an African territory. The last and most important reason was the use of incentives and other rewards which the CPP used as a bargain point during their campaigns.<sup>17</sup> As the significance of these factors began to shrink the support base of the Convention also shrank in equal proportions. For example in the first general and legislative elections held in 1951 the CPP commanded over 90% of the total votes cast but by 1956 this ratio had gradually dropped to 57%.<sup>18</sup> The explanations for this situation are found in the factors we have pointed out above.

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<sup>16</sup> Nkrumah, K., *Ghana: The Autobiography of Kwame Nkrumah* (Thomas Nelson & Sons Ltd, London, 1957) P. 109

<sup>17</sup> Omari, op.cit P. 35.

<sup>18</sup> Austin, D., *Politics in Ghana 1946-1960* (Oxford University Press, London, 1964) Pp. 142/354.

Therefore by the time of political independence in 1957, apart from the CPP factor, which had generated a pattern of 'inclusion and exclusion'<sup>19</sup> within the Ghanaian public domain, there, was also the ethnic, tribal and even the religious and old school boy ties leading to the same pattern. But among these network of political and tribal associations or old schoolboy and religious interests were individual corrupt or otherwise rational administrators whose decision were prone to being influenced by the 'excluded' seeking to break through, as well as by the 'included' to whom such administrators were naturally indebted to. Secondly, the emergence of ideological and political division as against regional and ethnic groupings contributed in some part to converting the political struggle for independence into a dogfight for plunder.<sup>20</sup>

An analysis of aspects of the historical and cultural situation in Ghana before and after independence reveals that only these factors were indeed responsible for the existence of two powerful forces which prompted and ultimately led to the phenomenal growth of Ghanaian political corruption. The first was the emergence in Ghanaian public service of occupational conflict of interest. The existence of powerful interest groups such as one's

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<sup>19</sup> Refer to pages 140-147 of the previous chapter.

<sup>20</sup> Basil, D. *Africa in Modern History*, (Allen Lane, London, 1978) P. 237.

tribal or ethnic association, political association or of class-consciousness, religious affiliation and old school boy ties tended to undermine the individual Ghanaian's allegiance to the state.<sup>21</sup> As has been shown above the reasons for this happening was partly historical and partly cultural. The result was that Ghanaians became strongly obliged towards primary groups than the state whose interests were considered secondary. In this position responsibilities and obligations of the individual to the state did normally conflict with his responsibilities and obligations to his primary association. Consequently, against Ghanaian social values the individual felt justified to sacrifice the interest of the state whenever this proved somewhat beneficial.

The second effect of the historical experience and value systems of the Ghanaian people on Ghanaian political corruption also stems from the first. The various interest groups resulting from differences in tribal, ethnic, political and religious diversity soon congregated into a struggle for political power. The ideology was that only when one had firm grasp of the political institutions of the country could the relevant interests be pursued.<sup>22</sup> Nkrumah incisively summarized this view when he often told his audience;

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<sup>21</sup> Le Vine, op.cit. 46-49.

<sup>22</sup> Williams, R. *Political Corruption In Africa* (Gower Publishing Company Ltd, Hampshire, 1987) P. 42.

‘Seek ye first the political kingdom and all things shall be added unto you’<sup>23</sup>. But since the diversity of interests and cultures in a complex political landscape like Ghana would make it a near impossibility for any one political party or association of any interest to gain an easy dominance, Nkrumah referred the post-election period up to the development of the first serious internal opposition in 1954, ‘the period of tactical action’.<sup>24</sup> Tactical action was the method by which series of politically contradictory actions that embraces both legal and illegal procedures were employed by the CPP to outsmart their political opponents. In elections a CPP official in the following account beautifully captures how among other methods tactical action was implemented;

‘We slept in the town for two days and night called on the Headman and explained what the CPP candidate was trying to do, tipped them heavily, gave out kola and drinks, i.e., spirits, and clothes, etc. Before leaving... we left two of our men and a native who helped us a great deal, we gave them about 5 pounds each for canvassing. We spent heavily in this constituency. The other side also spent heavily. In one case, a Headman who was supporting us turned later to be our enemy. We understood the other side gave him about £40 cash, as he was a popular man in this area and having many subjects under his command.’<sup>25</sup>

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<sup>23</sup> Nkrumah, K., *Neocolonialism: the last Stage of Imperialism* (International Publishers, New York, 1965) P. 247.

<sup>24</sup> Nkrumah, 1957 op.cit Pp.147-156.

<sup>25</sup> Austin, op.cit. 1964 P. 361.

Eventually, Ghanaians led by the Convention People's under Kwame Nkrumah reached the political Kingdom in 1957 when the British handed the political administration of Ghana to the first African government. The immediate effect of political independence was the creation of political interstices, which created opportunities for government institutions, public officials and the masses to maintain corrupt relationships with the nation-state. These factors i.e., the role of government institutions, public officials and the masses in building a corrupt society around the nation-state will be duly examined later in this chapter.

#### ***4.2 The impact of colonialism***

Colonialism also left behind certain imperial traces of political, economic and social significance whose presence in post-independence Ghana fostered the growth of corruption in the newly independent African state. First, the political vacuum created by the departure of the colonialists meant that a new club of politicians must fill-in their shoes. But the objective policy of colonial institutions during the colonial days had been to serve the interest first, of the British crown and its peoples. The relevant benefits of colonialism to the continent in the form of roads,

railways, western-style education, Christianity and the provision of all other social and economic amenities were all by-products of the policy of serving the interest of the colonialists.<sup>26</sup> Thus as independence approached it did not take long for the new political class and the masses to develop the ideology that the occupation of public offices was not an end in itself but a means to serving ends considered to benefit their respective interests.<sup>27</sup> In this regard one's self, tribe, family, religion, political party and class became to the African bureaucrat what Britain was to the colonial representatives in Africa. Once an individual got the mandate of his people to lead them or got the legitimacy to serve on the governing council he was required first of all to be responsible and accountable to such people (which in this case is his ethnic or tribal orientation) as well as any other primary institution to which such official might also owe allegiance. The logic underpinning this practice is not had to find. 'The African official often found himself in a delicate position. To the extent that he was a member of a wide social network, which conferred reciprocal rights and responsibilities, he was not likely to internalize fully the impersonal ethos of Weberian philosophy of bureaucratic conduct. African,

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<sup>26</sup> Rodney, W., *How Europe Underdeveloped Africa* (Bogle-L'Ouverture Publications, London, 1972) P239

<sup>27</sup> Clapham, C., *Third World Politics: An Introduction* (Croom Helm, London, 1985)P.32

officials often owed their status and incomes to their educational qualifications but, more pertinently, they frequently owed their education to the support of their extended family and local community.<sup>28</sup> In this respect, the official in question was placed under such powerful obligation that to refuse offers from the members of the public or to refuse to reciprocate their goodwill was a violation of an important social expectation. Such values often facilitated the existence of bribery, corruption and undue influence. Also a public official had no excuse not to be rich. His inclusion in government was considered by society a vital opportunity to bring an improvement in the social and economic circumstances of himself and of every individual who ever played a responsible role in the success story of such official. This custom is the result of the practice and recognition of the extended family and communal system with its unending chain of responsibility on successful individuals. Such an official was not only a beckon of hope to the deprived African community, but also, as Oquaye has observed.

‘the panacea to all the family’s malady and needs; he is tasked and taxed till all their needs are satisfied, he is bled till he is no more a man; he is pressed for favours till he has exploited and

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<sup>28</sup> Williams, *op.cit.* P. 45.



abused every privilege at his disposal, leading steadily to his fall and disgrace'<sup>29</sup>

This reciprocal obligations invariably, ended in the fragrant abuse of public offices by their occupiers and the placing of individual interests above those of the state. Nonetheless, in the African context, it would be misleading, considering their social values to conceive of instances of corruption and nepotism as abuses. If one placed the interest, say of his tribe above that of the state, regarded only as superficial, it is questionable to ascertain that such individual is abusing the trust of the public but it will be logical to imply that such is acting in accordance with rationality. Such rational behaviour was a common feature in post-independence public life in African countries. The ultimate cause of this was the perception which Africans cast on the institution of government, first as a superficial phenomenon and secondly, as a foreign or colonial imposition.<sup>30</sup> In Africa, the government was 'they'<sup>31</sup> or 'them'. These are the pronouns commonly used in describing the government. These descriptions show the weakness of the relationship between the individual and his emotional attachment

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<sup>29</sup> Oquye, M. *Politics In Ghana 1972-1979* (Tornado Publications, Accra, 1980) P. 212.

<sup>30</sup> Ibid. 46.

<sup>31</sup> Achebe, C. *Things Fall Apart* (Heinemann Windmill, London, 1958) P. 38

to the state.<sup>32</sup> In this scenario, it is easily possible for the public to develop an attitude that treats public enterprises with incredible impertinence. This attitude was vividly portrayed when I administered my questionnaire to a group of seventy-one well-informed young adults from the University of Ghana. Respondents were asked to identify what issues they would treat as more urgent in which the options were given as *private* or *national*. All seventy-one respondents considered private matters more important than national ones. The questionnaire went further ahead to invite respondents to state in opportunity cost terms which interests they will most likely sacrifice at the expense of the other, in which the same alternatives were given. Again, all the respondents, with the exception of one were ready to sacrifice national interests for private ones. This attitude to and the conception by the African public of national governments explains the recklessness with which African public officials treat state goods and resources. It also underpins why these factors are the victims of attack, abuse, mismanagement and exploitation by the masses and bureaucrats alike.

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<sup>32</sup> Gyekye, K., *Political Corruption: A Philosophical Inquiry Into A Moral Problem* (Sankofa Educational Publishers, 1997) P. 6.

In his analysis of the significance of colonialism on the new political class of post-independence Africa O'Connell argues,

'...in the generation immediately behind the leading nationalists, many of the ablest talents were not available for political posts, and this weakened the ranks of the political class. The consequent loss only deepened the inadequacies of a generation of politicians who would in any case have found the transition from the struggle for power to the employment of power most difficult to make. The trouble was that many of these men were incompetent, corrupt and communal.'<sup>33</sup>

O'Connell believes, and he is right that, there are connections between colonialism and political corruption in post-independence Africa. Again, his observation that African politicians became corrupt and communal after independence is apt. Nonetheless, his argument that this development was the result of the policy of preclusion of African ablest talents from the colonial administration is a weak one. O'Connell's argument implies that Africa needed European intervention to be schooled on the act of public administration. This view is erroneous, for long before the complete colonization of Africa had the continent evolved some of the most complex political institutions and state machineries such as the great civilization of Egypt, the medieval West Africa states of Ghana, Songai, Mali and the Ashanti Empire with very

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<sup>33</sup> O'Connell, J., 'The inevitability of Instability.' *Journal of Modern African studies* vol. 5 no.2 (September, 1967) P. 181-191.

competent and astute political leaders who stood the political test of their time. Even after independence, Africa could boast of prominent, far-sighted and competent political figures as Nkrumah of Ghana, Boigny of Ivory Coast, Azikiwe of Nigeria, Nyerere of Tanzania, Kenyatta of Kenya and many more. All these figures were capable politically like their European contemporaries but simultaneously became the leaders of corrupt governments and peoples in their respective countries. The problem with European colonialism was not that it eroded or rendered inactive Africa's ablest political class but rather it motioned Africa on a path of building bigger and stronger states without leading it on this same path on how to build a national common purpose and interest around the new state. It was this defect that caused the rake-in in the socio-political and economic institutions after independence. Varied interests replaced a common national interest necessary for nation building.<sup>34</sup> Consequently, the new state often became the victim of plunder, manoeuvres and unwholesome manipulations to satisfy these interests.

Another important impact of colonialism on the rise of political corruption was the effect that the monetization of the economy had on Ghanaian societies. Before colonialism, the use of cash was

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<sup>34</sup> Williams, *op.cit.* P. 46.

unknown. The medium for carrying out economic transactions was the barter system,<sup>35</sup> which involved the exchange of goods for goods, services for services or goods for services. In this primeval and humble society, the possession of power or social status was enough remuneration for sacrificial leadership aimed at the social and economic development of every member of society. Commenting on this aspect of African culture, John Mensah Sarbah aptly remarks,

‘In the African social system the formation of a pauper class is unknown, nor is there antagonism of class against class. Indeed, recognition by promotion to office and public position in the community is to many a sufficient incentive to effort and perseverance.’<sup>36</sup>

It was the colonialists who introduced the money economy, which came to overhaul the social and economic systems in Africa.<sup>37</sup> Hence, the money economy replaced the barter system as the possession of wealth replaced power and status as a motivation for public service. Even bribe money was used extensively at times by the invading forces whenever the use of violence was considered to be impracticable an option to co-opt the political

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<sup>35</sup> Some indigenous currencies existed in the form of cowries, gold dust, iron and brass.

<sup>36</sup> See Kwame Nkrumah: *Selected Speeches* Vol.3 p3. ed., Obeng S., Afram Publications (Ghana) Limited, 1997.

<sup>37</sup> Nukunya, op.cit. p. 122

class in Africa in signing treaties in favour of the foreign powers.<sup>38</sup> A host of other techniques were also employed by the colonialists to induce the chiefs into putting the interest of the foreign powers before the interest of their subjects. Such methods usually involved a scale and range of varied opportunities including direct payment for services, access to tax revenues, salaries and the transformation of customary economic rights. Chiefs also received rebates for tax collection and had this supplemented by annual gifts and entertainment allowances.<sup>39</sup> Consequently, the old practice of the chief's customary rights to tributes, gifts of social significance and labour were converted to demand for cash payments. Money gifts however failed to serve the purpose for which the former practice of traditional gift giving to the nobilities had served. Traditionally, gift giving in the Ghanaian society served the purpose of demonstrating the donor's allegiance to the beneficiary, usually a superior such as the chief or the king.<sup>40</sup> It also served the purpose of harmonizing the social and political relations within a community or between individuals and groups.<sup>41</sup> As a human practice, it was possible the purpose of this cultural

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<sup>38</sup> Hodder-Williams, R., *An Introduction Into The Politics of Tropical Africa* (Allen and Unwin, London, 1984) P. 23.

<sup>39</sup> Williams, op.cit. P. 35.

<sup>40</sup> Among Ofosuhene, op.cit..

<sup>41</sup> Nukunya, op.cit. P. 242.

practice may have in some ways been overdone to gain undue advantage in the superior's judgment. For example, according to Busia when he investigated the political culture of the Ashanti of Southern Ghana;

'The most noticeable thing that struck me when I began my inquiries in Kumasi in 1942 was the considerable intrigue that went on regarding constitutional disputes that came before the Ashanti Confederacy Council. Bribes were given and received in all such cases. It was so common that everybody knew about it, and everybody talked about it.'<sup>42</sup>

Busia's observation is instructive; however, he misses the point by his confusion of bribery and traditional gifts giving in the traditional system of Africa. As I have pointed out, the giving of gifts in Africa was a cultural behaviour which thrived on reciprocity and harmonious co-existence. As such these practice was common within the social and political set ups. Africans per se did not perceive this behaviour as corrupt or irregular for it was an accepted practice. Hence, Busia in 1942 as well as the Watson Commission, which repeated his mistake in 1948, failed to appreciate the African situation. According to the Commission's report in 1948;

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<sup>42</sup> Busia, K. A., *The Position of the Chief in the Modern Political System of Ashanti* (Oxford University Press, London, 1951) P. 189.

‘...it would be idle to ignore the existence of bribery and corruption in many walks of life in the Gold Coast admitted to us by every responsible African to whom we addressed the question.’<sup>43</sup>

Both Busia and the Watson Commission saw a culture in practice and misinterpreted it by bringing western notion to bear on it. However, whereas the cultural practice served to harmonize social and political relations, bribery, which became an active feature of the postcolonial state, commercialized these relations. It should be noted however, that, such cultural norms made it possible and facilitated bribery and corruption in the postcolonial state as they became adapted as economic and political tools for which the state, perceived as alien or colonial institution became the victim of the assaults.

Colonialism also left traces in the social system in Ghana. It stratified society and commercialized the relations between the various social classes. The invaders could not rule effectively unless they were given support and direction by collaborators from among the locals.<sup>44</sup> Hence, they invested in the education of a handful of the Africans and introduced the indirect rule system to get the collaborators they significantly needed. These formed the

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<sup>43</sup> Watson Commission: *Report of the Commission of Enquiry into Disturbances in the Gold Coast*, Colonial Office, London 1948. P. 8.

<sup>44</sup> Williams, *op.cit.* P. 39



African bureaucrats within the colonial regime— wealthy, powerful and authoritative as against the peasants who were poor and powerless. Given this scenario and the disparities that existed between the bureaucrat and the peasant the latter had to seek access to the former and the resources he commanded by resort to bribery.<sup>45</sup> Bribery became such a powerful tool during the colonial era and after independence for two major reasons. It was a means to gaining short-term access to bureaucrats and engaging them in alluring attempts to influence political decisions with a partial retrospection. Second, it was a means to establishing sympathetic relations with bureaucrats. In this way, once an official was won over through bribery, he inevitably became obliged to undertake an action he would not have undertaken under normal circumstances or without the effect of the influence of bribery. Most bribers succeeded in achieving their objectives because the bribees were always willing to increase the stock of their money wealth while they thought they had nothing to lose but the state.

#### ***4.3 Economization of the political process in Ghana.***

With the Ghanaian economy now monetized, economic wealth became the aspiration of every Ghanaian adult. The interest in

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<sup>45</sup> *ibid.* P. 42

economic wealth and the means to attain this state quickly led to a diminution in the interest formally exercised in traditional ways of life.<sup>46</sup> Social and political systems became tools only as expedient means of realizing economic goals. Thus, politics or the struggle for power for instance was not the end in itself or that of a genuine desire to do public service. It was to many, the youth especially a means to making, controlling, possessing and distributing the sources of economic wealth.<sup>47</sup> Bribery and corruption were known to be effective in influencing bureaucrats or political decisions. But this method only gave a short-term or temporary access to the poor and the politically under-privileged.<sup>48</sup> Thus, becoming an officeholder had a major advantage for it secured a more permanent and significant access to state resources. It was for this reason that power struggle became dominated by economic interest either at the individual, group or institutional level. Owusu reflects this view appositely,

‘The exercise of power, chiefly, colonial, and party, was as a major means of achieving, and advancing individual, family, and status-class or group economic and other material advantages and interests. The struggle for power...was

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<sup>46</sup> Nukunya, op.cit P. 122.

<sup>47</sup> Owusu, M., *Uses and Abuses of Political Power: A Case Study of Continuity and Change in the Politics of Ghana* (University Press, Chicago, 1970) P. 325.

<sup>48</sup> Williams, op.cit.P. 42.

primarily a struggle in relation to the possession of wealth and its distribution and consumption to achieve high social status, prestige, and social privilege.<sup>49</sup>

Thus, politics in Ghana became a ball game in which the interaction of various rational economic agents, some producers, others intermediaries and others consumers produced a politically corrupt society. The implication of Owusu's observation hence reflects a situation in which changes in the control or source of power and authority tended to reflect changes in the control, distribution and generalized consumption of wealth. The colonial political legacy was therefore a situation in which individuals and groups allied themselves to this or that political party or association based largely on influential values in relation to individual or group opportunism and careerism<sup>50</sup> and not based on the western or Weberian ideology of uplifting a national interest. This was much talked about in African politics after independence but in reality no such objective did exist.

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<sup>49</sup>Owusu, M., *Uses and Abuses of political Power: A Case Study of Continuity and Change in the Politics of Ghana* (University Press, Chicago, 1970) P. 326.

<sup>50</sup>Ibid. P. 248

#### **4.4 Agents of corruption: the case of Nkrumah's Ghana.**

The economy of Ghana at independence was a strong one. This was in spite of the vast period of time, which spanned the colonial exploitation of the economic and human resources of the former British West-African colony. Ghana, with its relatively small population of less than six million<sup>51</sup> had an estimated £200m in reserves with just about £20 million foreign debt,<sup>52</sup> an economy that compared and competed favourably with some of the world's most progressive economies.<sup>53</sup> Nonetheless, in spite of the relatively high per capita wealth, Ghana was only recovering from the crippling effects of the impact of colonialism- the general backwardness of the economic situation of its citizenry, the corruption of the social and political order and the difficulties that the combined effects of the socio-economic and political development of the colonial era had created. In addition to these problems were the challenges of attempts by a newly independent country to unite various factions and the many small and formerly independent polities towards a bigger and a stronger nation with common national interest. There was the ethnic as well as the

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<sup>51</sup> Assimeng, M., *Social Structure of Ghana* (Ghana Publishing Corporation, Tema, 1999) P. 207.

<sup>52</sup> Boahen, op.cit. P. 192.

<sup>53</sup> Bing, G., *Reap the Whirlwind: An Account of Nkrumah's Ghana from 1950 to 1966* (Mac gibbon and Kee, 1968, London) Pp. 11/12.

regional question. There was the question also of the individual of who commands the prima facie of his allegiance; the state or his tribe, the new African bureaucrat or the conservative village chief detached from modernism.

On the other hand, opportunities abounded for individuals based on their merits to contest political offices and manage public affairs. In former times, political offices were the sole rights of the royals and potentates. The privileges enjoyed by this class did not differ from the transition that took place within the colonial regime in which the new African bureaucrats maintained wage levels and allowances with an unusual proportion to the wages of the average African peasant.<sup>54</sup> During the European colonial expedition in Africa, European powers pursued a deliberate policy of giving very attractive remuneration to European officials on mission in the sun as morale booster. However, as Williams has observed, 'Europeans could not rule the continent unless with considerable local help and assistance.'<sup>55</sup> It was as a result necessary to recruit local agents, interpreters, policemen, soldiers and clerks. To do this successfully it was necessary to offer wages, which compared favourably with Africans engaged in other professions or even the

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<sup>54</sup> Abernethy, D. B., 'Bureaucratic Growth and Economic Decline in Sub-Saharan Africa', Paper to Africa Studies Association, Boston, 1983. P. 5.

<sup>55</sup> Williams, op.cit. P39.

wages as it were of the European officials. Exact values and figures hardly exists to demonstrate the relationship between the wages of the African bureaucrat in the colonial civil service and that of the peasant but recent estimates puts the bureaucrat's earnings as 5-10 times that of the peasant.<sup>56</sup>

This was under colonial rule. Therefore, the African peasant entertained high hopes, and it was the reason why he involved so much in the fight for de-colonization. In the Gold Coast, for example the CPP drew the mass of its support from the disgruntled and disappointed ex-service men and the unemployed youth who had migrated from the rural areas in-search of economic answers to their woes.<sup>57</sup> It was the thinking that under an African government this situation would change. To the bewilderment of the African masses, however independence from colonial rule confirmed the unusual income differentials between bureaucrats and peasants than abolished it. There were even instances where bureaucrats earned between five to ten times more than the average peasant not on the merit of their academic or any other qualifications but by their mere status as

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<sup>56</sup> Ibid.

<sup>57</sup> Austin, op.cit. Pp. 13-18, 68.

bureaucrats.<sup>58</sup> This further deepened the ideology of the masses that becoming a bureaucrat is the surest means to bringing improvements in one's social and economic status. Politics was in effect seen as a kind of profession where the professional succeeds in bringing economic fortunes to himself with only a minimal effort.<sup>59</sup> The open secret to economic fortune laid therefore in becoming a bureaucrat, a politician or a public official and becoming either of these meant getting directly or indirectly connected to the production, control and distribution of politico-economic goods and resources of the state, and in this way strategically placed to pursue economic, social and political interests. Such endeavours normally involved the bureaucrat in plunder, laundering, graft, embezzlement, nepotism and other forms of economic and political competitions, interference in judicial and legislative affairs in pursuance of ambitious political and economic objectives, unhealthy opposition etc. Why was the first African government unable to deal with these interlocking problems?

The complexity of the Ghanaian geo-political landscape resulting as it were from ethnic diversity, sectarian differences and individual

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<sup>58</sup> Williams, *Op.cit.* P. 39.

<sup>59</sup> Dumont, R., *False Start in Africa*, (Andre Deutsch, London, 1966) P. 41.

as against a national ambition for economic survival pointed to the fact that a society wrought with illegitimate dealings and bending of the rules by the political classes as well as by institutions and the masses of the Ghanaian peoples in achieving set goals was inevitable. Secondly, the ideology that only the control of political goods and resources could lead effectively in achieving socio-economic and political objectives or that political power was the answer to economic woes was also an indication that a political process, system and society wrought with injustices and counter injustices, dishonesty, human right abuses and dictatorial political measures, abuses and corruption of the socio-economic and political order were all inevitable. The rational actor would employ all these methods so long as they remain problem-solving strategies or as it were answers to these problems.<sup>60</sup> It was as a result, that society developed regular institutions and channels to regularize corrupt activities. Our next focus is a discussion of three of such factors or agents of corruption in the first post-independence African government in Ghana.

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<sup>60</sup> Tutu, K. A., Economic Process and Corruption in Accountability in National Life, *Proceedings of the Ghana Academy of Arts and Sciences* Vol. XXVIII 1990. Pp. 86-87.



#### **4.4.1 The role of the government.**

It would be recalled that the pre-independence elections that led Ghana systematically to the attainment of political independence and the emergence of the Convention People's Party as the first party government in Ghana were threatened by religious, ethnic and class interests.<sup>61</sup> This was especially so in the 1954 elections when the NLM relentlessly attempted to spell havoc to the CPP objective of spearheading Ghana to political independence.<sup>62</sup> The result was that the failed political elements, although insignificant in their representation were able to organize into significant opposition to insight, fuel and finance terrorist groups and the trade unions against the government and its officials with the view to causing destabilization and then to oust the government through the people's own agitation.<sup>63</sup> In connection with the activities of the opposition the following acts had been perpetrated; the 1953 bomb incident at the residence of the Prime Minister in which his life was targeted, the 1956 chaos and political disturbances in Ashanti, the NLM's stronghold, the Gbedemah Conspiracy, the 1961 strike and upheaval in the Sekondi-Takoradi area, the Kulungugu bomb

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<sup>61</sup> These factors are admirably treated by Dennis Austin and William Tordoff in the Article; Voting in an African Town Reprinted from Political Studies , vol. VIII, No. 2, June 1960, pp. 3-22

<sup>62</sup> Austin, op.cit. Pp. 200-245.

<sup>63</sup> Ibid. P. 45.

incident, followed by series of bomb outrages in Accra and the 1964 flagstaff House shooting incident.<sup>64</sup> All these were attempts by the opposition elements to destabilize and overturn the considerable progress that the CPP had achieved since 1951 when an interim African government was formed. Nevertheless, the CPP government possessed control over the institutions of state and would use them legitimately or otherwise to clamp down on such activities. It was the reaction of the Convention People's Party therefore, and the attempt by the Ghanaian government to react proportionately to the activities of the opposition that led to the corruption of the political process and institutions of state in the Nkrumah era. How did the government do this?

From the beginning, Nkrumah realized the potency of the constitution and built his trust around it. At the 1945 Manchester conference, one of the tenets adopted by the Pan-Africanists to rid the continent of colonialism was constitutionalism.<sup>65</sup> This principle influenced his actions in the pre-independence struggle and in his declaration of Positive Action, he had pronounced that constitutional provisions should be followed enduringly unless the

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<sup>64</sup> Obeng, *Selected Speeches of Kwame Nkrumah* Vol. 4 (Afram Publications Ltd, Ghana, 1997) P. 100.

<sup>65</sup> Smertin, Y., *Kwame Nkrumah* (Progress Publishers, Moscow, 1987) P. 53.

efficacy these methods failed.<sup>66</sup> Hence, as a constitutional man Nkrumah and his government corrupted the political system but did every bit of this within the confines of the provision of Ghana's legal system.

In his study of political systems, Aristotle<sup>67</sup> identifies three pure forms of government; Monarchy, Aristocracy and Polity and notes that these forms are capable of degenerating into corrupt forms such as tyranny or dictatorship. This was exactly how the first African government in Ghana turned the political system. To cripple the opposition the government closed all legitimate channels through which the opposition could operate. The CPP tampered with the constitution at will, manipulated the party system, interfered in the affairs of the judiciary and tampered with parliamentary proceedings in order to entrench the authority of the government.

#### ***4.4.2 The corruption of the Ghana constitution.***

Nkrumah's government took every necessary step to alter the Ghana constitution to suit its purpose. First, the independence constitution signed by Her Majesty, the Queen of England

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<sup>66</sup> Nkrumah, *op.cit.* Pp. 110-122.

<sup>67</sup> Aristotle: *The Politics*, Translated by T. A. Sinclair; revised and represented by Trevour J. Saunders (Penguin Books, London, 1981) Pp. 235-288.

established that Ghana was a monarchy with executive powers vested in the Queen, who was represented in Ghana by a governor general.<sup>68</sup> To ensure that Ghana's independence was not a façade and then subject to political manoeuvre from external sources, to deal independently with the political situation in Ghana and then consolidate the newly won independence, the government began to amend certain provisions of the Constitution created after Independence. .

At the promulgation of the new Constitution, a legislative instrument had provided for the establishment of regional assemblies. The essence of this institution was not only meant to nourish Ghana's nascent democracy, but also the government may have considered these localized institutions as channels to educate the public and disseminate information on progress and also take back from the people directly. Act (25 of 1958) of the Regional Assembly Act guaranteed certain regional interests towards semi-autonomy, a move that served as a major concession to the opposition. However, the intransigence of the opposition coupled with the many assassination attempts on Nkrumah alarmed the government that the regional assemblies

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<sup>68</sup> Bretton, H. L., *The Rise and Fall of Nkrumah* (Pall Mall Press, London, 1967) P. 41.

would be breeding grounds for opposition activities. Thus, the government introduced on February 21, 1959, a Constitution Amendment Bill to dissolve all the regional assemblies and discontinued further elections.<sup>69</sup> In this way, the government ceiled one of the major mouthpieces for opposition demands. The Amendment Bill, which replaced the now defunct Regional Assembly Act, gave more executive powers to the Prime Minister thereby making it possible for him to act independently of the legislative body. This situation then led to an increasing use of arbitrarily and authoritarian executive instruments by the Prime Minister and members of his government. The following are a few significant clauses from the provisions of the 1959 Amendment Bill.

Clause 3: This clause provided that public officers in the Foreign Service, other than the heads of missions, were to be appointed on the advice of the Prime Minister after consultation with the Public Service Commission.

Clause 5: Justices of Appeal were to be appointed on the advice of the Prime Minister.

Clause 6 dissolved the Judicial Service Commission and transferred its functions to the Chief Justice who, in the appointment of magistrates and other judicial officers, would consult the Prime Minister.

A careful analysis of these clauses reveal that the Prime Minister and his government aimed to do nothing than fill the civil service

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<sup>69</sup> Omari, op.cit. P. 51.

with party supporters and functionaries or activists who would champion the interest of the government. Nonetheless, as we have pointed out before, this was in line with the government's policy of safeguarding its political interest and of entrenching its authority in the mists of threatening opposition. Nkrumah had stated in his autobiography earlier in 1957 that 'new states may need reinforcement by emergency measures of a totalitarian kind.'<sup>70</sup> And the process of constitutional changes was inspired by this ideology to consolidate the authority of the new state.

The government also ensured the passing by parliament of the Deportation Act on July 22, 1957.<sup>71</sup> This Act empowered the CPP government to deport from the country anyone declared by the Governor General to be a character whose presence in the country was inimical to the public good. On 8, November 1958 this Act was amended to include another clause, which made it impossible for any one, held on suspicion by the government to appeal to the courts.<sup>72</sup> That this instrument applied to non-Ghanaians only suggests that the Government was not only out against its political opponents but also against all foreigners who might by monetary or moral means give support to the opposition, or whose presence

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<sup>70</sup> Nkrumah, 1957 op.cit. P. x.

<sup>71</sup> Andrews, W. G., Ra'anan, U, *The Politics of the coup d'etat* (Van Nostrand Reinhold Company, London, 1969) P99

<sup>72</sup> Omari, op.cit P. 52.

in the country would spur opposition activities or even wreak violent political upheavals in the country and thereby do damage to the image of the government. It was under such circumstances that two Nigerian businessmen and Moslem leaders, Alhaji Amadu Baba and Alhaji Othman Larden Lalemie were both deported to their country.<sup>73</sup> Apart from the government's suspicion of their involvement in financing the opposition, their presence in Ghana threatened to the existence of peace and stability in the country.<sup>74</sup> The former had claimed to be the Zerikin Zongo of the town of Kumasi, that is to say the chief or spiritual leader of the country's Moslem inhabitants. The latter had also only recently asserted his right to the spiritual leadership of the Hausas whose traditional home is Northern Nigeria. The confusion and disputes surrounding these claims had already led to the occurrence of several skirmishes in the town of Kumasi. Therefore, aware of recent events in Nigeria and as the Hausa communities have shown themselves as easily susceptible to tribal rioting, the government who wanted to prevent any such occurrence decided to deal rather shrewdly with the situation. According to Bing;

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<sup>73</sup> Ibid. P. 70.

<sup>74</sup> Bing, G., *Reap The Whirlwind: An Account of Nkrumah's Ghana 1950-1966* (Macgibbon & Kee, London, 1968) P. 218.

‘When I became the Attorney General there was in the office the Report of a Committee of Enquiry into crimes of extortion and violence in Ashanti. It listed with details supplied by the police—still then of course under British officers, 491 such incidents where prosecution had not been possible.’ In this ignitable situation, for anyone to try to establish himself as Zerikin Zongo was almost certainly liable to lead to tribal rioting. On the last instance, a situation like this had taken place there had been serious destruction of property and loss of life and the Colonial authorities of the day had deported the previous claimant on that account.<sup>75</sup>

There was of course a precedent for the current government to follow and social reasons may have influenced the government’s actions to deport these persons. But why use the Deportation Act when these figures could have been tried on the provision of the criminal law of Ghana. Why this was not done suggests only that another reason, possibly more overriding spurred the action of the government. Given the political situation in Ghana at the time, the most obvious reason for the use of the Deportation Act in the repatriation of the two Nigerians was political rather than social. Hence, we conclude that while threat to peace and stability ensuing from religious disputes was the immediate trigger, the remote cause was political, that is, they were repatriated on grounds of their supposed subversive activities and support for the Ghana opposition. The Deportation Act therefore aimed at safeguarding the interest of the government.

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<sup>75</sup> Bing, *ibid* P. 218.



Another Act, the Preventive Detection Act was also passed in 1958 to give legitimacy to the Prime Minister to detain certain persons up to five years without trial on suspicion of subversion.<sup>76</sup> It appears this Act was an extension of the 1957 Deportation Act to apply strictly to Ghanaians as the former was used against non-Ghanaians. As would be expected, the Nkrumah government used the PDA to put restriction on individual freedom and human rights. However, as Nkrumah and his government may have realized, if freedom and human rights obliged any citizen to engage in subversion in attempt to destabilize the state or even overthrow the government then even a heavier weight of responsibility behoved on members of the government to defend the institutions of state. When I interviewed Tettegah, the former trade unionist leader during the erstwhile regime, he likened the principle behind the PDA to what in the West is called 'Protective Custody' and admitted the Act was created as a political device to clamp down on the opposition or at least keep them at bay.<sup>77</sup> This view from no less a person than the former Ambassador Plenipotentiary of Nkrumah's government confirms the political purpose of the PDA.

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<sup>76</sup> Bretton op.cit P. 48.

<sup>77</sup> Mr. John Tettegah, Interviewed at his Accra residence on 25-05-04

What is sorry therefore about the PDA is not its institution in the Constitution, or its implementation for this is done in all democracies and governments to protect the security of the state, but the particularly dreadful manner in which victims of this Act were treated was largely questionable. As a credit to the CPP and the government, the PDA was used successfully in quelling and squashing political uprisings such as the Trans-Volta regional uprising in opposition to union with mainland Ghana, political violence in Accra and Ashanti and the upsurge of armed robbery and various criminal acts, which had precipitated Ghana's independence and still threatened the security of the new state.<sup>78</sup> These politico-social problems made the PDA necessary as an immediate, pragmatic or short cut measure to justice. On the other hand, the Act was used to deal mercilessly with the opposition, as were those within the ranks of the CPP and government who were suspected to be mavericks. The most remarkable victim of the opposition to this *notorious* Act was Dr. J. B. Danquah, the man whose astuteness, shrewd outlook and idealistic stand on democracy had led to the formation of the now defunct UGCC. He was detained on account of his uncooperative attitude to the CPP courses, in particular his vehement support for federalism and

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<sup>78</sup> Omari, op.cit P. 71.

Ashanti breakaway, his championing of separatism of the part of Togoland, which now constitute the Volta Province of Ghana from mainland Ghana and his alleged financial or moral support for terrorists whose mission was to assassinate president Nkrumah.<sup>79</sup> The unfriendliness of the Nsawam Prison led to his premature death in detention. Still one of the most dismal aspects of the PDA was that in most cases, some persons, notably District Commissioners and the security service men, took people and kept them in police custody where they were forgotten because there never was an occasion to deal with the cases that implicated them. According to Bretton there were in all 2,000 detainees<sup>80</sup> between 1958 and early 1966, during which period the Act was in effect.<sup>81</sup>

Not only did the government employ the DA and the PDA to whittle down the opposition, but it also ensured that all potential avenues through which competitiveness would emerge to challenge the authority or even the legitimacy of the Prime Minister and later, president of the republic or even the government of Ghana were dealt with appropriately. To this end, the government stirred

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<sup>79</sup> Davidson, B., *A View of the Life and Times of Kwame Nkrumah* (Allen Lane, London, 1973) Pp147-152

<sup>80</sup> This figure, which according to Bretton represents the official record, creates the impression that only the more serious and nationally significant cases may have been captured. Minor cases that involved persons at the district and regional levels may have been ignored or even escaped public notice.

<sup>81</sup> Bretton, H. L., *The Rise and Fall of Kwame Nkrumah* (Pall Mall Press, London, 1967) P. 194

parliament into passing the Stool Land Bill of 1959. The purpose of this Bill was to withdraw the semi-autonomy that the traditional chiefs had since the colonial days enjoyed. The Bill thus empowered the government to interfere at will in the administration of stool lands. The government instead of the Traditional Council became the trustee of stool lands. She also possessed the legitimacy to interfere in their finances, enstoolment and destoolment of chiefs and even the day-to-day running of the traditional councils.<sup>82</sup> This enabled the government to monitor the activities of the traditional chiefs and those against the government noted and dealt with accordingly. In connection with this purpose Commissions of Enquiry were between 1954 and 1957 set up to examine the conduct of certain chiefs. In particular Ashanti and Abuakwa chiefs caught the attention of the government since they had shown from the beginning their opposition leanings.<sup>83</sup> The result of this was predictable. Pro-opposition chiefs in chiefdoms such as Duayaw Nkwanta were immediately relegated or government recognition withdrawn and in places like Bechem where the monarchy was pro-CPP the chiefs were either retained or upgraded. Once the government's recognition has been withdrawn;

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<sup>82</sup> Omari, *op.cit* P. 54.

<sup>83</sup> *Ibid.* P. 50.

'--destoolment charges were brought by the pro-CPP element in a state from which government recognition had been withdrawn. They were approved by those who feared the further consequences of the government's disapproval. The government then recognized the charges as valid, the chief was 'gazetted' as being destooled, and a (pro-CPP) candidate from a rival royal house took his place. Once the chief was changed, pressure was exerted in a variety of subtle, indirect ways to bring other sections of the chieftom into line; then, after an interval of time, recognition was accorded, and paramount status restored, to both chief and state. By such means every pro-NLM Ashanti chief was removed from office with the exception of the Asantehene, who was spared only after he made a public declaration of support for 'the government of the day.'<sup>84,</sup>

In this intimidating situation, all rational royal houses declined from opposing the CPP government as it became the unofficial responsibility of every traditional chief of all the Traditional Councils to rally its subjects during elections behind the CPP. Failure to do this always invited a hostile or response from the government.<sup>85</sup>

Through the engineering of the government, parliament also passed the Avoidance of Discrimination Act. This Act, which was passed in 1957, made it unlawful, even if of charitable nature to form any association, based on tribal and religious

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<sup>84</sup> Austin, op.cit. Pp. 377-8.

<sup>85</sup> The role and significance of the traditional chief in Ghanaian politics is admirably treated by Dennis Austin in the article 'Voting in an African Rural Area' *Journal of the International African Institute*, Vol. XXXI, No. 2, January, 1961. Pp. 12/13.

considerations.<sup>86</sup> On the surface, the ADA looked brilliant and well intentioned but this only concealed its real purpose, which aimed to finally tear apart the Ghana opposition, which had been dominated since 1954 by ethnic and religious associations with objectives inconsistent with those of the CPP. For example in the pre-independence elections during which politics in Ghana had been dominated by power struggle, the National Liberation Movement formed in 1954 had championed Ashanti breakaway with the result that this had nearly delayed the granting of independence in 1957.<sup>87</sup> This agitation had not stopped even after independence. But more importantly this regional and ethnically based political organization had made the Ashanti Province a hot bed of violence, opposition and incipient revolt.<sup>88</sup> The introduction of the Avoidance of Discrimination Act was therefore an attempt by the ruling CPP to break the back of the Liberation Movement. The Act also targeted the Northern People's Party (NPP), Moslem Association Party (MAP) and the Trans-Volta Togoland Congress. Therefore, by 1960 when the newly independent nation became officially a republic, Nkrumah and his government had gradually and through subtle means though legitimate legal procedures

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<sup>86</sup> Bretton, op.cit., P. 46.

<sup>87</sup> Austin, 1964) op.cit Pp. 277-280.

<sup>88</sup> Nkrumah, 1957 op.cit P. 242.

transformed the Independence Constitution in which Ghana was a monarchy to a political device in which articles and clauses of the constitution provided legitimate grounds for stifling the opposition.

#### **4.4.3 The Judiciary**

Nkrumah's government not only manipulated the Constitution of Ghana, they also interfered extensively in the affairs of the judiciary even to the point of establishing it as the government's own mouthpiece on political matters. More often than not, those who opposed these moves were sacrificed for the interest of the government. In Nkrumah's Ghana, the idea that parliament makes laws while the courts or the judiciary interprets them<sup>89</sup> was given limited significance. Executive instruments and influence were very often used to frustrate the independent operation of the judiciary. Interference with the judiciary ranged from appointments to the hierarchy to interference with proceedings and judgments. To be sure the government maintained a loyal judiciary to its courses the Judicial Service Commission formerly enshrined in the Independent Constitution and which was to carry out its duties independently of the Executive, was dissolved and its functions

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<sup>89</sup> Hatchard, J, Slinn P, *Parliamentary Supremacy and Judicial Independence* (Cavendish Publishing Ltd, London, 1999) P. 18.

reassigned to the chief Justice who, in the appointment of magistrates and other judicial officers, would consult the Prime Minister.<sup>90</sup> Since the Chief Justice himself was appointed on the advice of the Prime Minister, it made the consequence of the relationship as predictable as it was a farce. First, it ensured that the government or the Prime Minister appointed his favourites, party activists, supporters, or sympathizers to the hierarchy of the Judiciary. In this situation, the government and the Judiciary played an interdependent role to command the trust of each other. This infested the Judiciary with subjectivity in judgment particularly on political issues involving the government and the opposition. For example on many occasions, the prominent lawyer and doyen of Ghana politics, Dr. J.B. Danquah, tried to challenge the government on the legitimacy and constitutionality of some of its legal procedures, and although these challenges had substance, the legal wit invariably failed. One of such instances was the case involving R. R. Amponsah, M. K. Apaloo and J. K. Mensah in 1958 in an alleged conspiracy attempt to assassinate or overthrow the Prime Minister in some future occasion.<sup>91</sup> Whether in fact this was true has not been proven. The opposition maintains this was a fabrication. Nkrumah on the other hand was emphatic on the

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<sup>90</sup> Bretton, *Op.cit.* 51.

<sup>91</sup> Omari, *op.cit* P. 137.



substance of this allegation.<sup>92</sup> The court ordered the detention of these persons.<sup>93</sup> And then Danquah sought the release of the three from detention in a writ directed at the Minister of Defence. However, bent strongly on carrying through his objectives, it is believed<sup>94</sup> that Nkrumah himself in an agreement with the Director of Ghana Prisons appealed to the Supreme Court and this ended and dismissed Danquah's appeal in 1960. Of course, the purpose of the dismissal of Dr. Danquah's appeal was not because his case did not contain substance. His was one that was bound to experience defeat considering the arrangement in place. Dismissing Danquah's appeal in 1960, Sir, Arku Korsah, the Chief Justice observed rather lamentably that he and his colleagues hoped that 'provisions in our law for a right of appeal, in a case such as an application for a writ of habeas corpus, will receive the consideration of the Legislative Arm.'<sup>95</sup> In 1966, Arku Korsah, after the coup that overthrew Nkrumah's government admitted that Nkrumah unjustly used the PDA to imprison political foes.<sup>96</sup> This revelation from the former Acting Governor-General who had as Chief Justice declared the Preventive Detention Act constitutional

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<sup>92</sup> See Obeng, S., *Selected Speeches*, Vol. 4, P.100. See also Ghana government, Statement by the government of the Recent Conspiracy: Accra Government Printer, 1961. See also Statement by the Government on the Recent Conspiracy, Accra: Office of the President, December 1961.

<sup>93</sup> Ibid.

<sup>94</sup> Omari, op. cit, 74

<sup>95</sup> Daily Graphic, 14 June, 1960.

<sup>96</sup> Omari op.cit. Pp. 73/74.

is a demonstration that he was himself at the time operating within the web of political forces that he himself had no control over. This was the result of the impact of the second assault of the government on the judiciary. Through the existing legislative and constitutional framework, the government of the day without difficulty was able to manipulate the judiciary to champion its objective. In effect the Judiciary was rendered ineffective and became as it were, a stooge or in a more appropriate terms the mouthpiece of the government.

The government of Ghana and the Judiciary again found themselves in another session of wrestling against the Ghana opposition. On this occasion the Chief Justice, Sir Arku Korsah, sitting as the president with Justice W. B. Van Lare and Justice Akufo-Addo on a case involving Ako Adjei, Cofie Crabbe and Tawia Adamafio in an alleged assassination plot on the president's life in the Northern Town of Kulugungu,<sup>97</sup> the judgment of the judges which went in favour of the accused was to invite an angry reaction from the government. On August 1, 1962, the president held a meeting with his Burkinabe counterpart, president Yameogo in the Burkinabe city of Tenkudugu. On returning to Ghana Nkrumah felt obliged when he got to Kulugungu to stop and greet

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<sup>97</sup> Bing, *op.cit.* Pp. 410-412.

a party of schoolchildren. On getting out of his car, a hand grenade greeted him from which he escaped with serious injury.<sup>98</sup> Evidence has it that a pupil and a policeman were killed and tens of people including the then Regional Commissioner of Northern Ghana were injured in this incidence. Evidence produced by the government pointed that the masterminds of this assassination attempt were Arko Adjei, C. Crabbe, T. Adamafio, J. Y. Manu and R. B. Otchere. At the end of the trial, the sitting judges in December 1963 discharged Adamafio, Adjei and Crabbe on charges of conspiracy to commit treason and of treason, but it sentenced Manu and Otchere to death on the same charges. The acquittal of the three according to the judges was the weakness of evidence brought against them by the government. This judgment was given on December 9, 1963 and on the 11<sup>th</sup>, Nkrumah dismissed Sir Arku Korsah as Chief Justice remaining only as a Supreme Court Judge. Consequently, out of hostility and intimidation Sir Arku as well as Van Lary and Akufo-Addo retired from the judiciary pre-maturely.<sup>99</sup> Following the government's failure to get the verdict in its interest a special court was set up in which all twelve Judges were CPP and government sympathizers

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<sup>98</sup> Powell, E., *Private Secretary (Female)/Gold Coast* (C. Hurst & Company, London, 1984) Pp. 193/194.

<sup>99</sup> Omari, op.cit. P. 98.

from the Kwame Nkrumah Ideological Institute.<sup>100</sup> The result was predictable. The jurors brought a verdict of guilt in a unanimous response upon the three and sentenced them to death.

The ease with which the Nkrumah government subjected the Ghana Judiciary to its own manipulation would not have been as possible as it was but for the unflinching support of parliament.

From the beginning the membership of the CPP consisted of the masses of the Ghanaian society; the down trodden and only a handful of semi-educated middle class or lower-middle class and just a few full-fledged educated but also of middle-class origins. The economic standing of these people before their membership of the CPP was as would be expected nothing to write home about. Most of those who now made up the 'big party men or activists or those who are now government officials struggled in those days to make ends meet and wallowed in frustration particularly as the Second World War and its effects had left their economic lives in desperation. These 'frustrated' men who emerged in less than two decades as heroes having spearheaded and brought independence to their native land and who as party sympathizers or activists or as governments officials or representatives of the people, have overnight changed their economic circumstances for

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<sup>100</sup> Bretton, *op.cit.* P. 63.

the better thought rather appropriately that they owe everything, including their existence to the CPP government. Party functionaries and government officials, Parliamentarians were no exceptions, had by 1961 appropriated so much wealth and affluence that Nkrumah himself shocked at the situation was moved to announce a limit on the wealth of party members.<sup>101</sup> Such class of Ghanaians was required not to own more than two houses of a combined value of £20,000, two motor cars, plots of land apart from those covered by the first instance above, with the total value not greater than £500. The range of allowance to these possessions is not only alarming for a country threading the path of socialism, but is also a sordid revelation of the extent of riches of the people who had taken upon themselves the responsibility to redeem the people they rule from political and economic bondage. Hutton Mills' boastful reflection that 'I have now left poverty behind me forever'<sup>102</sup>, tells the entire story. Hence, the ideology that the interest of the CPP or of the government was their interest ruled with vehemence in their minds. Nothing exemplifies this situation more than the following observation by Tawia Adamafio on

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<sup>101</sup> See Statement by the President Concerning Properties and Business Connections of Ministers and Ministerial Secretaries. Accra: Government Printer, 1961.

<sup>102</sup> Omari, op. cit p60

Nkrumah before he was implicated in Nkrumah's assassination attempt.

'...Kwame Nkrumah is our father, teacher, our brother, our friend, indeed our very lives for without him we would no doubt have existed, but we would not have lived; here would have been no hope of cure for our sick souls, no taste of glorious victory after a life-time of suffering. What we owe to him is greater even than the air we breathe, for he made us as surely as he made Ghana.'<sup>103</sup>

At parliamentary debates on issues proposed by the government one could definitely expect either of two things or both to happen. You had on one-hand parliamentarians who would either evoke very weak arguments to tow the government's line because of their stereotypical minds or those who refrained from the debate only to do the voting of 'yes' for the government during voting time and those who during the debates would put up qualitative arguments against the government's intentions but who when it came to voting would vote all out for the government in spite of the *obnoxious* implications some of these proposals. For example during the debate on the introduction of the Preventive Detention Act members from both sides of the house were very critical in their condemnation. And some even questioned the moral and

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<sup>103</sup> Quoted from: Apter, D., *Ghana in Transition*, (Princeton University Press, New York, 1973) Pp. 325-326.

constitutional basis of the Act. J. A. Braimah<sup>104</sup> from the government side pointing to the Criminal Code Section 337 (Treason); Section 338 (Misprision of Treason); Section 339 (Treason Felony); Section 340 (Application of English Law of Treason), and Sections 341-4 advanced that the passing of the PDA into law was unnecessary as the existing law of Ghana could be employed to deal with the Government's fears. S. D. Dombo from the opposite bench shared the same views and Dr. Danquah questioned the constitutionality of the Bill.<sup>105</sup> Nonetheless, opposition to this Bill was not solid enough to offset the government's ambition. Hence the PDA was passed without much delay. And as the case had always been, the number of opposition to the Bill at parliamentary debates failed to reflect in the voting. The obvious reason is that against their moral principles and judgments parliamentarians of the CPP caucus were obliged to the government more than the people they represented.

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<sup>104</sup> The full text of Braimah's speech is reproduced in Omari, P. T., *Kwame Nkrumah: The Anatomy of African dictatorship* (Sankofa Educational Publishers, Accra, 2000) Pp. 179-189.

<sup>105</sup> The full debate can be found in (Parliamentary Debates, Official Report-First Series Vol. 2, July, 5 Sept. 1958)

#### **4.4.4 The party system.**

The government also manipulated the party system to suit its political and economic schemes. It is worth to mention that until the formation of the CPP in 1949 the idea of political organizations on party lines was unknown. Occasionally anti-colonial organizations such as the Fante Confederacy, Aborigines Rights and Protection Society, Gold Coast Youth Conference and more recently the UGCC had emerged to champion anti-colonial sentiments or campaign for more rights and privileges for the colonized peoples. Although these political organizations usually had the characteristics of political parties in that they had leadership structure and constitutions spelling out their aims and objectives, none was formed to contest elections, win or even control political power of any kind. It was Nkrumah who introduced the party system in Ghana with the formation of his Convention Peoples Party to wrestle political power from the colonialists.<sup>106</sup> This as has been indicated in the previous chapter was the result of his fall-out with the leadership of the UGCC. Nkrumah did not therefore aim to part with the tradition of the past by introducing the party system. But as the objective of achieving independence seemed almost frustrated by the slow pace and unenthusiastic outlook of the

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<sup>106</sup> Nkrumah, 1957 op.cit P. 69.



leadership echelon of the UGCC to that course, the CPP was born as part of a tactical move to realize this objective. This move worked to perfection when in 1951 the CPP defeated the UGCC in the first ever general elections to form the first African government. The trend did not change in subsequent elections until independence was achieved in 1957. In his autobiography published in 1954 Nkrumah had stated that the very idea of an opposition was alien to African traditional institutions.<sup>107</sup> Indeed in the African traditional political set up you had the Monarchy or the Royal House from which political leaders were bred, groomed and selected. As a human institution, this political arrangement was often fraught with succession disputes. These had resulted in splits and the creation of rival Royal Houses.<sup>108</sup> But the roles the rival Royal House played in the African political systems was not akin to the role of the 'opposition' in the Western sense. In fact once out of power they had limited role to play in government. Once a king was enthroned only natural circumstances or misconduct would lead to his dethronement.<sup>109</sup> There were no elections. Chiefs or Kings were selected and appointed by Traditional Appointing Councils, headed in the case of the Ashanti

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<sup>107</sup> *ibid* P. 69.

<sup>108</sup> Nana Ampong Ofose; Twafohene, Akyem Bosome Traditional Council. Interviewed at his residence on 15-03-04.

<sup>109</sup> Danquah, J. B., *Akan Laws and Customs* (Frank Cass, London, 1928) P.115.

of Ghana by the Queen Mother who usually, although unconventionally had the final say on who gets the nod. Once on the throne he was king or chief for life.<sup>110</sup> But this was not what made the existence of an opposition ineffective or even alien to the African political system, attempt to plot the overthrow of the king or challenge his authority was fraught with dangers and illegality and punishable by death sentence or extradition.<sup>111</sup> The only legal channel by which dethronement charges could be levelled against the king was the Council of Elders, which was not entirely independent of the king's loyalty.<sup>112</sup> These conditions were the reason for the endurance of the monarchical system in Africa as well as the arbitrariness, which engulfed political life in independent African states.

The Monarchical system and its essential practices in traditional African politics lead us to understand why, although Africans adopted democratic principles, especially from the end of the Second World War to decolonize the continent, Independence from colonial rule based on foreign rule was soon substituted by the rule of indigenous tyrants. Decolonization meant only that the vehicle to transport the new states through the future had changed.

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<sup>110</sup> Doro, M E., Stultz, N M (eds) *Government in Black Africa-Perspectives on New States* (Prentice-Hall Inc., New Jersey) P30

<sup>111</sup> Nana Ampong Ofofu, op.cit.

<sup>112</sup> *ibid.*

But you had a people who owed everything to their past, shared common culture with the past and still maintained the values and mores of the past who were the drivers as well as the commuters of this new vehicle. Therefore politicians of the first African governments anywhere on the continent shared a common ideology whose basis was the orientation towards the past. Once they had led their countries to wrestle independence from the colonialist they began to rule as though they had their mandate to rule them for life. This ideology was essentially African. Why most African governments and in particular the government of Dr. Nkrumah reverted to a one-party state after independence was the result of operating within this framework of ideology. How did Nkrumah do this?

As soon as independence had been won and the CPP government mandated to lead the former colony, its immediate preoccupation became directed at entrenching its authority and power. Since the Independence Constitution placed limitation on the extent of the president's powers and authority under her majesty, the Queen of England, the government now relied heavily on parliament for the necessary alteration to be made to the constitution. The results were the passing into law of a number of Acts including the

*obnoxious* PDA and more recently, in 1960 the Republican Constitution, which gave full sovereignty to Ghana as it ceased to be a part of the British monarchy. Having become sovereign, the CPP government now began to spread its tentacles as quickly as wildly on all state and non-state institutions. Even the Legislative Assembly and the Judiciary for all they stood for were supposed to be loyal in no uncertain terms to the CPP and the ruling government. The Trade Unions were organized as a legitimate branch of the Convention People's Party<sup>113</sup> and the government itself in administering the state made no distinction between institutions of the state, their resources and those of the Convention. Here, the issue that easily comes to mind is the use to which the president himself put the Presidential Contingency Fund.<sup>114</sup> Although the fund was by law intended to serve public purposes the president violated this provision and use part of the fund to pursue ventures of private significance. Out of this, he distributed largesse and gifts to friends.<sup>115</sup> The most celebrated case was his purchase of a rare type of car—Ford Thunderbird for Miss Genoveva Marais who was reported by the Apaloo Commission of Enquiry to have kept a special kind of relationship

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<sup>113</sup> Bretton, *op.cit* Pp.76/78.

<sup>114</sup> The contingency fund was public money voted and placed at the disposal of the president for his use for public purposes.

<sup>115</sup> Report of the Apaloo Commission of Enquiry. See pages 19-28.

with the president of the Republic. He also paid for the cost of the double gate of Ikoku's Bungalow, the cost of running a political newspaper, *The Spark* and the cost of launching his book, *Neo-Colonialism* at the Ambassador Hotel in Accra.<sup>116</sup>

This practice as would be recalled had common orientation and features as the traditional political system in which resources of the state and the monarchy were one and the same. The monarch was by tradition not permitted to engage in trade or any self-seeking profiteering activity.<sup>117</sup> However, access to public resources was considerable. All he needed to avoid was unnecessary waste<sup>118</sup> Therefore, All state resources and apparatus were therefore in keeping with this ideology marshalled to throw weight behind the Convention Peoples Party. Free use of state communication media—the radio, the print media, television, Information Services Department publicity vans and public buildings for party purposes were common practice.<sup>119</sup> In addition, civil servants, university lecturers and students, chiefs, workers and all government ministries and agencies were required to be members of the Convention People's Party. Moreover, it became common practice that those who yielded to such allurements were

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<sup>116</sup> Ibid 19-28

<sup>117</sup> Busia, op.cit. Pp. 199, 50-51.

<sup>118</sup> Gyekye, op.cit P. 20.

<sup>119</sup> Omari, op.cit P. 64.

rewarded with wealth, promotion and influence. The following excerpts from my interview with Mr. John Tettegah<sup>120</sup>, former minister of state and first Secretary General of the Ghana Trade Union Congress captures the Ghanaian situation rather vividly.

**QUESTION:** The CPP has often been accused by its political opponents for relying on state structures for its expansion. Are they correct?

**TETTEGAH:** It is correct that the CPP and the government were interdependent. This is true for all ruling parties in all democracies. However, we were concerned to do everything within the confines of the law.

**QUESTION:** How did you maintain this relationship within the confines of the law?

**TETTEGAH:** As the ruling party, we owed the government the duty to support the championing of its objectives and as sympathizers; they gave us their goodwill by warmly rewarding us with jobs and appointments. However, this interdependency was organized within the provision of the constitution.

**QUESTION:** What would you say was the objective of the government regarding the constitutional changes from 1957, the year of Ghana's independence?

**TETTEGAH:** Our foremost objective was the security of the state. It was upon this that our very security depended...but the CPP being the national party with the majority of Ghanaians as members it was our aim that every Ghanaian should be part.

First, Tettegah's response confirms rather than rejects the notion that public goods and resources were tapped by the CPP and the government for the purpose of expanding the party. Second, it is

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<sup>120</sup> Mr. John Tettegah: interviewed on 25-05-04. at his Accra Residence.

also a sure revelation that both the government and the party made no distinction between what constituted the resources of the state, those of the party and even its members and third; that opposition to the CPP government was viewed with apprehension.

As the CPP relied on public goods and resources to rally and maintain their supporters so did it rely on state institutions and machinery to advance its economic standing for party maintenance. One of such institutions for the advancement of the economy of the CPP was the Cocoa Purchasing Company established in 1952 as a subsidiary of the Cocoa Marketing Board in Ghana.

The war years and its aftermath had created serious balance of payment problems for Great Britain<sup>121</sup>. Therefore, to finance her enormous import requirements at a time when her capacity to export was severely truncated Britain was compelled to borrow heavily from abroad particularly from her colonial dependants.<sup>122</sup> British colonies like Ghana did not have enough fiscal reserves to be in position to advance any loans to the mother country, but they had booming reserves in agricultural produce such as timber, coffee, groundnut and the 'king', cocoa. The strategy then was for

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<sup>121</sup> Alan, S., Cook, C., *Post War Britain: A Political History 1945-1992* (Penguin Books, England, 1993) p. 26

<sup>122</sup> Fitch, B., Oppenheimer, M., *Ghana: End of an Illusion* (Monthly Review Press, New York, 1966) P.42.

the colonial power to extract as much as it could from these agricultural produce. The result was the establishment of Marketing Boards in the colonies at the end of the war to play the sole responsible role of buyers and sellers of these produce. The idea was that by eliminating the petty middle-class intermediaries in the chain of production between the producer and the consuming industries in Europe, to establish a monopoly role by the Marketing Boards, Great Britain would extract the differences between the domestic prices and the international level prices.<sup>123</sup>

1948 was the turn of the Gold Coast. The Labour Government of Britain established the Cocoa Marketing Board in that year as the colony's sole buyer, grader, seller and exporter of cocoa. As was the practice with Marketing Boards, the domestic price of cocoa in Ghana was set below the world price. The table below reproduced from Fitch and Bob (1966) tells the whole story.

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<sup>123</sup> *ibid* P. 40.



**TABLE 4.1. The Cocoa Marketing Board and Ghanaian Reserves (Millions of Pounds) 1948-1957**

Year	Total Proceeds	CMB Paid to Producers	Total Ghanaian Reserves
1948	41.5	15.4	N/A
1949	37.5	21.2	N/A
1950	45.1	21.2	113.3
1951	70.3	34.2	137.2
1952	51.6	31.4	145.1
1953	57.1	32.5	160.1
1954	74.7	28.0	197.4
1955	77.5	29.5	208.2
1956	52.3	35.0	189.8
1957	50.7	39.9	171.4

**Source:** Fitch, B., Oppenheimer M., Ghana: End of an Illusion (Monthly Review Press, New York, 1966),p.45

The success in performance by the Ghana CMB is reflected on the table by increases in both annual proceeds and annual reserves of the country between 1948, the year of its formation and 1957, the year of political independence. The proceeds were then simply sent to London where they were held as sterling balances for

investment in long-term British government securities<sup>124</sup> and then channelled to solving Great Britain's fiscal problems. The contribution of the Gold Coast to the rehabilitation of the British economy was so remarkable that Arthur Creech Jones, former Colonial Secretary was moved to remark; 'I think we should be conscious of the very considerable contribution which the Gold Coast has made to the Sterling Area'.<sup>125</sup>

Nonetheless, what is crucial in this analysis is not so much the contribution of Ghana to solving the fiscal problems of Britain as how the activities and success of the CMB contributed to growth of corruption in Ghana. As soon as the 1951 CPP government noticed the sky-high profits being accrued to the CMB through its cocoa, buying and selling activities it began earnest attempts to gain control of the board.<sup>126</sup> However, the nascent nationalist political organization had only recently taken advantage of the somewhat benevolence or concession of the colonial authorities to form an African government, which although now played very significant role in the colonial administration as never before, continued to rely on their goodwill for the granting of final political independence. It was for this reason and the fact that such an

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<sup>124</sup> Ibid. P. 44.

<sup>125</sup> Daily Graphic (Accra), December 20, 1955.

<sup>126</sup> According to the Jibowu Commission formed in 1956 to investigate the activities of the CPC, it was an attempt by the CPP leaders to seek the greatest financial self-aggrandizement possible.

action would jeopardize the goodwill relationship between the CPP and the colonial administration and cost them independence or even gain it the harder way that the CPP hesitated on this idea. Instead the CPP founded the Cocoa purchasing Company in 1952 as a subsidiary of the Cocoa Marketing Board<sup>127</sup> with the intention to buy directly from the source or the producers and then advance sale to the CMB, which retreated to the comfortable role as sole exporter of cocoa. In essence, the CPC carried out the same function as the CMB, though on a different scale and became to the Convention People's Party what the CMB was to the British government. As Krobo Edusei would remark in the Legislative Assembly;

The CPC is the product of a master brain, Dr. Kwame Nkrumah, and it is the atomic bomb of the Convention Peoples Party. As honourable members are aware, the Prime Minister in his statements to the CPP told his Party members that organization decided everything and the CPC is part of the organization of the Convention Peoples Party.<sup>128</sup>

In no time, the party's treasury began to swell as the CPC began to turn-in the returns of the new venture. Through the activities of the CPC, the Convention Peoples Party and the government became a super cocoa broker. The CMB had played this role at

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<sup>127</sup> Le Vine, op.cit P. 18.

<sup>128</sup> Gold Coast Legislative Assembly, Debates, March 3, 1954.

the time the CPC had not been born. Nevertheless, because they approached this activity with a not too strict discipline, individual African brokers some of whom had been supporters of the CPP had prevailed on this field carrying on their small scale retailing activities. Thus, the penetrating activities of the CPC did not take long to be noticed by the African merchants some of whom vehemently opposed their activities.<sup>129</sup> The political consequences of this crash of interest were swift and predictable. Those individual brokers who were members of the CPP quit the party voluntarily or were expelled for opposing the formation of the CPC and its activities.<sup>130</sup>

The CPC also put the government in a large-scale loan-giving activity.<sup>131</sup> The lucrative nature of its undertakings led to accumulation in a short space of time of large supply of credit part of which was invested in the granting of loans. The loan-giving activity of the CPC took two forms. First, they gave loans at low interest rates generally to the public but specifically to the rural population where the CPP drew the majority of their supporters as an enticement to maintain their support for the party and government. Even in situations where the peasant farmer was

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<sup>129</sup> Fitch, B., Oppenheimer, M. op.cit P. 46.

<sup>130</sup> *ibid*

<sup>131</sup> Le Vine op.cit 19.

unable to pay back the loan his debt was written off as a demonstration of the government's commitment in helping improve their economic circumstances provided such individual could demonstrate beyond doubt that he was a sympathizer of the government party.<sup>132</sup> The second method used by the CPC to maintain a political patronage involved the giving of loans to politically certified farmers without interest at all and without attempt to also get back the principal. All such individuals needed to do was a demonstration of high and enthusiastic commitment to the activities and progress of the CPP. Those who normally fell under this category were those who were prepared to spend weeks and sometimes months in the rural areas and hinterlands just canvassing for the government and the CPP.<sup>133</sup>

What was corrupt about the CPC loan venture was not the institution but the manner in which it operated. Its blatantly corrupt, biased and partisan administrative style was nothing to write home about. It did not advance loan to farmers on the basis of who was needy or who merited it. CPP or government organizational affiliation identity was required before any farmer could qualify for

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<sup>132</sup> Fitch, B., Oppenheimer, M., op. cit. 46,47

<sup>133</sup> Nana Ampong Ofofu-Twafo-hene of Akyem Bosome Traditional Council: interview wed at his residence, Akyem Soadro 15-05-04

a loan.<sup>134</sup> Therefore, as the CPC was the sole 'middleman' in that chain of production, farmers in the opposition, against their moral principle were forced to identify with the ruling government in order to be privy to the opportunities available for party and government sympathizers. In this way, the CPP/government took advantage of the economic predicament of the Ghanaian peasant farmer to build a political patronage machine.

Another way in which the funds of the Cocoa Purchasing Company were channelled corruptly was through vote buying.<sup>135</sup> In the 1954 elections in particular advances of loans rose to over 450 percent during the immediate weeks before the elections.<sup>136</sup> This amount, which according to the Jibowu Commission of Enquiry totalled £317,000 were deliberately distributed to CPP canvassers to be redistributed to the following they made. An eyewitness who was on my interview revealed; '—whenever we questioned the legality of those monies their beneficiaries told us it was their party's reward for the good work they were doing'.<sup>137</sup> It was this 'bribe reward' that bound the youth and people across all strata of society to the CPP. Hence as Fitch and Bob remark: 'Many of the

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<sup>134</sup> Fitch, B., Oppenheimer, M., op.cit P. 49.

<sup>135</sup> Ibid. p. 50.

<sup>136</sup> The Jibowu Commission Report. P. 41.

<sup>137</sup> Mr. K, aged 76 was interviewed at his residence in Koforidua 05-03-04. He pleaded anonymity however.

men and women who bought membership cards in the CPP did so for the same reasons that citizens in the United States buy tickets to a policemen's ball'.<sup>138</sup> In both cases the rationale was informed by the benefits the undertaker derived from his efforts. Therefore, membership of the Convention People's Party became not only a political act, but also an important economic decision and rational undertaking.

Another public institution or government agency, which the first African government in Ghana and the CPP, the government party privatized for the purpose of maintaining the CPP machine, was the National Development Corporation (NADECO), founded by the regime much later when the CPC became defunct. This had become necessary as the significance of the CPC; the party's source of economic power was gradually losing its significance due to fluctuation and destabilization of the international price of cocoa from the second half of the twentieth century. The following table shows the gradual decline and fluctuations in the local and international prices of cocoa from the second half of the last century.

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<sup>138</sup> Fitch, B., Oppenheimer, M., op.cit.

**Table 4.2.Cocoa Prices (£ Per Ton)<sup>139</sup>**

<b>Year</b>	1947	1952	1954	1961	1962	1963	1964	1965
<b>Producer price</b>	74.7	130.7	134.0	112.0	112.0	110.1	100.8	91.8
<b>International price</b>	238.0	301.0	467.0	179.9	170.1	208.2	190.7	140.6

After political independence in 1957, the Ghana government appropriated the CMB, which operated side-by-side with the CPC. But now that the British government was not the direct recipient of the returns accrued by the Ghana CMB, although British industries continued their role as major user of Ghanaian cocoa, the British government decided to shake up the system by paying persistently less and less for the price of cocoa.<sup>140</sup> This affected the economic standing of the CMB/CPC and of their ability to support the CPP in the manner they had done before when their economic standing was sky-high. It was this that brought about the need to institute measures to save the economic predicament of the party for present and future political challenges.

The name of NADECO, (National Development Corporation) would first and foremost suggest the organization had something indeed

<sup>139</sup> Source: Omari op.cit. P. 114.

<sup>140</sup> Another reason, perhaps, for the persistent decrease in the price of cocoa following Ghana's independence is attributable to the success of the cocoa industry from the 1960s and the creation of several alternative sources of purchase by the West. In West Africa alone two major sources, Ivory Coast and Nigeria competed with Ghana on the international market.



in connection with Ghana's national development. In fact when it was instituted this was the objective it was said it would carry out. But an examination of the functions to which the CPP government put that organization suggests that in reality that was far from being the truth and that the corporation was ascribed that responsibility to throw dust into the eyes of the Ghanaian public.

The National Development Corporation performed the same function as the defunct Cocoa Purchasing Company, but unlike the latter it was deliberately instituted not with the aim, although as it later did, to undertake legitimate economic ventures, but perform the function of a clearinghouse or warehouse of bribes, commissions and supposed gifts to the CPP government.<sup>141</sup> Hence the Convention People's Party outlined an official procedure for raking-in. In connection with NADECO Limited commissions ranging from 5-10 per cent of the gross value of contracts entered into by the government as well as gifts to the CPP or the government was to be arranged and collected for the development of the Party.<sup>142</sup> The implication as events showed in the regime's administration was that the basis upon which a firm won a contract from the government was dependent upon the ability to pay these

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<sup>141</sup> Azu Crabbe Commission, P. 7, Para. 32.

<sup>142</sup> Mr. John Tettegah: Interviewed at his residence on 25-05-04, Accra.

5-10% bribes or commissions, and where several firms were brought together to compete for a particular contract, the firm that emerged winner was usually the highest bidder or the one most friendly to and recognized by the government. One of the most remarkable instances of such practice was in 1962 when two foreign firms; Stulcken & Sohn of Hamburg and the Parkinson Howard group both paid the required commission for a contract to renovate part of the Tema Harbour.<sup>143</sup> Although it was the former company which was the first to satisfy the Ghana government with the required percentage of commissions, the Parkinson Howard group whose long time dealings with the government and past conduct had convinced the Government Party about their willingness to make 'voluntary' contributions and their understanding of the business, out of these considerations, eventually won the contract from the Ghana government. The West German firm, in lieu of the failure to win the contract, then sought to retrieve the bribe money in connection with agreed terms. But as the amount had since been paid into NADECO'S account, the West German firm was as the Apaloo Commission reported 'nearly unsuccessful'.

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<sup>143</sup> Apaloo Commission of Enquiry, Pp. 41-45.

Although the West German firm was eventually able to retrieve its money, the government had by all intents and purposes proved it was corrupt. However, the very idea of party politics and democratic governance necessitates that funds must be available to run that system. In the developed worlds such as America and Great Britain Companies' monies or at times monies of rich individuals are used legitimately to finance political parties.<sup>144</sup> The implication of the relationship binding the politician and his financier is that a mutual obligation exists between the two. Whereas the financial classes support the political classes with their money to win political power, the politicians in turn legislate to pursue the economic interests or objectives of the commercial classes. The difference between what took place in Ghana under Nkrumah's regime and what happens in the West is the law. Whereas in the West formal procedures and legal instruments govern political party finance, the absence of these elements in Nkrumah's regime made the difference. Hence, the practice opened the way for unscrupulous officials and individuals with connections in high places to extort unduly from the system. For example the evidence by the Parkinson Howard Group of

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<sup>144</sup> See for example the argument of James C. Scott on *Corruption, Machine Politics and Political Change*, in Heidenheimer, A.J. and Johnston, M. (eds) *Political Corruption: Concepts and Contexts*, (Transaction Publishers, New Brunswick, 2001) P.226

Companies reported in paragraphs 245 and 246 shows that 'certain monies purported to be payments to the Convention People's Party may have ended up in the pockets of some ministers and that in certain cases, sums professedly raised for the CPP undergo some disputable metamorphosis and became Nkrumah's money which find their way safely into his private bank accounts.'<sup>145</sup>

Such was the nature of the machine politics of Nkrumah's Convention Peoples Party. In a sense, it had both a mass and patronage attributes. It could be said to be a mass party because it had a large following. However, from the very beginning membership of the party had been motivated by mutual economic and political gains. Indeed in the struggle days towards independence the party had capitalized on the economic and political grievances of the masses of the Ghanaian peoples to build its support and following amongst this category of Ghanaians. Even some operating under the illusion of a possible end to the political and economic bondage created by the colonialists had out of this consideration, willingly mortgaged or auctioned their possessions to give financial support to the CPP.<sup>146</sup> The ideology

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<sup>145</sup> Apaloo Commission Report, P. 39

<sup>146</sup> Omari, op.cit P. 59.

was that the control of power and sources of wealth when decolonization was finally done would afford them the opportunity to rake-in. From 1951 however, when the CPP assumed a partial and from 1957, a direct control of the economic resources of the state it was the party who invested in the political and party systems by buying such political support. The implication is that from the beginning when the CPP needed the support of the masses it was they who invested in the political system by investing in the CPP. Later however, when the CPP had built a strong economic status through the activities of the CPC, NADECO and contributions from the financial classes amongst its membership it was the party who traded economic support for political support.

Having broken the back of the opposition with the rootless application of its constitutional and executive powers and succeeded in wooing the popular support of the electorates through patronage, in 1964 the CPP government completed the chain of manipulations when a plebiscite called for by the government to decide whether the new Republic should be a one-party state obtained the most questionable result in the recent political history of the newly independent nation. With 99% of the

total number of voters responding positively to the government's request, fear and intimidation had so made it that even the Ashanti region with all its history of opposition to the government had recorded not a single 'No' vote<sup>147</sup>. By this development, the CPP had completed the corruption of the political process in the country it had so relentlessly fought to decolonize. The following table shows that in the major elections in the Gold Coast and Ghana, whereas the CPP continued to dominate with their representation in parliament the opposition continued to perform woefully. We can only attribute this situation to the success of the machine politics of the CPP, which saw it employing all available public resources in support of the CPP whilst making the political environment unhealthy for the growth of the opposition parties.

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<sup>147</sup> Boahen, op.cit P. 211.

**TABLE 4.3. Political Party Representation In Parliament in seats(1951-1959)**

<b>Parties in Parliament</b>	1951	1954	1956	1959
<b>CPP</b>	76	71	71	83
<b>NLM</b>	-	-	12	-
<b>Northern People's Party</b>	14	12	15	-
<b>Others</b>	11	21	6	1
<b>United Party</b>	-	-	-	18 <sup>148</sup>
<b>Total</b>	104	104	104	102*

Source: Omari, P.T., Kwame Nkrumah: The Anatomy of an African Dictatorship (Sankofa Educational Publishers, Accra, 2000) P. 62

#### ***4.5 Bureaucrats, Private Individuals and the Dominance of Patron-Clientelism.***

Most studies in political corruption have tended to ignore the role of the private individual on grounds that political corruption is exclusively applicable to public officials, bureaucrats and politicians. 'Political corruption', writes Gyekye, 'is thus an act of corruption perpetrated against the state or its agencies by a *person holding an official position* in pursuit of his or her own

<sup>148</sup> Six independent opposition parties amalgamated in 1957 to form the United Party.

\* There were two vacancies in this election.

private or personal profit'.<sup>149</sup> This ideology is at least conceptually erroneous. Hence, we address this briefly. Public officials, bureaucrats and politicians in general are categorized as such because of the relationship they bear to the state and the special functions their positions in society oblige them to perform. It is the duty of the public official to administer public goods and resources in such a way as to realize the 'public good' or the 'public interest'. It is the conflict or the confusion that surrounds the method or procedure of execution of such duty (and) or the purpose, which may result in corruption. The private citizen also maintains a relationship with the state, which is dependent upon the individual's role and function in society in realizing the 'public interest' or the 'public good'. The implication is that the public official and the private individual are both responsible to the state. The former administers and the latter is bonded by the relationship thrust of the state upon him not only to carry out the dictates of that administration, but also ensure the process of completion or success of the administration of the state. Both the public official and the private citizen therefore command, in respect to the state, positions of trust and the responsibility of either complements the responsibility of the other. Without the citizen or the private

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<sup>149</sup> Gyekye, *op.cit.* P. 2.



individual political administration will be non-existent or impossible of running. Hence, the public official as well as the private citizen plays political roles but at different levels in society. As such, the role of the private individual in the institution of societal corruption must not be overlooked. Rather it must be seen as an integral part of an organized array of activities that give rise to or help sustain institutional or political corruption.

Politically corrupt activities like patron-clientelism which took place in Nkrumah's Ghana or Zaire under Mobutu, embezzlement of state funds, laundering and grafting or even plundering of the economy can gain root and be sustained only in a predominantly corrupt society, for it is the society that produces corrupt political leaders. To borrow from Bayart '...corruption and predatoriness are not found exclusively amongst the powerful. 'Rather, they are modes of social and political behaviour shared by a plurality of actors on more or less a great scale.'<sup>150</sup> The activities of the Ghanaian government under Nkrumah perpetrated through such institutions, as Parliament, the Judiciary, CPC and NADECO would not surprise the commentator that these were prompted by the grave political fractures. You had a government whose recent experience had resulted in severe political manoeuvres to weaken

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<sup>150</sup> Bayart, J. F., *The State in Africa: The Politics of the Belly* (Longman, London, 1993) P. 238.

the opposition. Such manoeuvres or manipulations naturally created a circle or a clique of CPP activists and sympathizers some of whom were pulled in by the obvious political and economic advantages, which served as the reward of their political actions. The significance of the government's actions was the result that a considerable portion of the Ghanaian population, for their opposition, was denied the privilege or at least the right to the resources and wealth of the nation. Whereas those with special connections did not encounter difficulties in realizing their economic and political objectives for these could easily be attained by corrupt engagements, the underprivileged and the excluded had a different device. Since they could not get parliament to address their concerns nor even receive justice within the existing judicial system they had to pay for justice by buying it off from those with the authority and responsibility to dispense it. This explains why even today the African bureaucrat expects payment, and indeed is more often than not paid by their recipient for executing his official responsibilities. Parliament is responsible to the government more than it is to the people and the Judiciary is under the constant influence and manipulation of the government. As such, justice is in whatever form skewed and almost out of the

reach of the individual who has not the economic, political and social will to influence the activities of bureaucrats.

In a sense, we can liken the corruption situation in Nkrumah's Ghana to the post-war developments in Italy up to 1992. It is significant that Porta and Vannuci have analyzed the Italian situation of that period in terms of systemic corruption.<sup>151</sup> Political corruption in Nkrumah's Ghana was of that nature, a chain of organized activity spanning the various institutions of society. You had a corrupt government manned by corrupt bureaucrats and civil servants and the ruled; the citizen's responding to the dictates rather rationally as economic and political agents of the corrupt administration—selling of votes, accepting bribes as the motivation to vote, accepting undue promotion or appointment as the reward for contribution to the CPP, accepting bribe loans and many more. Regarding public officials, the Jiagge Commission<sup>152</sup> discovered membership of the CPP or government or both was more of an opportunity for self-enrichment and aggrandizement at public expense than an opportunity to champion the national good. As soon as one became strategically placed in government, the

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<sup>151</sup> Donatella, d. P, Alberto V., 'Corrupt Exchanges and the Implosion of the Italian Party System' in *Political Corruption: Concepts & Contexts, third edition* (eds) Heidenheimer A. H., Johnston, M., (Transaction Books, New Brunswick, 2001) Pp. 717-735.

<sup>152</sup> Reports of the Jiagge Commissions into Assets of Specified Persons. Vols. 1-III, 1968-69. (Jiaggye Commission). White Paper: W.P. No. 3/69.

immediate pre-occupation became the scrambling for personal possessions. It was no wonder therefore that at the end of its findings and reports on twenty-one former government officials of the erstwhile regime, an aggregate sum of NC 1,325,320, excluding properties inappropriately acquired was required to be paid back to the Ghana government. This amount, which ranged from the highest, NC 653, 739.27 (for Krobo Edusei who held several ministerial positions) to the lowest of NC 1,108.75 (for Lucy Anin, a former member of parliament) in my opinion was the least that Investigating Commission could come to. According to the commission many instances of misappropriations and ill-acquired wealth were overlooked on grounds of weakness of evidence and in some cases a virtual lack of substantiation. That by the time the commission finished and published its work payment back to the government by some of these affected persons had been done and completed is not only astonishing but also speaks volumes of the mentality of these persons. This behaviour not only demonstrates that public officials in the erstwhile regime were rational in their involvement in corruption but it also goes a long way to explain the boastful stance of Hutton Mills that; 'I have now left poverty behind me forever'.<sup>153</sup> The truth was that not only

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<sup>153</sup> Omari, op.cit. P. 60.

Hutton Mills, but also a majority of public officials in Nkrumah's regime could afford to boast like him. All they needed to do was to be rational, meet their obligation to government and society and they could walk Scot-free. Politics and the control or acquisition of power had been the source of their economic enhancement.

#### ***4.6 Conclusions and General Overview.***

Political corruption is not just about plundering of the economy by public officials, nor is it just about theft, graft, laundering, or embezzlement, it is about ways and means, methods and strategies and processes and procedures. Hence what makes a government, a public official or even an individual corrupt is not just what he does but how what he does is done and against what reason. Nkrumah's government became corrupt and dictatorial in reacting to the political challenges that confronted it. It tampered at will with the constitution, used parliament extensively and manipulated the judiciary and the party system to entrench its own authority. However providing the backdrop to the political society, which the reign of Nkrumah's government created, was the history, tradition and the institutional setting of the traditional African political systems, the political and economic developments of the

colonial era as well as the political development preceding and following the immediate years of the independence of the former British West African colony. Essentially, corruption, which means a deviation from the norm, but which also, implies an abuse of trust, has in the case of Ghana under Nkrumah been shown to be a political and economic tool. This was evidently manifest in the erstwhile regime when even the functions of state institutions were corrupted and misapplied on rational justification to champion the purpose not only of the nation but also of the government. It also applies to the regime's public officials to whom politics or an appointment in government became a means of social and economic advancement as well as the Ghanaian masses who, in responding to the socio-economic and political development of the time became rational economic actors. The masses in Nkrumah's Ghana did not shy away from paying for services from public officials if paying would facilitate the bureaucrat's actions or at least put some weighty obligations on the reluctant official. Again, they did not shy away from receiving bribes or payments to carry out duties, which was their natural obligation. In this respect political actions were taken not according to legal or moral principles but based on rational choice. People belonged or voted for that political party and not the other on the strengths of the

comparative returns and benefit. Political corruption in Nkrumah's Ghana was therefore as the picture portrays a systemic phenomenon. The government, the public official and the private citizen all had a stake in it.

Operating then from the basis that corruption is an economic and political tool applicable by rational economic and political actors, it follows that, corruption, although a deviation and abuse of trust, is at the same time, by all accounts and purposes a rational behaviour.

## Chapter Five

### **Political Corruption in Dr. Nkrumah's Ghana : A Theoretical Review.**

#### ***5.1 Introduction***

That the post-independence political regime of Ghana was for the most part dominated and instrumentalized by political corruption is a claim that cannot be ignored. Not only do the numerous Commissions and Committees of enquiry commissioned by the regimes that succeeded Nkrumah to investigate these matters make the phenomenon significant in Ghanaian Politics, but also, the truth that all post-independence governments have produced generous records of the previous regimes on the subject makes the phenomenon worthy of academic appraisal. In the Nkrumah years as in present day Ghana everyday saw new attacks and censure of corrupt activities, yet none of these assaults from religious bodies, NGOs, government functionaries, and the county's major dailies and even the general citizenry led either to its abolishment or even its curtailment. This gives the impression



of a country where corruption is mocked yet celebrated<sup>1</sup> and where the very people and institutions who are the watchdogs and the critics of the perpetrators of corruption are at the same time the instruments for its propagation. What accounts for this has been the searchlight of the preceding chapters. In this final chapter we attempt to establish a theoretical case for corruption in Ghana as we make reference to the issues and arguments raised in the preceding chapters.

Two propositions can be drawn from the Ghanaian situation. First, the volume of enquiries and the reports of the various Commissions would suggest that the phenomenon is widespread and prevalent in that society. Albeit, the prevalent nature of corruption among the citizenry, which also affects state and public institutions, suggests further that corruption is functional to the preservation and maintenance of society and its structures and for that matter the height of significance it attained in the Nkrumah years. Second, given the use to which corruption was put as against its consequent dysfunctionality the Ghanaian situation also implies that although corruption is persistent and widespread it is generally considered objectionable, hence the need for concern,

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<sup>1</sup> As we showed in Chapter Four with an extensive discussion on the Ghanaian situation, corruption is also used extensively in achieving socio-economic and political objectives.

censure and exposure by different political regimes. Both propositions give an insight into the Ghanaian perspective of corruption, which plays very vital roles in the function, and significance of political corruption in that political system. We examine this briefly.

By the Ghanaian *perspective* or *perception* of corruption, I mean the people's own understanding and assessment of the phenomenon based on its destructive or constructive effects, or its significance on society. It is these considerations that inform the people's choice, acceptance or even its rejection. Generally, the Ghanaian perception of Corruption can be demonstrated with evidence from four main sources. These include governmental responses, public reactions towards corrupt regimes, local institutions and to a lesser extent, International Perceptions.

## **5.2 Governmental Responses**

Ghana has a generous record and documentation on corruption. This trend has not changed since the colonial days. It is worthy of note that as early as 1948 when the colonial government commissioned the Watson Commission to investigate the causes of the 1948 riots and political mayhem in Accra, the Commission

spent significant time on the subject and made the most historic observation about Ghanaian ways of life. The following was the concern expressed by Watson Commission in 1948 of corruption.

It would be idle to ignore the existence of bribery and corruption in many walks of life in the Gold Coast admitted to us by every responsible African to whom we addressed the question. That it may spread as further responsibility devolved upon the African is a possibility which cannot be denied.<sup>2</sup>

This is not the entire story; in the Nkrumah years no less than five commissions of enquiry addressing the issue of corruption of which the most celebrated was the Korsah Commission were commissioned between 1956-1966. The National Liberation Council in an attempt to discredit the Nkrumah regime and to justify the reason for their coup followed suit. The Busia government and Acheampong's Supreme Military Council, which toppled Busia's in 1972, also set up various committees and commissions to examine the wider context and repercussion of the phenomenon on society. Given the historical and historiographical background to these events, it cannot be denied that the prime objective of the committee of enquiries, especially so when their exercise took a retrospective perspective was often engineered by

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<sup>2</sup> Watson Commission, : Report of The Commission of Enquiry into Disturbances in the Gold Coast London 1948 ,P. 8.

a desire by the sitting government to discredit the former. Therefore, the National Liberation Council of General Ankrah and the Progress Party government of Dr. Busia picked the subject matter of Corruption as the theme most likely to achieve their purpose. However, notwithstanding the inevitable fact that the reports of these commissions, considering the historical context, may have been motivation of prejudices, unfairness in reportage and predisposition, it is for all accounts and purposes clear that their substance cannot be questioned. The commitment and devotion of these regimes, the volumes of their findings and the fairly well documented cases of corruption in Ghana give an insight into the cultural perspective and the significance of Ghanaian corruption from the people's own viewpoint. Very few governments in Africa make a great deal of corruption<sup>3</sup> let alone commit the sparse resources of the state to probe and report on the corruption of previous governments. However, the evidence in Ghana provides a different scenario where the records presents detailed material data on a wide range of corrupt practices and behaviours. Since the aim of these records was an attempt to discredit or at the very least expose the misdeeds and the malfeasance of corrupt individuals and governments, the situation suggests there is an

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<sup>3</sup> Le Vine, V. T. *Political Corruption: The Ghana Case* (Hoover Institution Press, California, 1975) P. XII

extent to which corruption, although ingrained in the Ghanaian society is at the same time inconsistent with the broad-spectrum Ghanaian norm. Indeed the Apaloo Commission reporting on Nkrumah concluded in the following incriminating words but in a manner that shows Ghanaians disapprove of and do not accept corruption in public life especially when it does not bring improvement to the welfare of society.

It is no part of the work of this Commission to provide as it were, *ex post facto* justification for Nkrumah's dismissal from office. But in view of the findings we have made as to how he acquired the bulk of his property, and how he dealt with public property which he controlled as a Trustee of the people of this country and his proved duplicity in many matters, we find it impossible to resist the observation that Kwame Nkrumah thoroughly unfitted himself for the high office of the president of Ghana.<sup>4</sup>

### ***5.3 Public Reactions towards Corrupt Governments.***

No less important a factor in understanding the Ghanaian perception of corruption is public reaction on the phenomenon. In 1966 the *Legon Observer*, then published by a group of academicians from the University of Ghana, made the following astounding observation to draw attention to what at the time was a deep-seated concern of many Ghanaians.

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<sup>4</sup> The Apaloo Commission of Enquiry, page 66, paragraph 494.

Massive material corruption seems to have taken hold of the new class of West African politicians and their followers since they began to come into power. It is so widespread as to be universal, at least in this area.<sup>5</sup>

The scale and pervasiveness of corruption must have been very alarming to have become a source of social and intellectual concern. So poignant it must have been in that society to have invited this disillusioned comment. To show how disillusioned and disappointed Ghanaians can be about corruption our most instructive example in contemporary political history would be public reactions after the 1966 coup.

In the 1964 plebiscite, two years before Nkrumah was overthrown his overwhelming support and popularity at home had swept a landslide victory<sup>6</sup>. After the coup however, in far away Peking and later when he finally settled in Guinea the president had expected this unusual popularity to be demonstrated overwhelmingly through counter-insurrections, public strikes and demonstrations and total rebellion in opposition to the 'rebels'.<sup>7</sup> However, this never happened and Nkrumah's frequent appeals never achieved any effect.<sup>8</sup>

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<sup>5</sup> *Legon Observer* no. 5 (2 September 1966) P. 7.

<sup>6</sup> Davidson, B., *A View of the Life and Times of Kwame Nkrumah* (Allen Lane, London, 1973) P193

<sup>7</sup> Nkrumah, K., *Dark Days in Ghana* (Lawrence & Wishart, London, 1968) Pp. 10,11.

<sup>8</sup> Smertin, Y., *Kwame Nkrumah* (Progress Publishers, Moscow, 1987) P. 202.

The coup makers were greeted with heroic worship and the most enthusiastic welcome at least by all those who approved of it. The CPP was disbanded by the new regime and so were all the major political figures associated with it and these received no condemnation from the Ghanaian public.<sup>9</sup> Even Nkrumah's trusted ministers and colleagues like Michael Dei-Anang and Kofi Baako denounced him and dissociated themselves from the regime, the reason being, it appears to escape the ignominy of being associated with the corrupt regime.<sup>10</sup> Cases of malfeasance, misconduct and corruption were so rife that not even the extraordinary number of commissions of enquiry commissioned by the government of the NLC could exhaust the many instances of corruption. Well into Acheampong's regime in the 1970s some of the commissions were still anxiously engaged in investigation of corruption of the Nkrumah regime.<sup>11</sup>

The impact of Political Corruption had been so rampant and telling on the Ghanaian society that the ordinary citizen, although handicapped to do anything about it saw the military intervention as a necessary evil. Boahen makes the following observation

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<sup>9</sup> Boahen, A. A., *Ghana: Evolution and Change In The Nineteenth and Twentieth Centuries* (Sankofa Educational Publishers, Accra, 2000) P. 222.

<sup>10</sup> Kofi Baako for example is believed to have described Nkrumah soon after his overthrow as 'a fraud'. See Omari, Peter, *Anatomy of African Dictatorship*, Sankofa Books, Accra, 2000. P. 118.

<sup>11</sup> The Anin Commission of Inquiry into Bribery and Corruption for example was constituted in 1970, held hearing in 1970 and 1971 and then was interrupted by the January 1972 coup and continued its work into 1972 and 1973 to release its final report.

regarding the day when the announcement of Nkrumah's overthrow came to light;

By noon, the drinking bars, hotels and motels were packed to capacity with jubilant young men and women in a mood of festivity. Never has so short an announcement been accorded such a reception in Ghana<sup>12</sup>.

Such was the mood in Ghana. The once dominant and popular CPP government had lost their support and legitimacy. Throughout the period of consolidating its power and authority the weapon that the military adventurers employed against the deposed regime was corruption of public officials. According to Le Vine, corruption was of all the disparaging themes that the NLC thought about the subject most likely to be understood and to have the greatest impression on the public.<sup>13</sup> This worked to perfection. The revelations of the Asset Committees<sup>14</sup> of the ill-gotten fortunes of former public officials added to the frustration and the disillusionment of the public and the overwhelming nature of the revelations damaged everything that the CPP government had either in good or bad faith championed.

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<sup>12</sup>Boahen, op.cit P 223

<sup>13</sup> Le Vine, V. T., *Political Corruption: The Ghana Case* (Hoover Institution Press, California, 1975) P. XI.

<sup>14</sup> The Jiagge Commission was one of such committees appointed under the Commissions of Enquiry Act, 1964 (Act250) and N.L.C(Investigation and forfeiture of Assets) Decree 1966 (NLCD. 72) to enquire into the assets of specific persons



On the day of the coup and in the days that followed, public demonstration in support of the coup was significant. Demonstrators wielded placards which bore the effigies of Nkrumah and such inscriptions as 'No More Animal Farm', 'Ghanaians Are Now Free', 'The evil One', 'Socialist Thieves'<sup>15</sup> etc. Although the Ghanaian public had contributed to planting political corruption through their patronage, they now dissociated themselves at the time their support mattered most to the regime that had instituted this *alarming* trade. This show of withdrawal from the Ghanaian public does a lot to express the contempt with which Ghanaians treat corruption in spite of its socio-economic and political significance.

#### ***5.4 Perceptions of Public Agencies and the International Community.***

Yet other ways to learn of how Ghanaians perceive corruption may derive from the activities of local institutions<sup>16</sup> and international agencies on corruption. Ghana as a nation subscribes to the Transparency International Perception Report on corruption. It is significant to note that since the operation of this Non-

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<sup>15</sup> Boahen op.cit P. 224.

<sup>16</sup> Ghana Governance and Corruption Survey (G.G.C.S.) and Ghana Integrity Initiative (G.I.I.) are two prominent such institutions

governmental organisation in 1993, Ghana has consistently ranked among the world's most corrupt nations<sup>17</sup>. This has been a source of worry and concern and it provides the reason why in Ghana there is hardly a day in which the country's leading *Dailies* do not pick up themes on the negative implications on corruption. Not only this, but also the country's academicians are involved in the crusade against corruption. Apart from various publications and articles on the phenomenon, the Ghana Academy of Arts and Sciences frequently fund research into and embark on educational campaigns on corruption. The proceedings of the Academy in 1990<sup>18</sup> on '*Accountability in National Life*' and in 2002<sup>19</sup> on '*Corruption and Development in Africa.*' were particularly significant for their detailed academic dissection of the subject and total condemnation of peoples engaged in the practice.

To top it all in January 2001 when Mr. Kufuour was sworn into office as the second president of the fourth Republic, he declared that; 'my government will have a zero tolerance for corruption'<sup>20</sup>. This spoke volumes of the general public feeling on the issue under discussion. It is significant to note that since this declaration

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<sup>17</sup>See tables on annual rankings at <http://www.icgg.org/corruption.cpi.html>

<sup>18</sup> *Accountability In National Life: Proceedings of the Ghana Academy of Arts and Sciences* (Vol. XXVIII 1990, Accra.

<sup>19</sup> *Corruption And Development: Forum* organized by the Ghana Academy of Arts and Sciences and held at the British Council Hall, Accra, 18 June 2002.

<sup>20</sup> [www.ghanaweb.com](http://www.ghanaweb.com). feature article by Adu-Asare, Yaw (05-12-2006)

it has constituted the basis for any serious assessment of the performance of the government. Although the government has never been able to abolish or even, reduce the scale of corruption in Ghanaian public life the president's declaration tells a lot about worrying state of the phenomenon and of the Ghanaian perception of corruption.

What about the activities of the Center for Democracy and Development and the Ghana Governance and Corruption Survey commissioned by the World Bank? Its 2000 survey of the situation in Ghana with evidence from Households, Business Enterprises and Public Officials all point up to pervasiveness of the phenomenon in terms of public perception in the Ghanaian society. From its 2000 Reports, 73% of households in Ghana perceive corruption as ingrained and a threat to Ghana's socio-economic development and about the same percentage of public officials and the business world think likewise.<sup>21</sup> The table below demonstrates the percentage of unofficial payments during contacts with officialdom. In each case the percentage of illegal and unofficial dealings are reasonably high as to suggest that corruption is ingrained in the Ghanaian society.

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<sup>21</sup> The Ghana Governance and Corruption Survey, Accra: Ghana Anti Corruption Coalition 2002 Pp. 5-13

**Table 5.1: Shows the Percentage<sup>22</sup> of household respondents who made unofficial payments to public-service providing institutions in 2000.<sup>23</sup>**

Motor Transport And Traffic Unit (Ghana Police Service)	87.1
Custom Excised And Preventive Service	76.5
Police (excluding MTTU)	66.8
Immigration Service	61.5
Passport Office	59.3
Building Permit	57.3
Vehicle Licensing Office	52.8
Judge/Court Officials	48.3
Land Title Registry	36.8
Internal Revenue Service	35.9

Source: The Ghana Governance and corruption Survey: Evidence from Households, Enterprises and Public Officials Commissioned by the World Bank and conducted by the Centre for Democracy and Development (CDD-Ghana) August 2000.

<sup>22</sup> The reader should also take into account the fact that people hardly admit involvement in corruption.

<sup>23</sup> Source: *ibid* P. 10

It must be noted that this data represents the level of corruption in a single year. As such, it would seem very unreliable for a general observation to be drawn up for the post-colonial Ghanaian situation. However, given the general absence of such hard data in the literature it is significant for us to use this at least as the basis for advancing our argument especially so when the Ghanaian situation has not undergone any significant change since independence. The following remark by a former Ghanaian minister to an interview granted him by Le Vine in 1971 shows that the current picture would not have differed considerably in previous regimes and governments.

‘We Ghanaians are so accustomed to bribing our officials, and they stealing our rate-moneys, that it would be considered odd if we didn’t bribe and they didn’t steal,<sup>24</sup>

If anything is revealing from the above observation it is the notion that corruption is a deep-seated canker with a worrying effect on the Ghanaian society. It also points to the fact that the situation depicted on the table above based on the CDD research into corruption in 2000 would not have differed significantly even if the enquiry had been carried out on previous regimes such as

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<sup>24</sup> Le Vine V. T. *Political Corruption: The Ghana Case* (Hoover Institution Press, California, 1975) P. 12.

Nkrumah's or Busia's. On this basis, we are inclined to accept that the Ghanaian situation regarding the pervasiveness and perception of corruption has been the same since the first Africa Government took over the administration of the country in 1951. It is a situation in which corruption is objectionable yet ingrained in society. The reason behind this observable fact is not hard to find. We have shown in chapter one that one of the greatest flaws in the study of corruption has been an attempt to put corruption, malfeasance and moral weakness in the same basket and to define one in terms of the other. It is this notion that underpins the reason why corruption is a pejorative denigrating subject. Thus, ordinarily, it is natural for people to refuse identification with corruption or even own up to it.

In the September issue of the 2005 GII investigation into corruption in Ghana, 92.5% of respondents observed that corruption was prevalent in Ghana, 90% considered corruption as a serious problem in Ghana and only 17.6% admitted ever perpetrating corruption.<sup>25</sup> The reason for the low figure for perpetrators is not surprising. It is indicative of the fact that people are often reluctant to admit or even associate with the phenomenon. Therefore, in

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<sup>25</sup> Ghana Integrity Initiative Quarterly Newsletter, issue number 7-September 2005 ISSN:0855-742X page 5

terms of value judgment Ghanaians are unanimous in the condemnation of corruption, albeit this is not the case in terms demonstration, application or even an assessment based not on morals but instrumental values. The table below shows the result of the opinion polls undertaken by the Ghana branch of Afrobarometer in 2003. The objective was to examine what percentage of the respondents perceived the corresponding public institutions as corrupt.

Table 5.2: Public opinion polls showing the percentage of corruption in selected public institutions

Public institution	Perceived level of corruption <sup>26</sup>
Police	79
Customs	74
The Courts	70
Businesses	63
Gov. Officials	62
Elected leaders	51
Foreign businesses	50
Teachers/administrators	49
Religious leaders	41
Office of the president	37

Source:<http://www.afrobarometer.org/papers/afropaperno28.pdf>

<sup>26</sup> Figures in percentage

The figures above are relatively high in all the cases to suggest that corruption is not only widespread in those institutions but also, often perpetrated in the full glare of the public. Considering that corruption, generally speaking, is a secretive activity this opinion poll suggests something different, which the Ghana Integrity Initiative confirms in 2005. In its 2005 survey the Ghana Integrity Initiative observed that, 88% of respondents admitted they normally looked on unconcerned when they witness incidents of bribery and corruption<sup>27</sup>. The incident is not only rampant in the Ghanaian society but is also instrumental in the performance and maintenance of the socio-economic structures of society that in spite of its denigrative character it has almost become a norm of society. The table below is the result of another survey carried out by the Afrobarometer in 2005 to demonstrate how much of corruption exists within the circles of the corresponding category of officials. As we have pointed out before, corruption in Ghana, although functional to the socio-economic and political needs of that society and its institutions is still perceived a denigrative behaviour. Equally so, the high figures not only point to the level of corruption perpetrated, but also an indication of the efficiency level

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<sup>27</sup> G.I.I Alert, Quarterly Newsletter Issue Number 7- September 2005 ISSN:0855-742X



that corruption brings about in those institutions. Every contact with a corrupt official where at least demand meets supply brings about efficiency in the Ghanaian context.

Table 5.3

<b>Public officials</b>	<b>Level of corruption<sup>28</sup></b>
President and office staff	56
Parliamentarians	59
National Govt. officials	60
Local Govt. officials	67
Police	81
Tax officials	71
The courts	72
Health Workers	58
Teachers/administrators	54

Source: [afrobarometer.org/papers/afrobriefno20.pdf](http://afrobarometer.org/papers/afrobriefno20.pdf)

Going back to the Nkrumah years in the manner the events have been discussed in *chapters three and four* we realize a situation where corruption or corrupt activities were often applied to the political and socio-economic needs of various interests in society. Corruption was directed or employed to acquire or maintain the possession of wealth, power or status. Leading the way in this endeavour was the CPP government, public institutions public

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<sup>28</sup> Figures in percentage

officials and the masses. To all these rational economic and political agents in society corruption was not just a deviant behaviour but also an answer to the problems of society. It was in this sense an economic as well as political tool, for it was considered problem solving.

Therefore, the Ghanaian situation was one in which corruption was deplored but pursued by various groups and institutions for what it offered. For the government it was a means towards entrenching its power and authority, the public officials a means to acquiring and increasing the stock of their wealth and maintaining their status and to the masses corruption represented an opportunity to bring development in their economic and social circumstances.

### ***5.5 The political significance of corruption in Nkrumah's Ghana.***

One thing to notice about Ghanaian corruption during the period spanning Nkrumah's reign was its institutionalization within the state machinery. In its efforts to establish its authority on the nation-state<sup>29</sup> fragmented by political, ethnic, territorial and religious considerations the CPP government did not only employ

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<sup>29</sup><http://www.ghanaweb.com/GhanaHomePage/NewsArchive/artikel.php?ID=109747>

corruption as means to outmanoeuvring its political opponents but also as a medium for legitimizing its political actions and objectives. Nkrumah's government would use executive instruments available to them to push an amendment proceedings on the provisions of the constitution, which were inconsistent with its progress and objectives as in the circumstances leading to the formation of the PDA, ADA and the Stool Land Bills, or even overhaul the structure of the judiciary by kicking out opposition elements from the service or use various unscrupulous tactics to win elections. Regarding elections in Nkrumah's day for example, Omari observes;

Nkrumah and his CPP were making maximum use of all state and private communications media-the radio, Information Services Department facilities, public rallies and Party Publicity Vans. In the 1960 presidential elections, Dr. Danquah, the opposition candidate, was denied even the use of his own United Party vans; and many of the public rallies that were scheduled by his party had to be cancelled because permits were either not issued or revoked, or because CPP thugs broke the rallies up.<sup>30</sup>

The CPP government also dealt ruthlessly with its political opponents. It used various executive means and constitutional provisions to thwart opposition activities by making such activities illegal and unconstitutional. One of such actions by the government was the ban in 1964 of all public rallies and political activities except those of the CPP and the consequent

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<sup>30</sup> Omari, op.cit P. 64.

establishment of a one-party state. This was an apt solution at least in the opinion of the ruling government to the recent violence, chaos and thuggery that had engulfed and characterized the political scene in Ghana of which the opposition was thought to be the mastermind<sup>31</sup>. In effect therefore, these political manoeuvres which we identify as the exercise of corruption did not only aim at securing the place of CPP government or the power it possessed in the light of the violent political opposition it faced, but it also became to the CPP a worthy path for championing political progress and developments in Ghana. By corrupting the political process and consolidating its power and authority on the Ghanaian political situation the CPP government were able to establish a long period of relative peace and stability. In the early years of independence struggle as well as the immediate years following independence Ghanaian politics had registered occasional political turmoils and disturbances. The 1947 boycotts of European goods organized by Nii Kwabena Bonne<sup>32</sup> and the ensuing violent attacks on European lives and properties, the 1948 ex-servicemen's march on Christiansborg Castle<sup>33</sup> (the seat of the colonial administration), and following this, the shooting incidence that took

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<sup>31</sup> [www.Ghanaweb.com](http://www.Ghanaweb.com). See feature article of Wednesday, 30 August 2006 on The Fallacies of J.B. Danquah's Heroic Legacy (IV)

<sup>32</sup> Austin, Denis *Politics in Ghana: 1946-1960* (Oxford University Press, London, 1964) P.70.

<sup>33</sup> Boahen, op.cit. Pp 162/163.

the life of Sgt C. F. Adjetey and the outbreaks of violent riots that engulfed Accra resulting in 20 deaths, 237 injuries.<sup>34</sup> Not only these, but also the political unrest, disturbances and chaos that engulfed Kumasi and its suburbs following the formation of the National Liberation Movement (NLM), an event which according to Botwe-Asamoah almost plunge the nation into civil war<sup>35</sup>, the Sekondi-Takoradi Railway Workers general strike in 1961<sup>36</sup> together with the series of attempts aimed at Nkrumah's life required for the sake of political expedience that draconian political measures must be introduced by the government to wrestle the nascent nation from such irritability.

This explains why the Nkrumah government grew more and more dictatorial and corrupted the political process in Ghana- the institution of a one-party state for example, as an intentioned and deliberate policy to forcefully maintain its legitimacy and authority

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<sup>34</sup> Smertin, Y., *Kwame Nkrumah* (Progress Publishers, Mowso, 1987) p 70

<sup>35</sup> [www.ghanaweb.com](http://www.ghanaweb.com): see feature article of Wednesday, 30 August 2006 on The Fallacies of J.B. Danquah's Heroic Legacy.

<sup>36</sup> Davidson, B., *A View of the Life and Times of Kwame Nkrumah* (Allen Lane, London, 1973)Pp 176-179.

on the Ghanaian situation. Therefore until 1966 when the CPP government was toppled, occasionally and more often than not the political scene experienced turmoils. However in all such situations the CPP government had dealt with these in the most shrewd and rational manner to produce the needed result for the party and government. Regarding the Sekondi-Takoradi strike in 1961, Omari again observes and these methods were basic to how the CPP government managed political disasters and all such events that threatened its legitimacy, power and authority.

Bribery, coercion, intimidation and every suitable technique was employed: even some of the strike leaders were bought off.<sup>37</sup>

Political corruption provided ad-hoc and pragmatic solutions to political problems. However because these actions were based on rational choice the long-term implications and consequences influencing such political actions and decisions were not as trenchant as the desired interim or short-term benefits. Thus, in Nkrumah's Ghana the government was successful through corruption and political manoeuvring to offset threats to its existence. However because the calm, peace and relative stability

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<sup>37</sup> Omari, P.T *Kwame Nkrumah: The Anatomy of African Dictatorship* (Sankofa Educational Publishers, Accra, 2000) p91

very much depended on the use of force and corruption, these actions tended only to suppress the existing discontents within the polity. Below the political surface, these discontents kept simmering ready to erupt at any given opportunity. The government was successful at establishing and sustaining its political legitimacy only as long as the institutions that propelled it were on hand. Thus, the February 1966 coup that toppled the first African government in Ghana came as a demonstration of the fact that the institutions of state that sustained the legitimacy of the Ghanaian government had lost its significance.

Another way in which corruption contributed to the making of a peaceful political environment was that it provided a means for social struggle or upward mobility within the formal polity or means for influencing the political system by the underprivileged and the excluded, through informal methods. Among the masses or the disadvantaged corruption was a potent weapon for making demands upon the government. Since government contracts, employments, appointments and promotions were not awarded based on the best qualified but the most loyal to the CPP and legitimate political pressures such as strikes, demonstrations and

reform movements hardly produced any results,<sup>38</sup> outside the fold of the CPP, whoever required services from the government or its officials had only one real option apart from joining the CPP wagon. One must bend the rules and act rationally by bribing public officials, or in the case of the award of government contracts, meet the 5-10 percent requirement to NADECO<sup>39</sup>. Therefore, corruption became a means for bridging the gap between the advantaged and disadvantaged groups. All one needed to do to enjoy the opportunities and privileges available to the CPP and its cohorts was join them or buy such privileges as was the usual practice. Consequently, corruption overshadowed violent upheavals at least in proportions that the CPP would not be able to deal with. Minor cases of these forms such as riots, strikes, revolutionary movements and coups which frequently announced themselves through political and economic grievance were often frequently dealt with and this paved the way for both economic and political growth.<sup>40</sup>

As in all political societies, corruption became a powerful tool to influential individuals in Nkrumah's Ghana who possessed the necessary economic and political resources. Nevertheless, serving

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<sup>38</sup>These were easily quelled by the government through bribery, sanctions and intimidation.

<sup>39</sup>The Azu Crabbe Investigation Committee, paragraph 7

<sup>40</sup>Mbaku, J.M., *Institutions and Development in Africa* (African World Press, Inc. Trenton, 2004) P 137



the purpose of an informal political pressure, widespread corruption in any society is an indicator of the failure of the formal polity to cope with the degree or the nature of the demand being made on it.<sup>41</sup> However, corruption in this stream of thinking not only reflected the breakdown of the formal political system to meet demands from important sectors, but also represent a kind of seditious effort by a host of individuals and institutions to bend the political structure to their requirements.<sup>42</sup> To these individuals and groups corruption but not violence provided an interim but rational response to the activities of the Nkrumah government so long as it possessed legitimacy. Nevertheless, as Scott again points out;

Corruption and violence are both outside the law; corruption tends to be a peaceful but only temporary settlement of claims, whereas a physical confrontation is likely to be both sanguinary and more definitive.<sup>43</sup>

On February 24, 1966 that definitive answer that physical confrontation or violence but not corruption gives gained an opportune moment making it possible to topple the CPP government. In effect, the same factors and determinants that had legitimized and entrenched the authority of the CPP government

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<sup>41</sup> Scott, J. C. *Comparative Political Corruption* (Prentice-Hall, New Jersey, 1972) P. 26.

<sup>42</sup> Ibid 26

<sup>43</sup> ibid. p. 35.

made it possible to topple it. The same individuals and groups who had paid for and influenced political decisions through corruption—bribery, kickbacks, commissions and so on, now found it necessary and more rational to possess power and hence control the distribution of economic and political resources.

Corruption also contributed to the development of national integration and political stability in the years before the Nkrumah regime was overthrown. It must be noted however that such integration and stability did not come by the provision of transparent, accountable, or even participatory governance structures. The regime used its own machinations and the redistributive powers of government to achieve an engineered stability in a manner in which the corruption of the political system brought together power elites and the financial classes to assimilate each other.<sup>44</sup> This assimilation of the ranks of the corrupt CPP government and their cohorts on one hand and their business allies mostly from Western Europe contributed a great deal to the development of the socio-economic structures of the state. As the Apaloo Commission discovered several key Western European Companies, among which were the Drevici Group of Contactors, Stulcken & Sohn of Hamburg and the Parkinson

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<sup>44</sup>Mbaku, *op.cit.* Pp 136-138.

Howard Group of Companies kept a special kind of relationship with the CPP government.<sup>45</sup> The benefits of this relationship no doubt was contractually and commercially mutual as the survival of the relationship depended on the financial survival of the parties. As the CPP awarded contracts to these companies, exacted commissions or as the Commission put it, solicited voluntary contributions these companies also went every length to give professional account of themselves and the trust invested in them by the government.<sup>46</sup> Hence, in spite of the widespread corruption in the Ghanaian society and especially so within the government, Ghana under Nkrumah attained tremendous levels of development and modernization in her political, economic and social institutions on a scale that has never been matched by any of the succeeding governments.<sup>47</sup>

Corruption not only open up avenues for the integration of power and economic elites within the Ghanaian Society but it also was a potent channel of integration by the non-elites. For example the wide gap between the official and the peasant or between the literate official and the illiterate peasant or between the 'included' and 'the excluded' was easily bridged whenever the latter

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<sup>45</sup> The Apaloo Commission of Enquiry; pages 45/46

<sup>46</sup> Ibid 46

<sup>47</sup> Davidson, B., *A View of the Life and Times of Kwame Nkrumah* (Allen Lane, London, 1973) P 218

approached the former with gifts, tips or bribes as well as incentives of various significance. Consequently, as far as corruption provided various avenues for all classes through which to maximize utility, it gave majority of Ghanaians a sense of integration as well as a feeling of belonging. However, since not every Ghanaian who was disadvantaged possessed the necessary political and economic resources, or even the political will to employ corruption to make demands for various reasons, individuals, groups and areas like Ashanti and the Tive regions that were vehemently anti-CPP and anti-government suffered from a feeling of disintegration following the corruption of the political process. In fact the following statement by J. Tettegah, the then Secretary General of the Ghana Trade Union Congress attests to the fact that the act of 'exclusion' was a deliberate official policy to frustrate those who were anti-CPP and hence anti-government.

Those who sit outside the ranks of the CPP forfeit their right to citizenship in the country. For it is only within the CPP that any constructive thing can be done for Ghana.<sup>48</sup>

Corruption also increased the capacity of the government to function efficiently. First, rent-seeking through bribery, extortion,

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<sup>48</sup> See the Evening News, 14 , June 1959.

laundering, graft and theft which swelled the pockets and bank accounts of public officials such as Krobo Edusei, Komlah Gbedema, Tachie-Menson and A. E. Inkumash<sup>49</sup> to mention just a few served as incentives and a means for motivation to continue services to the CPP and the government. Second, the activities of the CPC and NADECO, which reinforced and strengthened the finance base of the CPP and the government also led to the strengthening of the institutions of state like parliament, the security services and the judiciary, which although operated corruptly often acted in the service and interest of the government. This kept the CPP government firmly in control and apt to deal effectively with security threats. In this way corruption helped to increase the efficiency of the state machinery. It provided incentives and moral booster for public officials, a resource or finance base of the government.

The stance we have maintained throughout our discussion in this chapter has been an attempt to show that rationality underpinned the widespread corruption of the Ghanaian society under Nkrumah's leadership. However, in order to appreciate the issues and arguments we raise with reference to the Ghanaian situation it is important that our understanding of the concept of rationality is

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<sup>49</sup> See the Report of the Jiagge Commission appointed under the Commissions of Enquiry Act.

not distorted. In chapters one and two we argued that the motivation for a rational action is always dependent on its anticipated result which we identified as the utility springing forth from that action. This means that a rational action has the possibility to produce other effects that the perpetrator may not have considered or having considered would have ignored based on the strength of his utility against his objectives. Corruption not only contributed in part to creating national disintegration but it also was, throughout the reign of the regime a potential source of instability, reason for loss of legitimacy in the eyes of the 'excluded' as in the case of the Tive and Ashanti, and a source of administrative incompetence. Because public officials felt motivated to perform whenever they were induced with tips, gifts or bribes, the absence of these was usually a disincentive to performance. In this way many officials often shied away from their responsibilities unless they were tipped, bribed or induced.

Again corruption alienated many able-bodied individuals and skilled labour from lending their capabilities to the government by contributing effectively to the running of the nation-state. To this end the intellectual resources of many in the opposition, for example the famous and competent lawyer J. B. Danquah and the brilliant Oxford educated sociologist, Dr Abrefa Busia were either

imprisoned or exiled. Had corruption of the political process not excluded them, and their capabilities tapped, a more efficient government was possible of realization.

### ***5.6 The economic significance of corruption under Nkrumah's government.***

On economic development, political corruption also produced a mixed effect. It contributed to both growth and decline. It is true, as many have observed, Le Vine (1995) for example; that by the time of the coup that toppled the Nkrumah government the Ghanaian economy was in severe decline.<sup>50</sup> Nevertheless, those like him who have attributed the reason for economic decline under erstwhile regime absolutely to corruption have pushed their case too far. Corruption, mismanagement and economic short-sightedness following the Lewis Plan<sup>51</sup> did partly shaped the structure of the Ghanaian economy in the 1960s, eventually leading to the economic and political conditions that invited the coup, nonetheless, international obligation and not corruption run down the about £200m pounds being the reserves the colonial authorities left Ghana after independence.

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<sup>50</sup> Fitch Bob and Oppenheimer, *Ghana: End of an Illusion* (Monthly Review Press, New York, 1966) Pp. 90-94.

<sup>51</sup> Ibid p 82

Sir Arthur Lewis who was Nkrumah's government's economic advisor had developed an economic strategy based on 'capital export'. The idea was that the newly independent nation did not possess the necessary economic resources to industrialize or even pursue any economic goal or development policy independently of foreign capital. As a result, Ghana was to rely on foreign capital to run her economy. The conditions underlying this economic policy was the danger that eventually plunged the Ghanaian economy into its final collapse. Based on the Lewis plan, the way to obtain capital imports was to increase capital exports, which will in turn attract foreign investment into the country.<sup>52</sup> In the event it turned out that capital export was a burden on the Ghanaian economy. Ghana's cocoa, which was the mainstay of her economy, was not enjoying good international prices in the 1960s. So also were her gold, diamond and bauxite. Again, the CPP machine needed to be maintained and government revenues from government businesses such as the Cocoa Purchasing Company and NADECO were being used for this purpose. Not only these but also, the provision of social services and the development of domestic politico-economic structures in the country were in progress. These combined factors put a heavy

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<sup>52</sup> Gold Coast, 1954 Economic survey, paragraph 43.



strain on the economy and of its ability to meet the conditions set out by the Lewis Plan. Therefore, the Plan, which was intended to attract foreign capital and investment, rather became a source of balance of payments deficits for which the Ghanaian reserves were used to finance.<sup>53</sup> In effect, it was not political corruption per se nor was it an orgy of spending on prestige projects that run down the Ghanaian reserves in the manner Le Vine<sup>54</sup> has put forward: she used them to meet the 'obligations imposed on her by the 'crackpot realism' of the Lewis strategy.'<sup>55</sup>

Apart from the corruption of the party system, state institutions and the machinery or mode of operation of the government, which are heavily and well-documented, there are no evidence in the records or even from witnesses, that the depletion of the £200m was the result of public theft on the part of public officials. There is ample evidence however, that public officials used and misused their positions to their benefits or channelled their energies through dubious and questionable activities to enhance and sustain their positions in government and society. In economic terms, we might interpret this behaviour as the maximization of utility based on the availability of resources. Against this background bureaucratic

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<sup>53</sup> Fitch, Oppenheimer, op.cit. P. 92.

<sup>54</sup> Le Vine, op.cit. Pp 100/101

<sup>55</sup> Fitch, Oppenheimer, op.cit

corruption in Ghana during Nkrumah's regime differed from those of other developing countries or even those of other regimes in Ghana. Whereas in other developing countries political corruption may involve unnecessary theft, rent-seeking and plunder of state owned resources without engineering the national economy, political corruption in Nkrumah's Ghana was a means to achieve political stability and economic development. While some public officials like Krobo Edusei may have locked up some Ghanaian capital in foreign bank accounts there is ample evidence to prove that a great part of the wealth created or accumulated through corruption was put into investment at home. 'The most common business activity' Le Vine observes, 'was the renting of houses.'

Other forms of enterprise included: selling schoolbooks (Preko, ex-minister), hiring out dump trucks (Preko, Puplampu, Asafo-Agyei and Amoa-Awuah, all ex-ministers), operating fisheries (Asafo-Agyei and Puplampu), cocoa farming (Asafo Agyei), poultry farming (Kaw-Swanzy and Gbedemah, ex-ministers), hog breeding (Ayeh-Kumi, financial advisor to Nkrumah), food-crop farming (Preko and Asafo-Agyei), hotel management (Batsa, party ideologist), raising cattle (Igala, ex-minister), operating grocery shops (Aye-Kumi), and fish shops (Adamafio, former CPP secretary-general), interior decoration (Aye-Kumi), transport (Amoa-Awuah), supplying rocks for the construction of Tema harbor (Andoh, managing director of NADECO), investment in Ashanti Turf Club (Asafo-Agyei), and selling cattle (Yakubu, ex-MP and CPP official).<sup>56</sup>

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<sup>56</sup> Le Vine, *op.cit* P. 64.

This list according Le Vine does not include those who held other businesses through third parties or those who indulged in money-lending or financial speculation<sup>57</sup>. They may have been the owners of small-scale businesses before they took to politics when they embraced the opportunities that membership of the CPP offered. Thus, the wealth and capital they accumulated through their positions enabled them to expand their businesses. In this connection, political or bureaucratic corruption in the erstwhile regime was a means to economic engineering for it helped increase or led to the emergence of new commercial elites or entrepreneurs. Under colonial rule this class of Africans were almost non-existent and those who ever ventured had little chance of attaining success on the commercial field, as deliberate colonial policies worked against their interest. Therefore, the new regime through corruption changed the previous order. What was unfortunate though was the fact that corruption introduced inequality as well as uneven distribution of wealth. Many, for example the poor or politically excluded without the necessary economic or political resources could not enter that trade or get involved in the rush for the king's bite. But in spite of this uninspiring consequence of corruption, some of the businesses,

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<sup>57</sup> *ibid*

which were established or instituted with corruption money or capital provided avenues for employment and income earning for the commoners of the Ghanaian society. Many commentators on corruption of the Nkrumah regime, Omari, Le Vine and Bretton for example have accused the ex-Ghanaian politicians and officials of ostentatious lifestyles and conspicuous consumption but the very presence of these factors in the Ghanaian society was an indication of improved or higher living standard for the privileged few due to improved economic status of a particular class within the Ghanaian society.

Another way in which the activities of the erstwhile regime may be said to have facilitated economic growth and political stability on a more or less scale was the creation of a situation that enabled the disadvantaged or the excluded to deal with bureaucratic bottlenecks and red tapes. According to Kimenyi and Mbaku<sup>58</sup> the political and economic stability that several post independent African states have been able to achieve has been the result of rent-seeking equilibrium between well organized interest groups in such countries, which compete for transfers supplied by relatively weak and poorly organized rural inhabitants. Once again, this point will puzzle the commentator from an advanced western society.

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<sup>58</sup> Kimenyi, M.S., Mbaku, J.M. Rent seeking and Institutional Stability in Developing countries (Aldershot, UK, 1993) *Public Choice*, vol. 77 No 2 Pp385-405

Nevertheless, as we have pointed out before, the emotional bearing of the African bureaucrat to the new state was weak. As such the bureaucrat was often without inspiration to carry out his duties and responsibilities except when it regarded groups or individuals to which such leaders were naturally obliged, in the manner that African culture dictated. Again, politics was perceived as a means not just to render public service but more importantly to welcome improvements in one's socio-economic status. Hence, the responsibilities of governments such as carried out through government officials often took a snails pace to complete unless tips gifts or bribes were introduced to induce officials. These extra incentives to public officials were common activities in Nkrumah's Ghana and they led often to the effective functioning of the government machinery. As the Ollenu Commission, the investigative Committee that investigated irregularities and malpractices in the grant of Import Licenses revealed, applicants and would be holders were graded by the authority on the basis of ability to pay and buy or those who having not the resources to pay had the approval of the minister.<sup>59</sup> What one must do to gain such approval has already been dealt with in the preceding chapters and needs no further emphasis. In her analysis of the economic

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<sup>59</sup>Report of the commission of Enquiry into Irregularities and Malpractices in the grant of Import Licences. 1967 (Ollenu Commission). White Paper: W.P No. 4/67 Pp 5-11

impact of corruption, the following quotation is how Rose-Ackerman puts this argument;

Officials in the public sector may have little incentive to do their jobs well, given official pay scales and the level of internal monitoring. They may impose delays and roadblocks. Bribes act as incentive bonuses.<sup>60</sup>

It is not too clear in the case of Nkrumah's Ghana whether or not the scale of corruption—bribery and kickbacks was determined by the sizes of wages. What we do know is that responsibilities and obligations to families, relatives, friends, former classmates and tribe increased or decreased with rise or decline in one's economic and political status. And these enormous responsibilities naturally implied that the responsible individual must increase and maximize sources of revenues available to him or through some means adjust his income to take care of these extra responsibilities. Thus, outside these primary groups, the willingness of the official to exercise his official duties or dispense politico-economic goods to the public very much depended on the ability of the recipient to pay for the difference between the official wage of the bureaucrat and that required of him to meet his unofficial responsibilities. Whereas bribes had the propensity to facilitate efficiency, the absence of

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<sup>60</sup> Rose-Ackerman, S., *Corruption and Government: Causes, Consequences, and Reform* (Cambridge University Press, UK, 1999) P. 9.

these implied a disincentive to effective administration and economic development.

Corruption not only led to the formation of capital, promotion of investment and incentive to efficiency on the part of public officials, but it also was in many ways a source of wastage on the economic and political resources of Ghana. The latter was largely the reason behind the economic crisis of Ghana in the 1960s. Although we have noted that a good part of the corruptly acquired wealth was invested at home some officials and their collaborators and aids, in guarding against a possible uncertain future of the regime thought it wise to maintain some savings outside Ghana. There are no hard facts regarding how much Ghanaian capital outflow there was at the time into Swiss banks. However, if the evidence gathered by Le Vine is anything to go by then varying figures of \$3 million to \$30 million of Ghanaian money may have been locked up in Swiss banks because of corruption (Le Vine 1975: 103). This amount is quite substantial for a developing economy with besetting economic and social problems. Low standard of living as a result of extreme poverty of millions of Ghanaians; high mortality rate of both adult and infant population because of shortage of medical staff and facilities and the general shortage of utility supplies are some of the socio-economic features of the country at the time of

the coup. Thus, a plausible conclusion is that the amount of capital locked up in foreign banks and never recouped could have made a difference to the Ghanaian situation had they been properly invested at home.

Again, in the CPP's attempt to serve and protect its interest we have noted that this affected the policy of the government. Government's appointments, contracts, jobs, promotion and sometimes, the provision of economic and social amenities were not given to the most capable or qualified but the most loyal to the CPP or those with the ability to influence government's decisions. This practice did not encourage efficient and effective administration and management of public resources although it may have directly benefited the regime and its supporters. Since every one who had dealings with the government had something to rake-in, at times economic decisions were fashioned not necessarily to raise and improve economic standards but because the parties involved were in search of admiration and were too eager and pre-occupied to prove that all was well. This often resulted in what Nye has described as *investment distortions*.<sup>61</sup> Investments were channelled into socio-economic sectors not

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<sup>61</sup> Nye, J. S., Corruption and Political Development: A Cost-Benefit Analysis, In Heidenheimer A. J., Johnston M.(EDS.)*Political Corruption. A Handbook* (Transaction Publishers, London, 2001) P. 288. Always full quotation by edited books, when mentioned first time in chapter



because of economic profitability, but because they were more susceptible to hiding corrupt fees through cost-plus contracts and use of suppliers' credits. For example Le Vine notes that 'of the \$40 million worth of tractors purchased from Yugoslavia and Czechoslovakia, 80 percent became inoperable after a short period of time and the Asutware sugar scheme was started in an area without proper soils or adequate water'.<sup>62</sup> It is to be understood that the large-scale importation of machinery from the east into the country was influenced not by its economic or even geographical suitability or cost-advantage, but by the mere fact that these countries constituted Ghana's communist partners at the time. And the Asutware sugar factory was among the numerous projects undertaken without in-depth feasibility studies because the government decided to cite them in pro-CPP areas. In the end, such ventures rather than address Ghana's economic problems worsened it. Managers and administrators often lacked the necessary entrepreneurial acumen because they had been given the job not on the basis of their qualification but because of their support for the government. In the end these projects, for example the Asutware sugar scheme, in spite of the huge financial

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<sup>62</sup> Le Vine, *op.cit.*P102

investments made on them by the government never made any profits.<sup>63</sup>

Corruption may also undermine the goals of a programme according to Rose-Ackerman.<sup>64</sup> This is a perfect description of the Ghanaian situation after independence. One of the avowed aims of the CPP nationalists before independence was to achieve political independence and then use this as a platform to improve the economic lives of the Ghanaian peoples irrespective of their ethnic, tribal, social and political affiliations. Unfortunately, these very factors became the basis for discrimination against some individuals and groups within the Ghanaian society. As has been pointed out earlier in this work, power struggle provided the haystack for the emergence of modern political corruption in Ghana. This resulted in constant and persistent attempts by the CPP government to evolve security strategies to stifle its political opponents. This political obsession eventually developed into what Nye<sup>65</sup> defines as *reduction of government capacity* to perform. In the end, the government won the political fight until it was overthrown in 1966. However, the goal and vision of providing a

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<sup>63</sup> Ibid Pp. 101-103

<sup>64</sup> Rose-Ackerman, op.cit P. 13.

<sup>65</sup> Nye, J. S., *Corruption and Political Corruption: A Cost- Benefit Analysis in Political Corruption- Concepts And Contexts* A. J Heidenheimer and M. Johnston (eds.) (Transaction Publishers, New Brunswick, U.S.A, 2001) P289

better life for the ordinary Ghanaian by improving economic and social conditions were seriously undermined.

### ***5.7 Conclusions.***

It is of little wonder that in a recent publication from its research and findings, the Ghana Integrity Initiative (GII) discovered that Ghanaians have high level of tolerance for corruption<sup>66</sup>. This discovery does not disprove the conclusions that our earlier discussion of the Ghanaian perception of corruption led us into. Rather and more conclusively, it takes us to higher height into the understanding of corruption regarding the Ghanaian situation. Thus from the Ghanaian perspective corruption has a dualistic functioning effects on society. Our analysis of the phenomenon in the last two chapters demonstrates that the Convention Peoples Party of Dr Nkrumah did not fail to leave behind the impression that corruption constitutes a rational behaviour. It was a means to maximizing utility, satisfying an objective as well as cost-effective way of engaging in negotiation.

However, like all 'legitimate' undertakings or rational behaviours, corruption risked the danger of failure and its consequent implications, which did retard development. Inequality, instability,

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<sup>66</sup> GII Alert: Issue Number 7- September 2005 ISSN: 085

inefficiency are but a few of some of the empirical political and economic features of Ghana under the erstwhile regime. These factors themselves were responsible for breeding public cynicism, apathy as well as weak law enforcement.

The case of Ghana under Nkrumah was that corruption served to provide an answer to the most immediate and urgent problems of development to the regime and the Ghanaian society. But both failed to realize that corruption is a temporary redemptive measure, for it was, a deviation from the norm. Some corruption facilitates development. But even this must be under legal influence and regular checks. Only then can the best from corruption be selected to meet human development. Otherwise, it is a zero sum game as the case of Ghana under Nkrumah demonstrated.

## Chapter Six

### Conclusions, General Overview and Recommendations.

The findings and the position of this thesis are what many commentators will characterize as controversial. Two major reasons may account for such characterisations. First, attempts to analyse the phenomenon have often taken a one-sided view. That is, from the onset, anything or act that has the tag of *corruption* is necessarily considered mischievous. Second, all probably agree that corruption is a deviation from social and cultural norms, albeit, only few ever consider that this deviation could be for the better as in when aspects of the norms and cultures in question are inimical to socio-economic and political developments and there are overt legal or even illegal attempts by the same society in question to invalidate such norms and cultures. All I have done is present my observation in as much an objective assessment as possible. Thus, the dominant directive motive of the thesis is not to justify corruption but to present what I discovered from my enquiry to be a more plausible, logical and consistent alternative analysis of the phenomenon both as a socio-economic subject and as an intellectual concept.

‘Corruption may have roots in culture and history, but, it is nevertheless, an economic and political problem’.<sup>1</sup> This proposition is an apt description of the African situation in which all four, but interrelated and intertwined factors have played different crucial roles in shaping the circumstance of a continent. The multiplicity of the socio-economic and political quandaries that exist on the continent today and their easily noticeable complexities make it an onerous task to balkanize the African problem in the hope that a simple analysis is possible. No, it is not. That is why a case study of one of Africa’s *classical* societies, the first post-independence black African state south of the Sahara is chosen for this analysis. I have done this for two major reasons. First, to investigate and analyse the specific and peculiar case of corruption in Kwame Nkrumah’s Ghana and show its significance on society. Second, any observer conversant with the way the multiple and varied societies in Africa are organized would almost certainly realize there are basic commonalities and features of the mores, ideas and philosophies that run through them. Thus, aspects of the organisational systems and structures of one society can offer a useful explanation on the other. One way in which African societies may be said to have shared cultural and economic experience is history. Hence, the Ghana case as an example to throw light and reflect on corruption as an institution on the rest of the nation-states in Africa.

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<sup>1</sup> Rose-Ackerman, S. *Corruption and Government: Causes, Consequences and Reforms* (University Press, Cambridge, 1999) P. 226

European colonisation of the continent and its impact and legacies came to blend with existing cultural elements to shape the experience and character of the African peoples. Two important legacies of colonialism are monetization and the adoption of European type political institutions. These institutionalisations are not problems in themselves for, no one will justifiably deny the fact that in terms of human development and world civilization these have played essential roles. Nonetheless, democratic institutions and their practical implications on society have the potential to institute divisions among individuals and groups. For example, in most parts, elections in the post-colonial state in Africa are fiercely and uncompromisingly contested against the backdrop to champion a sectarian interest, further career advancement or even the mere attempt to gain control over economic and political institutions by gangs and tribes. Again, a political system, which does not restrict the acquisition of power to a certain class or members of society, generates an uneasy kind of political ambition among its members in a situation that has the potential to create unhealthy competitions. Further to this, capitalism is the easiest progeny of monetization, and the greed factor, as well as for purposes of career advancement, the emergence and growth of unhealthy political and economic competitions since the possession of power and economic wealth are vital components in this pursuit.

Life in post-independence Africa is an epitome of the current picture I have painted where existence and survival are not only desperate for private individuals but also, for governments and public institutions. This phenomenon is part of a constant struggle to respond to the social and structural changes that Africans have undergone in their historical developments. Such responses have often taken extra-legal dimensions in various attempts to satisfy diverse and often conflicting interests. Invariably such efforts are not just extra-legal acts but also, rational demonstrations considering the socio-economic and political contexts in which they occur. Thus, when analysed the history of post-colonial Africa can be summed up as a history of political corruption and the rest its impact on the continent. By this, I mean the way African societies are organized and their inherently unworkable and clogged bureaucracy, often putting square pegs in round holes have made it impossible to employ basic socio-economic norms to make ends meet. Often these norms have to be corrupted to make that needed breakthrough.

Like most African countries, Ghana at independence had been poroused by ideological differences among the political elites. Ethnic and other factional interests compounded this problem and with it, the failure of democracy, a European type institution to respond adequately to the socio-economic and political needs of the post-colonial state. The dilemma of the new state became an overnight worry and of a constant



struggle for a unified front that would champion the course of development and modernization. Herein laid the failure of the principles and dictates of democracy, as these became the objects of exploitation by various factions. In the case of Ghana the situation developed into a protracted power struggle between the government and the opposition. The possession of power was such an important factor for a number of reasons. First, in a divided society where there are varied and conflicting interest groups the control of economic and political resources and institutions is vital for the health of the dominant interest group. Second, power is a useful tool much the same way as we may consider one's intellectual capacity, acquisition of knowledge or even the possession of economic prowess. The issue with power or all these equally important socio-economic capitals in human developments is that they place the individual, the institution or the government in a better, or at least a good position to confront the challenges posed by society. The act of corruption is in the same category. It is a means not just an act; it is a thought not just an attitude, and it is a response not just an action. The *modus operandi* and the purpose of corruption can thus be summed up in one, that is, to enable the perpetrator to escape the difficulties that working within the range and scope of standard socio-economic and political norms bring about, to champion and achieve that essential

objective of the individual or be it the state or an institution. This is the situation we have attempted in this thesis to show

I have endeavoured to tell the story of Kwame Nkrumah's regime in an attempt to honestly, objectively and dispassionately conceptualise corruption and its socio-economic and political significance. In doing this I have deliberately avoided making unnecessary value judgement so that my analysis might not be distorted. The prime objective has been to 'tell it as it is'. This is the reason I employed *Rational Theory* as the line of enquiry. It is the cardinal principle underlying the analysis of the thesis and it is buttressed by the supposition that rationalism rules the human world. It is in men for we are economic and political agents, always seeking to maximise our ends and minimise cost. It is in our agencies and our institutions, for we have duly infected them. Again, our socio-economic and political institutions are organised on the basis of these principles. We talk about success and achievement. We aim at excellence in respective vocations. These are what we want to be and these are what guide our emotive actions. It is all about success and it doesn't often matter what we give up or give in to attain these levels. This at least is the philosophy that runs through the Ghanaian society; hence, attempt to gain competitive advantage by a host of individuals, institutions or governments. Corruption is thus a potent force for gaining this

competitive advantage. Invariably, it is done by bending the rules of existing politico-cultural and economic norms.

Corruption may be a moral problem. I have no disagreement with this. Nonetheless, this was not what I discovered the case to be in the Ghanaian situation. In the course of my research, I have interviewed surviving members of the Convention People's Party; I have administered questionnaires and even participated in significant ways, all in an attempt to understand the historical, social, political, economic, philosophical, and emotional contexts in which corruption as an institution emerged and developed. For example, all of my respondents spoke honestly and were not apologetic about the subject. Most of them were on the defensive and tended to see their actions as responses. In other words, these actions were not normally dictated by their moral implications on society but by their economic, political and cultural significance. It was a situation in which the choices were informed and determined by the intended results or benefits.

The ways in which socio-economic and political institutions are organized are crucially essential factors in determining the levels of corruption in a given society. This only buttresses the argument I have made all through this thesis that corruption is a deviant behaviour; albeit, a decision that comes into force after a careful and rational analysis of the choices that may be available to the perpetrator or perpetrators in

question. An inefficient system is more likely to be corruption infected than one in which there is efficiency.<sup>2</sup> Where there is efficiency there is no need to bend the rules and where regular behaviours give answers to our questions we have no need to corrupt the system. As economic and political agents the decisions we stick to, are often those that win our interests for us with minimal cost.

In conceptualizing corruption I have put forward the argument that the behaviour is a deviation from societal norms. Nonetheless, in many respects and more often than not, this deviation offers the individual, groups or even institutions an opportunity to achieve set objectives. It is this intrinsic value in corruption, which, appeals to the perpetrators of corruption making them consider corruption as an option, a way or a procedure to avert pain and to rise above the challenges that confront them. Corruption is therefore a rational choice.

Private, political, cultural, and economic and indeed all sorts of circumstances could lead to the corruption of the individual, institution and the government. Such circumstances pose challenges to the actor and in an attempt to rise above the difficulties and challenges posed by the circumstance there is recourse to bend the rules or deviate from the norms

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<sup>2</sup> Huntington, S. P. 'Modernization and Corruption' in Heidenheimer A. J. and Johnston M. (eds) Political Corruption: Concepts and Contexts (Transaction Publishers, New Brunswick & London, 2001) P. 259

that govern those political cultural and economic systems that give rise to the difficulties and challenges.

Since corruption is a response to socio-economic, political and cultural circumstances, policy measures or for that matter any effort that will solve the problem of corruption in the Ghanaian society, or even attempt abolishing it, must include cultural elements of that society apt and capable of dealing with the philosophical, cultural, economic, political and etc values, both institutional and private that make corruption a rational choice. In other words, society must endeavour to make the perpetrators of corruption the losers but not the winners by overturning the institutional or philosophical values and socio-economic and political gains of corruption. I shall throw some lights on how this may be done.

### **6.1 Changing Cultural and Philosophical Values**

Corruption is a breeding phenomenon in Ghana and African societies in general. Not only do the political and economic circumstances of the indigenes serve as logical motivations to the corrupt; but also, aspects of the cultural norms, ideology and the philosophical values offer useful justification to be corrupt. Surviving pre-colonial institutions and practices cannot be overlooked if society must eliminate or at least reduce the incidents of low level and high profile corruption. First, the public official owes allegiance not only to the nation-state of which he is a

servant but also to the ethnic community where that official hails from. Invariably, the socio-political and legal norms of the two authorities are inconsistent with each other creating a situation that leads to conflict of interests. To deal with this situation and prevent public officials from being nepotistic, national governments must endeavour to refine and blend the cultural norms and values of the two authorities such that there is only one binding authority to which the official must owe allegiance. What this endeavour can do is create a standard of socio-economic and political values binding on all irrespective of one's ethnic orientation. The current arrangement is such that, although traditional authorities exist side by side with the nation-state, the legal and cultural norms are often inconsistent with each other, a situation that often creates socio-economic and political interstices that serve as fertile grounds for corrupt activities. The idea then is to introduce policies that will seal these interstices or at least create new grounds to make the operational activities of the corrupt a risk, a danger or even a tragedy to their own existence including their status, profession and all that are of value to such individuals.

Another aspect of the Ghanaian cultural norms, which, also promotes corruption, regards the culture of gift giving. In pre-colonial times, the giving of gifts was functional for it served to harmonise social and political relations. This was the case even if it involved intra or inter ethnic communities. Today, this important practice which was the source

of peace and harmonious co-existence within and among communities has been corrupted such that *gift* is now bribe with the result that the significance of traditional gift giving has been lost. Bribery does not only pervert the public official's judgement but also trades public interests for private ends. The difficulty rests with determining in specific cases what is, or is not a bribe and what is, or is not a gift. It is of course another instance where official norms are not exactly consistent with traditional ones. The state has criminalised bribery, but the giving of gifts remains a regular behaviour among the adherents of traditional norms. As it stands there is no legislation precluding the offering of gifts to public officials and people in responsible positions. The government and society as a whole if they hope to solve the problem of corruption must consider coming out with a white paper that distinctively defines what bribery is and what it is not. Perhaps also, legislation, the judicial process and law enforcement must work hand-in-hand to criminalise the giving of gifts with extraordinary magnitude and objective.

Finally, society should seek to address the unending chain of obligation imposed on the African bureaucrat and the public official. This relationship is an extension of the African cultural organisational system in which successful and well-to-do members of society owe their kinsmen the duty to support them. This cultural requirement still survives in the economics and politics of present day Ghana. The bureaucrat or the

public official is not only perceived as the custodian of public goods and resources, but also, their owner with the right and authority to dispense them as he wishes - a situation that cause bureaucrats and public officials alike to exploit public goods and resource to meet such social and cultural obligations. Since aspects of the cultural organisational systems of traditional societies buttress the exploitation of public goods and resources, such institutions should either be abolished or a massive educational campaign embarked upon to highlight the dysfunctional implications of such social systems.

## **6.2 Strengthening State and public Institutions.**

One of the banes of the myriads of problems confronting the post-colonial state in Africa is the weakness of the state itself and its institutions.<sup>3</sup> Weak economic structures and untested public institutions largely account for the mismanagement and privatization of state goods and resources. Most high profile corruption that takes place on the continent goes unpunished.<sup>4</sup> The reason is that in most cases the perpetrators can afford to stand up against the state. State institutions, such as the legislative, judiciary and executive bodies are poroused by their own economic and political frailties. State institutions and the

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<sup>3</sup> Medard, J. F., 'Corruption in the Neo-Patrimonial States of Sub-Saharan Africa' in Heidenheimer, A.J., Johnston, M. (eds) *Political Corruption: Concepts and Contexts*, Third Edition (Transaction Books, New Brunswick and London, 2001) Pp. 379- 388

<sup>4</sup> Ibid p. 395



resources at their behests are so weak that powerful individuals can afford to buy them and manipulate the resources upon which they operate.

Society can solve this problem in a number of ways and the aim must be to strengthen state and public institutions. First, policy measures should aim among other things to ensure a distinction between the resources of the state, political party and the individual occupying public office. There is a sense in which African politicians, political parties and the state itself operate on the basis of interdependence.<sup>5</sup> A good example is Mobutu's Zaire where he and his criminal gang of officials exploit and mismanage the state, eventually bringing the state to bankruptcy and then finance the state from their own corruptly and criminally acquired resources.<sup>6</sup> Society must endeavour to abolish this situation for it creates interstices and loopholes for corrupt politicians to exploit. One way to do this is to resource state and public institutions to make them independent of the support of political parties and rich and powerful individuals. Here, two major state institutions, parliament and the judiciary beg the question. These two institutions have been the victims of grievous assaults from many post-colonial governments. In some cases, they have been in use only as mere stooges and mouthpieces of regimes whose objectives were parochial and detrimental to the national good. Were these institutions well resourced and developed to what national institutions should be, they

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<sup>5</sup> Ibid 391-393

<sup>6</sup> Ibid P 393

would have been able to stand up against these criminal governments. Attempts to curb corruption must therefore include policies that would lead to parliamentary supremacy and judicial independence of criminal gangs in governments. When the state is strong and well resourced, it is then able to create conditions within the state that make corrupt activities irrational to the perpetrators irrespective of the status in society.

### **6.3 Changing dysfunctional Institutions**

All that I have defended in this thesis is the view that corruption is a rational choice and that in societies where corrupt activities are predominant, local conditions and certain institutional practices determine the modus operandi and levels of corruption. In Ghana, it is the historical experience coupled with the socio-economic and political organisational systems, which create the fertile grounds for corruption. Nonetheless, corruption as have been frequently pointed out is a deviant behaviour that corrupt individuals, agents and institutions employ so that they may meet objectives that they in their judgement consider impossible of attaining under regularised norms and institutions. Consequently, the existence of massive corruption is an indication of massive failure in the formal sectors or the regularised institutions of the state. Being colonial legacies and without much attempts to test, try and improve them, the institutions upon which the post-colonial state is run are fast eroding and in most

cases have outlived their usefulness. Instead of creating peace and harmony, they are the sources of conflicts, divisions and disorder. They should create enabling environments, but they have wrought poverty, hardships and misery. They should resource the people. Instead, they are the means for exploiting them. In essence, most if not all of these institutions are no longer useful. In their current states, they need serious re-assessment and reconstruction or bearing this impossibility, total changes of these institutions. That to me is the most plausible and possibly drastic measure to deal with corruption- the formation or introduction of institutions that render corrupt activities irrational and risk prone, even destructive to the perpetrators. The current institutional arrangements in the post-colonial state of Ghana and most of Africa is in stark contrast to this proposition making corruption a rational behaviour and hence, a widespread activity.

Fundamental changes in the ways society and Anti-Corruption Agencies perceive corruption are necessary. If there is any reason efforts by a host of agencies have failed to bring corruption under control, this is where the problem is. I do not altogether rule out the ethical implications or even the theories proposed by this school of thought, it is my position however, that when people are not corrupt it is not because they are ethical. It is because corruption is inimical to their interests and objectives. This position is open to future research.

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## APPENDIX

### *Interviews*

	Age	Position	Date Interviewed
John K. Tettegah	73	General Sec. of the Ghana Trade Union Congress in the Nkrumah Era	24,25/05/2004
Nana Ampong- Ofosu	83	Twafɔ hene (chief) of Akyem Bosome Traditional Council	08,09,15/03/2004
Prof. Nii Noi Dowuona	58	Lecturer and Current General Secretary of the Convention people's Party	23/05/2004