

## PDA Good, Abuse of it Bad



**By: Andy Kwawukume**

In response to a plea by one Mensah Abrampa for a balanced comment on the Preventive Detention Act (PDA) of 1958, in his comment to the article “The Danquah-Busia Version Of The Preventive Detention Act” by Nyamekye, Kwabena, I wrote this off the cuff response. I have tried to edit the typos out and tidied it for a better read by a wider audience. Above all, I added some juicy meat to it so all can salivate and, hopefully, start a more academic research to the subject.

There are so much untruths and myths about the PDA.

This is actually a bit  
implementation and

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**President Kennedy Greets Dr. Kwame Nkrumah, President of Ghana, on Arrival at Washington International Airport, Washington, D.C., 8 March 1961**

First of all, the original writer being what he is - an avid NPP supporter - obviously lied about the events leading to the PDA. Independence did not stop the violence of the Matemehoo hoodlums and their leaders, forced to unite under the United Party (UP). They started planning a coup, which culminated in the arrest of Captain Awhaitey, R.R. Amponsah and Modesto Apaloo, MP for Anlo, and investigation of others, including JB Danquah and Busia. Under the existing laws, it was difficult to try and convict them. Then there was Antor and his rag-tag army bent on secession of the TWT from the rest of newly independent Ghana even after losing the plebiscite. Let's recall the Elavanyo incidence where that army actually marched and the rebellion had to be put down. George Padmore devoted a whole chapter to this secessionist movement in his book, *The Gold Coast Revolution*. Times were dangerous and something had to be done. It was then that Kroboi Edusei or so suggested the adoption of the PDA from India. The records show that Nkrumah was initially opposed to the idea but his British Attorney General, Geoffrey Bing, aware of similar legislation in even The UK, often used against the IRA, and others prevailed upon him to accept the passing of the PDA. The PDA was therefore relevant and sorely needed to deal with a new nation facing the

challenges of integration, cohesion, legitimacy, etc., etc. - the so-called centripetal and centrifugal forces.

Now, the writer has admitted that the PDA was abused by some citizens to settle their petty disputes. How can you blame Nkrumah for that then? As someone whose maternal side arguably provided the largest number of detainees from a single family, the bulk of the 21 detainees from Anloga, and whose aunt was married to IGP Harlley and then had done some research on the subject, I am in position to say that, indeed, the PDA was grossly abused to settle personal scores and disputes. My maternal "grandfathers", uncles and an auntie, important Anlo elders, were falsely accused of collecting money from President Olympio in order to foment secession. Any serious government MUST arrest people accused as such, especially when some circumstantial evidence was provided, like their arbitration of a marriage dispute which was mentioned as the meeting for sharing the money! The accuser was no other than another uncle from my paternal side! Hmmm! Don't worry! It is in the national records, so I am not revealing any secret for the first time. I can only say on authority that what was framed as "suspicions", albeit "well founded" ones, in the records is indeed true! The motive for his action was just a dispute over some farm beds, which in all fairness, my paternal uncle shouldn't have insisted on keeping since the land which was given to my maternal side's great grandfather by his grandfather for a farm hut was repossessed by them. So, his family should also relinquish the farm beds in a quid pro manner, something his own brothers insisted he should do! But no, not him! It ended up in detention of many people and his own eventual detention when they sent another batch of detainees to Accra!

I recollect he also came out from detention after the coup, poured powder on himself just like the others not released earlier, thanks to my father's intervention, and paraded around town proclaiming that he didn't do anything against Nkrumah but was incarcerated by the CPP. What about misleading the Police, CPP leaders and tarnishing the image of Nkrumah?

A Committee - the Djabanor Committee appointed to examine the disturbances in Anloga after the killing of Kotoka in the abortive coup of 1967 - actually examined somehow these detentions and mentioned names but I won't mention them here. I have the full Report among my things but you won't get some details I mentioned here and others not mentioned. However, having since then located the Report, here is Djabanor's summation of what transpired, in absolving Torgbui Adladza II as the person behind the detentions:

“By the very nature of the scheme it is difficult to prove who was responsible for these detentions. Perhaps the other Government Committee of Enquiry may find the answer. But we were lucky to have one of the former Regional Commissioners of the Volta Region to give evidence and he gave us some insight into the procedure. Apparently by the normal process the names of persons who were considered a security risk were discussed at the monthly meeting held buy the top Police, Army and Administrative heads in the Region for that purpose. When the evidence is clear that that person was indeed a security risk – his name was sent on to the Minister of Interior –together with the full report or minutes of the Regional Meeting. The Central Administration also sat on these reports and considered them on their merits and recommended or otherwise a person for detention.

During the whole of the time that Mr Hans Boni (the ex-Regional Commissioner concerned) was in charge of the Region(and these 20 detentions happened during his time) his Regional Committee did not send a single recommendation from Ho. He was therefore, very surprised when people from Anloga were detained – he was approached by Togbi Adeladza and J.K. Aidam and other interested relations and friends to enquire the reason for their detention and use his good offices to effect their release. He said they were not able to ascertain either officially or unofficially, the reasons and could not effect their release.../

/...We were very much impressed by the evidence of Mr Hans Kofi Boni and came to the conclusion that the Keta and Anloga detentions were originated from OTHER THAN THE OFFICIAL SOURCES (my emphasis). We were given the impression that the detentions passed through Ambrose Yankey’s “outfit”. Pressed for more information Hans Kofi Boni agreed to oblige provided he would not be held to have infringed the Official Secrets Act. Upon our giving that assurance he gave us more information in camera. We are satisfied that no miscarriage of justice was occasioned, because the Chairman subjected the witness to critical cross-examination”.

Here ends the quote. It speaks for itself.

Incidentally, after uncle failed to warm his way into favour with the NLC and was shunned by many, he actually went to Conakry to re-pledge his allegiance to Nkrumah, we learned! What a man! And the man "no go school ooooO!" I tell you, “he no get classmates!” But he spoke pidgin English and French, a number of W. African languages, including his father tongue Ewe, Twi, Ga, some Yoruba, Hausa and what else! So, he could sell you without your even knowing that you were being sold standing beside him! A maternal relation said that it was God that

intervened to prevent his father sending him to school, otherwise he would have sold them all by then – a statement which is a resounding indictment of many in our educated class as worse scoundrels, which I agreed to heartily! Anybody disagrees? Years later when I read on the Eweland and CEANA forums that he was the key person involved in the removal of Dr Fiagbe as VR Secretary with the same secession story during the PNDC era in the '80s, I burst into laughter. A pity he didn't go to school, very intelligent as he was!

Folks, he wasn't all that a terrible person. After all, when some bad man tried to seize some shallot beds an aunt's deceased daughter entrusted to the man's son, he was the one who went to court to get the farms back for us. Yes! No one can litigate better than him!

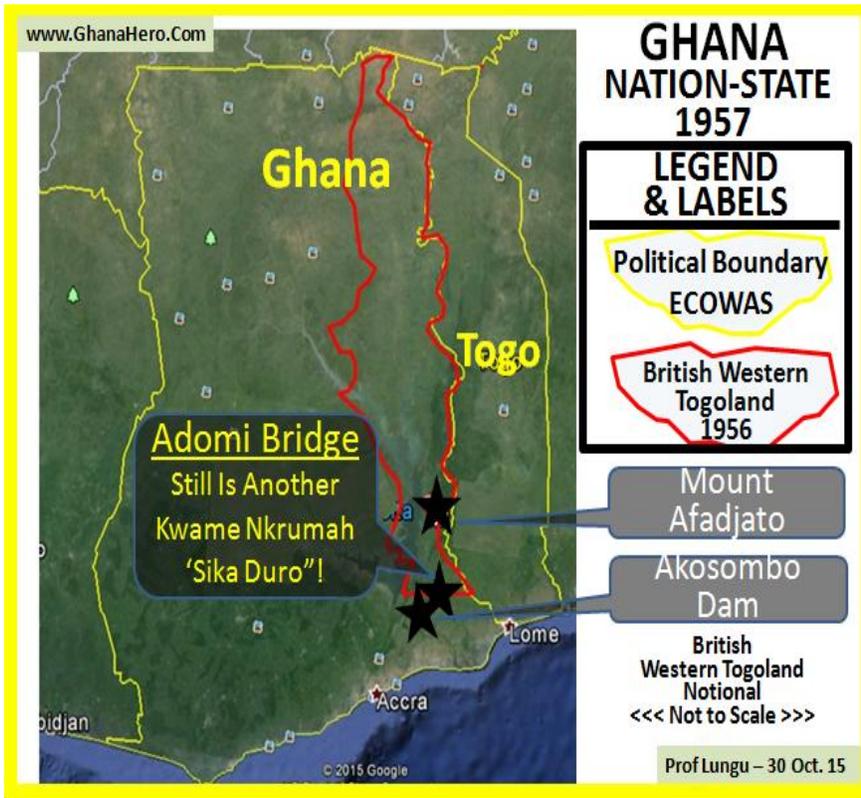
I can't say more (in fact, said too much already), as the eyes of some people's children are still red about those events. Phew! There was this man who used to give me the "looks-to-kill" treatment because he had a grudge against Papa for not securing his release too. I started giving him a wide berth when I saw him. Auntie "Epe", i.e., Patience, though was very nice to us all kids and used to treat us but she died suddenly not long after her release. Made me so sad.

The NLC actually formed a Committee to examine the detentions and I have no doubt they found that most of the detentions were motivated by settlement of local disputes. It is a pity that our book and research allowances coveting "scholars" have not done any published work on this; at least that I know of. I see the fine article by my good friends Michael Gyamerah and Ekow Nelson, which I had the privilege of reading through, as more of an intellectual work, and a damn good one at that! But a lot remains unsaid. Perhaps, the time may not be sufficiently ripe, with even all the detainees probably dead, to start opening up on such emotive historical events dispassionately. But it was long overdue to collect and stored. Some of the actors still alive like those involved in the coup, interrogating people in the 1960s and knew stuff like I do, can provide information to clear the air in the future.

Now, the writer lied about the number of political detainees released after the coup. They were not even up to a 1000. To swell the number, even hardened criminals were released, leading to a spate of robberies in the Accra metropolis. And he should have told us that the NLC put more political detainees in prisons and drove more people into exile than the CPP did from 1958 to 1966! Some were even paraded around in a cage before being locked up! Very barbaric! Some

democrats and defenders of human rights!

In conclusion, the PDA per se was not a bad piece of legislation, as it was then and still is a part of the judicial system of many so-called democratic states in the West and Asia. It was the associated abuse that was bad. It was not the PDA that caused it but people with bad intentions. The PNDC did not need that to detain many people who were falsely accused. That's why I don't have any grudge whatsoever against Nkrumah, just as my mother who still proudly displays Nkrumah's portrait besides that of Papa, and laments about how Ghana had gone to the dog's since the overthrow of the CPP.



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(Graphics by Prof Lungu)



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