

MARTIN AMIDU’S REJOINDER TO THE “GREAT DECEPTION” BY THE MINISTER OF NATIONAL SECURITY IN PARLIAMENT ON 13 NOVEMBER 2023

The Speaker and Parliament on 13 November 2023 failed or refused to perform their respective duties to the 1992 Constitution and the people of Ghana, who gave them the mandate to represent them for the time being, when they allowed or permitted the Minister of National Security, Albert Kan-Dapaah, to use the floor of Parliament in plenary, to insult the intelligence of all Ghanaians with the “Great Deception” as an explanation of the military brutalities that the Ministry of National Security and the Ghana Armed Forces unconstitutionally meted out to our compatriots in the Garu, Tempene, and Bugri areas of the Garu and Tempene Districts in the Upper East Region. And the Ghana Police Service died!

The pervasive culture of silence in Ghana engendered by intimidations by the Government of Ghana, led by the Ministry of National Security (MNS), persistently abusing its authority under the 1992 Constitution, suppresses or seeks to suppress the lawful political activities of citizens including Parliament. I cannot forfeit my rights as a citizen of Ghana to defend the Constitution simply because wise people have been cowed into submission and silence by a foolhardy dictatorship, facilitated by a Minister paid from the public purse.

I refused to be hoodwinked by Albert Kan-Dapaah’s “Grand Deception” that he cannot be accountable to Parliament on what he himself described as a joint operation by the Ministry of National Security and the Ghana Armed Forces (GAF) in the Garu, and Tempene Districts because in his myopic view:

“In the aftermath of the joint operations, reports have emerged in respect of some excesses by the personnel who conducted the operation. This aspect of the matter is currently before the court. It will therefore be inappropriate for me to comment on the matter as it would amount to contempt of court.”

The presumption by the Speaker of Parliament and Members of Parliament who did not hold the Minister for National Security accountable because we the citizens of Ghana are zombies who will not discern the lies contained in the above quoted words of the Minister cannot be allowed to pass without challenge, at least not by me.

First and foremost, the Minister, Albert Kan-Dapaah conjoined his sentence on the aftermath of the unconstitutional and brutal militaristic joint operations and subsequent emergent excesses by his subordinates with the words “this aspect of the matter is currently before the court.” The implication is that the Government has been sued by an affected person for the excesses of the joint operations which is currently in court and therefore Albert Kan-Dapaah has invoked his arbitrary and capricious powers as the National Security Minister on grounds of appropriateness to override article 115 of the 1992 Constitution to be accountable to Parliament and the people of Ghana. Article 115 of the 1992 Constitution exposes the lies Albert Kan-Dapaah told to Parliament beyond any doubt when it states unequivocally that:

“Freedom of Speech and of proceedings

115. There shall be freedom of speech, debate and proceedings in Parliament and that freedom shall not be impeached or questioned in any court or place outside of Parliament.”

The decision by Albert Kan-Dapaah, a non-member of Parliament and a Minister of State to use what he thinks appropriate to refuse to be transparent and accountable to Parliament and the people of Ghana, particularly the citizens of Garu and its environs, and the acceptance of

such banal excuses by the Speaker and Parliament when he is further protected under Article 111 of the 1992 Constitution exposes the deliberate suppression of the lawful political activities of citizens who wish to rely on his accountability to Parliament to defend the Constitution. Article 111 states that:

“Attendance in Parliament of Vice-President and Ministers

111. The Vice-President or a Minister or Deputy Minister who is not a member of Parliament, shall be entitled to participate in the proceedings of Parliament and shall be accorded all the privileges of a member of Parliament except that he is not entitled to vote or to hold an office in Parliament.”

The privileges and immunities guaranteed by Articles 111 and 115 of the 1992 Constitution are reinforced by the inclusion of statements made by Ministers in Parliament under Article 116(1) thereof which states that:

“Immunity from Proceedings for Acts in Parliament

116(1). Subject to the provisions of this article, but without prejudice to the general effect of article 115 of this Constitution, civil or criminal proceedings shall not be instituted against a member of Parliament in any court or place out of Parliament for any matter or thing brought by him in or before Parliament by petition, bill, motion or otherwise.”

The Speaker of Parliament and the Leadership of Parliament, particularly the Minority Leadership, knew or are deemed to know the foregoing provisions of the Constitution and nonetheless chose to insult and trample down upon the Constitution and the people of Ghana by taking part in the “Great Deception” by this Minister. I contend that no pending case against the Government of Ghana in any court of law exists, (proof of which has not even been offered to the public as part of an accountable and transparent process), to have prevented the Minister from answering the urgent statements tabled in the House by an elected member of Parliament demanding a response from the Minister.

The factual existence of such an alleged pending action against the Government in respect of the inhuman and degrading military brutalities meted out to the people of Garu, Tempane, and Bugri either by an individual or individuals or any other body of persons in Court ought to have been made available to Parliament to be captured in the Hansard as testimony to its truthfulness for transparency and accountability purposes.

Secondly, the Minister of National Security conjoined the two sentences of the excesses of the joint operations with the pendency of “this aspect of the matter is currently before the court”, to perniciously achieve the strategic ambiguity of confusing ordinary and busy citizens with the criminal case that had been brought against the seven victims of the joint brutal operations in the Circuit Court, Achimota, Accra. I have already demonstrated that the charges against the seven victims in the Achimota Circuit Court case No. D2/014/24 in Republic v Baba Apoyinga & 6 Others filed on 1 November 2023 and heard by the court that remanded the victims on 2 November 2023, which were stated to have taken place within the Greater Accra Region within the jurisdiction of the circuit court on 24 October 2023 were void ab initio. The victims were nowhere near the Greater Accra Region or Accra on 24 October 2023 but in the Upper East Region.

The charges Albert Kan-Dapaah maliciously used or caused to be used as the reasons for their arrest and detention were accordingly shamefully and unlawfully withdrawn and the victims discharged. Consequently, for those readers who have been misled into thinking that the

Minister was referring to the Achimota circuit court cases against the seven victims brought down from Garu into National Intelligence Bureau (NIB) custody on 31 October 2023, he achieved his objective of strategic ambiguity with his statement.

Thirdly, as a matter of fact, none of the seven brutalized citizens from Garu and its environs or other brutalized citizens of the area have instructed the commencement of any action against the Government, to the best of my knowledge, information, and belief. I challenge Kan-Dapaah to produce the suit number and the court in which this aspect of the matter is currently pending and making it inappropriate for him to comment on it.

Fourthly, the whole procedure adopted in Parliament was fishy to the extreme to any ordinary reasonable person. The Second Deputy Speaker of Parliament, Andrew Asiamah Amoako, had on 1 November 2023 prejudged the urgent statement by the MP for Garu and its outcome even before inviting the Minister to Parliament on 9 November 2023. The Deputy Majority Leader then announced in Parliament on 9 November 2023 that the leadership of the House had made a deal for the release of the victims and with that having been done there was no need for the Minister for National Security to respond to the urgent statement by the Member of Parliament for Garu. In my tribute to former president Jerry John Rawlings, published on 12 November 2023 I questioned the authority of the Deputy Majority Leader to have concluded such an important matter before Parliament. I particularly impugned the impartiality of the transactional Speaker Bagbin on this matter affecting the people of Garu and its environs.

The next day, 13 November 2023, without any item on the order paper for the Minister of National Security to make a statement to the House, he is surreptitiously brought before the plenary of Parliament. As if according to plan, the Speaker, decrees that the Minister will make a statement and after him only the two members of Parliament within whose constituencies Kan-Dapaah's induced military brutalities took place will respond and nobody else. The Speaker forbade any questions being asked of the Minister or him answering any.

I refuse to be considered part of the phrase in my 1966 Commercial Institute Gregg Typing Manual stating that: "A fool will be a fool whether he goes to school or not", and be made a fool by the likes of Speaker of Parliament, Alban Bagbin, and the leadership of the House who do not credit we the people as the electorate with any common sense or reasoning to see through such an arrangement to deceive the public which is inconsistent with and in contravention of the letter and the spirit of the 1992 Constitution which we are enjoined to defend.

The embarrassment caused to the Members of Parliament for Garu and Tempene who might not have been expecting the arranged appearance of Albert Kan-Dapaah that day showed in the unpreparedness of their responses. I saw it as shameful for the Members of Parliament from the Minority side to be addressing a press conference immediately after the Speaker's arranged performance by Kan-Dapaah instead of insisting on asking him questions about their concerns on the floor of Parliament. I was ashamed to hear the interval between 24 October 2023 and the dawn of 29 October 2023 being referred to as "a day or two" in one of the minority's speeches at the press conference in Parliament House. As for the Minority Leader who did not show any concern for the plight of the brutalized people of the Upper East Region and Garu and its environs throughout this period, there was no "showdown".

Cletus Avoka, who entered Parliament on the same day as Alban Bagbin and is more experienced than the Speaker, had to speak on the Ghana Tonight show on TV3 the same Monday to challenge the narrative of Almighty Albert Kan-Dapaah whom Speaker Bagbin appears to worship and endorse to have his way over and above elected members of Parliament. TV3 had to lend Cletus Avoka airtime to say that:

“That is certainly not true, the National Security personnel didn't know where the police station was. They were strangers in Garu so they didn't know where the police station was. It is a good Samaritan who took them to the police station, the National security personnel didn't drive to the police station.”

Indeed, there is a contemporaneous recording of what transpired and how the strangers who had been loitering in Garu for hours at the St Theresa's Catholic Primary School with their vehicle engine running and the tinted glass windows closed were eventually led by two people on a motorbike to the Police Station. The presence of strangers for hours in a vehicle parked at that isolated location from evening to about 10 pm would have been suspicious for any civic minded citizen in such an ethnically and chieftaincy conflict endemic area, particularly when the Government and the Minister for the Upper East were arranging a festival celebration in Bawku town for 28 October 2023. In any case, the strangers who turned out to be personnel of the MNS were four and not five as the Minister and his Ministry have consistently lied about since 29 October 2023 and repeated in Parliament on 13 November 2023. The unlawful Charge Sheet filed in the Achimota Circuit Court exposes the Minister's irredeemable lies by naming the four MNS personnel as Simon Kansik, Dominic Ayensu, Witson Kwekumey and Cpl. Enoch Odeheho.

Albert Kan-Dapaah ought to understand that the position of a Minister of National Security is not a position to be used to achieve political electoral objectives. The continuous attempts to position national security issues as political electoral issues overriding fundamental rights and freedoms enshrined in the 1992 Constitution is not vindicated by Articles 83 and 84 of the 1992 Constitution creating even the National Security Council and assigning functions to it. The threat of terrorism and counterterrorism cannot under the Constitution be used to intimidate citizens as part of a long game for electoral purposes.

I have held the portfolio of Minister responsible for Security and Intelligence under Section 17 of the Securities and Intelligence Services Act, 1996 (Act 526) and know that, that portfolio does not empower the holder of the office to be a Minister of National Scapegoating. It is an office of the highest integrity because it impacts the rights and freedoms of the sovereign people of Ghana under Article 1 of the 1992 Constitution. The armed robbery of the phones, money, and other properties of the brutalized people of Garu and its environs upon the orders of the Government and the Minister of National Security on 29 October 2023 is an indelible stain on the noble tradecraft of security and intelligence enshrined in the 1992 Constitution.

Albert Kan-Dapaah why are you, therefore, hiding the fact that not very long ago you commissioned Simon Kansik and his team to secretly install CCTV cameras in the Bawku municipality and that he nearly came to the same harm in the hands of the Bawku community? Your recklessness in sending them again surreptitiously to Garu nearly caused them harm and the Millions of United States Dollars cost in damages to the operational vehicle. Why do you not tell Ghanaians that you premeditatedly moved military men from Accra and Tamale to join others in Bawku to brutalize and rob the properties of the innocent

citizens of Garu and its environs at dawn on 29 October 2023 instead of using the constitutionally established Ghana police Service? Can you tell the taxpayer the cumulative cost of the men, equipment including the helicopter and other resources from the national purse you expended on your unconstitutional expedition against your fellow Ghanaian citizens? We the people want to know the returns on that 29 October joint operations investment for the public purse. Like it or not these questions have to be answered one day. Speaker Bagbin and Kan-Dapaah ought to remember that no condition in this universe is permanent and that the people you meet on your way up are the same people you meet on your way down.

Ghanaians deserve further answers just as I do to several other questions. Will Speaker Bagbin have handled the brutalities meted out by Nana Akufo-Addo and Kan-Dapaah to the people of Garau and Tempene and their environs in this same transactional manner if the Minister of National Security and the Ghana Armed Forces acting upon orders from Nana Akufo-Addo as the Commander-in-Chief had committed these brutalities in the Nadowli and Kaleo area where he has rented a chieftaincy title and skin since becoming the Speaker of Parliament? Or does the commissioning of a solar power plant in Kaleo override reason and empathy in Mr. Speaker for the people of Garu and its environs? Would the people of Ashanti where Albert Kan-Dapaah hails from and constitutes the Government's electoral world bank have allowed this matter to be a non-issue in this country and in Parliament if the brutalities had taken place anywhere in the Ashanti Region? The 1992 Constitution proscribes all forms of discrimination and arbitrariness in the exercise of executive and legislative powers of Government for all Ghanaians and not for a selected few.

The Nana Akufo-Addo and Albert Kan-Dapaah engendered military brutalities and armed robbery against citizens of Ghana in various locations of the country amidst a deafening culture of silence, and the absence of positive defiance obtaining in Ghana today negate the pretentious calls for a new Constitution or a review of the 1992 Constitution allegedly for being blatantly abused and corrupted. My lived experience tells me that no new or reviewed constitution as a written document will change anything. Constitutions are mere words on paper, they are not self-executing unless the sovereign people take ownership of it and defend it with their very life and blood. There are few citizens prepared and committed to defend their sovereignty and ownership of Ghana today.

Our failure as citizens to defend even the 1992 Constitution by speaking truth to power on our own to defend our sovereignty enshrined in the 1992 Constitution demonstrates that any new or reviewed Constitution will suffer the same fate as the 1992 Constitution in its present form. Speaking for myself, I think it is honourable in the twilight of my life to exit this world fighting for the people of Ghana which I have done the whole of my life than to allow pretenders of fidelity to the 1992 Constitution to subvert it in the name of national security or national scapegoating. I am raising my finger in this rejoinder against the wanton violations of the rights of the people of Ghana in the use of the military by the Government to brutalize the very electorate that brought it into power. We the people are sovereign under the 1992 Constitution and not the Speaker, Parliament, or the executive which if let alone will continue to trample upon our sovereignty with the obnoxious show in Parliament on 13 November 2023. Ghana will rise again!

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