

*Studies in Colonial Legislatures*  
*Edited by Margery Perham*

**The  
Gold Coast  
Legislative  
Council**

*by Martin Wight*

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# THE GOLD COAST LEGISLATIVE COUNCIL

by MARTIN WIGHT

This book is the first study ever made of a colonial Legislative Council in action, written primarily from the Council's official *Hansard*, and containing copious and vivid quotations from debates and speeches. A Legislative Council, composed partly of British officials and partly of the inhabitants of the colony, is a parliament in embryo: besides being the centre of the local administration, it is the great training-ground for the colonial people in parliamentary democracy.

This is a political as well as a constitutional study. The Legislative Council is set in its place against the background of the life and society of what is perhaps the most progressive of the British dependencies in Africa. The debates of the Council illustrate the clash of personalities, interests and principles in a colony which is striding towards self-government. We see a primitive society under the impact of economic development and administrative unification; tribal government evolving into parliamentary government; the interplay of the chiefs representing the rural masses, the rising professional and educated class in the towns, and the British officials who still control the administrative machine. It is a scene of vigorous promise and expanding life that has similarities to eighteenth-century England.

This is the second volume of a series of Studies in Colonial Legislatures, edited by Miss Margery Perham under the auspices of Nuffield College. The first volume, an introductory study by Mr. Wight of the history and constitution of the Legislative Council in the British Empire generally, has already been acclaimed as an outstanding contribution to the literature of colonial history and administration. The present book stands by itself, but the reader who wants a wider view of the Legislative Council in British colonial government will refer to the earlier volume.

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STUDIES IN COLONIAL LEGISLATURES  
EDITED BY MARGERY PERHAM

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VOLUME, II  
THE GOLD COAST  
LEGISLATIVE COUNCIL

by  
MARTIN WIGHT

‘The result of my observations is, that in every colony where the population is homogeneous . . . a Legislative Assembly is an inestimable benefit; that it executes its proper functions with a degree of ability for which it rarely obtains sufficient credit; that it either prevents discontents or gives them a safe direction; that it creates most useful exercise of the understanding; affords much innocent pleasure; and creates a subject of permanent interests in societies which would otherwise stagnate in a listless unconcern about all questions of a public character.’

JAMES STEPHEN,  
19th December 1831.

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LEGISLATIVE COUNCIL

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Nuffield College was founded to promote research into modern political and economic questions. As a College it has no opinions and the responsibility for those expressed in this book rests entirely upon the individual writers.

## EDITOR'S PREFACE

This volume is the second of a series. The first volume, entitled *The Development of the Legislative Council, 1606-1945*, is a general introduction to the subject and gives a brief account of the long and somewhat complex historical evolution of the council and also a general survey of the forms it takes in the dependencies to-day. The second book will therefore gain from being read in succession to the first. Both studies have been written by Mr. Martin Wight. He will supply his own preface to this volume but it rests with the editor to explain how this series came to be written; what are its purpose and scope and why the Gold Coast was chosen for the initial study. The first two of these questions were treated at some length in my introduction to Volume I and they will therefore be dealt with very briefly here.

The series was planned in 1941 as a contribution to the constitutional study of the British colonial empire, a rich subject which has been rather surprisingly neglected by its constitutionally-minded rulers. It was already clear in 1941 that the war was likely to force the pace of colonial political developments and so give this subject an immediately practical as well as an academic interest. A generous grant from the Trustees of the Higher Studies Fund of the University of Oxford provided the means for this and for other projects of colonial research. The grant was administered by Nuffield College. The task was one that was especially appropriate to the Founder's purpose which was the study of contemporary political and economic questions through the co-operation between those with academic and those with practical knowledge. Very considerable and most unselfish help was, indeed, given to the research staff by those with experience of the various aspects of colonial affairs studied under this scheme, and to Mr. Wight's acknowledgements I must add, as Editor, my warmest thanks to those who helped in this way.

The College appointed a Colonial Research Committee to supervise the project. War-time conditions made continuity of membership difficult and, in the following list of members, dates have been added to give the periods of those whose other duties made continuous membership impossible.

The Warden (Sir Henry Clay); Dr. A. J. Brown (1944-5); Professor G. D. H. Cole (1941-4); Professor Sir Reginald Coupland; Professor A. G. B. Fisher (1942-3); Professor C. D. Forde (1944-5); Lord Hailey (1941-2); The Master of Balliol (Lord Lindsay) (1941-4); Professor D. H. Macgregor (1942-5); Miss Margery Perham; Sir Alan Pim.

The College commissioned me to draw up plans and direct the re-

search under the guidance of this Committee; a small staff of research workers was appointed and the work began in 1941.

It is not difficult to justify the choice of subject for the constitutional series. The legislative council, as the first volume of this series shows, has for long been the growing point of constitutional development in the colonies. Other analogies will illustrate its other functions: it is the central communicating link between colonial opinion and imperial government: it is the chief—though not the only—political school for the colonial peoples: under whatever degree of restriction it may work it is the source of legislation: in colonial eyes it is the future national parliament. While this institution provides the central theme of our studies, it must be related to the other branches of the government and to the general background of the country. Thus an understanding of the nature and working of the legislative council is likely to illuminate the whole political character and status of a colony. Further, since the contributors to this series have agreed to illustrate freely from the records of the debates, the reader will be shown not only an institution but the men who work it. On the official side the leadership and political art of the imperial agents will be under scrutiny; the unofficials on their side will reveal their grievances, loyalties and ambitions, their groupings, their political competence and their oratorical skill in a foreign language.

There is certainly a need for more intimate knowledge of the political structure of the British colonies. To-day the very word Colony has become a focus of controversy and even a term of abuse and this, with the complexity and variety of the British Colonial Empire, has led to the crudest generalizations being made, quoted and misquoted until the popular conception of a colony comes to bear little relation to the reality. It may therefore be useful to subject what must be the most controversial institution of a colony to a detailed and objective scrutiny of its day-to-day proceedings and development.

The choice of the Gold Coast for the first study must be justified. There appeared to be good reason to begin the series with a dependency in Africa, since that continent represents in numbers and in political education much the largest imperial task which Britain has still to perform. Among African dependencies the Gold Coast was chosen because it has not only the longest constitutional history, except for its smaller neighbour, Sierra Leone, but also because it seemed to be the most politically advanced. The Gold Coast in 1946 has more than justified the expectations that were entertained when it was selected for study in 1941. Even while Mr. Wight has been writing this book, the territory has made a most impressive constitutional advance. Upon the very day upon which this introduction is being written, the newspapers print an account of the opening of a new legislative council. *The Times*, under the heading, 'Historic Council Opened', reports:



## EDITOR'S PREFACE

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'In the presence of many African chiefs in their bright robes Sir Alan Burns, Governor of the Gold Coast, to-day opened the colony's new Legislative Council, which has an African majority for the first time in the history of colonial Africa.'

The Governor, after reading a message from the King, pronounced the new constitution to be 'a landmark in the history of British tropical Africa'. It is indeed a most interesting commentary upon both African competence and British policy that among the eleven British dependencies of the continent, this purely African territory should be the first to achieve representative government through an unofficial and an African majority. How this has been possible, and what are the political conditions and prospects of the peoples of the Gold Coast, are questions to which it is hoped this book will provide the answers.

Nuffield College,  
Oxford.  
24th July 1946.

MARGERY PERHAM

## AUTHOR'S PREFACE

**T**he present volume is a study of the Gold Coast legislature, its working and its place in the political life of the colony, based on the printed sources available in England. It was written in close connection with its predecessor, *The Development of the Legislative Council, 1606-1945*. The reader must be referred to that book for information on the colonial legislative council in general, and especially on the nature and contents of the letters patent, royal instructions and orders in council which are the basic instruments of a colonial constitution. The present study takes this introduction for granted: its scope is the detailed field of legislative practice which is regulated by the Standing Orders and Rules of the Legislative Council. But though it is primarily a constitutional study, the attempt has been made to put the Council in its political and social setting, and to make a contribution, however slender, to the political history of the Gold Coast.

The book began as a study of the Legislative Council between 1933 and 1941, that is to say during the governorships of Sir Shenton Thomas and Sir Arnold Hodson. The latter date marked a convenient epoch in the subject; it was also the point beyond which materials were not available in England at the time when the book was begun. But in 1941 the Gold Coast was standing on the verge of great political changes, and the announcement of the new constitution in 1944 offered a more proper terminus for a constitutional study. The book went to press in 1945, and was in proof when the new constitution came into force on 29 March 1946, and when the new Legislative Council met for the first time on the following 23 July. It was impossible at this stage to make a complete revision of the text, and the old constitution is referred to throughout in the present tense. Nor was it possible to make a detailed analysis of the new instrument. But where possible references have been added in footnotes to the new constitution, and both the new and the old Legislative Orders in Council are printed in appendices. The book is therefore, in a wide sense, an examination of the history and practice of Legislative Council under the constitution of 1925, covering the twenty years up to 1945, and might be considered as an introduction to the constitution of 1946. But it has a core in a more detailed investigation of the years 1933 to 1941, and it is to these, as the text makes plain, that some of the generalizations and analyses refer.

The main source is the printed debates of the Council, a series which began apparently in 1916. Since 1933 they have been printed with the date at the top of every right-hand page, so that references are easily made by quoting simply date and page; this has been done throughout the book, even when referring to debates earlier than 1933. I have tried

to reproduce quotations from debates with typographical exactitude. Perhaps there has been an error on the side of copiousness in quoting; but it is hoped that most of the examples chosen are not without an intrinsic interest; and it is in general true that the members of the Council, official and unofficial alike, are their own best interpreters.

The other primary sources, publications of the Gold Coast government and of the imperial government, need not be specified closely; full references have been given in footnotes, and the Gold Coast press is discussed in the text. The secondary authorities are not numerous, though the Gold Coast, by reason of its longer history of Westernization, is probably less neglected in this respect than most other British colonies. Everyone must start from Claridge, but those fascinating volumes are deficient on the constitutional side. Crooks' *Records relating to the Gold Coast Settlements* and Sir William Brandford Griffith's *Notes on the History of the British Courts* are of great value. But a constitutional and political history of the Gold Coast is badly needed, to carry on the story from where Dr. E. C. Martin's *The British West African Settlements, 1750-1821* breaks off. It is probable that the field of legal and constitutional studies, which was covered for an earlier generation by the respectable works of Sarbah and Casely Hayford, might now be profitably surveyed afresh in the light of wider knowledge, and of a longer perspective of development under British rule. One book may be mentioned, which is of value and interest for the recent political history of the Gold Coast, Mr. Magnus Sampson's *Gold Coast Men of Affairs*. This little work stands out, not only for its intelligent conception, but also by its isolation; and it suggests forcibly that a biographical dictionary is an elementary requirement in the development of colonial political studies. In the present book I have tried wherever possible to give exact biographical data; but in the absence of a *West African Who's Who* it has been possible neither to treat all African personalities in this way, nor to have entire confidence in the accuracy of one's information from other sources. I offer this in apology for any inadvertent misstatement of fact.

The war-time circumstances in which this study was undertaken prevented the writer from visiting the Gold Coast himself. It could not have been written but for the generous and sustained co-operation of members of the Colonial Service and the Colonial Office, who showed every kindness in reading the draft in whole or in part, and in discussing general matters of fact and interpretation. It is the greatest pleasure to express my gratitude for this, and a matter of regret that the acknowledgement cannot be more particularized. It will be unnecessary to add, I hope, that this assistance has not in any way given official authority to the book. In the course of several years' study of the materials I slowly formed my own views about the constitutional problems of the Gold Coast, and I have found that rightly or wrongly I have

adhered to most of them. Nobody has any responsibility for my conclusions and errors except myself.

If a general conclusion is asked for, it may be given in the words of Sir James Stephen on an earlier page, for I believe that though the forms and content of British colonial government have changed in the past four generations, the spirit has remained that of the greatest of the rulers of the Colonial Office.<sup>1</sup>

Other acknowledgments must be made. To Miss Perham is due the conception both of this book and of the series to which it belongs, and I have had the benefit at every stage of her editorial guidance. I have a great obligation to Dr. Meyer Fortes, who subjected the first draft to the astringent and vivifying criticism of a sociologist, and purged it of many mistakes and over-simplifications. I learnt from him, I hope, a little of the diffidence and scepticism about one's own conclusions which are needed in writing of African politics and society. Dr. Korsah, on two recent visits to England, was kind enough to read parts of the book and to discuss them with me, to my very great advantage. My colleague, Mrs. Wheare, has tried to guide me through the intricacies of legislative and financial procedure, and has saved me from many pitfalls by her mordant and searching criticisms. I am indebted to the Controller of His Majesty's Stationery Office for permission to print the two Legislative Council Orders in Council. It is a pleasure in conclusion to thank the library staffs of Rhodes House and the Colonial Office for their courtesy, tolerance and helpfulness.

MARTIN WIGHT

New York,  
21st October 1946.

<sup>1</sup> The quotation facing the title page is from a memorandum on constitutional reform in Newfoundland, printed in A. H. McClintock, *The Establishment of Constitutional Government in Newfoundland, 1783-1832*, pp. 207 ff.

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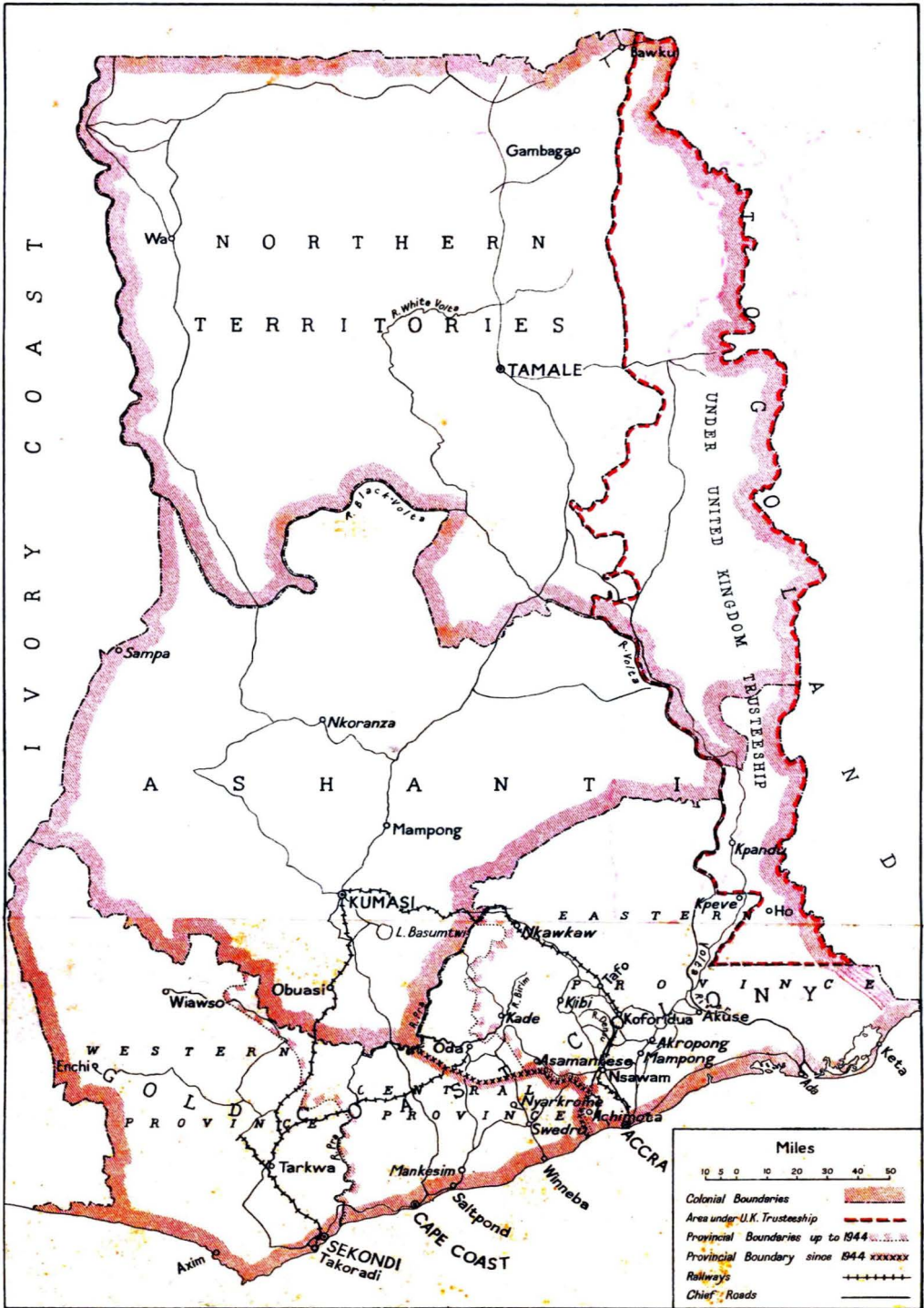
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