

## REPORT ON GHANAIAN CONSTITUTIONAL LAW

The Republic of Ghana, formerly known as the Gold Coast, is one of the few African nations having a long history of constitutional development which in this case goes back as far as 1850. In 1946 the country obtained a representative government with the so-called "Burns Constitution" first, and in 1951 the "Coussey Constitution." In 1954, only three years later, these two basic charters were superseded by the "Nkrumah Constitution" which led, in a way, to the production of Ghana's Independent Act or the 1957 Constitution, and finally to the 1960 Constitution, the basic law of the country today. The draft for the present Constitution was presented to the National Assembly in March 1960, accepted by plebiscite in April, and came into force on July 1 of the same year, bringing with it the declaration of the Republic of Ghana.

The main provisions of the Constitution are:

1. That Ghana should be a sovereign unitary Republic with power to surrender any part of her sovereignty to a union of African states.
2. That the Head of the State and holder of executive power should be an elected President responsible to the people.
3. That Parliament should be the Sovereign legislature and should consist of the President and the National Assembly and that the President should have a power to veto legislation and to dissolve Parliament.

4. That a President should be elected whenever there is a general election by a method which ensures that he will normally be the leader of the Party which is successful in the General Election.\*

5. That there should be a cabinet appointed by the President from among members of Parliament to assist the President in the exercise of his executive functions.

6. That the system of courts and the security of tenure of judges should continue on present lines.\*

7. That the control of the armed forces and the civil service should be vested in the President.

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\*In February 1964 an amendment to the Constitution provided the Convention Peoples Party (C.P.P.) the sole political party, and that the President shall have the power to remove judges from office.

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