

Constitution of the New Fante Confederacy

Just over one hundred years ago, the urge for self-reliance leading to independence took concrete form in the formation of the New Fante Confederacy – the forerunner of the struggle culminating in the lowering of the British Flag on March 6, 1957. The following documents are of historical importance and interest.

QUASSIE (KWASI) EDOO AND OTHERS TO SIR A. E. KENNEDY

MANKESSIM, 24 NOVEMBER, 1871

Sir,

We, the kings and chiefs and others assembled at Man-kessim, beg most respectfully to forward you the enclosed copy of a Constitution framed and passed by us after mature deliberation. We have united together for the express purpose of furthering the interests of our country.

In the Constitution it will be observed that we contemplate means for the social improvement of our subjects and people, the growth of education and industrial pursuits, and, in short, every good which British philanthropy may have designed for the good of the Gold Coast, but which we think it impossible for it at present to do for the country at large.

Our sole object is to improve the condition of our peoples, not to interfere with, but to aid our benefactors on the sea coast, and we count upon your Excellency giving us at times that assistance which may be necessary to carry out our humble efforts.

We beg to forward a copy of the Constitution ... for the information of the Right Honourable the Secretary of State for the Colonies. (Signed)

Quassie Edoo (his X mark)

Anfoo Otoo (his X mark)

King President

Kow Yanfoo (his X mark)

King of Ayan.

Thomas Solomon (his X mark)

Chief of Dominassie.

W. E. Davidson, Vice-President.

J. F. Amissah, Secretary.

For the kings and chiefs assembled at Mankessim and all the members of the Confederation.

THE CONSTITUTION:

To all whom it may concern.

Whereas we, the undersigned kings and chiefs of Fanti, have taken into consideration the deplorable state of our peoples and subjects in the interior of the Gold Coast, and whereas we are of opinion that unity and concord among ourselves would conduce to our mutual well-being, and promote and advance the social and political condition of our peoples and subjects. Who are in a state of degradation: without the means of education and of carrying on proper industry; We, the said kings and chiefs, after having fully discussed and considered the subject at meetings held at Mankessim on the 16th day of October last and following days, have unanimously resolved and agreed upon the articles hereinafter named.

Article 1. That we the kings and chiefs of Fanti here present, form ourselves into a committee with the view of effecting unity of purpose and of action between the kings and chiefs of the Fanti territory.

2. That we, the kings and chiefs here assembled, now form ourselves into a compact body for the purpose of more eventually bringing about certain improvements (hereinafter to be considered) in the country.
3. That this compact body shall be recognised under the title and designation of the 'Fanti Confederation'.
4. That there shall be elected a president, vice-president, secretary, under-secretary, treasurer and assistant-treasurer.
5. That the president be elected from the body of kings, and be proclaimed king-president of the Fanti Confederation.
6. That the vice-president, secretary and under-secretary, treasurer and assistant-treasurer, who shall constitute the ministry, be men of education and position.
7. That it be competent to the Fanti Confederation thus constituted to receive into its body politic any other king, chief or chiefs, who may not now be present.
8. that is be the object of the Confederation:
 - i. To promote friendly intercourse between all the kings and chiefs of Fanti, and to unite them for offensive and defensive purposes against their common enemy.
 - ii. To direct the labours of the Confederation towards the improvement of the country at large.
 - iii. To make good and substantial roads throughout all the interior districts included in the Confederation.
 - iv. To erect school-houses and establish schools for the education of all children within the Confederation, and to obtain the service of efficient school-masters.
 - v. To promote agricultural and industrial pursuits and to endeavour to introduce such new plants as may hereafter become sources of profitable commerce to the country.
 - vi. To develop and facilitate the working of the mineral and other resources of the country.
9. That an executive council be formed, composed of (the ministry) ...who shall be ex-officio members thereof, together with such others as many be hereafter from time to time appointed.
10. That in order that the business of the Confederation be properly carried on during the course of the year, each king and principal chief shall appoint two representatives one educated, the other a chief or headman of the district of such king and principal chief, who shall attend the meetings which the secretary may deem necessary to convene for the deliberation of state matters.
11. That the representatives of the kings and chiefs assembled in council shall be known under the designation of the 'Representative Assembly of the Fanti Confederation' and that this assembly be called together by the secretary as state exigency may require.
12. That the representatives assembly shall have the power of exercising all the functions of a legislative body.
13. That the representatives of each king and chief be responsible to the nation for the effectual carrying out of the bills, resolutions passed at such meetings and approved of by the king-president.
14. That the National Assembly shall appoint an educated man to represent the king-president, and act as vice-president of the Confederation; and that the vice-president shall preside over all meetings convened by the secretary.
15. That there shall be in the month of October of each year, a gathering of the kings, principal chiefs, and others within the Confederation, when a recapitulation of the business done by the Representative Assembly shall be read, and the programme of the ensuing year discussed.
16. That at such meetings, the king-president shall preside, and that it be the duty of the king-president to sanction all laws passed by the Representative Assembly, so far as they are compatible with the interest of the country.
17. That the king-president shall not have the power to pass any, or originate any laws...nor create any office or appointment, excepting by and under the advice of the ministry.
18. That the representatives of the kings and principal chiefs hold office as members of the Representative Assembly for three years, at the expiration of which it shall be competent for the kings and chiefs to re-elect the same or appoint other representatives.

19. That the member's t it be competent to the National Assembly to re-elect all or any of them and appoint other.

(Articles 20-26: Details of school and road-building programme).

27. That a site or town, unanimously agrees upon, be chosen as the nominal capital of the Confederation, where the principal business of the State should be conducted.

28. That provincial assessors be appointed in each province or district, who shall perform certain judicial functions and attend to the internal management thereof.

(Articles 29-32: Duties of Secretary and Treasurer).

33. That it be the duty of the under-secretary to hear and determine, with an assistant appointed by the Secretary, cases which may be brought from the provincial courts.

To arrange important appeal cases for the hearing of the Executive Council, which shall constitute the final court of appeal of the Confederation.

(Articles 34-35: Duties of assistant-treasurer and provincial assessors).

That in each province or district, provincial courts to established to be presided over by the provincial assessors.

37. That it be the duty of the Ministry and Executive Council:

(a) To advise the King – President in all state matters.

(b) To hear, try and determine all important appeal cases brought before it by the under – secretary, option being allowed to any party or parties dissatisfied with the decision there of to appeal to the British Courts.

38. That three of the ex-officio members of the Executive Council or two ex-officio and two non-official members of the Executive Council shall form a quorum of said Council.

39. that one-third of the members composing the Representatives shall form a quorum.

40. That all laws be carried by the majority of votes in the Representative Assembly or Executive Council, in the latter, the Vice-President possessing a casting vote.

41. that it be the duty of the National Assembly, held in October of each year:

(a) To elect from the body of kings, the president for the ensuing year.

(b) To consider all programmes laid before it by the Executive Council.

(c) To place on the 'stool' in cases of disputed succession therto, the person elected by the Executive Council with the concurrence of the principal inhabitants of the town, croom or district.

42. That the officers of the Confederation shall render assistance as directed bythe executive in carrying out the wishes of the British Government.

Note: The list of adherents is given as consisting of the chiefs of Mankessim, Abrah (Abura), Ayan (Anyan), Coomendah (Komenda), Edjumacoo (Adjumako), Incoosoocoom (Nkusukum), Assin, Dominassie (Odomasi) Saltpond, Tuarcoh (Tuakwa). Adudzi, Trupessedardir (Mpasedadi). Bookah Adoomanoo, Amipanfoo (Apimanim), Abbankrome (Obakrom), Acrofome (Akrofuom), Arnum, Ichafu (Euatu).

C.S. SALMON TO SIR A.E. KENNEDY

CAPE COAST CASTLE, 4 DECEMBER, 1871.

The Constitution was handed to me in Government House by Mr. Davidson, the Vice- President and Mr. Brew, Assistant-Secretary. I refused to forward it officially to your Excellency on their part. The parties have never applied for any sanction to their proceedings. I officially proclaimed them to be illegal some time since.

The people of the country, the merchants and traders, and all the kings and chiefs, except those immediately interested, are one and all utterly opposed to this new Confederacy. Kings Edoo of Mnakessim and Otoo of Abrah are

the only two cognisant of the actual proceedings, and even they have been partially imposed on. Four of these mentioned as kings are very small chiefs. The majority of the names appended to the Constitution have been put down without the knowledge or consent of the parties themselves.

I have arrested all the Ministry except Grant. Warrants are out against the other members of the Executive Council. I have sent for the judge. The parties will be tried in the judicial assessors court.

If the kings come down, I shall send magistrate to Mankessim to make enquiries and to obtain the seal.

This dangerous conspiracy must be destroyed for good, or the country will become altogether unmanageable. The people could not stand a double taxation. The Government have for a long time been attempting to do what this Confederation states to be its object; but they, the originators of it have, more than all else, hindered us, by keeping up a state of feuds and destroying unity and confidence.

(1) Colonial Secretary and acting Administrator of the Gold Coast.

KIMBERLEY TO KENNEDY

LONDON, 16 JANUARY, 1882.

Sir,

I have received your dispatch of the 16th ult. transmitting dispatches from the Administrator of the Gold Coast, reporting the proceedings of the so-called Fante Confederation, and the steps which he had taken to check what he regarded as a dangerous conspiracy.

As the information before me does not lead me to attach so much importance to this movement, I cannot but regret that persons claiming to hold office under the Confederation should have been arrested, although they were subsequently, and apparently after a short interval, released on bail.

And if on the receipt of this dispatch, the proceedings which the Administrator contemplated in the Judicial Assessor's Court should not have taken place, you will instruct him to stay all proceedings and to free the parties from bail.

But whilst I feel it necessary to give these directions, I fully recognise that the Administrator acted under a strong conviction that it was incumbent upon him to take the promptest and most effective measures for putting down a movement which, in his judgment, infringed the conditions of the British Protectorate, and was likely to prove delusive and injurious to the native who would be affected by it.

There is hardly room for question that some of the articles in the constitution of the Confederation were practically inconsistent with the jurisdiction of the British Government in the protected territory.

I think that the Administrator might have confined himself to issuing a proclamation warning British subjects from taking office under the Confederation and stating that those who did so in declining to recognise in any way the 'Constitution' until the articles had been approved by Her Majesty's Government, and in publishing Mr. Grant's disavowal would be held responsible for their acts. He would have been quite right also of participation in the proceedings of the Confederation.

Her Majesty's Government have no wish to discourage any legitimate efforts on the part of the Fante kings and chiefs to establish for themselves an improved form of government, which, indeed, it is much to be desired that they should succeed in going.

But it is necessary that all parties concerned should understand that so long as they live under the protection of Great Britain, the protecting Government must be consulted as to any new institutions which may be proposed.

The manner in which the new 'Constitution' was brought into operation and certain acts performed under it, without any previous communication with the British authorities would be more likely to tend to discord and disorder than to further the ends which the promoters of the Constitution profess to have in view.

C.S. SALMON TO J.J. KENDALL

CAPE COAST CASTLE, 20 JANUARY, 1872

The Confederacy is at present confined to the small district of Mankessim and the larger one of Abrah: but the Abrah people are discontented at this king residing so long at Mankessim, and have sent for him.

When the king returns to Abrah, the last and only prop of the new Confederacy will have fallen, and the palaver may then be considered at an end.

The duplicity with which the promoters of the Constitution of the new Confederacy acted throughout is well illustrated by an extract from a letter of Major Brownell's dated the 17th instant: 'At a meeting of the chiefs and headmen at Winneba, they refused to do, stating that they did not approve of the Confederation, and would not join it in anyway.

The Constitution apparently attempted to leave the British towns out, but the above extract demonstrates that the promoters intended differently.

The worst features in the new constitution is the complete manner in which all power is taken from the native kings and placed in the hands of the 'Ministry' and 'Executive Council', composed of young men, some of doubtful respectability, none with any means, or holding any position in the country.

After deep and searching inquiries, I am perfectly convinced that the two kings, and the few chiefs under them, that really formed the confederacy, were misled by the Cape Coast young men, both as to the end to be attained by the so-called constitution, and as to its scope.

The movement as regards the people of the Protectorate is now virtually at an end. It never reached the Eastern District. The Ashante ambassadors watched the proceeding with interest, and no doubt kept the king well informed of our divisions.

(2) Captain J. J. Kendall served in the Crimea and under Maximilian of Mexico, 1865-7: Colonial secretary, Sierra Leone, Acting Governor-in-Chief, West African Settlements, August-December, 1869, and January-February, 1872.

Source: Ghana Who's Who 1972-73 by Charles Bartels
Published: Monday, February 5, 2007