

SURROGATES AMANKWAH AND ABIGAIL MENSAH PETITION AGAINST MARTIN AMIDU FOR DEFENDING THE CONSTITUTION OF GHANA: BY MARTIN A. B.K. AMIDU

I consider it immoral that Evans Amankwah and Abigail Elom Mensah who were reported on the internet on the evening of 8<sup>th</sup> August 2017 to have petitioned on 7<sup>th</sup> August 2017 to the General Secretary of the National Democratic Congress under Article 45 of the NDC Constitution to take disciplinary action against, me, Martin A. B. K Amidu pursuant to Article 47 thereof choose to publish their petition to the press to court cheap popularity in the interim. The gravamen of their petition is that in exercise of my rights as a citizen of Ghana under the 1992 Constitution, I wrote four articles published on 2<sup>nd</sup> November 2016; on or about 15<sup>th</sup> November, 2016; on or about 29<sup>th</sup> July 2017; and on or about 7<sup>th</sup> August 2017 which were “carefully designed by to expose the Party to public hatred, ridicule and opprobrium and to lower its reputation in Ghana and elsewhere.” I am therefore to be disciplined for obeying and defending the mandates of Articles 3, 12, 35, 41, 42 and 55 of 1992 Constitution instead of alleged inconsistent provisions of the NDC Constitution.

One of the petitioners shamefully described himself on the published petition as Lawyer Evans Amankwah 2016 Parliamentary candidate Adansi Asokwa. “Lawyer” is not a title which any one will use to describe himself unless that lawyer has no confidence in his abilities to allow the public to recognize him by using that salutation when referring to him. Therefore I was not surprised when Evans Amankwah and his co-petitioner refused or failed to realize that the NDC Constitution itself recognizes that it is inferior to the 1992 Constitution and does not abolish the right of NDC members to exercise their supreme rights as citizens of Ghana to defend the 1992 Constitution against acts of NDC members and Government and even against the NDC Constitution itself when it is inconsistent with and in contravention of the said national Constitution.

The first two articles I am charged with were written by me as a citizen of Ghana pursuant to Articles 3, 12, 42 and 55 of the 1992 Constitution to defend the right to representation and free and fair elections. My first article referred to by the petitioners was entitled: “The inexperience and incompetence and arrogance of the Electoral Commissioner are becoming very dangerous.” It was an article in defence of representative democracy and a free and fair election pursuant to the national Constitution. I concluded that article in calling on Ghanaians to: “Let us as citizens defend the Constitution by watching her every step during this election.” Since when did a Ghanaian citizen lose his Constitutional right to defend the national Constitution simply because he is a member of a political party whose constitution is subordinate to the national Constitution?

The second of my articles for which the “Lawyer” and co-petitioner indicted me is titled: “Fellow citizens be alert to the Electoral Commissioner’s other tricks.” I concluded this article by telling all Ghanaian citizens including members of the NDC that: “We must defend the Constitution!” Since when did the NDC Constitution take precedence over the 1992 Constitution

to forbid NDC members from defending the national Constitution even if it means acting against the subordinate NDC Constitution?

The third of my articles with which “Lawyer” and his co-petitioner are charging me is titled: “Uncultured behavior of some Parliamentarians subverting the Constitutional Order”. Articles 3 and 41 of the 1992 Constitution enjoin me as a citizen of Ghana to defend it against every other citizen seeking to undermine it. I exercise that right to ask members of Parliament to exercise constitutional decorum in and outside Parliament by praising the decorous conduct of the NDC Minority Leader and the Speaker of Parliament. Are “Lawyer” and his co-petitioner saying that I am not entitled to defend the Constitutional order when it is being subverted simply because one or two NDC members of Parliament are bringing the reputation and dignity of Parliament into disrepute contrary to Article 117 of the Constitution simply because of my membership of the NDC whose constitution is subordinate to the national Constitution?

My last and fourth charge is for my article titled: “NDC created the Electoral Commission chaos that now portends a bad omen for the Congress.” This last article refers to previous articles I had written in defence of the 1992 Constitution against the John Dramani Mahama Government in the previous year some of which the petitioners referred to in their petition, particularly charges 1 and 2 in which I expressed my views that the Government designed to rig the elections. Articles 3, 35 and 41 of the 1992 Constitution enjoin every citizen to defend the Constitution; the State and citizens to take steps to eradicate corruption practices and the abuse of power; to uphold the Constitution and the law; and for citizens to protect and preserve public property and expose and combat misuse and waste of public funds and property. The 1992 Constitution empowers me to defend it against the looting of Governments and abuse of power in appointments which I rightly exercised in reference to the previous Government. The NDC is a political party and cannot use its subordinate constitution to gag citizens from the exercise of their constitutional rights to speak against unconstitutional conduct and actions of a Government even if it supported it to come to power. The Constitution recognizes a President as the Executive Authority of Ghana and not a political party.

But why is everybody escaping the consequences of surrogate Emmanuel Korsi Senyo’s petition to remove the two Deputy Commissioners appointed by the NDC Government which for me could affect the future of the party? I called attention to this on 31<sup>st</sup> July 2017 and wrote my article after almost a week of silence. The truth may no more be important to others but I will continue to speak out for it.

Only strangers would be ignorant that my war against the Mills/Mahama Government is rooted in the looting of GHC51million by the Government and Alfred Agbesi Woyome. I have fought and will continue to fight against the looting and protection provided to Alfred Agbesi Woyome by the Mahama Government since the Supreme Court’s review decision against the Government represented by the Attorney General and Alfred Agbesi Woyome by John Mahama’s Government. The Woyome/Waterville case underpins all my actions in the Supreme Court and

writings since 2012 and I do so in defence of the Constitution and laws of Ghana which are superior to the NDC Constitution. There are still payments by Agricultural Development Bank cheques issued by Woyome to former Government and party beneficiaries to be retrieved for the State purse. And where is the Attorney General whom the Supreme Court declared to have unconstitutionally authorized the payment of the loot of the public purse to Woyome? So, in as long as the values and principles of the 1992 Constitution which gave birth to the NDC Constitution are undermined by an NDC Government I will continue to defend the national Constitution.

I was not surprised that the petition followed immediately after Valerie Sawyerr's lying, incoherent, disjointed and drunken-like diatribes against former President Rawlings and me. Clearly the John Mahama faction, their surrogates like Valerie Sawyerr and the petitioners who admit to being failed parliamentary candidates at the last elections and others mentors within the NDC think they can frighten core NDC members like myself with threats of disciplinary action. I will rather defend the 1992 Constitution than be intimidated by John Mahama, Woyome, and their surrogates' unconstitutional petitions.

I will continue to always put Ghana First before Party as demanded by the 1992 Constitution. Let those who oppose the fight against corruption in the NDC and who also dislike probity and accountability which I stand for with former President Rawlings do their worst. It is for that integrity that on 31<sup>st</sup> December 2016 I was chosen by the Founder to light the perpetual flame for the fallen heroes of the 31<sup>st</sup> December Revolution. I cannot betray that cause and the 1992 Constitution out of which the NDC was born.

Martin A. B. K. Amidu  
(Citizens Vigilance for Justice)  
8<sup>th</sup> August 2017