



# **MINORITY CAUCUS**

## **PARLIAMENT OF GHANA**

**Parliament House – Accra (Ghana)**

### **STATEMENT BY THE MINORITY IN PARLIAMENT CONDEMNING PRESIDENT MAHAMA'S BRAZEN JUDICIAL COUP AND ATTEMPT TO UNDERMINE THE JUDICIARY**

The decision by President John Dramani Mahama to suspend Her Ladyship Chief Justice Gertrude Araba Esaaba Sackey Torkornoo under the purported authority of Article 146 of the 1992 Constitution is nothing short of a brazen judicial coup, a reckless abuse of Executive power, and a direct assault on the independence of Ghana's Judiciary. This move, taken while legitimate legal challenges are pending before the Supreme Court, reeks of intolerable political vendetta, Judicial intimidation, and a calculated attempt to pack the courts with NDC-sympathetic justices - as openly promised by President Mahama in Akosombo in 2023.

#### **1. A CLEAR VIOLATION OF DUE PROCESS & PENDING JUDICIAL REVIEW**

It is an unpardonable affront to the rule of law that the President has, in consultation with the Council of State, proceeded to suspend the Chief Justice while the Supreme Court is yet to rule on the constitutionality of the very process being used against her. This is judicial overreach of the highest order, a textbook case of executive interference, and a dangerous precedent reminiscent of the dark days of President Kwame Nkrumah's removal of Chief Justice Sir Arku Korsah in 1963 for making judicial decisions the President did not like.

The Minority in Parliament is absolutely right in condemning this unlawful suspension, and we, as lawmakers committed to justice, constitutionalism, and the sanctity of the judiciary, unequivocally demand the immediate reversal of this unconstitutional act.

#### **2. A POLITICALLY MOTIVATED WITCH-HUNT TO CONTROL THE JUDICIARY**

President Mahama's actions confirm what many have long suspected - that this is not about accountability, but about raw political control. His public declaration in Akosombo that he intends to, in effect, balance the judiciary by appointing NDC-aligned judges exposes the ulterior motive behind this sudden rush to remove the Chief Justice.

This is neither good governance nor credible attempt to "reset" of the judicial - it is tyranny.

If the President believes he can strong-arm the judiciary into submission, he must be reminded that Ghana is a constitutional democracy, not a fiefdom. The people of Ghana will not tolerate the subversion of judicial independence for partisan gain.

### **3. A WARNING TO THE MAHAMA ADMINISTRATION: WE WILL RESIST THIS JUDICIAL COUP**

Let this statement serve as unequivocal notice to President Mahama and his administration:

- Any further attempts to harass, intimidate, or unlawfully remove the Chief Justice will be met with fierce legal and public resistance.
- Any effort to pack the judiciary with politically compliant judges will be challenged to the fullest extent of the law.
- The legal fraternity, civil society, and all defenders of democracy will not stand idly by while the judiciary is turned into an appendage of the Executive.

### **4. CALL TO ACTION: UPHOLD THE CONSTITUTION & DEFEND JUDICIAL INDEPENDENCE**

We demand:

1. The immediate reinstatement of the Chief Justice pending the Supreme Court's determination of the pending legal challenges.
2. A halt to all removal proceedings until the judiciary has conclusively ruled on the constitutionality of the process.

The integrity of Ghana's judiciary is non-negotiable. We shall vigorously oppose any and all attempts to turn our courts into political tools.

Enough is enough.

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