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**INNOVATIONS IN ELECTORAL  
POLITICS IN GHANA'S FOURTH  
REPUBLIC: AN ANALYSIS**

**INTRODUCTION**

The people of Ghana are gearing themselves up for general elections in December 2008. Election 2008 would be a historic fifth consecutive national poll since the start of the current constitutional democratic dispensation in 1992. The transitional presidential election of November 1992 was highly disputed by the opposition parties leading to their boycott of the subsequent parliamentary poll that December. The acrimony no doubt had arisen from the fact that the outgoing military regime that had metamorphosed into a political party to contest that election was perceived to have rigged elections.

It was from such shaky foundation that Ghana's current dispensation has blossomed. The subsequent elections (1996, 2004, and 2004) have been more peaceful and generally free and fair. In 2000, there was a peaceful alternation of power from the ruling National Democratic Congress (NDC) to the opposition New Patriotic Party (NPP). Ghana's electoral successes have made it a paragon of good governance and peaceful coexistence in the West African sub-region which over the last decade and half has been better known for a spiral of violent conflict (Frempong 2006: 157).

How can this apparent paradox, a flawed transition setting the stage for democratic progress, be explained? Ghana, despite the emer-

ging culture of political stability, still faces a number of challenges – abuse of incumbency, ethnicity, and overdependence on donor inflow; but in its successes and challenges, several lessons can be distilled for the rest of Africa and indeed the entire South.

### **ISSUES OF DEMOCRACY AND ELECTIONS**

Democracy, particularly, its liberal version, may be defined as “a system of governance in which rulers are held accountable for their actions in the public realms of citizens, acting indirectly through competition and cooperation of their elected representatives (Diamond and Plattner 1999: xi). This implies extensive competition for power; highly inclusive citizenship and extensive civil and political liberties. Also, in-between elections, citizens must be able to influence public policy through various non-electoral means like interest group associations and social movements, which invariably involve cooperation and competition among citizens (Ibid).

In a democracy, a balance must be found between competing values; and political actors must cooperate in order to compete. To be effective and stable, there must be the belief in the legitimacy of democracy, tolerance for opposition parties, a willingness to compromise with political opponents, pragmatism and flexibility, trust in the political environment, cooperation among political competitors, moderation in political positions and partisan identifications, civility of political discourse and efficacy and participation based on the principles of political equality (Diamond et al 1995:19). Coalition building therefore becomes an essential component of democratic actions. It teaches interest groups to negotiate with others, to compromise and to work within the constitutional system. By so doing groups with differences learn how to argue peaceably, how to pursue their goals in a democratic manner and ultimately how to live in a world of diversity.

Democracy is embedded in a complex architecture of norms which is embodied in, and implemented by, an ensemble of institutions including the multiparty system, an independent judiciary, free press, and an electoral system. The stability of a democratic order in any country is ultimately determined by the extent to which such institutions are able to function in a sustainable manner (Ninsin 2006: 59).

Elections are a major institutional pillar of liberal democracy. They provide the platform for exercising the core rights associated with democracy – freedom of speech, association, choice and movement. They are also an expression of the right of participation in the political process. For the masses they are the opportunity to make the political leaders accountable for their stewardship during the time they were in power, as well as subject to their power as the final sove-

reign of the country. The political class sees them as an opportunity for renewing their mandate to exercise legitimate power. In this sense, elections constitute a vital bridge linking the masses to the political class (Ibid: 75). In addition, growing commitment to democratic elections is also an affirmation of a growing popular commitment to the rule of law (Ibid).

To what extent are these essential qualities of elections attainable in Africa? While advances have been made in the apparent competitiveness of elections in Africa with renewed participation of opposition parties, in few cases do elections represent real opportunities for the populace to determine who governs. Rather, they reflect more the character of the political order and especially the degree of risk, incumbents are willing to tolerate (Joseph 1999: 11). Elections in Africa have often been staged-managed, won before Election Day, rigged or corrupted and electoral verdicts “stolen”, which are indicative of the habit of holding regular elections without democratic culture. Regular elections therefore may not constitute enough grounds for postulating democratic consolidation (Ninsin 2006: 61).

In Africa, like in other new democracies, the rules governing elections are yet to be institutionalized; and even the most ordinary issues, such as the choice of Election Day and one’s position on the ballot paper, which normally should be decided administratively, become highly politicized. The contest for power itself is a winner takes all, marked by tensions, acrimony and a vicious cycle of political distrust (Ninsin 1995: 66).

Innovative measures that have been taken by the various stakeholders over the past fifteen years in Ghana to overcome, or at least minimize, these problems and what hurdles remain to be surmounted form the thrust of this paper.

### **BRIEF HISTORICAL BACKGROUND**

Ghana’s post independence history began in March 1957 with a liberal democratic rule which soon degenerated into a quasi dictatorship; and as a result, the first military coup of 1966 (Gyimah-Boadi 2000:2) In the subsequent one and half decades, Ghana made two other brief attempts at liberal democracy between 1969-1972 and 1979-1981; but each was overthrown after twenty seven months. In the later instance, Flight Lieutenant Jerry Rawlings, who assumed the reigns of power for a hundred and twelve days in 1979 and handed over to the civilian administration of President Hilla Limann and his People’s National Party(PNP) staged a comeback on the Christmas eve of 1981. The new ruling group, the Provisional National Defence Council (PNDC), also under Rawlings’ chairmanship, in spite of its name stuck to power for eleven years until

7 January 1993 when Ghana embarked on the current experiment under the 1992 Constitution, which is in its fifteenth year.

The PNDC, unlike the various military regimes before it, had, almost from the beginning, given strong indication of wanting to stay much longer in power. It doggedly refused to bind itself to time, choosing to refer to itself and its actions as part of an indefinite political process ostensibly to implement the so-called participatory, grassroots democracy that had a disdain for multiparty politics (Gyimah-Boadi 1991:35).

### **THE TRANSITION ELECTION OF 1992**

Against this background, the PNDC only reluctantly conceded to constitutional rule under pressure from external and domestic forces, in the early 1990s. On the international front, the pro-democratic trend of the post-Cold War era had begun to have contagious effect across Africa (Ninsin 1998:14). Locally, there were persistent and increasing demands from various civil society groups for change and political reform, after nearly a decade of a culture of silence under PNDC rule. The PNDC leaders then were unwilling covertly that were bent on ensuring that they crafted a transition programme that would leave their interest virtually intact. In addition, given its poor human rights record the PNDC regime had genuine fears for its physical security once it surrendered power.

The incumbent regime, therefore, had special interest in the outcome of the transition process and would not countenance any measures that would prevent it from retaining power in the new dispensation. The PNDC, therefore deliberately and carefully controlled the transition process; it single-handedly chose the drafters of the 1992 Constitution and the members of the Interim National Electoral Commission (NDC) that superintended the transitional electoral process in 1992.

As a result, for the first time in Ghana's political history the leader of the out-going military regime, Rawlings, contested the presidential election, while the ruling junta, the PNDC metamorphosed into a political party, the National Democratic Congress (NDC) to provide him with a vehicle for the contest. After Rawlings victory in the presidential poll, the opposition parties insisting it had been rigged boycotted the subsequent parliamentary contest.

The sources of acrimony in 1992 included a perceived bloated electoral register; the PNDC government's deliberate and systematic appropriation of state resources in favour of the NDC (the use of official vehicles for campaigning, access to state-owned media; mobilization of state apparatus, etc; and suspicion about the INEC management of

the elections (Ninsin 2006:64). The general impression was that the military government plotted to entrench its rule through the backdoor provided by the new democratic set up (Boafo-Arthur 2006:36).

### **INNOVATIONS IN ELECTORAL POLITICS**

From such a slippery start, the strides that Ghana has taken in electoral politics since 1993 are impressive. Ghana has since held three relatively peaceful and generally acceptable elections, one of which led to the alternation of power. Above all, from the all time low voter turnout of 29% in the 1992 parliamentary election which the opposition boycotted, elections have been receiving between 60% and 80% voter turnout; an indication of mass participation.

Several factors have accounted for this success story: innovative constitutional provisions; effective electoral management by the Electoral Commission (EC) and related constitutional bodies; consensus building among political actors; the crucial roles of civil society organizations and the media, as well as mass participation in the electoral process. In the sub-sections that follow we discuss the major ones.

### **CONSTITUTIONAL PROVISIONS**

Ghana's 1992 Constitution made several provisions aimed at facilitating democratic elections and the implementation of those provisions has contributed in no small measure to Ghana's achievements thus far. A few of these would be illustrative:

- In Article 21 the rights to freedom of speech and expression, freedom of assembly, freedom of association, among others are all guaranteed. Apart from being useful in themselves, these freedoms have created a favourable environment for the growth of civil society groups and political parties that have proved crucial for democratic consolidation in Ghana.
- Article 55(5) provides that the "internal organization of a political party shall conform to democratic principles and its actions and purposes shall not contravene or be inconsistent with this Constitution or any other law". As a result of this provision, the Political Parties Law makes it mandatory for the Electoral Commission to supervise political party elections to choose party executives at the regional and national levels as well as the choice of party flag-bearers. This measure has averted intra-party conflicts that would have arisen over intra-party election outcomes.
- To ensure mass participation in elections and politics in general, Article 55(10) preserves the right of every citizen of voting

- age “to participate in political activity intended to influence the composition and policies of Government”.
- In fairness to both the competing parties and the electorate, Article 55 (11-13) obliges the state to avail to all presidential and parliamentary candidates equal access to the media and as much as possible ensure equitable access to the resources necessary for ensuring genuine competition.
  - Article 29 makes provisions on the rights of disabled persons “who must be protected against all exploitation, all regulations and all treatment of discriminatory, abusive or degrading nature” (Article 29[4]). The Electoral Commission has taken this provision seriously and has introduced measures to enable the disabled to participate fully in the electoral process. In the 2004 elections a number of disabled persons were employed as election monitors and more significantly, the EC introduced on a pilot basis tactile ballot to allow blind voters to vote secretly. Hopefully this will be introduced nationwide in the next election.
  - Article 162(3) provides that “there shall be no impediment to the establishment of private press or media; and in particular, there shall be no law requiring any person to obtain license as prerequisite to the establishment or operation of a newspaper, journal or other media for mass communication or information”. This provision has led to the emergence of several private newspapers, radio and television station which have been playing vital roles during elections –providing education on the electoral processes, monitoring voting as well as the collation and publication of results.
  - Further, Article 163 provides: “All state-owned media shall afford fair opportunities and facilities for the presentation of divergent views and dissenting opinions”. Since 1996, Ghana Broadcasting Corporation (for both its radio and television) during election campaign period has apportioned equal air time for presidential candidates and political parties to present their manifestoes. Similar provisions have also been made in the public newspapers like *Daily Graphic* and *Ghanaian Times*.

In addition to the above provisions, the 1992 Constitution made it mandatory for the establishment, through Acts of Parliament and within six months of the start of the Fourth Republic, a number of constitutional commissions that would facilitate political participation in general and the electoral process in particular. These were the

Electoral Commission (EC), the Commission on Human Rights and Administrative Justice (CHRAJ), the National Commission for Civic Education (NCCE) and the National Media Commission (NMC). To ensure their independence, their composition and functions were prescribed in the Constitution (Articles 43, 216, 232 and 166 respectively) and once appointed, they were to be accountable only to the Constitution (Articles 46, 225, 234 and 172 respectively).

Article 218 provides among the functions of CHRAJ, the investigation of complaints of violation of fundamental rights and freedoms and to educate the public as to human rights and freedoms. The NCCE in Article 231(d) is to “formulate, implement and oversee programmes intended to instill in the citizens of Ghana awareness of their civic responsibilities and an appreciation of their rights and obligations as a free people”; among other things. The NMC, on the one hand, is “to ensure the establishment and maintenance of the highest journalistic standards in the mass media”, and on the other, “to insulate the state-owned media from governmental control” (Article 167b & c). In practice, these three commissions in their respective ways have contributed positively to electoral politics in Ghana.

Thus on the whole, Ghana’s 1992 Constitution has provided broader avenues for political participation: Electoral Commission, the Legislature, Executive, Judiciary, political parties, civil society organizations, traditional institutions and the media have all been insulated from state influence.

### **THE ELECTORAL COMMISSION**

The 1992 Constitution provided for a seven-member Electoral Commission (EC) consisting of a chairman, two deputy chairmen and four others appointed by the President in consultation with the Council of State (Articles 43 & 70). Once appointed the Commission in the performance of its functions, “shall not be subject to the direction or control of any person or authority” (Article 46).

Article 45 outlines the functions of the Electoral Commission which include compilation and revision of the electoral register, demarcation and revision of electoral boundaries, conduct and supervision of public elections and referenda, education of citizens on the electoral process and other such functions that may be prescribed by law. It is thus the principal organ for the administration of elections in Ghana

The performance of these functions could be fraught with controversy which could provoke acrimonious disputes due to extraneous or extralegal factors introduced in the process either by the state through its numerous agents or by contending political parties, their candidates

or supporters.<sup>1</sup> Such interferences could severely compromise the role of the EC as an impartial referee and thereby throw into grave doubt the credibility of the entire election. This indeed was the fate that befell the INEC which conducted the transition election (Ninsin 2006:62-63). Key political actors and their supporters became deeply mistrustful of the electoral process and the new election authorities faced formidable challenges of building both confidence and credibility.

With the inauguration of the Fourth Republic in January 1993, the life of the largely discredited INEC officially came to an end and a new Electoral Commission (EC) was inaugurated in August 1993. Its composition and powers as provided for in the Constitution were amplified by statute, Act 451. The existence of a body of laws and explicit rules and regulations provided the Electoral Commission with a measure of insulation and put the body in a stronger position lawfully to resist undue external pressures and interference in its work. Above all, the laws formed the framework for the resolution of the electoral conflicts.

These changed circumstances and donor assistance enabled the EC to embark on a comprehensive programme of reforming the electoral process and enhancing credibility. Initially, however, suspicion and mistrust of the election authority as an independent and impartial arbiter lingered in part because the procedure for appointing the commissioners still allowed for a significant degree of presidential influence but more so because a deputy chairman, Dr. K. Afari-Gyan and a commissioner, David Kanga, both of the defunct INEC were 'promoted' Chairman and Deputy Chairman respectively of the new EC.

The EC saw a clear need for electoral reforms with a view to achieving greater transparency in all aspects of the election process, seeking to create popular faith in the ballot and building confidence in the EC itself. This coincided with the need of both the government and the opposition to achieve some measure of consensus if the Fourth Republic was not to be derailed. On the part of the government, the exceptionally low voter turnout of 29 percent in the 1992 parliamentary election reduced the legitimacy of the whole transition process and for the opposition parties there was the fear that if the stand-off with the Rawlings government remained unresolved, the government might seize the opportunity to perpetuate itself in power (Frempong 2007: 137)

The most important mechanism for managing distrust of the EC and among the various political parties was the innovative Inter-Party Advisory Committee (IPAC) formed in March 1994. The IPAC brought together representatives of the political parties to regular monthly mee-

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1 The extraneous factors include impersonation, double voting, juvenile voting, vote-rigging and fraud, and general acts of manipulation of the voting process.



tings with the EC to discuss and build consensus on contested electoral issues (Aye 1997: 10). In taking this step, the EC was responding to a recommendation of the Commonwealth Observer Group (COG) which monitored the 1992 elections. In its report, the COG had emphasized the practical value of dialogue and consultation as a building block towards democratic consolidation and recommended the need to institutionalize the process of dialogue, even informally, as a forum at which parties could air their grievances (COG 1992: 62-63, cited in Aye 1998b:161).

The IPAC offered a two-way channel of information for both the EC and the parties. It enabled the EC to discuss all aspects of its programmes and activities with the parties, elicit input and address problems, protests and disagreements whenever they were aired. And the parties were able to express their views freely and openly about EC programmes and activities and to bring their concerns to the table. The IPAC process, no doubt, had its hiccups but it succeeded in achieving compromise solutions to such contested matters as a single day for both parliamentary and presidential elections; photo ID cards, and transparent ballot boxes; and gained the active involvement of the party agents in the registration exercise as observers. It also agreed on a common date for parliamentary and presidential elections (Aye 1997: 10). It must also be emphasized to the credit of the EC that although the IPAC was purely advisory and non-statutory and its decisions non-binding of the EC, it gave serious attention to those decisions that were practical, legal and cost effective. IPAC then became a framework for building trust and confidence among the political class regarding the conduct of elections and provided a platform for deepening trust with the EC (Ninsin 2006:64).

By 1996 several of the major controversial issues had been resolved through the IPAC mechanism. The positive dividend showed in the 1996 elections and has continued. The voter turn out in 1996 was an impressive 73.5%. The general mood following the election confirmed the fact that the contending political leaders had agreed upon the basic rules of electoral politics (Ninsin 1998: 194). Unlike 1992, the defeated presidential candidates readily conceded defeat and congratulated the winner and he in turn congratulated the losers for their competitive spirit. It is therefore gratifying that this consensus building mechanism has been sustained and replicated at the regional and district levels.

The EC has performed creditably in other areas as well:

- It has asserted its independence on many respects over the years: In March 2004, for example, when the NPP government announced the establishment of a national procurement committee to undertake purchases for Election 2004, the EC contended that that action would undermine its independence and had the plan

shelved. Similarly the EC resisted all attempts by the opposition parties to prevent the inclusion of 30 newly-created constituencies in the conduct of Election 2004. The EC, conscious of the fact that it had operated within its mandate in creating the new constituencies, maintained its stand until it was confirmed by a Supreme Court decision (Boafo-Arthur 2006: 43).

- The EC has taken even little controversies seriously and has taken innovative measures to deal with them. Before the 2000 Election, the position of candidates on the ballot paper was in the order in which they filed their nomination. In 1996, this had led to a mad rush among the political parties to secure the top spot on the ballot paper. In 2000, the EC resolved the matter by the introduction of balloting for positions on the ballot paper days after parties have filed their nominations. It is significant to note that since then this method has been replicated for intra-party elections.
- The EC playing its neutral role was equally mindful of the religious dimension. On November 24, 2000 the EC organized a prayer and fasting session at the Conference Hall of the Commission. (Agyeman-Duah 2003:115).
- The manner in which the EC has collaborated with donor agencies, political parties, think tanks, civil society groups and the media has been most impressive. One such collaboration between the EC, IFES, the Ghana Association of the Blind (GAB) and Action on Disability and Development Ghana (ADD) in 2002 led to the pilot test of the tactile ballot, earlier referred to (GAB Report 2002). Similarly, since 1996, it has accredited the domestic poll watchers and ensured their unhindered access to places has boosted public confidence in the voting and its outcome.

The efficient manner the EC has been managing elections in the country is acclaimed across the electorate. In a post-election 2004 survey 96.1% of respondents were of the view that the EC officials across the country applied the rules governing elections, were neutral, fair and firm (Department of Political Science, University of Ghana, Post-Election Field Survey, 2004 cited in Boafo-Arthur 2006: 37). This high level of confidence the electorate has placed in the EC is the outcome of the persistent efforts by the Commission to improve upon its performance. It has within the past one and half decades initiated several changes<sup>2</sup> that have greatly improved and enhanced its role in the

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2 These reforms which cover voter registration and election and election material management include photo identification cards for voters, unique voter numbers,

electoral process (Boafo-Arthur 2006: 38). It is therefore, not surprising that EC Chairman Kwadwo Afari-Gyan and several of his officials have been involved in elections throughout Africa either as technical facilitators or election observers/monitors.

The EC in Ghana has confirmed the fact that while the success of electoral politics depends on each stakeholder playing its assigned role, the role of the electoral commission in the process is most crucial. Apart from neutrality, the commission must be fair and firm, to be able to win the confidence of the contesting parties as well as the electorate.

### **THE LEGISLATURE, EXECUTIVE AND JUDICIARY**

The traditional governance institutions, the Legislature, Executive and the Judiciary, have all contributed to the success of the electoral process in Ghana. The Ghanaian Parliament, apart from the passage of the various acts establishing the EC and other constitutional commissions within the constitutionally-mandate six months, has since 1993, debated and passed several constitutional and legislative instruments brought before it by the EC. These instruments have facilitated the work of the EC a great deal. On the part of the executive, both the previous NDC and the incumbent NPP governments have, to a large extent, stayed within the constitutional limits in their relations with the electoral authorities. The decision of the Rawlings government to respect the two-term constitutional limit in 2000 is a case in point. The role of the judiciary has been most beneficial in this respect. It has treated most of the election-related petitions with this dispatch. Such cases included: the fixing of the 7 December Election Day, the controversy over the used of thumb-printed voter identification cards in 2000, and the inclusion of the thirty newly-created constituencies in the 2004 polls.

### **POLITICAL PARTIES**

Apart from elections rules that the electoral authorities impose, a number of normative and attitudinal imperatives require compliance if success is to be achieved. These include tolerance of opposing views, free exchange and circulation of ideas and mutual respect among contending leaders/candidates and their followers (Ninsin 2006: 63). It is in these respects that political parties, the main political actors, have contributed their quota to the success of electoral politics in Ghana.

- Through their involvement with IPAC the political parties reached consensus on the rules of the game and committed

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political party agents observing voter registration and the voting itself, domestic election monitoring by civil society groups, the IPAC, photo identification of voters on electoral roll, transparent ballot boxes.

themselves to upholding elections as the only credible method by which Ghanaians would choose and alternate government (Ibid 64).

- Since 1996 aggrieved defeated parliamentary candidates have resorted to the courts rather than the streets, to seek redress under the law.
- Political parties in Ghana have pushed the consensus building a step further with the introduction of the Platform of General Secretaries and the Chairmen's Caucus on the initiative of the Institute of Economic Affairs (IEA). The Platform, made up of political parties represented in Parliament came into being in 2003. It meets on a twice-monthly basis to discuss issues relating to party programmes and activities. The Chairmen's Caucus has since 2004 been dealing with larger problems that threaten democratic consolidation in Ghana (Asante 2006: 26)
- Since 2000, political parties have formulated the Political Parties Code of Conduct. In 2004, for example, at a meeting organized by the IEA, representatives of registered political parties in Ghana formulated a Political Parties Code of Conduct (2004) to regulate the conduct of political parties during and between elections. The Code stresses the democratic imperatives of multipartyism, mode of campaigning, out-of-campaign activities, measures for safeguarding elections, etc (Boafo-Arthur 2006: 42). The enforcement of the Code was a partnership between the political parties, EC and IEA (IEA Political Parties Code of Conduct 2004)

A significant contribution that these innovations by political parties have made to electoral politics in Ghana is the impact on the voter turn out and, in effect, mass participation. From a low of 29% in the 1992 polls, voter turnout was 78.2% in 1996, 61.7% in 2000 and 85.1% in 2004. The consensus building among the political elite has created confidence among their followers and this has been manifested in the sustained high voter turnout. That in itself underscores the importance ordinary Ghanaians, acting as the electorate, now attach to elections.

#### **CIVIL SOCIETY ORGANIZATIONS**

Perhaps the most innovative contributions to Ghana's electoral politics have come from civil society organizations (CSOs) in terms of voter education, election observation/monitoring and other strategies for peaceful elections.

### **Voter Education**

From 1996 civil society groups have been very active in the voter education efforts:

- Human rights advocacy and policy think tanks like the Institute of Economic Affairs (IEA) and the Ghana Center for Democratic Governance (CDD-Ghana) have liaised with traditional civil society bodies like the trade unions, business and professional associations to create formidable networks of private institutions that have facilitated democratic development and reduced election-related violence to the minimum (Gyimah-Boadi 2004:108).
- Publications, opinion surveys and studies and independent research by the IEA, CDD-Ghana, the Department of Political Science and the School of Communications Studies (both of the University of Ghana) have also provided some of the best information on politics and elections since 1992 (Ibid: 106).
- In the 2000 elections, live broadcasting of public debates by presidential candidates, on television and radio, was introduced. It was organized by the Ghana Journalist Association (GJA) in collaboration with an American NGO, Freedom Forum. The two-hour exercise involved five-minute opening statements by each candidate, a series of questions from the audience and another five-minute closing remark by candidates. This unprecedented experience enabled the electorate to assess further the qualities of the potential presidents; it brought the new dimension of giving voters the opportunity to judge candidates on the basis of their position on specific issues, introducing “content” in a structured fashion for the first time into Ghanaian presidential campaigns. (Agyeman-Duah 2005:24)
- In 2004, the presidential debate of 2000 was repeated. An innovation this time was the civil society-sponsored weekly televised debates for the four contending political parties; in addition, the several issues-based radio discussion programs enhanced the public discourse.
- Also introduced in 2004 were CDD-Ghana’s Public Forum and IEA’s Town Hall Meeting for parliamentary candidates in several constituencies across the country, at which issues of public interest (including education, health, HIV/AIDS, the economy and national security) were addressed. (Ibid: 29). The constituencies were carefully chosen taking into consideration such factors as the intensity of contest or volatility of voter behavio-

ur; female and independent candidacy; newly-created constituencies and constituencies prone to violent conflict. To make the forums effective, capacity workshops were organized for the participating candidates (CDD-Ghana, Parliamentary Debates, 2004). The two projects offered a common platform for candidates to present their programmes before the electorate with the objective of helping the candidates to focus their campaigns on issues relevant to the developmental needs of their constituencies and the electorate to make informed choice.

### **Election Observation/Monitoring**

Election observation in 1992 was dominated by international observer groups.<sup>3</sup> Since then, domestic poll-watchers have emerged and become increasingly significant. In 1996, the two organizations that assumed this role were Ghana-Alert, the Network of Domestic Election Observers (NEDEO), a coalition of 23 prominent national religious, professional and human rights organizations.<sup>4</sup> The advantage here was that the domestic groups could begin their poll watching as early as July 1996, four months ahead of the polls. They were thus better placed than the international observers to monitor developments before, during and after the voting.<sup>5</sup>

For the 2000 Elections, domestic election monitoring assumed new and innovative dimensions. Several local groups including the Coalition of Domestic Observers (CODEO), the Forum of Religious Bodies (FORB), and Ghana Legal Literacy Resource Foundation, undertook to monitor the polls on an independent basis and succeeded in recruiting, training and deploying over 15,000 observers and covered about half of the over 20,000 polling stations nationwide.

The domestic observation process in 2000 was far more extensive, including, the general pre-election scenario and media coverage of party political activities from May to December of the election year.

The monthly reports from the monitors formed the basis of forums where representatives of the political parties and media houses

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3 These included the Commonwealth Observer Groups, African-American Institute and Jimmy Carter Centre.

4 These included the Christian Council of Ghana, the Catholic Secretariat, the Federation of Muslim Councils, the Ahmaddiyya Muslim Mission, Ghana National Association of Teachers (GNAT), National Union of Ghana Students (NUGS), Ghana Journalist Association (GJA), Ghana Association of Women Entrepreneurs and the Institute of Economic Affairs (IEA).

5 Their activities included the training of election monitors at the national, regional and district levels and the deployment of over four thousand observers to polling stations across the country on Election Day (Gyimah-Boadi 1999:413).

discussed lapses and shortcoming in performance and worked out corrective measures (Gyimah-Boadi 2001: 65).

CODEO, for example, selected twelve constituencies deemed to be potential flashpoints for trouble from the ten administrative regions of the country where specially trained observers were sited to monitor the political environment, noting in particular the activities of the EC, the conduct of party primaries, incidents of violence and the use and abuse of incumbency by the ruling party. The aim was to publicize the monitors' report to draw attention to infractions and irregularities that could undermine the electoral integrity (Agyeman-Duah 2005:25).

Civil society support of the 2004 election was even more elaborate and extensive. CODEO, for example, repeated its previous observation/monitoring activities<sup>6</sup> and for the first time monitored political party primaries where parliamentary candidates were selected (Ibid: 30).

By their election observation/monitoring activities, the civil CSOs have provided empirical basis for all stakeholders –the government, opposition, Parliament, political parties, the EC, other relevant public agencies and civil society– to take measures to improve in future elections (Ibid: 52).

### **Strategies for Peace**

Other CSOs have focused on ensuring peaceful and orderly elections and have had a moderating effect on the political scene and reduced acrimony to a large extent (Ninsin 1998: 67). In the run-up to the 2000 elections several civil society groups were pivotal in reducing mounting political tensions through campaigns for peace. For example, the Musicians Association of Ghana (MUSIGA) organized musical concerts to promote peaceful elections; while religious bodies held high profile prayers for electoral peace and non-violence.

Thanks largely to this relentless peace-mongering by civil society, the fears and anxieties over Election Day violence, to a large extent, did not materialize (Gyimah-Boadi 2001: 66).

### **TRADITIONAL AUTHORITIES**

Of great importance to democratic consolidation and also innovation for other countries in the South to emulate the Ghanaian experience

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6 It launched a project months before the election to monitor and better publicize acts of political corruption falling under the rubric of the abuse of incumbency. Trained monitors observed the conduct of public officials and candidates from September to December 2004 in at least two constituencies in each of the ten regions of Ghana; while others tracked the daily news content produced by four state-owned media organizations, including two newspapers, one radio station and one television network.(CDD-Ghana Monitors' Report, 2004:1)

is the role of traditional authorities in promoting peaceful elections. Article 276 (1) of the Ghanaian constitutions states that “a chief shall not take part in active party politics; and any chief wishing to do and seeking election to Parliament shall abdicate his stool or skin”, but that has given them the opportunity to play a fatherly and neutral role in Ghanaian politics since 1992. A good example was when various prominent traditional rulers convened a crisis meeting with political parties and the EC in mid-November 2000, and ended with the adoption of a 12-point resolution for violent-free and peaceful elections. Many traditional rulers also took advantage of political rallies in their localities to appeal for free and peaceful elections (Agyeman-Duah 2005:22).

### **THE MEDIA**

Fair and equal access to the media for all political parties and their candidates are important elements for leveling the political playing field. To help reduce if not resolve the inequalities in media access and coverage for the parties and candidates, institutions of civil society groups have introduced workshops and seminars to sensitize media practitioners to their democratic and professional responsibilities (Agyeman-Duah 2005:20).

Relaxation of media censorship since 1992 has also paved the way for the emergence of independent newspapers as well as radio and television stations. The media contributed greatly to the quality of the electoral process in 1996.

The more active presence of the independent media, which provide a constant stream of election analysis, has helped to generate a high degree of public interest in elections. By providing channels of discourse outside the state’s control and expressing opposition views as well, the independent media has been largely responsible for keeping elections competitive (Gyimah-Boadi 1999:414). The independent print and electronic media have also made it possible for information unflattering to government or not sanctioned by state authorities to reach the public and therefore created a balance in media coverage.

The role of the electronic media in monitoring elections has been unique and innovative. Private FM stations post their reporters countrywide to give live reports of events at the polling stations and at collating centres. Throughout Election Day stations are awashed with reports of the unfolding balloting process. They inform electoral officials on where to send additional voting materials to alleviate a shortage; the Police are notified of potential and actual trouble spots; suspicious characters and vehicles at polling stations are reported on air including their number plates; and ordinary citizens’ call on to report whatever seems to be irregular at the polling stations.



These pre-emptive actions have promoted orderliness at the polling stations and deterred many potential election fraudsters and riggers and have largely been responsible for the high level of transparency and low level of irregularities recorded in the balloting process. (Agyeman-Duah 2005:26)

Media reporters, who monitor ballot counts, announce results live from the polling and constituency collating centres throughout the country while the operations desks at the radio studios tally the figures and give the provisional results of both the presidential and parliamentary votes. Some stations, such as JOY-FM of Accra, have created websites where the provisional results are posted as they unfold. Thus, the Ghanaian electorate can know the provisional outcome of elections before the Electoral Commission makes the official announcement.

## CHALLENGES

Ghana, however, is no paradise! In spite of its achievements several hurdles remain to be surmounted. In the first place, the relations between incumbent President John Kufuor and ex-President John Rawlings have not been cordial. Their personal differences run deeper than the start of the Kufuor administration in 2001<sup>7</sup> but the intermittent attacks and counter-attacks by these prominent politicians, who represent the faces of the two dominant political parties in Ghana, have had a negative repercussion on an otherwise progressive development in electoral politics. It is hoped that the recent mediatory step by retired UN Secretary General Kofi Annan would yield fruitful results ahead of Election 2008

Another threat is that Ghana's democratic progress has been paralleled by increased ethnicity. Particularly since 2000, elections have been shaped by the Akan –Non-Akan divide.<sup>8</sup> The ruling NPP has gained most of its votes from the five Akan regions while it has performed poorly in four Non-Akan regions; and for the opposition NDC the reverse has been the case. The only exception here is the cosmopolitan Greater Accra Region, which though traditionally Non-Akan, voted

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7 Kufuor as a Local Government Minister in the Rawlings-led PNDC had resigned following the brutal murder of three judges and an ex-military officer in which government functionaries were implicated. Since then there have been no love lost between them.

8 Nearly half the Ghanaian population belongs to the broad Akan ethnic group which is geographically spread across five of the ten regions – Ashanti, Brong Ahafo, Central, Eastern and Western. The other ethnic groups covering the remaining five regions – Greater Accra, Northern, Upper East, Upper West, and Volta – are loosely called 'Non-Akan' in this context.

for the NPP, not least because, majority of the people there are Akans. The sad aspect is that the people of Central Region who had not voted along ethnic lines were ridiculed rather than hailed.

The frequency of boycotting of parliamentary sessions by opposition groups casts doubts on how deeply the political elite have imbibed the ethos of consensus building. While in opposition the NPP had boycotted parliament over issues like vetting of presidential ministerial nominees and the budget. The current opposition NDC had continued and deepened the boycott 'tradition'. Issues like, national reconciliation, national health insurance, extension of the franchise to Ghanaians abroad, and the conviction of one of its members by a court of law, have all attracted boycotts by the NDC parliamentary caucus.

In spite of the several measures aimed at leveling the playing field electoral resources remain skewed in favour of incumbency; the 1996 and 2004 election campaigns in particular demonstrated the affluence of incumbency and the penury of opposition. The intriguing point, however, as Election 2000 amply demonstrated, is that incumbency is not always an advantage. Could Election 2008 produce another alteration of power?

Deepening citizens understanding of the electoral system and management and educating them on their civic responsibilities is yet another challenge. Although Ghanaians appear to be generally conversant with their civic responsibilities and are highly committed to democracy, evidence from election observations indicates high levels of ignorance about the laws, procedures and processes of elections. As a result, corrupt voting practices are rampant and pointless arguments provoke conflicts and at times violence. There are indications that election-related violence results, in part, from indiscipline that is engendered by those who believe that the opening of the democratic space gives unbound freedom of expression and action. (Baffour Agyeman-Duah 2005:39).

Isolated cases of election-related violence have broken out before, during and after elections in Ghana. In 2000, the post-election violence in Bawku, the Upper East regional capital was a test case; and in 2004, there were episodes of violence in Tamale, the Northern Regional capital. The arrest and subsequent death in military custody of Alhaji Mobila, the Regional Chairman of the Convention People's Party (CPP) was perhaps the darkest spot in the 2004 elections. There were also incidents of attacks on electoral officers and the burning of ballot materials as well.

Though Article 54 of the 1992 Constitution charged the administrative expenses of the EC on the Consolidated Fund, in practice, the

EC like other constitutional commissions, has been consistently subjected to government budgetary cuts, with serious implications for its efficiency, effectiveness and independence.

Closely related, the most successful innovations, whether by the EC, the political parties or civil society, have been over-dependent on donor funding<sup>9</sup>; and that raises doubt about sustainability when such funds dry up. The frequency of meetings of IPAC and other political party-related bodies have been constrained by availability of donor funds in-between elections.

There are still some flaws in the EC's conduct of elections. For example, the 2004 voter registration exercise was somewhat marred by conflicting directives from the EC and the manner in which the related photo-taking exercise was conducted gave critics the chance to allege that the EC had favoured the incumbent party in its electoral stronghold of the Ashanti Region.

## **CONCLUSION**

This post mortem of electoral politics in Ghana has demonstrated how the country has responded to liberal democracy over the past fifteen years. While Ghana has witnessed a revolution through the ballot the ballot box since its return to constitutional rule in 1993, there are still problems of institution-building; inclusion, accommodation and compromise; incumbency; and ownership of the electoral process, to grapple with. In both its successes and challenges, the Ghanaian experience provides useful lessons for the emerging democracies in the South.

First, Ghana has demonstrated that national constitutions in the South must provide the bedrock for establishing independent electoral bodies free to adopt innovative ideas in the management of the electoral process.

Second, innovation in the electoral process is essential for democratic consolidation. Such innovations, however, must be the collective responsibility of all stakeholders – government and opposition, political parties, civil society, the media, traditional authorities, etc. Not only should innovations take the socio-cultural context into consideration but also they should be seen as an ongoing process which must evolve over time.

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<sup>9</sup> The major donors include the Department for International Development (DFID) Canadian International Development Agency (CIDA), the Danish International Development Agency (DANIDA), International Federation of Electoral Systems (IFES), Friedrich Ebert Foundation (FES) and the United States International Development Aid

Third, the practice of dialogue and consultation among political parties through an intra-party consultative mechanism is an important building block in ensuring peace in electoral politics.

Fourth, even a flawed transition can set the stage for democratic progress if all the stakeholders would effectively play their respective roles.

Lastly, free and fair elections as well as peaceful transfer of power are possible in Africa and such good practices should be published and publicized.

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