

The Electoral Commission of Ghana and the Successful Election Delivery in the Forth Republic

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Abstract

In this study, we explored the function of the Electoral Commission of Ghana in overseeing elections during the Fourth Republic. The research utilised secondary data collection methods, and the analysis was carried out through content analysis, and adopts institutional theory. Throughout the discussion, we recognised that elections are fundamental to all democratic governments and must be effectively managed to maintain public trust. This necessitates that the election management body demonstrate responsibility to ensure that elections are driven by the citizens. During the initial election following Ghana's return to democracy in 1992, there was public dissatisfaction with the process, leading to a boycott of the parliamentary election by the opposition party. Nevertheless, two years before the 1996 general election, the ECG established an inter-party advocacy committee that identified and addressed the anticipated issues from the 1992 election. Since that time, the ECG has successfully conducted eight consecutive elections with the opposition.

Keywords: *Electoral, Commission, Election, Delivery, Fourth Republic*

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Background to the Study

Elections are the cornerstone of democratic political processes, serving as a mechanism for political parties or candidates to compete for public office under equal conditions before the electorate. Some EMBs assume a supervisory function, possessing significant power to develop standards for the management of elections within the parameters of electoral legislation, monitor compliance with those standards, and impose sanctions for any breach. Their remit is often limited to a narrow and specific electoral management function; in exercising this remit, they perform a quasi-judicial function. Consequently, all EMBs must perform their tasks in an apolitical manner, exercising fearless independence from the government to uphold the principle of impartiality.

Meanwhile, Huntington (1993) identified the key indicators of democracy as credible elections and the rule of law. From a minimalist perspective, elections are the first and most basic indicator of democracy because of their presumed capacity to guarantee political participation, competition and legitimacy, which, in turn, are pivotal to democratic transition and consolidation (Omotola, 2014). Thus, given the centrality of elections to the theory and practice of democracy as the primary feature that makes it a minimalist condition for democratic consolidation (Przeworski, 1999). Ghana seems to have attained the minimalist indicator of democratic consolidation through a complete cycle of electoral turnover, where power has alternated between the incumbent and opposition on five occasions.

Globally, electoral management design differs significantly between countries. No two approaches to electoral management are alike: EMBs across different countries possess varying degrees of autonomy from government, extent of remit, and powers. The system of government (federal or unitary, parliamentary or presidential), the political party system—which dictates how inter-party relationships are formed and regulated—and political party relations in the legislature (consensus or adversarial), as well as the strength of other state institutions, can influence the potential of an EMB to, and the extent to which it will, function with independence and impartiality. Without a conducive and comprehensive legal and institutional framework or adequate, transparent accountability mechanisms, a government, if inclined, may influence the independence and autonomy of an EMB (Joseph, 2021).

In a broad comparative study of the contribution of electoral commissions to the strengthening of democracy in West Africa which spanned six countries namely: Ghana; Sierra Leone; Nigeria; Benin; Cape Verde; and Senegal, Fall, Hounkpe, Jinadu and Kambale (2016) reiterated that electoral management bodies (EMBs) have become a keystone of the process of democratisation in the countries of West Africa. Their composition, mandate and activities have attracted increasing public attention. In some countries, the EMBs and the rules of the electoral game are the focus of passionate interest and debate each time elections come around. In others, the debates around the EMBs are semi-permanent and attract attention even outside the electoral cycle. Therefore, the main objective of this paper is to explain how the Electoral Commission of Ghana was able to overcome the challenges of the election and

electoral process from the inception of democratic rule in the 1992, Ghana's general election and subsequently prove itself capable as an independent body to ensuring credible, successive elections without problem. Methodologically, this paper used a secondary method of data collection and analysed the data contextually. This paper adopts the institutional theory of John Meyer and Brian Rowan (1977). Institutional theory is centred on structures, norms and practices that influence organisations and the societies shaping behaviour and decision making to serve as a catalyst for institutional change and efficiency.

Electoral Management Bodies (EMBs) and the Integrity of the Electoral Process

In examining the strengths and weaknesses of the election management body in Ghana, Hounkpe & Fall (2011) reveal that although Ghana has a long experience of electoral management bodies, which are independent of the government, the pre-1992 electoral management was characterised by deep distrust of the successive electoral management from both politicians and ordinary citizens. The current Electoral Commission, in operation since the restoration of democracy in the early 1990s, is seen to have broken away from the distrust for EMBs which was prevalent before it was established. The Ghanaian Electoral Commission (EC) is also seen to have a remarkably wide mandate, with powers that extend beyond the conduct of general elections to policing the activities of political parties. The report further posits that the Ghana Electoral Commission is independent, and this is recognised by almost all players in the country's electoral process. The Commission's legal framework is seen to reflect in its composition the conditions offered to members of the Commission, and the protection of the EC against outside interference. Its management is seen to be one of the major determinants of the independence enjoyed by the EC.

In an evaluative study of electoral management bodies' capacity, Garnett (2019) stated that EMBs perform many crucial tasks throughout the electoral cycle, ranging from pre-election activities such as boundary delineation and voter registration, through election-day administration of voting procedures and the counting of ballots, to post-election reporting and auditing. She however noted that the design and conduct of EMBs around the world vary greatly and that while in recent years, variations in the formal structure of EMBs have received increasing scholarly attention, focusing on issues such as independence (van Ham and Lindberg, 2015) and centralisation (Alidu & Gyekye-Jando, 2016), the capacity of EMBs, or their ability to perform their functions, has received considerably less study. She insists that EMB capacity is likely to be a crucial predictor of overall electoral integrity because EMBs are involved in all aspects of running elections, and their ability to manage elections and perform key tasks such as identifying voters and counting the ballots is crucial (Garnett, 2019).

Garnett further observed that whereas EMBs are not directly responsible for all the determinants of overall electoral integrity, such as violence at the polls or the candidates who run for office, it can reasonably be expected that the capacity of an EMB to manage elections should improve the integrity of the election. She defined the capacity of electoral management bodies as their ability to perform functions and achieve their goals. She further clarified that capacity is distinct from other ways EMBs are compared, against attributes such as

impartiality or autonomy, because an EMB can be highly impartial and actions not influenced by the incumbent government, yet cannot register voters, set up enough polling stations, and accurately tabulate the results. And one way to consider whether an EMB can perform its functions, according to Garnett, is to examine whether it has adequate resources to do so (Garnett, 2019).

Furthermore, the performance of Ghana's Electoral Commission has gradually improved over time, due to the quality of the staff, and especially its leadership, as well as the support and positive attitude of the other key players in the electoral process in Ghana, including political parties, media, civil society organisations and state institutions. Despite its good reputation, Ghana's Electoral Commission does suffer from many internal weaknesses, primarily due to poor working conditions of its members, the poor performance of the Commission in managing the electoral register, and the poor quality of some staff employed by the Commission, including election officials. For instance, Adu-Gyamfi (2014) assesses citizens' perceptions of the independence of Ghana's Electoral Commission and demonstrates that, despite numerous challenges, the Electoral Commission is truly independent. His study further reveals that the role played so far by the Electoral Commission of Ghana has made the ballot box the chosen means for conducting credible elections and electing political representatives. The study notes also that the Electoral Commission of Ghana is one of the best electoral bodies in Africa.

Election decisions and preparations are made at different geographic levels (national, district/county, among others). EMBs will usually have sub-units that operate at different levels as well. Similarly, an election is made up of numerous complex and interdependent processes, from drawing electoral boundaries to distributing the correct ballots to the right constituencies. These processes not only have to be done well, but they also have to be done well under tight deadlines. ECG has therefore fulfilled these roles and has adequately satisfied the conditions for better election conduct over the years. Generally, EMBs are expected to ensure honest, impartial and accurate implementation of the procedures as contained in the legal and regulatory frameworks for the conduct of elections in a given country. They are also often responsible for drafting the electoral guidelines and the operating procedures for voter and candidate registration, voting and the count.

Administering democratic elections, therefore, requires that EMBs be, and be seen to be, impartial regardless of whether they are legally independent. This is critical because the election administration makes and implements important decisions that can influence the outcome of elections and public confidence in that outcome. The ECG has greatly demonstrated a sense of impartiality and is implementing decisions that are conducive to a free and fair electoral process. Information on the composition of EMBs, including relevant information about individual commission members and staff at all levels, allows the electorate and electoral competitors to assess the impartiality of the EMBs. Stakeholders can also examine the information about the individuals managing the process from one election to the next, particularly at the local level, and explore, for example, whether there might be pressure or influence on how polling stations or other units are staffed (Open Election Data, 2024).

Pal (2000) noted that the current dominant trend in democracies is to assign election administration to an independent EMB, rather than leaving it in the hands of elected representatives or the bureaucrats ultimately accountable to them. Placing election administration within the ambit of EMBs instead of within the political branches reduces the risk of partisan interference in election administration. Election administration through an independent and impartial EMB maximises the probability of electoral integrity. Pal noted that whereas independent EMBs are now the norm, there are variations in how they are designed. According to him, within the democracies that use independent EMBs, there is a division between those that enshrine the institution in the constitution itself as a branch of government with status similar or equivalent to the legislature, executive, and judiciary, and those that create and empower EMBs through statute as regular administrative bodies. In other words, it is the desire to ensure the independence and impartiality of the EMBs that has inspired the decision by some democracies to constitute EMBs as a fourth branch of government (Pal, 2016). The ECG has long been operating as an independent body and, therefore, free from the overbearing influence of the ruling political parties and the politicians.

Pal traced the phenomenon of EMBs as a fourth branch of government to contemporary constitutional design, noting that how constitutional designers have envisioned EMBs varies among these democracies. So that while in some, EMBs are the only entity to be granted elevated constitutional status and the sole institution comprising the fourth branch of government, in some others, “a multitude of bodies have been created and endowed with constitutional status, with the common denominator being their oversight of the actions of the other branches” (Pal, 2016, p.87).

Pal further observed that in established democracies, EMBs tend to be statutory creatures, born of regular legislation that defines their existence, functions, authority, and appointment process. However, this model has been shown to display some vulnerabilities as “EMBs inevitably clash with the elected representatives whose political activities they regulate. Governments may be tempted to use their legislative authority to impede the work of independent EMBs or to stack them with partisan appointees” (p.87). Due to the risk of “partisan capture” of EMBs by political majorities, some democracies have gone ahead to constitutionalise the body engaging in election administration. These democracies entrench independent EMBs in the constitution, as is the case in Ghana, rather than enabling them through statute. This approach to constitutional design removes EMBs from direct control by transitory political majorities in the legislature, as they can no longer legislate to eliminate or neuter the election commission.

Newer democracies, and those transitioning from periods of authoritarian or colonial rule, have led this trend. India, South Africa, Mexico, Kenya, and Costa Rica are at the vanguard. The constitutions in these countries elevate EMBs to a veritable fourth branch of government, alongside the legislature, executive, and judiciary. Other notable democracies adopting this form of constitutional design, according to Pal (2016), include South Korea, the Maldives, Nepal, Bangladesh, Afghanistan, and several countries in Latin America. So that, as a matter of

constitutional practice, democracies of otherwise varying lineages and trajectories have adopted this model in an attempt to insulate EMBs from partisan capture and enhance electoral integrity. At the theoretical level, Bruce Ackerman (2000, p.69) advocated for a "serious constitutional exploration" of how a "democracy branch" within the state itself could be formulated to check misuses of power by elected representatives who undermine the democratic process to entrench themselves (Ayee, 2003, p.69). Pal (2016) noted that "the fourth branch model represents an evolution in democratic practice, constitutional design, and election administration that has implications for electoral integrity, but also for how we understand the separation of powers" Pal, 2016, p.88). He added that:

The benefits of constitutionalising EMBs, and therefore insulating them from the risk of direct partisan capture, are significant. This approach protects the existence and the functioning of the election commission. The democracies that take this approach provide a model for protecting the election commission as an inextricable component of electoral integrity (Pal, 2016, p.88).

An evaluation of the experiences of the countries that have adopted the fourth arm of government model tends to indicate that the model "has not eliminated partisan interference, but merely channelled it in different directions" (Pal, 2016, p.88). Pal, therefore, argues that;

While the model is an improvement from the statutory approach, the experiences of democracies where EMBs form a fourth branch of government have exposed flaws in constitutional design and, at times, the failures of courts to fully protect EMB independence and impartiality despite their constitutional status (Pal, 2016, p.88).

The practice which the ECG has enjoyed since the inception of democracy in the fourth republic, from 1992.

An Overview of the Electoral Commission of Ghana ECG

From 1950 to 1968 and from 1974 to 1977, the ECG was a department of the Ministry of Local Government. Between those periods, and ever since, attempts have been made to institute an independent electoral body: either individual commissioners, as was the case in 1968, 1969-74, 1977, 1978, 1978- 82, or a collective body, as in 1982-1992, 1992, 1993 and to date. The ECG's responsibilities, as set out in Article 45 of the 1992 Constitution, include compiling and revising the electoral register, demarcating and revising electoral boundaries, the 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 (Debrah, 2011).

The commission also has wider responsibilities – it may assist in resolving conflicts between and within political parties. In this way, 'the ECG helps to establish and strengthen internal democratic procedures within the parties by supervising their primaries and certifying the outcomes of internal electoral processes' (Zounmenou 2009, pp 5-6). The ECG is thus the principal organ for the administration of elections in the country. The ECG currently consists

of seven members – a chairman, two deputies (one in charge of operations, the other in charge of finance and administration) and four other members. These seven members are appointed by the president in consultation with the Council of State, a body of eminent citizens partly elected and partly appointed, to advise the president and other state institutions on the discharge of their functions.

The current independent model has statutorily guaranteed mechanisms to ensure and protect the administrative and institutional autonomy of the electoral commission, without which it might easily be manipulated by the executive. Specifically, the 1992 Ghanaian Constitution and the 1993 Electoral Commission Act (known as Act 451) ensure the autonomy of the ECG in three ways. One, the ECG is not placed directly under the control of any person or authority (Frempong, 2008). Specifically, Article 46 of the Constitution provides that 'except as provided in this constitution or any other law not inconsistent with this constitution, in the performance of its functions the ECG shall not be subject to the direction or control of any person or authority (Constitution 1992, 39; also quoted in Debrah 2011, p 31). Two members of the ECG enjoy the same conditions of service as the justices of the superior court, meaning that they occupy office until they attain the mandatory retirement age of 70. Thus, they have security of tenure, which guarantees that once appointed, they cannot be removed except for reasons of infirmity or insanity, which must be confirmed by an independent medical board; 'members of the ECG cannot be dismissed by anybody except on grounds of incapacitation arising from ill-health' (Constitution 1992, p 27). The commission is funded directly by the Consolidated Account, meaning that the executive cannot cut off funds to the commission. It is vital that the ECG, in discharging its duties, lives up to popular expectations and is sufficiently protected by the statutory provisions regarding its autonomy. And on the other hand, the issue about the background of the evaluation of its performance in the 2012 elections (Zounmenou, 2009).

The ECG and Election Administration in the Fourth Republic

Even though the ECG is presidentially constituted, the commission has always strived to demonstrate a reasonable measure of independence, competence and legitimacy in the discharge of its responsibilities. In part, this has to do with the deep institutionalisation of the commission and the institutional-political frameworks that surround it, particularly the political parties, the Inter-Party Advisory Committee (IPAC) – which was established in March 1994 and is funded largely by the donor community, civil society, mass media and the political leadership. It is important to recall that Ghana's Fourth Republic was effectively launched by the 1992 founding presidential election, which was administered by the Independent National Electoral Commission of Ghana (INEC), constituted under President Jerry Rawlings's Provisional National Defence Council (PNDC). As it turned out, the elections were discredited both locally and internationally. The objections were so serious that opposition parties boycotted the parliamentary elections. Some of the shortcomings identified included the lack of independence of the ECG and attendant electoral irregularities and corruption (Gyimah-Boadi 1994; Oquaye 1995). However, by 1996, several of the major controversial issues were resolved through IPAC. The reason for the establishment of IPAC,

according to Debrah (2011, p 37), was two-pronged: 'first to diffuse opposition-government conflict and tension, and second, get the political parties to establish compromises on the rules of electoral competition'.

The positive impact of IPAC on the electoral process, according to Frempong (2008, p 191), showed in the 1996 elections and has continued. This is evident from the impressive level of voter turnout in 1996, which was established at 73.5%. More importantly, 'the general mood following the election confirmed the fact that the contending political leaders had agreed upon the basic rules of electoral politics' (Frempong 2008, p 191). Again, unlike in 1992, the defeated presidential candidates readily conceded defeat and congratulated the winner, who, in turn, congratulated the losers on their competitive spirit. Ever since then, the IPAC, an institutional mechanism for consensus building, has been sustained and replicated at regional and district levels. This has continued to aid the ECG in simplifying its electoral tasks. And from 1996 to 2024, ECG is known for its credibility in the conduct of Ghana's ninth round of elections.

EMB and Election Management in Ghana, 1992-2020

From the prevailing political atmosphere, Ghana has adopted the 'fourth arm of government' model of election management body. However, the performances of the EMBs in the fourth republic have shared the same level of credibility. Nor has it only elicited the same amount of citizen confidence in the electoral process. According to Campion Arthur (2010), although democratisation has evolved unevenly across Africa since the 1990s, there has been progress in the establishment and strengthening of independent election management bodies (EMBs).

As earlier reports had indicated, the conduct of the first election in Ghana's return to democracy in November 1992 left much to be desired. Significantly, the election was conducted barely six months after the constitutional empowerment of the Ghana Electoral Commission (EC). Thus, the commission was not prepared for the election, and consequently, the process was marred by many irregularities (Lyons, 1997). According to Lyons:

As many observers recognised, the playing field was far from level. The Presidential election was marked by (a) a hastily compiled and bloated voters' register, an Electoral Commission appointed by Rawlings that the opposition regarded as partisan, and an electoral process open to manipulation (Lyons, 1997, p.67).

Some international election observers, such as the Commonwealth and the Carter Centre, held the view that perhaps those flaws did not significantly impact the outcome of the election, which was won by the retiring military head of state of Ghana, Fl. Lt. Jerry Rawlings of the National Democratic Congress (NDC). Nonetheless, the outcome of the election cast doubt in the minds of the electorate and the opposition parties alike about the integrity and neutrality of the election management body. Such doubts resulted in the boycott of the 1992 parliamentary elections by the opposition parties (Idowu & Mimiko, 2020). The opposition

went on to compile a long list of electoral complaints, widely circulated with the hashtag “the stolen verdict” (International IDEA, 2012, p.28). These complaints formed important feedback for subsequent elections in Ghana.

To improve on the 1996 polls, the EC took two important steps in preparation for the election. The first was to set up the Inter-Party Advisory Committee (IPAC) in 1994 (two years before the election). The IPAC's objective was to restore the confidence of the parties and the public in the EC. Thus, the IPAC involved parties in discussions concerning electoral procedures (International IDEA, 2012). To show how committed the EC was to conducting a freer, fairer, and more credible election in 1996, Lyons observed that, “even though some of the charges contained in 'the stolen verdict' document lacked credibility, the EC treated them all seriously and put in place multiple measures to reassure the opposition that any attempts at fraud on election day would be detected” (Lyons, 1997, pp.72-73). The EC also carried out major reforms of the voter register to ensure that voters were registered where they would vote, under the supervision of party agents, and made corrections where necessary (Idowu & Mimiko, 2020).

Similarly, the voter registration lists were presented to the parties, and Identity (ID) Cards were distributed to voters. Due to these drastic reforms, “by election day, the opposition had by and large accepted the accuracy of the voter rolls, thus, removing a major controversy that had undermined the legitimacy of the 1992 elections” (Lyons, 1997, p.75). Furthermore, technical improvements such as the use of transparent ballot boxes, voting screens, and indelible ink were introduced in the 1996 election, all of which helped increase voters' confidence in the EC (Debrah, Asante & Gyimah-Boadi, 2010, p.6). With these positive developments, the opposition called off its boycott of the electoral process and went on to accept the results of the 1996 election, which also saw the victory of the incumbent president, Rawlings of the NDC (Idowu & Mimiko, 2020).

In the 2000 presidential election, the EC consolidated its 1996 success and achievements, and this led to a unanimous declaration of the election as free, fair, and credible by both domestic and international electoral observers (CODEO, 2000). This time, the election was won by the opposition candidate, John Agyekum Kufuor of the New Patriotic Party (NPP), and the incumbent party (National Democratic Congress) and its presidential candidate, John Atta Mills, conceded defeat. This concession paved the way for the first power alternation between the incumbent and opposition parties in 2001 (Idowu & Mimiko, 2020).

The credible management of elections by the EC continued in the 2004 election, which witnessed the victory of the incumbent President, John Kufuor of the NPP. In respect of the 2008 election, the Commonwealth election observer mission's report indicated that there were observable hitches such as delays in the EC's “limited registration” exercise held every year to capture new or relocated voters and remove the deceased from the register (Commonwealth Observer Group Report, 2008). These occurrences created great tension, leading to incidents of violence among political parties. The EC claimed that the

postponements were due to difficulties in procuring new equipment for registration (in particular, cameras) and a delayed start in registration. However, despite these challenges, the EC made frantic efforts to fix most of the problems before the run-off presidential election that year. Eventually, the opposition candidate, John Atta Mills of the National Democratic Congress, won the election, and the incumbent party (the New Patriotic Party) and its presidential candidate, Nana Akufo-Addo, conceded defeat. This marked the second peaceful power alternation between an incumbent party and an opposition party in Ghanaian democratic history. So that despite the few hitches recorded in the 2008 election, it was generally adjudged credible, free, and fair by most stakeholders (Idowu & Mimiko, 2020).

Specifically, the Commonwealth in its report commented that “the ECG had taken steps that had helped to ensure that the electoral process was robust, credible, and had met the benchmarks for democratic elections to which Ghana had committed itself” (Commonwealth Observer Group Report, 2008, p.6). The report further commended “the professionalism and dedication of the EC, and expressed hope that the country would further consolidate her democratic gains as well as promote political inclusiveness and co-operation in the future” (Commonwealth Observer Group Report, 2008, p.7).

Following the outcome of the 2008 election, the stakes were particularly high in the build-up to the 2012 Ghanaian elections, and there was palpable tension in Ghanaian society. It was feared that Ghana's progress towards democratic consolidation and its reputation as the beacon of hope in Africa may be under real threat as a result of the tension (Omotola, 2013). Following the release of the 2010 census figures, the ECG created forty-five new electoral constituencies and districts. This move was criticised by some stakeholders who interpreted it as providing a veritable avenue for gerrymandering. Some of those stakeholders took the EC to the Supreme Court, which eventually cleared the EC of any wrongdoing (Commonwealth Observer Group Report, 2012).

The ruling by the Supreme Court ruling went a long way in dousing the tension over the creation of new electoral wards (Idowu & Mimiko, 2020). There were reports of registration irregularities in the biometric voter registration exercise. It was claimed that these irregularities were corroborated by the EC and that they included the registration of minors; the registration of non-Ghanaian citizens and foreigners; compulsory registration of citizens in constituencies different from where they resided; double registration; and the assignment of incorrect ages and gender to voters (Idowu & Mimiko, 2020).

Analysing the causes of the challenges encountered in the 2012 Ghanaian election, Omotola (2013) attributed them to the country's newfound oil wealth and the quest by the various segments of the ruling class to control it as the principal causal agent. He identified the flawed application of the biometric voter verification system as being among the major challenges experienced in that election. But despite these shortcomings, the election once again proved to be “peaceful, efficiently managed, and transparent to the effect that voters were free to exercise their franchise” (Commonwealth Observer Group Report, 2013, pp.64-65). The

incumbent, President John Dramani of the NDC, who took over from John Atta Mills when the latter died in office, eventually won the election (Idowu & Mimiko, 2020).

In 2017, Ghana experienced its third alternation of power between the incumbent government and the opposition party. This time, however, the alternation took a more profound dimension in that it marked the first time a sitting president competed, lost, conceded defeat, and handed over power to the opposition leader who had won the election (Idowu, 2021). Thus, this was Ghana's first power alternation between an incumbent president and an opposition candidate. The Commonwealth Observer Group reported that the political atmosphere preceding the 2016 presidential election, which resulted in the 2017 power alternation, was characterised by tense political intrigue (EUEOM, 2016).

The campaign period was dominated by the incumbent NDC and the main opposition NPP. The political stakes within the country were relatively high during the campaigns, due largely to widespread monetisation of the campaigns and rallies and the blatant misuse by officials of incumbency powers and state resources across states as well as regional and district margins (International Republican Institute, 2016). This aroused suspicion and fear of potential violence, especially with the rise in the deployment of political thugs by the major political parties (EUEOM, 2016). Also, during voter registration, a series of violent protests were recorded. Efforts to douse the tensions culminated in a series of peace initiatives coordinated by the EC, the National Peace Council, and the IPAC, including the "Accra Declaration" (EUEOM, p.10).

The Declaration was signed by all presidential candidates on December 1, 2016, with a commitment to ensure a peaceful process in the conduct of the election and events leading to it. This Declaration could not address some isolated incidents, however, such as the violent clashes between supporters of the two major parties, leading to the loss of lives (International Republican Institute, 2016). The abuse of state resources and the power of incumbency also characterised the electioneering periods. The ruling NDC "district administration employees, vehicles, buildings and other assets were used for the NDC campaign" (EUEOM, 2016, p.19).

There were reports of the distribution of money and consumable goods to individuals and communities by the major parties. On election day, the EC deployed a Biometric Verification Device (BVD) to determine eligible voters. Other forms of innovation were put in place to ensure the integrity of the process, such as voting in polling stations where voters' names appeared; the use of indelible ink; serial numbering of ballot papers and counterfoils; and customised polling station forms, with polling station name, code, and serial number (Commonwealth Observer Group, 2016). During the counting of ballots and collation of results, the EC ensured transparency of the entire process. The result forms for polling stations and constituency collation centres were distributed to party agents and made public. Nevertheless, the EC's system had several technical hitches, which forced it at some point to abandon the system and opt for a manual collation process. This inevitably delayed the announcement of the outcome of the election (EUEOM, 2016). To its credit, though, the EC

eventually declared the final results on December 9, which was still within the seventy-two-hour timeline set for the declaration of presidential election results. It was also noteworthy that a few hours before the result declaration was made by the EC, the incumbent President, John Mahama Dramani of the NDC, had conceded defeat to the NPP presidential candidate, Nana Akufo-Addo (Idowu & Mimiko, 2020).

Following its three decades of uninterrupted democratic rule, including three peaceful alternations of political power, and going by the minimalist conception of democratic consolidation discussed above, Ghana analysts have generally upheld the milestone achievement in its drive towards consolidation of democracy. It has been touted as a beacon of democracy in Africa. Instructively, however, Pimpong and Tei (2023, p.51) cogently noted that “despite this milestone achievement, some practices have almost marred a peaceful transition of power”. They explained that central to the alternation of power is the acceptance of electoral defeat by the losing candidate, but that since 1992, the results of the presidential elections in Ghana have been greeted with mixed reactions by the defeated presidential candidates, with three of them (1992, 2012, and 2020) outrightly rejected, protested, and challenged by the losing candidates. Pimpong and Tei further argued that election results prompt a twofold test of democratic consolidation whereby the actions or inactions of electoral losers concerning how they understand their defeat and their post-election reactions on the one hand, and winners' attitudes before and after the declaration of election results on the other hand, epitomise political stability and legitimacy of government.

From the table above, it could be gleaned that the results of three out of the eight successive presidential elections since 1992 were rejected by the respective defeated candidates and by extension their parties. Two of them were challenged at Ghana's Supreme Court in keeping with Article 64 (1) of the 1992 Constitution. Pompong and Tei further revealed that even in the case of those results in which the losing candidates accepted defeat, two of such concessions by the candidates had been forced or made reluctantly. This was perhaps in the spirit of the peace accord, which all the aspirants had to sign before the general elections. Arising from the above, Debrah (2011), cogently argued that the fact that some candidates have had to refuse to concede defeat after the declaration of election results has adverse ramifications for democratic consolidation and that the actions and reactions of political parties toward election results constitute a big drawback on Ghana's quest for democratic consolidation. They further argued that opposition parties' dissatisfaction is a sign of a lack of confidence in the country's electoral processes. This lack of confidence in the electoral process, coupled with the subsequent disagreement with the Supreme Court verdict on the election petition, as happened in the aftermath of the 2020 presidential election, is a clear indication of opposition mistrust in state institutions more generally, which does not bode well for the consolidation of democracy. It is given that, Frempong (2008) insist that for all the encomiums lavished on Ghana's democratisation process, the degree of democratisation as it relates to the presidential elections so far conducted in the country's Fourth Republic has been minimal, and that democracy is not too far from being consolidated in the country.

In the 2024 general election, the ECG had demonstrated their professionalism and stable conduct of elections in the country since 1996, as reported by the Commonwealth Observer Group (COG). The COG was led by the President of Botswana, HE Dr Mokgweetsi Eric Keabetswe Masisi. The COG concluded that the elections were transparent, credible, and peaceful. In addition, the observers made some recommendations to further strengthen the electoral process and institutions of democracy. The 16-member independent and multi-disciplinary team was deployed by the Commonwealth Secretary-General, the Rt Hon Patricia Scotland KC. Commenting on the report, the Secretary-General of Scotland said:

Ghana's peaceful and credible elections are a testament to the country's democracy. The Commonwealth Observer Group has made a detailed assessment of the election, noted areas of significant strength and identified opportunities for improvement, including the need for enhanced transparency, accountability, and inclusivity in the electoral process. I thank the members of the Commonwealth Observer Group for their exceptional work, and I urge the national institutions in Ghana to implement the recommendations they have made. Above all, I thank and congratulate the people of Ghana for their commitment to democracy (COG, 2024, p.1).

The report commended the people of Ghana for maintaining an atmosphere of calm throughout the elections. The observers praised the professionalism displayed by ECG (polling) staff and security agents, as well as the diligence of party agents. The members of the COG also noted the statesmanship demonstrated by Dr Mahamudu Bawumia in his early concession to President John Dramani Mahama.

The report noted that the Electoral Commission of Ghana (EC) had established additional polling stations and employed temporary polling staff to support the conduct of the elections. The increased number of polling stations and the capping of the number of voters per polling station were positive steps in the management of the elections, ensuring shorter queues and quicker voting times. Recalling recommendations made by previous COGs, this report reiterates the need for the development of an effective regulatory framework for campaign financing to prevent corruption and increase transparency. These rules would help to avoid opening the political system to the monetisation of politics and the commercialisation of elections. The COG also noted that the delay in announcing results from some constituencies created some uncertainty and speculation. They recommended that the EC should address this issue in the future to uphold the integrity of the electoral process.

Conclusion

From the foregoing, this paper has established that ECG has maintained stability in the Ghanaian electoral process over the years. At first instance, there was a foreseen problem with the electoral process and dissatisfaction among the electorate and the opposition political parties. The commission made concerted efforts to correct the abnormalities of the past to prepare for a better electoral process shortly. And since the formation of the interparty

advocacy committee, the ECG has made a significant impact in conducting credible, free, and fair elections with few problems and cases of illegalities. As a result, we therefore recommend that:

1. The Election Commission should be given adequate powers to sanction political parties' misconduct during elections and the management of electoral disputes
2. There should be improved funding for the commission to enhance the well-being of its staff, as well as training and retraining of the staff to enhance efficiency
3. Political parties and party agents should ensure proper monitoring and collating of electoral results to assist the commission so that there would be fewer disagreements over election results and disputes after the announcement of election results.

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