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**Election 2008**

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**Election 2008 was the sernest test of Ghana's democracy.Yet,with The IEA's intervention Ghana won.**

**REPORT ON THE 2008 GENERAL ELECTIONS IN GHANA**

**Introduction**

On Sunday December 7, 2008, Ghana's Democracy was for the fifth successive time put to the test. An estimated nine million people went to the polls to elect a President and two hundred and thirty Parliamentarians to decide the political fate of Ghana for the next four years. The President was expected to be elected on the basis of a "simple plurality" (50% + 1) vote whilst the Members of Parliament were elected on the basis of the "first-past-the-post" (simple majority) vote. 230 Parliamentary seats were contested for.

The stakes for this year's elections were high for a number of reasons.

Firstly, the two largest Parties in Ghana, the New Patriotic Party (NPP) and the National Democratic Congress (NDC) having served two terms each sought to break the deadlock to determine who the most dominant force was.

Secondly, this was the third successive time that Professor John Evans Atta Mills, the Flagbearer of the National Democratic Congress was contesting the Presidential Elections. This election was therefore a make-or-break election for him as this might well be the final time he would be given

the opportunity to contest on the Party's ticket. Again, one of the smaller Parties, the Convention People's Party (CPP) seemed to have suddenly woken up from its long slumber with the selection of Dr. Paa Kwesi Nduom as its Flagbearer. The Party was therefore tipped to cause a major upset. Furthermore, this was also the first time in the Fourth Republic where neither a President nor his Vice was seeking re-election so the field was more open since there could not be any allegations of a widespread abuse of incumbency. Lastly, Ghana had just discovered oil and was due to start producing it in commercial quantities from 2010. With an expected receipts of \$3 billion per annum, whoever won the 2008 Election would "have an ATM machine on his porch" a la renowned Economist, Joseph Stiglitz.

### **Campaigning**

The campaign period was exciting as it was intensive. The four Parties with representation in Parliament did all in their power to woo voters. There were songs, catch phrases like "we are moving forward (NPP), "Ye re Sesamu" literally meaning we are changing things (CPP), "Change you can trust (NDC), and "real change, real hope (PNC)"; dances, radio and television adverts and above all, well -prepared and thought -out manifestoes to display.

The NPP campaign was by far the most attractive and the most covered by the media. It was a clear case of incumbency advantage at its best. The Presidential Candidate of the Party had his photograph plastered on huge billboards all across the country. One could find Bill boards at every corner. The NDC on the other hand embarked on a house- to- house campaign. Their campaign was therefore not as visible but nevertheless effective. Perhaps, the most impressive (considering their record in the last twelve years) was the CPP whose rally in Accra to outdoor its Running mate gave Ghanaians a wake-up-call and put the Party on a solid pedestal as the third force in the race to the Golden Jubilee House, the newly refurbished building to house the President. The crowd that turned up at the rally was beyond anyone's imagination and this boosted the morale of the Party greatly. The other five Parties did not embark on any visible campaign save rare PNC adverts and radio interviews mercifully granted to the representatives and the Presidential Aspirants of the other Parties.

The last day of campaigning saw the NPP and NDC holding mammoth rallies in Accra and Tema respectively. Apart from giving the Candidates a final chance to appeal to voters, the rallies were a show of political force. Only the NPP rally was covered live by all the television stations. The NDC rally was telecast after the event. The NDC was compensated with about thirty minutes of advertisement by GTV, the state broadcaster and a delayed telecast of their rally. They both generated huge support, making it an impossible task to judge who had the bigger crowd.

### **Voting**

Although voting was scheduled to commence at 7:00am, enthusiastic voters had formed queues at polling stations as early as 4:00am. Most polling stations recorded long queues throughout the day. This was a departure from the norm where polling stations are usually quiet between 12 noon and 3pm. A number of polling stations experienced long queues throughout the day. In spite of the long queues, it turned out that only 69% of voters turned up to vote. One reason attributed to the relatively low voter turn out was voter apathy. With the two main Parties having

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served two terms each without significantly improving the lot of the average Ghanaian, most Ghanaians felt it was worth their while to go and vote. Another reason that could be attributed is the allegation that the Voter's Register was bloated. If that assertion is true, then one could argue that the 31% of people who did not cast their votes were either minors, people who had registered more than once or ghost names.

Another interesting trend that cannot be overemphasised was the number of rejected ballots. This represented 2.4% of the total votes cast. This percentage is bigger than the combined percentage of votes cast for the CPP and PNC during the elections. A lack of voter education has been identified as a possible cause. Again, for the first time in Ghana's election, the little finger was dipped in indelible ink rather than marking the thumb which had been the norm in the four previous general elections. Most people therefore voted with their little finger which was dipped in the ink instead of using their thumb. These votes were thus rejected.

#### **Polls**

Several polls had been carried prior to the elections by prominent journalists and Civil Society Organisations. The polls produced varied results with regards to the percentage of total votes each candidate was to receive. One thing that was certain about all the polls was that no party was going to win the elections one-touch.

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#### **Declaration of Results**

Ghanaians sat on tenterhooks until the Electoral Commission announced the results after some 70 hours after voting. None of the two Political Parties obtained the 50%+1 required for a first round victory. The NPP obtained 49.77% while the NDC obtained 47.966%, an improvement on the 44.651% Professor Mills had obtained in 2004. The NPP's inability to obtain a first round victory was attributed to complacency on their part, apathy on the part of their supporters and the improper settling of disputes arising from the party's primaries. After an official announcement of a run-off, the two Parties psyched themselves and their supporters up for the second round of voting. They both embarked on subtle and rigorous attempts to court the minority Parties. It was difficult to predict whose side the small Parties will go to, for even though Dr. Nduom of the CPP had been courted once by the ruling NPP and also worked with the NDC. Also and the running mate of the NPP is married to the daughter of the National Chairman of the PNC, thus it was uncertain who they would support. In the end, the leadership of both parties decided not to support either of the two parties.

After an intense three (3) week campaigning period, the second round of the Elections was held on Sunday 28th December, 2008. The turn-out higher than the first round even though the long queues that characterised the first round were absent in most areas (Explain). Voting took place in the two hundred and twenty nine constituencies out of the two hundred and thirty. The voters in one Constituency in the Brong Ahafo region- Tain, could not exercise their franchise due to shortage of election materials. The results of the second round were declared on Tuesday 30th December, 2008 after forty-eight hours of tension and anxiety. Once again, the election failed to produce an outright winner. None of the two Political parties made the required 50%+1. This time the NDC obtained more votes, that is 50.23% than the NPP which obtained 49.77%. The Electoral Commission declared that since the results were so close voting in the Tain Constituency could determine the eventual winner. Thus a third round of voting was declared. The two parties agreed with the Electoral Commission to hold the elections for the Tain Constituency on Friday 2nd January, 2009 bearing in mind that the new President had to be sworn in on Wednesday 7th January, 2009 as prescribed by the constitution.

After the declaration the leadership of the two parties descended on the Tain Constituency and began a vigorous campaign. The eyes of the whole country and indeed the world were fixed on Tain the final decider of the 2008 Elections. A day before the Election in Tain, the NPP advised its supporters not to vote citing security in the constituency as the main reason. There were manoeuvres by the National Chairman of the party to use the courts to restrain the Electoral Commission from holding the Election but this was not successful. The Elections went on smoothly and the NDC were declared winners of the Tain Constituency with a very wide margin.

The final results of the 2008 Election were declared on Saturday 3rd January, 2009. The NDC's Professor Evans Atta Mills obtained 4,521,032 representing 50.23% of the total valid votes cast. Nana Addo Dankwa Akufo-Addo also obtained 4,480,446 representing 49.87% of the total valid votes cast. This was indeed a closely contested election for after all a rounding up of both figures would place both candidates at the same percentage point of 50%.

After some initial contest of the results the NPP flag bearer conceded defeat and congratulated Professor Mills.

### **Parliamentary Results**

The 2008 Parliamentary elections can be termed "the fall of the mighty" Many popular and long serving Parliamentarians of the four Parties with representation in Parliament have fallen victims to the massive wind of change that swept through the parliamentary elections. The NPP suffered the most casualties as their number of Parliamentarians dropped from 126 in 2006 to 107. It lost its hold on 19 seats. The NDC on the other hand have made some gain as it increased its number of seats from 96 to 113. It gained control of a further 17 seats. The CPP's promising campaign unfortunately did not yield any gains for the Party with regards to Parliamentary seats for indeed their seats in parliament were reduced from three to one. A school of thought suggests that Ms. Samia Nkrumah, the CPP Candidate for the Jomoro Constituency won the seat because her father, Osagyefo Dr. Kwame Nkrumah, the first President of Ghana and indeed a forerunner in the fight for Ghana's independence hails from the area. Therefore, the indigenes felt they owed it a duty to her father to throw their weight behind her. The PNC who did not do much in terms of campaigning lost two of its four seats they had won in 1996.

Among the casualties on the NPP side were the first deputy speaker, Ministers for Works and Housing, Information and National Orientation, Minister for Foreign Affairs, Minister for Women and Children's Affairs and the deputy Minister for Trade and Presidents Special Initiatives. Interestingly, the Minister for Women and Children's Affairs was one of the few people who had made the short list for the running mate position of the NPP. Within the NDC, the Spokesperson for the NDC Flagbearer and the MP for Lawra-Nandom, one of the long serving Members of Parliament were among the few who lost their seats. While the loss of some of these Parliamentarians could be attributed to the desire for change, voters also punished some for their failings. Yet another school of thought argue that MP's like Minister of Information and National Orientation for example were rejected by their Constituents due to their gross show of arrogance and disrespect. The lesson is for incumbents to be less complacent in the future and listen to their constituents and undertake relevant projects.

### **Challenges**

The elections were not without their challenges, especially the campaigns leading to the elections themselves. The major ones were:

#### **Abuse of Incumbency**

Though there is no generally agreed definition of "abuse of incumbency", it is easily recognised as the use of state facilities and resources by an incumbent Government for the purposes of prosecuting its electoral agenda. The most flagrant abuses involve the use of state vehicles, state security apparatuses, state officials, state venues and paraphernalia, sod-cutting for projects and the commissioning of projects in an Election Year and access to the use of state revenues.

Abuse of incumbency is normally most obscene when there is an incumbent President who is participating in the elections. There was no incumbent President or Vice President participating in the 2008 elections and the expectation therefore was that abuse of incumbency would be kept to a minimum. However, the use of state resources in favour of the Presidential candidate of the ruling NPP, including the use of state helicopters to distribute his campaign materials as well as a last-minute flurry of sod-cutting and project commissioning activities by the President was seen as inuring to the benefit of the ruling NPP's candidate. The ruling party's candidate also seemed to be awash in resources and some estimated him as out-spending his seven opponents put together by as much as 30-1.

#### **Corruption of the Electoral Process**

There were many allegations of corruption of the electoral process. This was especially so during the party primaries that elected the Presidential and Parliamentary candidates. Serious allegations of bribery of the Party delegates at the Party Congresses were made as were allegations of inducements to the general electorate after the primaries and in the build-up to the elections themselves.

Viewed as "investments" by those who may be sponsoring the candidates with so much money to enable them pay the bribes, a relationship can be established between the "donations" and what kind of "pay-back" the donors expect from the winner. Indeed allegations of corruption were even raised against some electoral officials and polling agents of the political parties.

#### **Media Coverage of the Campaigns**

Media coverage, especially by the state-owned media, always threatened to be a flash point in the elections. The concern had been with their alleged bias in favour of incumbent Governments. Indeed, in 1993, the then NPP opposition sued the state broadcaster, the Ghana Broadcasting Corporation (GBC), at the Supreme Court and got a declaration enjoining all state media to provide equal access to all political parties, big or small. Compliance with this injunction has been more in the breach than in the observance throughout the period of the Fourth Republic which began in 1993, and in the final days of the campaign, the largest opposition party, the NDC, also sued the GBC in respect of the same accusation of unfairness.

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### **Women's Representation**

The hope that many more women would be elected to Parliament in 2008 after Ghana signed onto several national and international conventions such as CEDAW and Beijing Platform was shattered when fewer women got elected than in the previous year. In 1992 when the first Presidential and Parliamentary elections were held twenty-three (23) women contested for 200 parliamentary seats. Sixteen (16) of them representing, 80% won their seats and became MPs. In the 1996 parliamentary elections the number rose significantly. Out of the 59 women who contested, 18 (30%) were elected, constituting 9% of 200 MPs, in 2000, the number of female Candidates increased to 101 but the number elected was 19 (18.8%), constituting 9.5% of 200 MPs. In 2004, the number of women that contested was 104, including 14 sitting MPs, out of which 25 (24%) were elected constituting 10.9% of 230 MPs. The number in 2008 has been reduced to 15 constituting only 6.5% of the house.

The Political Parties as well as the Ghanaian society is equally to blame for paying lip service to the empowerment of women in Ghana. Even though The IEA organized training workshops for the Female Aspirants and drafted a Women's Manual which advocated the fielding of female Candidates in the Parties' strongholds, the Manual was not adopted till after the Party primaries. This led to a good number of women loosing their seats.

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### **Possibility of Violence**

Prior to the elections, there had been speculations about the possibility of violence erupting during the elections. These speculations were triggered by violent incidents that were recorded during the limited registrations exercise across the country and other incidents that had been recorded during the selection of Parliamentary Candidates within the Parties. Again, the post election violence in Kenya and Zimbabwe put Ghana on the spotlight as many across the world wondered if Ghana's election would be lead to similar reactions as witnessed in Kenya and Zimbabwe. As a precautionary measure, several initiatives such as Peace Walks, Peace Songs and the broadcast of Peace Messages from distinguished Members of the Society were organised to preach the message of peace across the length and breadth of Ghana.

While it was the prayer of most Ghanaians that harmony would prevail, it was a little too soon to start celebrating before the results were declared. Polling day in Kenya was quiet. It was the refusal of either of the big Parties to accept defeat that sparked the violence. The closeness of the results was likely to make both Parties scramble feverishly for every vote to win the second round. This was where the trouble could have started. However, the many interventions put in place by The IEA and other bodies paid off.

The period between the counting of the votes and the declaration of the results after the second round was very tense. Supporters of the two Parties took turns to besiege the offices of the Electoral Commission calling on the Commission to be fair in the collation of the results. The results were going to be close and it was uncertain if the loser was going to accept the results. The IEA together with some eminent Ghanaians issued a Press Statement calling on the leadership of the Parties to restrain their supporters and urged Ghanaians to be patient and accept the results as declared by the Electoral Commission. This served as a useful intervention since other bodies and religious leaders all added their voices to this call, some even went further to hold meetings with the flag bearers of both Political Parties. Peace and Sanity prevailed as a result of this.

## **7. Elections Petitions Court**

In October 2006, The IEA commissioned a team of consultants to prepare Democracy Consolidation Strategy Paper (DCSP) to address the deficiencies in Ghana's democratic practice since the coming into force of the 1992 Constitution and to propose practical reforms. This is the outcome of a two-year research and consultative process. The Paper was completed and launched in October, 2008. One specific recommendation arising out of this Paper was the establishment of a special Court during elections to deal expeditiously with election-related disputes. Her Ladyship, the Chief Justice accepted the idea. She gave a Practice Direction for the establishment of an Elections Petitions Court to give priority to election-related cases during and after the elections. This was followed and has led to a quick resolution of electoral disputes. In previous years cases related to electoral disputes have gone on for a long period sometimes running into more than four years.

## **8. Election Observation**

The IEA sent a well-trained corps of Election Observers into the field to observe and report on the Elections. Their work was well-received and their interventions led to a calming of Political atmosphere. They cooperated with the Media and the Security Service who sought their opinions on a lot of political and electoral issues due to the Observers' professionalism and neutrality.

## **9. The Presidential Transition Bill**

Political Transitions are a critical aspect of any good governance agenda. Depending on how well they are managed or otherwise, the nation stands to benefit or lose from them. Ghana's own shaky transition of 2001 bears ample testimony to this fact. The rancorous nature of the handing over process from the administration of the National Democratic Congress to that of the New Patriotic Party in 2001, resulted in the development of deep seated animosity between the two Parties up to the present time. Desirous of preventing the polarisation arising from past botched transitions, The IEA drafted a Presidential Transitions Bill in collaboration with all the major Political Parties and Civil Society Groups. Due to its late completion, it could not be passed into law before the fourth Parliament of the fourth Republic was dissolved.

That notwithstanding, The IEA's Presidential Transition Bill was the blueprint for the work of the two Transition Teams, post-Election 2008. It guided the Transition process and became the standard by which transitional affairs were judged. Extensive reference was made to it by all spheres of the society. Added to this fact is the added bonus of having the key Party representatives who helped in drafting the Bill as the leaders of the two (2) Transitional Teams. It is pleasing to note however that the President in his first State of The Nation's Address in Parliament on the 19th of February, 2009 mentioned this initiative of The IEA and express his intention to forward this Bill to Parliament for discussion and passage into law.

## **THE 2008 ELECTIONS AND THE DEMOCRATIC FUTURE OF GHANA**

Though it is early days yet to draw any profound conclusions, the following lessons can be drawn from the 2008 elections:

- The Ghanaian political landscape is now characterised effectively by a two-party political system and the future politics of the country is likely to be dominated by the NDC and the NPP;
- In this regard the imminent passage of the law on public funding of political parties is necessary.
- Unless support is given to the smaller political parties, their political future is very bleak indeed;
- Abuse of incumbency is a very real threat to Ghanaian elections and legislation may be required to regulate the ruling party's utilisation of state assets and state resources in an Election Year;
- Political control of the security services during elections which tend to be abused for political advantage ought to be reviewed;
- The role of a state media in a liberalised political environment such as Ghana's ought to be revisited;
- Legislation on affirmative action to ensure increased and effective women's participation in the political and electoral process ought to be considered;
- Policy centres, think tanks and civil societies such as The IEA must be supported in their efforts to facilitate inter party dialogue and cooperative moves between and among the political parties.