Do Institutions Matter? Managing Institutional Diversity and Change in Ghana's Fourth Republic

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RECOMMENDATIONS:

- Holistic electoral reforms should be carried out to ensure integrity of future elections.
- Political parties must be strengthened to contribute effectively to the governance process.
- The 'winner-takes-all' political system should be revisited to promote a culture of inter and intra-party tolerance.
- The regulatory framework and institutions for the media should be reinforced.

Introduction

After several years of political instability and socio-economic decline partly caused by endemic militarization of politics and society, and since the inauguration of the Fourth Republic in 1992, Ghana has become a relatively stable democracy. Since 1992, six successful elections have been held, producing two political turnovers between the two major political parties, the New Patriotic Party (NPP) and National Democratic Congress (NDC). The sixth presidential and parliamentary elections under the Fourth Republic were held in December 2012, with the incumbent party NDC emerging as the winner. The opposition NPP challenged the election results and petitioned the Supreme Court to annul the results. The court upheld the results. The peaceful political turnovers have taken place within an environment of promising institutional development and a political terrain very tolerant of a vibrant media, political parties and civil society. Democracy entails the adherence to basic political and civil rights and the presence of institutions. There is no doubt that dysfunctional political institutions and governance contribute significantly to Africa's disappointing political and socio-economic development. This brief examines how the governance process in Ghana has evolved, especially the role of institutions, specifically political parties, the Electoral Commission and media in deepening and enhancing the democratic process. It argues that Ghana's political and socio-economic development has come about as a result of deepening institutional effectiveness. In short, institutions do matter in ensuring democratic consolidation and expansion.

Political Parties

Political parties are critical for consolidating democracy in Africa and elsewhere. Beside filling political office and exercising power, political parties contribute to democratic consolidation through representation, integration, aggregation, recruitment and training, making government accountable and organising responsible opposition to governments. Institutionalizing party systems matters a great deal in sustaining democracy and promoting good governance compared with the

amorphous party systems dominated by populist leadership.[1]

Ghana's deepening democracy has witnessed an increase in the number of political parties that are driven by core values of democracy. The primary aim of political parties in Ghana is to achieve a competitive edge in elections, and to control or influence the conduct of government by getting candidates elected to public office. Currently, there are about 23 registered political parties, out of which about 10 are active and contested the 2012 elections. These are the: NPP, NDC, People National Convention (PNC), Convention People's Party (CPP), Great Consolidated People's Party (GCPP), Progressive People's Party (PPP), National Democratic Party (NDP)[2], Reform Patriotic Democrats (RPD) and United Front Party (UFP). In spite of the burgeoning of political parties, competition in the Fourth Republic revolves around a virtual two-party system in Ghana, with the NDC and NPP as the main contenders. These two parties only have formed governments in the Fourth Republic and they command over 90 percent of the electoral votes.

On ideologies, the NDC's social-democratic platform is nationalist in orientation and its development programmes are socially crafted to serve ordinary people, while the NPP's property-owning democracy broadly includes the central tenets of liberalism – commitment to free enterprise, fundamental human rights and the vigorous pursuit of private initiative[3]. Despite the apparent differences in the ideological orientations of the two dominant parties, their respective two

terms in office have shown that they have both been largely non-ideological in the implementation of policies. It is interesting to note that some Ghanaians sign up for the membership of political parties and became party activists for several reasons other than ideology, such as the material incentives the parties dispense to their members. For example, some patrons and foot-soldiers of both parties measure their activism against receiving a personal reward. In this context, many expect appointments as ministers, District Chief Executives, District Assembly members, appointments on state agencies and boards or business contracts.

Furthermore, Article 55 of the 1992 Constitution outlaws political parties based on ethnicity, religion, regional or other sectional divisions. Despite this constitutional provision, it would be disingenuous to ignore the ethnic, religious or regional undercurrents in Ghanaian electoral politics. Political parties in Ghana are faced with persistent challenges such as low organizational capacity, lack of technical and financial resources, limited internal democracy and excessive monetization of politics that tend to hinder the democratization process.

The Electoral Commission

The Electoral Commission of Ghana (EC), in particular, has been the torchbearer in Ghana's electoral processes. It was established in 1993 by the Electoral Commission Act, 1993 (Act 451), in accordance with the Article 43 (1) of the 1992 Constitution. The most distinguishing factors accounting for the EC's relative success have been making the electoral process more transparent, fostering agreement on the rules of the game and asserting its autonomy in relation to the performance of its mandate. In almost all elections, the EC has come under attack from contestants, but it has demonstrated professionalism, independence and neutrality, a rare characteristic among most ECs on the continent. The EC has led the introduction of successive improvements in election management. For example, following the boycott of the 1992

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[1] Haynes, J. (2006). The principles of good governance. In: L. R. Cleary & T. McConville, eds. *Managing defence in a democracy.* London: Routledge, pp. 17-31.

[2] This party contested only the parliamentary elections because it did not meet all requirements for the presidential election.

[3] Ayee, J. R. (2008). The evolution of the New Patriotic Party in Ghana. *South African Journal of International Affairs,* 15 (2), p. 185-214.

parliamentary elections by the opposition NPP, due to the disputed presidential election results, an informal and non-statutory Inter-Party Advisory Committee (IPAC) was created in March 1994 to play a consultative and advisory role in the electoral process. The formation of the IPAC was a two-pronged effort: a) "to diffuse opposition-government conflict and tension"; and b) "to get the political parties to establish compromises on the rules of electoral competition."[4] This process brings together representatives of all political parties, and donors (acting as observers), to join the EC in regular meetings to fashion consensus on the rules of electoral conduct.

The EC and IPAC led the process of developing and adopting a code of conduct for political parties, with complaints investigation procedures established at district, regional and national level. The code, which was first implemented during the 2000 elections, has been an effective means of checking abuse of process by political parties. However, it is weakened by its lack of legal and binding enforcement mechanisms. Nonetheless, the prevailing culture of political stability and the growing confidence among stakeholders in elections as the only route to political power owe much to the credible management of the electoral process by the EC. Moreover, the introduction of new technology like the Biometric Voter Registration (BVR) and Verification System (VS) was another step at improving election administration in 2012.[5] Despite the relative institutional strength of the EC, elections in the Fourth Republic have not been devoid of difficulties. These often revolve around issues of

logistics, electoral laws, and technical and human resource constraints. The outcomes of elections since 1992 have been challenged by different political parties. In particular, the 2012 election petition at the Supreme Court brought to the fore some apparent shortcomings of the electoral system and thus the need for electoral reforms.

The Media

The media has and continues to play a significant role in Ghana's democracy. The return to democratic rule contributed to the end of the culture of silence imposed by the dictatorial Provisional National Defence Council regime. During the 1980s, alongside the Ghana Broadcasting Corporation, only two daily state-owned newspapers, the *People's Daily Graphic* and *Ghanaian Times,* operated in the country. Their contents were mostly a collation of government press releases and speeches of state officials. In the Fourth Republic, the National Media Commission (NMC) was established in 1993 by Act 449 to regulate the media landscape, albeit with minimal enforcement capability. The activities of private media were largely curtailed by the Criminal Libel Law and the prosecution of daring journalists stifled press freedom. The NPP government eventually repelled the problematic Criminal Libel Law in July 2001.

In addition to the state-owned media, there are currently over 100 registered newspapers and 200 private Frequency Modulation (FM) stations operating throughout the country. The media as the fourth estate has been instrumental in safeguarding the country's democratic principles by performing its watchdog and monitoring functions. The media plays diverse functions including dissemination of information, agenda setting, creating political awareness and acting as a vehicle for political and civic education.[6] It has been at the forefront of civic and peace education, particularly during elections

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[4]The IPAC also operates at the regional and district levels. See Debrah, E. (2011). Measuring Governance Institutions' Success in Ghana: The Case of the Electoral Commission. *African Studies,* 70 (1), pp. 25-45.

[5] There were challenges with the use of these technologies and thus cannot be deem as the panacea to successful; elections. See Abdallah, M. (2013), Ghana's 2012 Elections: Lessons Learnt Towards Sustaining Peace and Democratic Stability. *KAIPTC Policy Brief,* Accra: KAIPTC

[6] Gyimah-Boadi, E. (2009). Another Step Forward for Ghana. *Journal of Democracy,* 20 (2), pp. 138-152.

by educating the electorate on the need to contribute to free, fair and peaceful elections. The media have provided critical information about the governance process and helped the general population to understand the different agenda and manifestoes of the political parties and candidates, as well as helped expose corrupt practices in government.

However, the meaningful contribution of the media in the governance process is not without challenges. For instance, the opening of the media landscape has seen politicians setting up and owning media establishments to pursue both business and political interests. In some cases, such enterprises have been used to incite tensions in the country. The practice of media freedom in Ghana has been beset with unprofessionalism and ethical breaches such as biased reportage, publication of untruth, libellous and sensational stories and political propaganda.[7] There is also the concern caused by other media programmes, especially radio phone-in programmes. Due to the faceless nature of communication and the anonymity offered by FM stations, callers phone in to such programmes to make unsubstantiated allegations and use inflammatory language.[8] These developments, coupled with the rising political intolerance of some political activists, could potentially derail the country's hard won democratic system, because the media are like a double-edge sword and have indeed contributed to instability in other parts of the continent.

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[7] Asah-Asante, R. (2007). The Media in Ghanaian politics. In: J. Ayee, ed. *Ghana at 50: Government, Politics and Development.* Accra: FES, pp. 143-159.

[8] Danso, S. O. and Edu-Afful, F. (2012). 'Fruitcake','Madmen', 'all-die-be-die': Deconstructing Political Discourse and Rhetoric in Ghana. In: K. Aning and K. Danso, eds. *Managing Election-Related Violence for Democratic Stability in Ghana,* Accra: FES, pp. 97-139; Gadzekpo, A. (2008). Guardians of democracy: the media. In: B. Agyeman-Duah, ed. *Ghana: Governance in the Fourth Republic.* Accra: Center for Democratic Development, pp. 195-214.

Recommendations

- There is need for the country to embark on a holistic process of electoral reforms to ensure the integrity of future elections and create a peaceful environment for sustainable development.
- Members of the Electoral Commission, including the chairman, should be elected by Parliament to reduce perceptions of political bias arising out of appointment by the President.
- There should be an effective regulatory framework with an enforcement mechanism to build stronger political parties.
- Abolish the "winner-takes-all" political system to promote a culture of inter- and intra-party tolerance.
- State financing of political parties should be instituted in order to curb the increasing monetization of politics and its negative impact on the governance process.
- The National Media Commission should be transformed into a stronger regulator with an effective enforcement regime to deal with issues of breaches of professional ethics and other media excesses.

Conclusion

Ghana is ranked among the high-performing African states in terms of political governance. The country's improved governance climate has increased investor confidence and thus attracted more foreign capital into the economy. There is no doubt that institutions matter in the national governance process. This brief has highlighted some of the challenges that some institutions of governance – the Electoral Commission, political parties and the media – need to surmount in order to make them stronger so they contribute more effectively to the consolidation of democracy.

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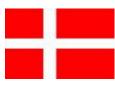
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